



NATIONAL
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Finally, we thank the EU Commission, the Balkan Civil Society Development Network (BCSDN) and SIDA (Swedish International Development Cooperation Agency) for their generous support for the WeBER 2.0 project.

ABOUT WeBER2.0

The Western Balkan Civil Society Empowerment for a Reformed Public Administration (WeBER2.0) is a three-year project principally funded by the European Union (EU). For activities related to the preparation and printing of the PAR Monitor 2019/2020 and the organisation of the second regional “Citizens First” conference in February 2021, co-funding was provided by the “Protecting Civic Space – Regional Civil Society Development Hub” project, financed by the Swedish International Development Cooperation Agency (Sida) and implemented by the Balkan Civil Society Development Network (BCSDN). WeBER2.0 represents a continuation of the Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform (WeBER), a project implemented from 2015 to 2018 and funded by the European Union and co-funded by the Kingdom of Netherlands.

The first WeBER project has contributed to increasing the relevance, participation, and capacities of civil society organisations (CSOs) and the media in the Western Balkans (WB) to advocate for and influence the design and implementation of public administration reform (PAR). WeBER2.0 builds upon the previous WeBER’s accomplishments and further enhances the engagement of CSOs in PAR by conducting evidence-based monitoring of PAR in line with EU requirements. It also aims to promote dialogue between CSOs and government at the regional, national, and local levels, strengthening participatory democracy and exerting pressure on governments to continue to implement administrative reforms and bring administrations closer to citizens.

A combination of activities is conducted in WeBER2.0, contributing to the achievement of the project’s objective, namely:

- Through the Regional WeBER Platform and its National PAR Working Groups, which gather more than 130 CSOs, WeBER2.0 is facilitating dialogue on PAR for creating and implementing inclusive and transparent policy, as well as contributing to the sustainability of administrative reforms to the benefit of the citizens. .
- Through its research and monitoring work and production of PAR Monitor reports, WeBER2.0 has created and gathered evidence for a meaningful dialogue.
- Through the CSO PAR Knowledge Centre, WeBER2.0 provides a searchable database of analyses and reports on PAR produced by the region’s civil society.
- Through the “Mind (y)our reform!” online regional citizens’ campaign and platform for collecting and sharing citizens’ views on PAR and their experience with administrations (<https://citizens.par-monitor.org/>), WeBER2.0 is collecting citizens’ input to influence authorities, thus contributing to the creation of more citizen-oriented public administrations.
- By piloting the monitoring approach to the mainstreaming of PAR in sectoral policies and equipping CSOs with the capacities to do it, WeBER2.0 aims to improve the embeddedness of PAR across the region’s administrative systems, thus increasing the sustainability of these reforms.
- Through a small grants scheme, WeBER2.0 works on improving the capacity of CSOs in the Western Balkans to participate in PAR.

WeBER2.0 products and further information about them are available on the project’s website, at www.par-monitor.org.

WeBER2.0 is implemented by the Think for Europe Network (TEN), composed of six EU policy-oriented think tanks in the Western Balkans:



institut alternativa



By partnering with the European Policy Centre (EPC) from Brussels, WeBER2.0 has ensured EU-level visibility.



WHO DO WE COOPERATE WITH?

Under the previous WeBER project, cooperation with a multitude of stakeholders in the region and beyond has been established in the effort to ensure a sustainable course of administrative reforms in the WB. This cooperation has continued under WeBER2.0. At the national level, in each of the WB countries, we have coordinated our work with PAR ministries and/or offices which have had an associate role on the project. At the regional level, WeBER2.0 is cooperating with the Regional School of Public Administration (ReSPA), Southeast Europe Leadership for Development and Integrity (SELDI) coalition, and the Support for Improvement in Governance and Management initiative (SIGMA, a joint initiative of the EU and the OECD), which performs regular assessments of the WB countries' progress in the implementation of the Principles of Public Administration in the period leading up to the EU accession.

Furthermore, within the regional WeBER Platform and National PAR Working Groups (NWGs), we have continued to cooperate with over a 130 CSOs operating at the local and regional level.

EXECUTIVE SUMMARY

This National PAR Monitor 2019/2020 report is part of a regional effort to monitor the implementation of the public administration reform (PAR). The purpose of the regional approach is to exert positive peer pressure between countries, build regional monitoring capacities, and share knowledge and experience within the civil society sector and between governments and civil society.

The report presents the results of monitoring work performed during February 2020 – December 2020 by the IDM research team. The methodological framework designed by the WeBER research team during the previous monitoring cycle (2017/2018) combines quantitative and qualitative sources of evidence. With the SIGMA principles as the building blocks of our monitoring work, this report – as well as the other national reports produced by our colleagues in the region – are complementary to similar work conducted by SIGMA/OECD and the European Commission. A crucial point of difference is this report seeks to highlight the civil society perspective on PAR implementation by assessing mainly SIGMA principles and indicators that measure civil society and the wider public perceptions on key issues such as transparency, accountability, and inclusiveness in policymaking.

A total of 23 indicators are used to measure PAR developments in six areas: (1) strategic framework for PAR, (2) policy development and coordination, (3) public service and human resource management, (4) accountability, (5) service delivery, and (6) public finance management. For each of the areas, the report provides an assessment for each indicator, a summary of the findings, and recommendations for future action. All the findings from this report and from the baseline PAR Monitor 2017/2018 can be accessed and compared on the Regional PAR Scoreboard at www.par-monitor.org.

STRATEGIC FRAMEWORK FOR PAR

WeBER monitors civil society involvement in both the development and monitoring of implementation of the strategic framework for PAR. The indicators for this area focus specifically on the participation of civil society organizations (CSOs) at the political and technical levels of drafting and monitoring of the key strategic PAR documents.

The government's approach towards the drafting and discussing PAR strategy is rather insular. While CSOs are not involved during the drafting stage of the documents, their involvement in other PAR policy coordination fora is extremely limited. The Order of the Prime Minister outlines the duties of the integrated policy management groups and sectoral steering committees, but does not foresee a participation by CSOs during the drafting of strategic policy documents or in consultations at the administrative level. This approach has excluded CSOs from the decision-making process, and – by not publishing minutes or summaries of the decisions taken in the IPMG and SSC meetings – it has put into question the effectiveness of planning and implementation of good governance and public administration reforms.

CSOs can provide a wealth of information particularly on service delivery, anti-corruption, and the rule of law reform. Greater government-CSO engagement enriches the debate on PAR, thus leading to evidence-based policy documents. Conversely, if civil society continues to be on the margins of the process, the reform agenda will be perceived as a process exclusively steered by the government and supported by external donors.

POLICY DEVELOPMENT AND COORDINATION

In the area of policy development and coordination, WeBER monitors the transparency of governments' reporting and decision-making, the use of civil society analyses and evidence in policymaking, and the inclusiveness of policymaking practices through public consultations.

The documents whose implementation reports were sought include the Government Plan (GP) for 2017-2021, the National Strategy for Development and Integration (NSDI) 2015-2020, the National Plan for European Integration (NPEI) 2018-2020, and the Mid-term Budget Program (MBP) 2018-2020. Except for the MBP, there was no government reporting on the rest of them. The examination of government-CSO cooperation on policy development and coordination revealed significant shortcomings on the transparency, accountability, openness, and genuine public engagement that is required to draft and implement successful policies.

Evidence-based findings produced by CSOs can be considered to be regularly referenced in the sample of adopted government strategies, as 69% (9 out of 13) of examined strategies contain reference to CSO findings. Regarding ex-ante impact assessments and ex-post analyses for the examined policy areas, the situation has somewhat improved compared to the last monitoring cycle, but remains low. For the same measurement period, 18% (4 out of 22) of examined ex-ante policy papers and impact assessments, and 41% (5 out of 12) of examined ex-post policy documents contain reference to CSO findings.

Regarding the public consultation process, its main feature is inconsistency. Although basic legal requirements have been established to ensure an effective public consultation process, central government institutions do not consistently adhere to the current framework, and do not seek to proactively engage civil society organizations in the consultation process. While public consultation was held for roughly 64% (18 out of 28) of the laws passed during the measurement period, only 40% (6 out of 15) of the strategies and action plans had undergone public consultation for the same period. For the drafts that underwent public consultation, no public consultation reports were produced by the central government institutions.

PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

In the Public Service and Human Resource Management area, WeBER focuses on public availability of information related to public service, hiring of temporary staff, transparency and merit character of civil service recruitment, selection and the position of senior staff and civil service integrity measures.

DoPA regularly produces and publishes annual reports on the civil service on the DoPA website. The DoPA report for 2019 includes information on (i) human resource management, (ii) structural reform, (iii) remuneration system, (iv) training and capacity building, and (v) the development and expansion of HRMIS, which is related to the degree of use of the system in the public administration. The annual reports focus only on the civil service and do not provide any data on central state administration employees on a fix-term contract or general state employees. This is because DoPA is not legally required to administer data on employees other than civil servants.

Albanian legislation does not limit the number of temporary engagements in relation to the overall number of civil servants in the central administration. Although decisions of Council of Ministers specify the annual limits of employees under temporary contract provisions, that limit is not strict and frequently changes. The hiring criteria for temporary engagements is defined through bylaws agreed by the relevant institutions and the Ministry of Finance and Economy.

Civil service vacancy announcements are published mainly on the Department of Public Administration's portal. Announcements are generally clear, and the job description section lists the responsibilities for the position. Vacancies are filled first through internal competitions (lateral transfer or promotion) within the civil service for the executive, low- and mid-level positions. Since the adoption of the Law on the Civil Servant, civil servants have been admitted to the top-management corps (TMC) through the direct admission track, not through the ASPA in-depth training track. Although those admitted to the TMC through the direct track are legally required to undergo ASPA's in-depth training program, this requirement is yet to be fulfilled since the program is still in its piloting phase.

The legislative framework is adequate to ensure a merit-based and non-discriminatory competitive process for senior civil servant vacancies. Recruitment criteria for senior civil service are merit-based and non-discriminatory. Albania uses a pooled recruitment process for senior civil servants. This means that candidates for TMC positions apply not for a specific vacancy but for all available vacancies. At the end of the selection process, the candidates are ranked and appointed accordingly. The list of successful candidates is published, but not their scores or their ranking. The list of successful candidates is subsequently submitted to central government institutions so that they can select which candidate to appoint for each of their respective vacancies. While an easier process to manage, pooled recruitment does not account for the required policy expertise for a particular senior managerial position. Furthermore, the institutions in which the vacancies must be filled are not published.

Until a senior civil servant is permanently assigned to a vacant TMC position, the Law on the Organization of the State Administration provides for the temporary assignment of another civil servant: (i) a director general may be temporarily assigned to the secretary general position and (ii) a director may be temporarily assigned to the director general position.

Albanian legislation includes basic guarantees to ensure integrity in the civil service through the Law on Prevention of Conflict of Interest and the Law on Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials, and other relevant acts such as the Law on Whistleblower Protection and the Law on the Rules of Ethics in the Public Administration. Despite the provisions of the standing legislation, there are no clear provisions on preventing "revolving door" situations.

ACCOUNTABILITY

In the Accountability area, WeBER monitors the extent to which the right to access public information is consistently applied in practice. To this end, WeBER looks at the experiences CSOs in using the right to information legislation and analyzes the proactive informing of the public through the websites of sampled public authorities, which included the Prime Minister's Office (PMO), the Ministry of Infrastructure and Energy, Ministry for Health and Social Protection, Ministry of Justice, Ministry of Tourism and Environment, the Agency for Land Compensation, and the State Cadastre Agency.

The institutions sampled for this indicator had generally basic information on their scope of work, contact information of the coordinator for the right to information, and – on a case by case basis – also for public consultation. General information on the institution's budget could be found – with the exception of the Ministry of Tourism and Environment, the PMO, and the Agency for Land Compensation. But budgetary information specific to the indicator criteria – financial report of the previous year and financial plan for current year – was incomplete. They do not actively pursue an open data policy.

Results from the CSO perception survey indicate key challenges on the availability and access to information that are further confirmed through the review of the websites of sampled government institutions.

The survey results also highlight the disparity between – on the one hand – the adequacy of legal provisions to ensure access to information without compromising national security or other sensitive information and –

on the other hand – their implementation by public authorities, which tend to prevent access to information by failing to fully implement such provisions.

The role of the IDP Commissioner is recognised as having a positive effect in setting standards on institutional transparency, but most CSOs do not think that both the soft measures and the sanctions imposed by the Commissioner on public institutions are effective in fostering greater institutional transparency.

SERVICE DELIVERY

WeBER's approach to monitoring administrative service delivery is citizen-oriented, relying to a large extent on public and civil society perceptions about the availability and accessibility of services.

Both government reports and public perception survey results confirm the government's drive towards digitalization. The e-Albania portal and the integrated service delivery centers have improved the public availability of services, and considerable progress has been made on service provision. Public perception survey results also confirm that obtaining services has become easier and less time-consuming in the last two years whilst awareness of the availability of e-services is noticeably higher than the previous monitoring cycle.

Public perception survey results indicate a low use of e-services, below the regional average. Positive perceptions on the government's predisposition to solicit citizen feedback have also sharply declined compared to the previous monitoring cycle, and it is lower than the regional average. High public awareness of e-services, but low use and insufficient government solicitation, collection, and use of citizen feedback suggest that service delivery policy is not sufficiently oriented towards ease of access and use.

Some service providers have performed better than others. Business and vehicle registration services and – to an extent – VAT services do include sufficient information on the services they provide, channels to obtain them, and the citizens' rights and obligations. On the other hand, ID services and property registration services need to improve the information they provide and establish effective channels to solicit citizen feedback.

PUBLIC FINANCIAL MANAGEMENT

In the area of Public Financial Management, WeBER monitors the availability of budgetary data along with the external communication practices. Official websites are reviewed to assess the transparency and accessibility of annual budget data, how governments communicate with citizens about PIFC, the availability of public procurement information, and the degree to which information is publicly available about the work of the Albanian State Audit Institution (ALSAI).

Budget reporting is moderately comprehensive and regularly published. It provides the public with basic information on revenues and expenditures. Out of the three reporting formats (in-year, mid-year, and year-end), the year-end reporting is the most comprehensive; however, important information on sectoral performance information on strategic sectors, such as energy, mining, and infrastructure, is not provided. The reports do provide some information on the implementation of specific budget items of the Ministry of Infrastructure and Energy, but not as part of a separate sectoral assessment.

The General Directorate of Harmonization and Public Internal Financial Control publishes the public internal financial (PIFC) reports, which include 18 performance indicators, three of which are related to internal financial control measures. They assess the effectiveness of financial control mechanisms, the quality of internal financial reports submitted to the MFE (Harmonization unit), and whether the action plan for the establishment of the internal financial control system is satisfactory.

Ministries provide information on the responsible official for internal financial control management, but provide few information on their plans and activities to improve PIFC, e.g. risk register or the rulebook of procedures. The findings of PIFC reports have not been discussed in the Assembly.

Public procurement policy is regulated by the Public Procurement Agency. Agency reports are the main source of information on public procurement since line ministries do not typically publish procurement plans and implementation reports. The reports produced by the Agency provide extensive data, but they are not provided in an open data format

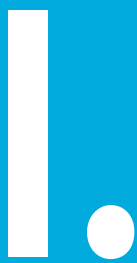
Public procurement is conducted centrally through e-procurement. Open procedures and proposal requests are the main procedures used for public procurement. While open procurement procedures are unrestricted, proposal requests are not open but are technically competitive.

To ensure effective expenditure of taxpayer money, the work of ALSAI is indispensable. ALSAI engages the public periodically through the newsletters on its auditing work and organizes a month-long event of conferences and lectures to promote its activities. While public engagement to promote ALSAI's work contributes to the public's understanding of its role and importance, the bulk of its work – audit reports – are not user-friendly. A summary of the findings and the recommendations for every audit report is provided, but ALSAI could further improve the communication of the main report findings by providing summaries that are shorter and more concise. Furthermore, a more proactive approach towards engaging CSOs in discussing financial risks in the public sector could improve its own work by gaining further insight and information.

LIST OF ABBREVIATIONS AND ACRONYMS

ACC	Accountability
ADISA	Agency for the Delivery of Integrated Services Albania
ALB	Albania
ALSAI	Albanian State Audit Institution
ASPA	Albanian School of Public Administration
BCSDN	Balkan Civil Society Development Network
BIH	Bosnia and Herzegovina
CAF	Common Assessment Framework
CATI	Computer-assisted telephone interviewing
CAWI	Computer-assisted web interviewing
CS	Civil Servant
CHU	Central harmonisation unit
COCS	Commissioner for the Oversight of the Civil Service
CoG	Centre of Government
CoM	Council of Ministers
CSO	Civil Society Organization
COVID	Coronavirus disease
DCM	Decision of Council of Ministers
DDGG	Department for Development and Good Governance
DoPA	Department of Public Administration
EU	European Union
FAQ	Frequently asked questions
FMC	Financial management and control
FOI	Freedom of Information
GAWP	Government Annual Work Plan
GDP	Gross Domestic Product
GP	Government Plan
HRM	Human Resource Management
HRMIS	Human Resource Management Information Systems
IA	Internal Audit
IDP	Information and Data Protection
IMF	International Monetary Fund
IPA	Instrument for Pre-Accession
IPMG	Integrated Project Management Group
IPSIS	Integrated Planning System Information System
ISSAI	International standards of supreme audit institution

KOS	Kosovo
MFE	Ministry of Finance and Economy
MKD	North Macedonia
MNE	Montenegro
NCCS	National Council for Civil Society
NAIS	National Agency for Information Society
NPEI	National Plan for European Integration
NSDI	National Strategy for Development and Integration
OECD	Organisation for Economic Co-operation and Development
PAR	Public Administration Reform
PDC	Policy development and coordination
PFM	Public Financial Management
PIFC	Public Internal Financial Control
PMO	Prime Minister's Office
PPP	Public-Private Partnership
PSHRM	Public Service and Human Resource Management
RIA	Regulatory impact assessment
SAI	Supreme Audit Institution
SSC	Sectoral Steering Committee
SD	Service delivery
SEE	South-eastern Europe
SFPAR	Strategic framework for public administration reform
SIGMA	Support in Improvement in Governance and Management
SRB	Serbia
TMC	Top-Management Corps
UK	The United Kingdom
VAT	Value-added tax
WB	Western Balkans
WeBER	Western Balkans Enabling Project for Civil Society Monitoring of Public Administration Reform
XML	Extensible Markup Language
WeBER2.0	Western Balkan Civil Society Empowerment for a Reformed Public Administration



INTRODUCTION

I.1 PUBLIC ADMINISTRATION REFORM AND THE WESTERN BALKANS' EU INTEGRATION – WHY IS MONITORING IMPORTANT?

Since the publication of the first edition of the Western Balkan PAR Monitor in 2018, the Western Balkan region (WB) has continued slowly their path towards further democratisation and modernisation of its societies, implementing the necessary structural, economic, and social reforms to improve the lives of citizens. These reform processes were, from their onset, stimulated by aspirations of becoming members of the EU, and they continue to be driven by the EU integration process and its inherent conditionalities. Good governance lies at the heart of the European integration project, requiring public administrations to be professional, reliable and predictable, open and transparent, efficient and effective, and accountable to their citizens.

With the new strategy of the European Commission issued in early 2020, public administration reform (PAR) was reaffirmed as an area of fundamental reform in the EU's enlargement policy. Accordingly, PAR joined the areas of rule of law, economic governance, and the functioning of democratic institutions as the basic pillars of reform which will constitute the foundation for the overall assessment of progress of aspiring EU members.

The EU's framework for defining, guiding, and assessing administrative reforms in the context of enlargement has remained embedded in the set of Principles of Public Administration. Established in 2014, these principles, known as the "SIGMA principles" (since they are assessed regularly by the OECD's SIGMA programme)¹ offer a roadmap for EU candidates to follow and comply with in PAR while working to become successful EU member states. The European Commission (EC) and SIGMA worked together to define the scope of these principles of public administration,² structured around six key areas:

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

These principles, thus, constitute the common denominator of PAR for all EU aspirants, guiding the course of their reforms in the direction of EU membership.³

WeBER⁴ adopted the Principles of Public Administration as the main building block of its PAR Monitor for two main reasons. On the one hand, as a common denominator for PAR reforms in the region, the principles allow for comparisons across the region, and regional peer learning and peer pressure among the WB administrations. On the other hand, the principles guide reforms in these countries towards the fulfilment of EU membership conditionalities, thus helping their transformations into future EU member states.

An important consideration in designing WeBER's monitoring approach lies in the understanding that until the EU accessions of the WB region, SIGMA/OECD will be engaged in the region, relying also on the hard EU conditionalities as an external driving force of reforms. Until that time, local civil society can deliver complementary findings in their focus areas. Simultaneously, civil society should also gradually expand the

1 SIGMA (Support for Improvement in Governance and Management) is a joint initiative of the OECD and the EU, principally funded by the EU. Its key objective is to strengthen the foundations for improved public governance, hence supporting socioeconomic development in the regions close to the EU by building capacities in 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/>.

2 Principles of Public Administration for EU candidates and potential candidates: <https://bit.ly/395diWq>. A separate document entitled The Principles of Public Administration: A Framework for ENP Countries has been developed for the countries falling under the European Neighbourhood Policy (ENP): <http://bit.ly/2fsCaZM>.

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

4 Starting from December 2019, WeBER is being implemented under the title "WeBER2.0 - Western Balkan Civil Society Empowerment for a Reformed Public Administration".

scope of its monitoring and seek ways to continue with this process in a more holistic way in the post-accession period, when SIGMA will no longer have the mandate to perform external assessments of PAR. By that time, local civil society actors should have a developed approach in identifying critical areas of intervention on which to focus their monitoring efforts.

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

In order to contribute to the empowerment of local civil society actors, WeBER has initiated multiple awareness raising and capacity building initiatives since 2015. In addition to involving and gathering the knowledge of CSOs in the PAR monitoring process and the creation of the PAR monitor reports, a number of regional CSOs were trained for PAR monitoring and advocacy. Moreover, local CSOs who monitor specific PAR areas at the local level were provided with mentoring. In addition, multiple rounds of consultations on the implementation of the PAR Monitor were organised in the framework of the regional WeBER platform, and SIGMA's principles were introduced to a wider group of CSOs in the region. Today, WeBER continues to initiate novel, civil-society approaches to PAR such as piloting monitoring exercises of mainstreaming PAR in different policy sectors, and the creation of six parallel online portals through which citizens are invited to share their experiences in interacting with public administrations.⁵

Finally, the outbreak of the COVID-19 pandemic is an additional reminder of the importance of well-functioning public administrations able to exercise primary functions of serving the needs of citizens. Moreover, these outstanding circumstances bring to the fore the issue of public administrations' ability to adapt and go the extra mile in delivering services digitally, enabling contactless, yet unhampered communication with citizens, and providing teleworking options for civil service employees.

Due to the impact of the COVID-19 pandemic, WeBER researchers produced PAR monitoring cycle 2019/2020 almost entirely as a remote exercise. This meant virtual communication and coordination within the WeBER research team and shifts in its approach of conducting field work (such as interviews and focus groups) in certain cases. Pandemic-related circumstances have, generally, had a limited impact on the project's findings, as most of the analysed practices took place in the pre-pandemic period (2019). Nevertheless, to some extent the pandemic slowed down the monitoring process as for a while it was more difficult to access public information with FOI requests. Other major obstacles, however, were not encountered.

1.2 THE PAR MONITOR METHODOLOGICAL APPROACH

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

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

⁵ The citizens portals for the six administrations are available at: <https://citizens.par-monitor.org/>.

This approach acknowledges that SIGMA's comprehensive approach cannot and should not be replicated by local actors, as it already represents a monitoring source independent from national governments in the WB. In this sense, WeBER does not seek to present a contesting (competitive) assessment of how these principles are fulfilled in the WB administrations, but rather offer a complementary view, based in local knowledge and complementary research approaches.

■ The regional approach

An important facet of the WeBER monitoring of PAR is its regional character. The regional approach implies that all indicators are framed and phrased in a manner which enables application to six different systems that are assessed. Second, the regional approach means that findings are regionally comparable.

Such a regional approach admittedly results in some degree of loss of detail and national specificity in the monitoring work. However, it presents many benefits compared to nationally-specific approaches. First and foremost is the potential to compare different national results, which allows the benchmarking of countries and their systems, the recognition of good, as well as the rise of positive competition between governments. Last, but not least, it allows for the creation of regional knowledge and peer learning regarding PAR among CSOs, particularly useful for inspiring new initiatives and advocacy efforts at the national level.

■ Selection of principles “for and by civil society”

The PAR Monitor maintains a basic structure which follows the six chapters of the Principles of Public Administration. It does not attempt to monitor all the principles under each chapter, nor does it seek to monitor them in a holistic manner, but it rather adopts a more focused and selective approach. The criteria for selecting the principles to be monitored (and their sub-principles) were developed with three main ideas in mind:

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

The WeBER monitoring approach utilises the experience and expertise accumulated within the civil sector in the region to the maximum extent possible. Therefore, a number of indicators rely on civil society as a core source of knowledge.

■ Focus on the citizen-facing aspects of administration

Another key criterion which has guided the WeBER's selection of principles (and sub-principles) **is their relevance to the work and interests of the wider public**. This means that both the selection of the principles and the design of the indicators included questions such as: “Does the public care about this?” or “Is this aspect of public administration visible to ordinary citizens?” In keeping with this approach, the WeBER methodology retains a focus on the points of interaction between the administration and its users (citizens and businesses), while leaving out issues that constitute the internal operating procedures of the administration invisible to the public.

■ WeBER indicator design

The WeBER research team designed a set of compound indicators in 2016, with each comprising several elements (essentially sub-indicators), elaborating various aspects of the issue addressed by the entire indicator. 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 values of individual elements, assigning them total element scores of either 0 or 1 (for less complex assessments, such as those where a simple yes or no answer is possible) or 0 or 2 (for 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 those evaluated as basic, key requirements in relation to a certain practice. A weight of 1 is applied to more advanced requirements, i.e. higher and more complex standards. For example, a weight of 2 would be applied for an element assessing a basic government reporting practice, whereas a weight of 1 would be applied to an element assessing whether the data in a report is gender sensitive or whether it is available in an 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 conversion table for transforming total scores from analyses of individual elements into values on a common scale from 0 to 5. The final indicator values are assigned only as integers, meaning, for instance, there are no half points assigned. The scoring and methodology details for each indicator are available on the PAR Monitor section of the WeBER website.⁶

■ Main methodological changes between the two PAR Monitors

Experience from the design of the monitoring methodology and the implementation of the first PAR Monitor resulted in the three main changes in relation to indicators in this monitoring cycle.

Firstly, in the Policy Development and Coordination area, the WeBER team has enhanced the indicator focusing on the quality of public participation (through various forms of public consultations) in policymaking. At first focusing only on perceptions of CSOs collected through an online survey, additional elements were added to assess the quality of public involvement in practice, examining a sample of public consultations on policy documents and legal acts. The improvement of this indicator also includes an assessment of governmental public consultation/participation portals through two new elements (sub-indicators). With this change, WeBER assessments in this PAR area were made more balanced in general, combining CSOs perceptions with hard evidence in each topic covered (which include governmental performance reporting, the use of evidence by central state administration bodies in policy development, and the transparency of governmental decision making).

Secondly, a couple of indicators that were initially planned for the first PAR monitoring cycle were at that time left out due to a combination of limited staff capacities and challenging workload. It was then agreed that a public-procurement-related indicator would be introduced in the second monitoring cycle. As a result, a new indicator has now been added to the Public Financial Management area, covering public procurement policy. Measured for the first time, this indicator on public procurement sets baseline values in this PAR Monitor.

Finally, one indicator in the Policy Development and Coordination area (focusing on the accessibility of legislation and explanatory materials to the public) was not included in this monitoring edition. The WeBER team reached a decision on this reduction at the beginning of this monitoring cycle. This decision came after internal deliberations on feedback received from CSOs in the region based on the survey conducted within the first monitoring cycle, and on the internal capacities of the research team to deal with an increased number of indicators. Consequently, in terms of the priority and urgency of addressing different PAR issues, it was decided that the indicator on legislation availability would give way to the indicator on public procurement.

⁶ WeBER project website: <http://www.par-monitor.org>. The methodology and individual indicator tables can be accessed within the PAR Monitor menu.

■ The PAR Monitor package

The PAR Monitor is composed of one regional, comparative report of monitoring results for the entire region and six national reports that elaborate the monitoring findings for each administration in greater detail. 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 recommendations. The national reports, on the other hand, provide in-depth, country-specific findings and identify a set of recommendations for national policy makers for each PAR area.

The added value of the entire monitoring exercise is that it allows monitoring changes vis-à-vis baseline indicator values from the monitoring conducted in 2017/2018. It also allows stakeholders to reflect on the most important developments and trends in the implementation of policy and in the perceptions of key targeted groups. In certain cases, this reflection allows for some comparisons of results over time, as in the case of public perception surveys on administrative service delivery practices conducted on a representative sample of citizens. In cases of surveys of civil servants and CSOs, the 2019/2020 PAR Monitor allows us to monitor prevailing trends in the opinions of these stakeholder groups as compared to the baseline surveys.⁷

The “Master Methodology” document and the detailed indicator tables, all available on the WeBER website,⁸ should also be considered as part of the entire PAR Monitor package and can be used to fully understand the details of this monitoring exercise where needed.

The entire package of reports is also accompanied by an online tool for viewing and comparing the findings from different WeBER monitoring cycles, the Regional PAR Scoreboard. This database of all indicator values and the tables and graphs presenting those values can be found on the project website www.par-monitor.org, under the heading “PAR Monitor”. The scoreboard also includes a section for viewing and comparing SIGMA’s latest monitoring results for the whole region..

■ Quality assurance procedures within the monitoring exercise

As in the baseline monitoring cycle, this monitoring applied a multi-layered quality assurance procedure to guarantee that the PAR monitoring findings are based on reliable and regionally comparable evidence. That process included both internal and external expert checks and reviews of data. The internal process of quality control comprised two main elements:

1. a peer-review process, which involved different collaborative formats, such as written feedback, online team meetings and workshops;
2. once the scoring for each administration was finalised, the WeBER lead researcher and team leader performed a horizontal cross-check of the findings to ensure their regional comparability and an alignment of assessment approaches, thus preparing the analysis for the external review.

The two phases of the external quality control process include:

- fact-checking by government institutions in charge of the given assessed area;
- Following the drafting of the regional report, members of the WeBER Advisory Council and recognised international experts performed an expert review of the regional PAR Monitor chapters in line with their areas of expertise.

The national reports also underwent standard internal review procedures by each WeBER partner organisation.

⁷ As it was not possible to create representative, random samples for the populations of CSOs and civil servants, these two surveys were distributed throughout these two populations, and analysis was done on the received complete responses. Since the samples in the baseline and in this second monitoring cycle are, thus, not identical, the results are not fully comparable. Yet, the overall response rates are solid, allowing us to compare the trends between the two survey cycles.

⁸ WeBER project website: <http://www.par-monitor.org>. The methodology and individual indicator tables can be accessed within the PAR Monitor menu.

■ PAR Monitor 2019/2020 timeframe

The monitoring exercise was conducted between February and December 2020. For the most part, monitoring focuses on practices implemented in 2019 and the first half of 2020. The exception are those indicator elements looking at regularity of governmental reporting practices, where 2018 or 2017 were included as the base years due to the governments' reporting cycles or the requirements of specific indicators.

The individual indicator measurements indicate the exact periods of measurement, kept comparable across the region, which allow for the clear identification of timeframes of reference for all findings in the reports. Where situations have changed by the time of this report's writing, those changes will be reflected in the scores in the next biennial WeBER monitoring cycle and PAR Monitor 2021/2022.

■ Limitations in scope and approach

The scope of the monitoring process was restricted to central government strategies and performance by selecting samples of institutions that were relevant to specific principles and indicators. Additionally, the PAR Monitor does not cover the entire framework of SIGMA principles, but only those in which the interest of, and added value from, civil society is strongest in the pre-accession period. Moreover, selected principles are not always covered in every angle, but rather in those specific aspects which have been determined by the authors as the most relevant to approach them from the perspective of civil society monitoring. The specific WeBER approach used in all such cases is described in the project's methodology and individual indicator tables.

Importantly, bearing in mind that there was no SIGMA assessment for 2020, for this PAR Monitor cycle, WeBER researchers performed their own calculation of the ten SIGMA sub-indicators that WeBER uses in the area of Public Service and Human Resource Management. Done in accordance with SIGMA's methodology, the results of these calculations are the sole responsibility of the WeBER research team and the authors of PAR Monitor reports, and SIGMA/OECD cannot be held responsible for the outcomes of such calculations.

Lastly, despite the changes made in the PDC indicator on inclusiveness of policymaking (elaborated above), some of the principles are still approached from a rather perception-based point of view. This is mainly the case for principles thoroughly monitored by SIGMA, as the most useful way to complement its approach was deemed to be by monitoring perceptions of certain key stakeholder groups (such as public servants and CSOs). This is a deliberate component of the WeBER approach, and those indicators should be looked at as complementary to the assessments conducted by SIGMA for the same principles. Nevertheless, experience from the baseline monitoring cycle exposed limitations in certain cases when relying solely on perception data. An indicator on the inclusiveness and openness of policy making, which was previously entirely based on the perceptions of CSOs, was thus complemented with hard evidence so as to have a more balanced assessment, as described in the section on methodological changes. Such change brought about more objective assessment, as can be seen in this report's analysis. However, the new elements which analyse public consultation practices did not significantly change the picture previously created on the basis of CSO perceptions much, so that at the indicator values have mainly changed from 0 to 1 on average. In the period ahead, WeBER will consider changes if similar adjustments are needed in other indicators, with the view of improving the overall quality of its monitoring albeit keeping in mind the need to maintain a level of comparability between WeBER findings from different monitoring cycles.

In terms of geographical scope, the monitoring exercise and report cover the six administrations of the WB region, in accordance with the EU definition of the region.⁹ For BIH, WeBER has again focused predominantly on state level institutions wherever the structures and practices of institutions are analysed. The only exceptions to this are the service delivery indicators, where sampled administrative services include those provided by lower levels of governance in BIH (such as entities).

⁹ European Commission's Enlargement package, and progress reports, are available at: https://ec.europa.eu/neighbourhood-enlargement/countries/package_en (last accessed on 23 April 2021).

I.3 STRUCTURE OF THE REPORT

The report follows a standard outline established for the baseline PAR Monitor, and 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 an identical structure. It starts with the state of play, followed by the methodology for each principle and indicator. A narrative is provided for the assessment of each indicator, followed by a comparison of country scores in the region. Each chapter finishes with a succinct summary of the key findings for the relevant PAR area, followed by an assessment of the status of the recommendations from the previous monitoring cycle and the presentation of the new recommendations.

The report concludes with some general remarks on the importance of PAR in Albania.



**STRATEGIC FRAMEWORK FOR
PUBLIC ADMINISTRATION
REFORM**

II.1 WEBER INDICATORS USED IN STRATEGIC FRAMEWORK 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_P4 I1: Civil society involvement in the PAR monitoring and coordination structures					
0	1	2	3	4	5

II.2 STATE OF PLAY IN STRATEGIC FRAMEWORK

Key existing strategic framework documents for PAR in Albania include the PAR Strategy 2015-2020 – whose plan of action has been extended until 2022 – and the Public Financial Management (PFM) Strategy 2019-2022. In addition to these documents, more detailed reform measures are further outlined by other important documents, such as the Cross-sectoral 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.

Overall PAR coordination and management the process is led by the Integrated Policy Management Group on Good Governance and PAR (IPMG-PAR), which includes eight thematic groups (policymaking, civil service and PAR, public services, digitalization, anti-corruption, decentralization, statistics, regional development) and the steering committee for public finance management.

The Government of Albania established the mechanism of integrated sectoral/cross-sectoral management in September 2015 to guide and monitor policy development, strategy implementation and evaluation and to strengthen sector and donor coordination through the establishment of integrated policy management groups (IPMGs) and sectoral steering committees (SSCs). The overall coordination structure was revised in 2018.¹⁰ There are currently five IPMGs (PAR and good governance, competitiveness and investment, employment, integrated land management, and integrated water management) and five SSCs (justice reform, internal affairs, public finance management, connectivity, and environment climate and waste management).

The IPMGs and SSCs are responsible for (i) policy planning, coordination, and implementation at the political level; (ii) monitor and ensure that priority reform objectives are met; (iii) support coordination of sectoral policies through the cooperation with integration and development partners; (iv) foster an inclusive dialogue with independent institution, development partners, civil society, and the private sector to promote joint initiatives in priority policy areas, and (v) guide and ensure the contribution of cross-sectoral cooperation on priority policy areas for the Strategic Planning Committee, which is the unit responsible for the integration of different policy priorities into the central government decision-making process.

IPMGs and SSCs are to review, discuss, and approve draft strategies, national cross-sectoral programs, monitoring reports, and joint instructions. They convene under the leadership of the deputy prime minister or the minister responsible for specific sector policies. Thematic groups convene under the leadership of the responsible minister, deputy minister, or director general. The Unit for Good Governance and Development Policies, under the Department for Development and Good Governance (DDGG) in the Prime Minister's Office, serves as the general secretariat for coordination of the integrated sectoral/cross-sectoral policies. Technical secretariats for the groups and committees for sectoral/cross-sectoral coordination are established in relevant institutions.

¹⁰ Most of the IPMGs and SSCs act also as sectoral committees that monitor the implementation of the European Union's Instrument of Pre-Accession funding for their specific areas of responsibility. See Order of the Prime Minister no. 157, date 20.10.2018 "On the measures taken to implement the broad sectoral/intersectoral approach and the establishment of the integrated sectoral/intersectoral mechanism".

The Deputy Prime Minister leads IPMG-PAR, while the Department of Public Administration (DoPA) leads the thematic group on the civil service and PAR. With regard to PFM, the Minister (or Deputy Minister) of Finance and Economy leads a separate steering committee that coordinates, monitors, and reports on the implementation of the PFM strategy.

Despite progress made towards establishing the coordination structures for the implementation of important policy reforms, the EU Commission¹¹ has noted shortcomings in the implementation rate of the activities planned under the PAR strategy, as well as issues of coordination between the political and technical levels. The Commission has further highlighted the issue of financial sustainability of the strategy, whose funding is largely based on external donors.

11 EU Commission, Albania 2019 Report, 10-11, <https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/20190529-albania-report.pdf>.

II.3 WHAT DOES WEBER MONITOR AND HOW?

Monitoring the Strategic Framework for Public Administration Reform is based on three SIGMA Principles in this area, focusing on the existence of effective PAR agendas, the implementation and monitoring of PAR, as well as on the existence of PAR management and coordination structures at the political and administrative levels.

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 coordination structures at both the political and administrative levels to steer the reform design and implementation process.

The selected principles are assessed entirely from the view of the quality of involvement of civil society and the public in the processes of developing PAR strategic documents, and in 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 reform agendas.

For this purpose, two WeBER indicators were developed. The first one focuses on the existence and quality of consultation processes in the development of key PAR strategic documents. A sample of up to six key PAR strategic documents was assessed in each Western Balkan administration. The most comprehensive PAR documents (PAR strategies or similar) and PFM reform documents were selected as mandatory sample units, while the selection of other strategic documents covering the remaining PAR areas was dependent on PAR agendas currently in place. Monitoring was performed by combining data sources to ensure the reliability of results, including the qualitative analysis of strategic documents, and official data that is publicly available or obtained from institutions responsible for PAR. Moreover, analysis of documents was corroborated with the results of semi-structured interviews with representatives of institutions responsible for PAR and focus groups with civil society representatives who participated in consultation processes (where it was impossible to organise focus groups they were replaced with interviews with civil society representatives). Since strategic documents usually cover multiple years, and their adoption or revision does not necessarily coincide with WeBER monitoring cycles, findings from the baseline PAR Monitor 2017/2018 were carried over for strategic documents that did not undergo revision or were not updated at the time of WeBER monitoring.

The monitoring of the participation of civil society in PAR implementation (in PAR coordination and monitoring structures) considered only the most comprehensive PAR strategic documents being implemented as units of analysis. The intention of this approach was to determine whether efforts exist to better facilitate monitoring and coordination structures in PAR agenda generally. As for the first indicator, review and qualitative assessment of official documents pertaining to the organisation and functioning of these structures was performed, and other data sources were used to corroborate the findings.

II.4 WEBER MONITORING RESULTS

PRINCIPLE 1: THE GOVERNMENT HAS DEVELOPED AND ENACTED AN EFFECTIVE PUBLIC ADMINISTRATION REFORM AGENDA THAT ADDRESSES KEY CHALLENGES

Table 1: WeBER indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents

Indicator elements	Scores
Consultations with civil society are conducted when the document(s) are developed	0/4
Consultations with civil society are conducted in an early phase of the development of the document(s)	0/4
Invitations to the civil society to participate in the consultations are open	4/4
Responsible government bodies are proactive in ensuring that a wide range of external stakeholders become involved in the process	0/2
Civil society is provided complete information for preparation for consultations	4/4
Comments and inputs received in the consultation process are considered by the responsible government bodies in charge of developing key PAR strategic documents	0/4
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	10/30
Indicator value (scale 0 – 5)¹²	1

The purpose of this indicator is to assess the participation of CSOs in government consultations for strategic PAR documents. CSO participation was assessed on the consultation conducted for the following documents: (1) PAR Action Plan (2018-2022), (2) Public Finance Management (PFM) Strategy 2019-2022, (3) Long-term Policy Document on the Delivery of Citizen Centric Services by Central Government Institutions in Albania (2016-2025), and (4) Cross-cutting Strategy 'Digital Agenda of Albania 2015-2020'. The assessment for documents (3) and (4) were based on the last monitoring cycle (2017-2018), while for documents (1) and (2) was based on the consultation process held in 2019¹³.

Documents (3) and (4) were approved through a more proactive approach than documents (1) and (2), which were approved in 2019. The PAR Action Plan and the PFM Strategy were published on the public consultation portal and the lead institution's website – Department of Public Administration and the Ministry of Finance and Economy respectively – and CSOs were openly invited to contribute through their comments; however, virtual or face-to-face consultations have not been consistent. There was a meeting held for the PFM Strategy, but not for the PAR Action Plan.

¹² 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.

¹³ The PAR Action Plan (2018-2022) was amended in 2019.

Although the documents were published on the public consultation portal, lead institutions – who are responsible for drafting the documents – did not proactively solicit contribution from key stakeholder groups such as **trade unions, organisations focusing on gender equality and the rights of persons with disabilities, and business associations.**

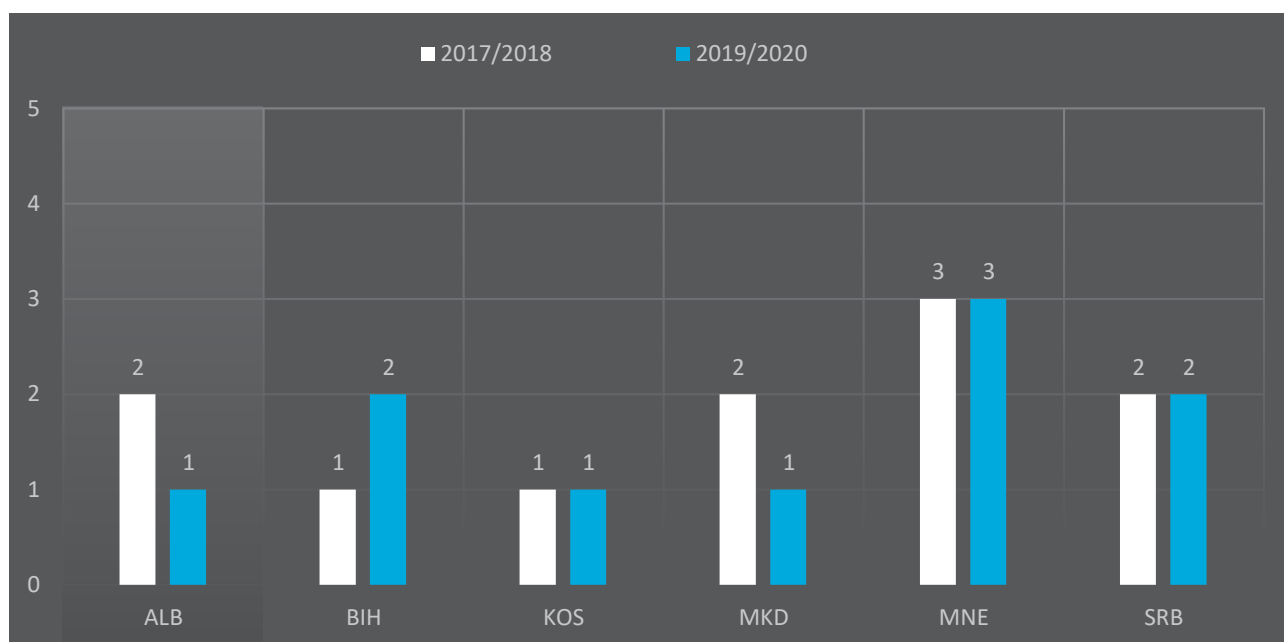
They did, however, provide complete information to the public to prepare for the consultation process.

Nevertheless, there are no established practices to process comments and feedback received from the public. In cases of physical or virtual consultation processes, feedback on comments received is given immediately by government officials present in the session. Responses to comments submitted through the public consultation portal are rather elusive since the portal does not feature any options to check if the comments have been considered by the responsible institution. Furthermore, no consultations are typically held with CSOs while the document is being drafted.

Overall, the consultation process for PAR strategic documents lacks a proactive approach. Despite their best efforts, lead institutions do not place sufficient emphasis on the consultation process with relevant stakeholders and CSOs. The process is rather procedural and not substantive.

■ How does Albania do in regional terms?

Chart 1: Graph: Indicator SFPAR P1 I1: Use of participatory approaches in the development of key strategic PAR documents



PRINCIPLE 2: PUBLIC ADMINISTRATION REFORM IS PURPOSEFULLY IMPLEMENTED; REFORM OUTCOME TARGETS ARE SET AND REGULARLY MONITORED

PRINCIPLE 4: PAR HAS ROBUST AND FUNCTIONING MANAGEMENT COORDINATION STRUCTURES AT BOTH THE POLITICAL AND ADMINISTRATIVE LEVELS TO STEER THE REFORM DESIGN AND IMPLEMENTATION PROCESS

Table 2. WeBER indicator SFPAR P2 4 I1: Civil society involvement in the PAR monitoring and coordination structures

Indicator elements	Scores
Administrative structures for PAR coordination and monitoring foresee an involvement of CSOs	0/2
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	0/4
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	2/4
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	6/26
Indicator value (scale 0 – 5)¹⁴	1

PAR coordination structures are regulated by Order of the Prime Minister no. 157, date 20.10.2018 “On the measures taken to implement the broad sectoral/intersectoral approach and the establishment of the integrated sectoral/intersectoral mechanism”. The Order details both the technical and political level inter-institutional coordination for the implementation of reforms in water management, climate and environment, competitiveness, public finance management, and good governance and public administration amongst others. Participation of CSOs is foreseen in political-level structures. The Cross-cutting Strategy for Public Administration Reform considers external monitoring by CSOs as a valuable tool, but there is no clear format of involvement of CSOs in the administrative structures for PAR coordination and monitoring.

PAR policy is coordinated through IPMG-PAR through eight thematic groups (policy making, civil service reform and PAR strategy, public service delivery, e-government and digitalization, statistics, anti-corruption, decentralization, and rural development). It is led by the deputy prime minister and its members include representatives from ministries, the cabinet of the deputy prime minister and of the prime minister, directorates within the Prime Minister’s Office, DoPA, the National Agency for Information Society, and the Agency for the Delivery of Integrated Services. CSOs may be invited to the IPMG-PAR meetings, but they must be members

¹⁴ 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.

of the National Council for Civil Society (NCCS). The NCCS is an organization whose members represent both the government and CSOs. They include 13 government representatives, one representative from the business community and 13 CSO representatives.¹⁵

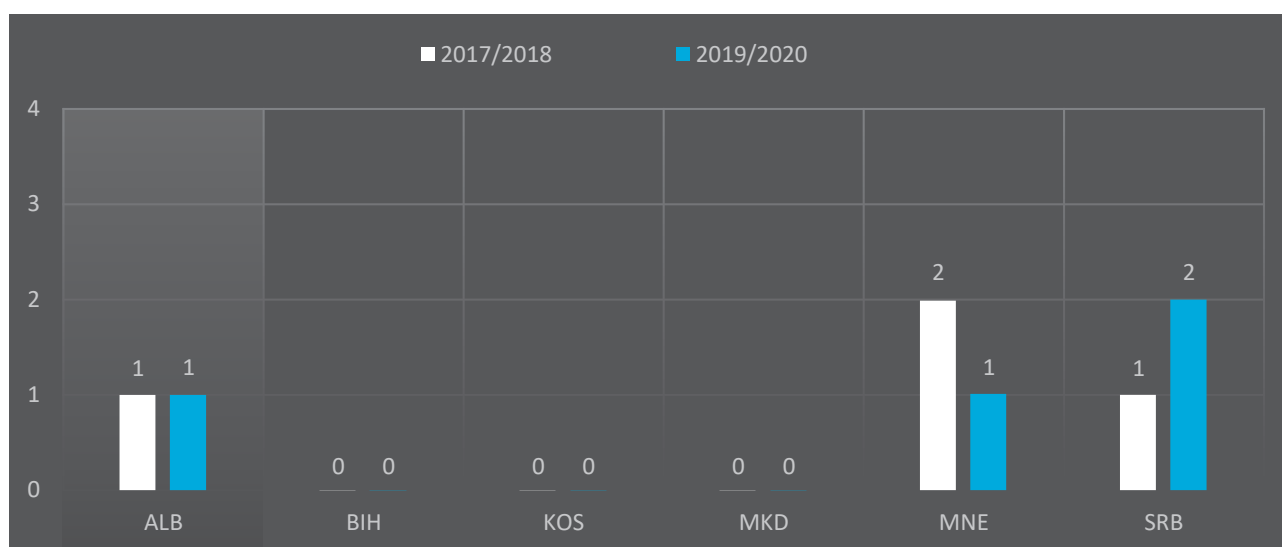
An open call is published online on the Agency for the Support of Civil Society website for CSOs to become members of the NCCS. Registered CSOs select four representatives to the National Council for Civil Society (NCCS) from each of the following three areas (12 CSOs total): (a) democracy, rule of law, and EU integration; (b) environmental, territorial, and economic development; (c) welfare, social services, and social protection. The Order, however, does not specify the number of CSOs that can be invited.

The technical secretariat for PAR monitoring and coordination includes the Directorate for Good Governance and Implementation of Priorities (Drejtoria e Mirëqeverisjes dhe Jetësimit të Prioriteteve under the Prime Minister's Office) and DoPA, but involvement of CSOs is not foreseen.

In 2019 there were four administrative-level meetings held, while in 2020 there were two.¹⁶ Similarly, there were three IPMG-PAR (political-level) meetings held in 2019.¹⁷ Despite the provisions in the Order of the Prime Minister, it is rather unclear the nature of the engagement of CSOs in PAR coordination structures at the political level. There is no evidence to suggest that there are appropriate mechanisms in place to ensure meaningful CSO contributions, and the CSOs that participated in the focus groups for this indicator maintained that they had not been invited to participate.

■ How does Albania do in regional terms?

Chart 2: Indicator SFPAR P2 P4 I1: Civil society involvement in the PAR monitoring and coordination structures



15 Law no. 119/2015 "On the establishment and functioning of the National Council for Civil Society", [http://www.amshc.gov.al/web/KKSHC/Ligj_Nr.119-2015_KKSHC-\(AL\).pdf](http://www.amshc.gov.al/web/KKSHC/Ligj_Nr.119-2015_KKSHC-(AL).pdf).

16 Information provided by the Department of Public Administration via email on 26 November 2020.

17 Ministry for Europe and Foreign Affairs, Annual Report on the Implementation of the IPA II Assistance Program under Direct and Indirect Management (Tirana, 2020), 33, <http://integrimi-ne-be.puneteshashtme.gov.al/wp-content/uploads/2020/05/IPA-II-Annual-Implementation-Report-2019-ALBANIA.pdf>.

II.5 SUMMARY RESULTS: STRATEGIC FRAMEWORK FOR PAR

The government's approach towards the drafting and discussing PAR strategy is rather insular. While CSOs are not involved during the drafting stage of the documents, their involvement in other PAR policy coordination fora is extremely limited. The Order of the Prime Minister outlines the duties of the integrated policy management groups and sectoral steering committees, but does not foresee a participation by CSOs during the drafting of strategic policy documents or in consultations at the administrative level. This approach has excluded CSOs from the decision-making process, and – by not publishing minutes or summaries of the decisions taken in the IPMG and SSC meetings – it has put into question the effectiveness of planning and implementation of good governance and public administration reforms.

Although participation of CSOs at the political level of coordination – IPMG-PAR meetings – by invitation is a positive step towards greater CSO involvement, the lack of provisions for CSO contributions suggests that this measure is rather formal and with little impact on policy.

Similarly, the use of the public consultation portal without face-to-face or virtual meetings to discuss PAR strategic documents is insufficient. While it is possible to submit comments through the consultation portal, there is no assurance that comments are examined by public institutions since there is no option to check if they have been reviewed, nor is there a system in place to process them.

CSOs can provide a wealth of information particularly on service delivery, anti-corruption, and the rule of law reform. Disregarding their expertise is detrimental to the success and overall societal impact of the strategies. Greater government-CSO engagement enriches the debate on PAR, thus leading to evidence-based policy documents. Conversely, if civil society continues to be on the margins of the process, the reform agenda will be perceived as a process exclusively steered by the government and supported by external donors. Furthermore, without meaningful civil society participation, the process risks its legitimacy, which is fundamental for the sustainability of the reform agenda.

II.8 RECOMMENDATIONS FOR STRATEGIC FRAMEWORK PAR

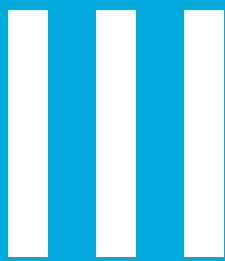
Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
To promote transparent and comprehensive participation, lead institutions should conduct early consultations and involve stakeholders from earlier stages in the policy development process when there is scope to influence the policy outcome.	Not implemented	No consultations with civil society have been conducted in an early phase of the development of the strategic documents.
In order to encourage active participation, lead institutions 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.	Not implemented	Lead institutions have not published consultation reports that clearly identify key points raised, feedback received, considerations of feedback, and future plans for further engagement.
Lead institutions should ensure that consultation processes capture the full range of stakeholders affected and should consider targeted consultations when possible.	Not implemented	There are no changes compared to the last monitoring cycle. The consultation process for PAR strategic documents includes some of the stakeholders included in the methodology, but not the full range.
Lead institutions should make full use of the e-consultation portal konsultimipublik.gov.al.	Not implemented	The portal does not feature options to facilitate tracking of draft documents submitted, as well as to record and respond to recommendations.
Lead institutions should provide adequate attention to capacity building in public administration for conducting effective and efficient stakeholder engagement.	Partially implemented	The RIA process, which includes stakeholder consultations, has become part of the legislative process.
Lead institutions need to actively preserve their institutional memory. Since it is a relatively low-cost and efficient process, they should make use of web archiving.	Not implemented	Web archives can be found only for the Ministry of Defence.
In its review of the IPMG-PAR regulatory framework, the Unit for Good Governance and Development Policies at the PMO should ensure adequate and consistent civil society participation at both the political and technical level.	Not implemented	There have been no changes since the last monitoring cycle.
The Annual Work Plan of IPMG-PAR meetings should be published on the PMO website.	Not implemented	There have been no changes since the last monitoring cycle.
Following each IPMG-PAR meeting, PMO should publish an executive summary of the minutes and main conclusions on the PMO website.	Not implemented	There have been no changes since the last monitoring cycle.

■ PAR Monitor 2019/2020 recommendations

The 2019/2020 recommendations do not substantially differ from those of the previous monitoring cycle. Almost all of the previous recommendations still apply. The following recommendations build on them and point to the key issues of CSO participation that need to be addressed.

1. CSOs should be able to participate in political (IPMG) and technical (thematic group) meetings on public administration reform. They should be able to contribute to the policy discussions in such meetings without being vested with decision-making power.
2. CSO participation should not be restricted to members of the National Council of Civil Society; it should be open to all interested CSOs.
3. The annual work plan, agendas, and minutes of IPMG and technical secretariat meetings should be published.
4. To promote transparent and comprehensive participation, lead institutions should conduct early consultations and include – amongst other stakeholders – trade unions, organisations focusing on gender equality and the rights of persons with disabilities, and business associations in earlier stages in the policy development process.
5. In order to encourage public participation and demonstrate transparency in the decision-making process, lead institutions should publish consultation reports that clearly identify the key topics of discussions, comments and feedback received, and their decisions on the contributions received.



.POLICY DEVELOPMENT AND COORDINATION

III.1 WEBER INDICATORS USED IN POLICY DEVELOPMENT AND COORDINATION AND COUNTRY VALUES FOR ALBANIA

P5 I1: Public availability of information on Government 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 I 1: Civil society perception and scope of involvement in policymaking					
0	1	2	3	4	5

■ State of Play in Policy Development and Coordination

Government policy development and coordination is regulated by the legislation on the functioning of the Council of Ministers.¹⁸ The legislation on the functioning of the Council of Ministers tasks the secretary general of the Council of Ministers to coordinate the policymaking process in collaboration with other units within the Prime Minister's Office and line ministries.

The secretary general must ensure that policy proposals are in accordance with the government priorities and are coordinated with the National Plan for European Integration (NPEI).¹⁹ Draft documents are shared through the e-akte government platform, where relevant ministries and other government institutions can comment on the proposals. The Ministry of Justice and the ministry in charge of the European accession provide comments on the legal drafting process and the alignment of the documents with the EU acquis. The latest amendments to the decision of Council of Ministers – approved in 2018 – added the requirement to integrate the regulatory impact assessment (RIA) methodology in the legislative process. Despite this provision, there are broad exceptions to this provision including, among others, draft acts related to classified information, national security, international relations, taxation and customs, and budgetary issues.²⁰

Standing legislation tasks the secretary general of the Council of Ministers with the coordination of government policy. Nevertheless, the responsible unit for the coordination of the drafting of the National Strategy for Development and Integration (NSDI) was the Strategic Planning and Development Unit, part of the Department of Development, Financing and Foreign Aid in the Prime Minister's Office²¹, whereas central-level policy and strategy coordination and the design and management of national development programs is done by the Department of Development and Good Governance (DDGG).²² The Department functions also as the secretariat of the Strategic Planning Committee – an inter-ministerial body chaired by the Prime Minister – which defines and approves the priorities of the Government, the framework for mid-term budget planning, and ensures the strategic coordination of external assistance with Albania's development partners.²³

18 Law no. 9000, date 30.01.2003 "On Organisation and Functioning of the Council of Ministers" and Decision of Council of Ministers no. 584, date 28.8.2003 "On the approval of rules of procedures of the Council of Ministers".

19 Chapter II, Paragraph 7 of the Decision of Council of Ministers no. 584, date 28.8.2003 (amended), <https://qbz.gov.al/eli/vendim/2003/08/28/584>.

20 Chapter VI, Paragraph 45 and 45/1 of the Decision of Council of Ministers no. 584, date 28.8.2003 (amended).

21 National Strategy for Development and Integration 2015-2020, 11, <http://dap.gov.al/publikime/dokumenta-strategjik/278-strategjia-kombetare-per-zhvillim-dhe-integrim>.

22 Information provided by the Department of Development and Good Governance (DDGG) via email on 29 June 2021.

23 National Strategy for Development and Integration 2015-2020, 195-196. Information provided by the DDGG.

According to SIGMA's 2019 report on Albania, 75% of the legislative commitments in the NPEI were included in the General Analytical Program of the Government, which includes key annual legislative initiatives.²⁴ Furthermore, SIGMA notes that despite the establishment of the e-Akte platform, inter-institutional coordination remains a challenge and the roles and responsibilities of the units in the Prime Minister's Office and their internal coordination arrangements are not clearly defined.²⁵ To improve policy coordination, in April 2020, the Council of Ministers adopted a decision to establish the central government database for the Integrated Planning System Information System (IPSIS).²⁶

In addition to coordination challenges, transparency of central government decision-making process remains elusive. According to Article 17, Point 2 of the Law on the Organization and Functioning of the Council of Ministers, discussions in the Council of Ministers meetings are confidential. The Secretary General of the CoM must publish a comprehensive report for each CoM meeting, as per Article 22, but those reports continue to be unpublished.²⁷

Attempts to make the central government policymaking process inclusive have stalled after the approval of the Law on Public Consultations. The EU Commission's 2020 report on Albania notes that although personnel in line ministries have received additional training on public consultations and a functional public consultations portal has been established, the use of the portal remains limited.²⁸ Albanian CSOs argue that the public consultation process tends to be formal rather than part of a genuine attempt to solicit opinions and recommendations.²⁹

III.2 WHAT DOES WEBER MONITOR AND HOW?

In the Policy Development and Coordination area, WeBER monitoring is performed based on four 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,

In the second edition of the PAR Monitor, five WeBER indicators are used for the analysis in the Policy Development and Coordination. ***Compared to the baseline PAR Monitor 2017/2018, SIGMA Principle 12 was not part of the monitoring this time and consequently corresponding indicator was not measured.***³⁰ ***The decision for such change was reached at the beginning of this monitoring cycle as a result of internal discussion on learning experience from previous monitoring exercise, whereby it was concluded that monitoring this principle did not constitute a significant addition to the key values of WeBER monitoring i.e. it did not represent issue of significant concern for the civil society and the public in the region.***

24 OECD, Monitoring Report: Albania (Paris: OECD Publishing, 2019), 15, <http://www.sigmaweb.org/publications/Monitoring-Report-2019-Albania.pdf>.

25 OECD, Monitoring Report: Albania, 10.

26 Decision of Council of Ministers no.290, date 11.4.2020, <https://qbz.gov.al/eli/vendim/2020/04/11/290>.

27 Article 22, Point 1 obligates the Secretary General of the CoM to write and publish summaries of the CoM meetings. Law no. 9000, date 30.01.2003 "On the Organisation and Functioning of the Council of Ministers". <https://qbz.gov.al/eli/ligj/2003/01/30/9000>.

28 EU Commission 2020 report on Albania, 15, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/albania_report_2020.pdf.

29 Blerjana Bino, Redion Qirjazi, and Alban Dafa, Civil Society Participation in Decision Making in Albania (Tirana: Institute for Democracy and Mediation, 2020), 34, <https://idmalbania.org/wp-content/uploads/2020/03/CSO-Participation-in-Decision-Making-in-Albania.pdf>.

30 SIGMA 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 used for monitoring this principle in 2017/2018: Perception of availability and accessibility of legislation and related explanatory materials by the civil society.

The first indicator 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 which are assessed for a period of one year (due to the frequency of their publishing). Other aspects of the Government's 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 the Western Balkans was implemented using an online surveying platform, in the period between the second half of June and the beginning of August 2020.³¹ The uniform questionnaire with 28 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 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 six months - last three months in the calendar year preceding the monitoring (2019), and first three months in the monitoring year (2020), except for timeliness which is measured against all government sessions in the period of three months from the start of monitoring (roughly from beginning of March until beginning of June 2020).

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 perception 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 three policy areas.³²

Finally, the fifth indicator, focusing on the quality of involvement of the public in the policy making through public consultations, was modified in this monitoring cycle to include not only perceptions of CSOs collected by implementing online survey, but also additional qualitative data through the analysis of a sample of public consultations as well as assessment of online governmental portals used for public consultations. More precisely, in this PAR Monitor addition the indicator was enhanced with the addition of qualitative analysis of scope and impact of public consultations on policy documents and legislation in the period of six months (second half of 2019), availability and quality of reporting on public consultations, functionalities of the public consultation portals, and proactiveness of informing by the responsible institutions..

31 The survey of CSOs was administered through an anonymous, online questionnaire. In Albania, the survey was conducted in the period from 24 June to 29 July 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=81.

32 Policy areas where a substantial number of CSOs actively works. For Albania, the three policy areas selected are anti-corruption, anti-discrimination, and social protection.

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

Table 3. WeBER indicator PDC P5 I1: Public availability of information on Government performance

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)³³	0

To measure the extent of openness and availability of information on the central government performance, we examined press releases and reports on key whole-of-government planning documents. The documents whose implementation reports were sought include the Government Plan (GP) for 2017-2021³⁴, the National Strategy for Development and Integration (NSDI) 2015-2020³⁵, the National Plan for European Integration (NPEI) 2018-2020³⁶, and the Mid-term Budget Program (MBP) 2018-2020³⁷.

We found that the Prime Minister's Office (PMO) regularly issues press releases on relevant government initiatives, which can be accessed easily through its website. Furthermore, the prime minister also uses social media accounts on Facebook and Twitter to share short videos on the government's work. The content of the videos varies, but it can be classified roughly in three categories: (1) weekly or sometimes even daily communication on the implementation of government projects, (2) communication of different laws or governmental initiatives (more focus on digitalization) that have been enacted, and (3) public appearances in talk shows, press conferences or discussions in the Albanian Assembly's plenary sessions.

33 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.

34 Council of Ministers, Plan of the Government of Albanian 2017-2021, http://www.drejtesia.gov.al/wp-content/uploads/2017/10/Programi_i_Qeverise_Shqiptare-1.pdf.

35 Council of Ministers, National Strategy for Development and Integration 2015-2020, https://www.mod.gov.al/images/PDF/strategji2016/SKZHI_FINAL_QBZ.pdf.

36 Council of Ministers, National Plan for European Integration 2018-2020, <http://integrimi-ne-be.punetejashtme.gov.al/wp-content/uploads/2020/04/PKIE-2018-2020.pdf>.

37 Ministry of Finance and Economy, Mid-term Budget Programme 2018-2020, https://financa.gov.al/wp-content/uploads/2018/06/Dokumenti_i_PBA_2018-2020_rishikuar.pdf.

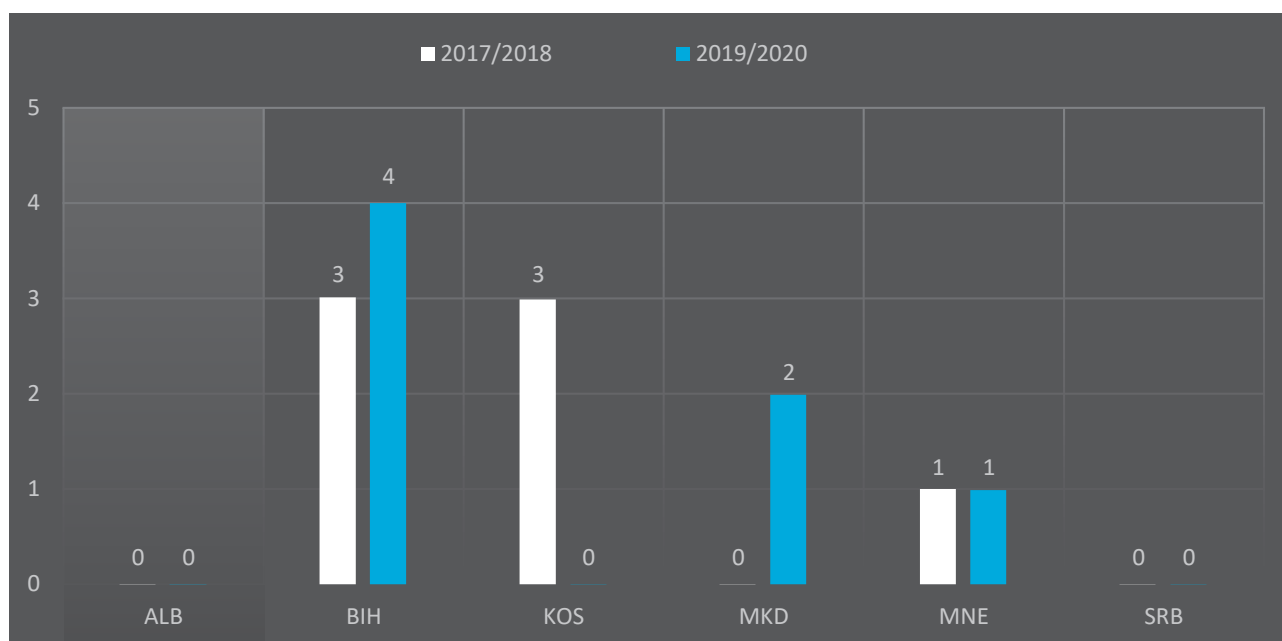
Despite the important information shared by the prime minister, it is impossible to assess the government’s performance based only on press releases, the prime minister’s statements, and the narrative propagated through official public communication channels. Press releases, while informative, include summaries or short statements from the prime minister or other members of the Council of Ministers. Similarly, communication through the prime minister’s social media accounts is designed as part of the PMO’s strategic communications effort to highlight government successes rather than failures.

Official reports on the implementation of the GP for 2017-2021, which is arguably the most important yardstick to measure the government’s performance, are not published.³⁸ Furthermore, there are no government reports on the implementation of the NSDI 2015-2020 and the NPEI 2018-2020. Out of the four whole-of-government strategies and plans assessed, reports could be only found for the MBP 2018-2020. For 2018 and 2019, there are 4-month, 8-month, and end-of-year reports on each central government institution. The MBP reports are found on the website of the Ministry of the Economy as the key institutions that coordinates budgetary policy. The rest of the reports should have been found on the PMO website (for the GP and the NSDI) or of the Ministry for Europe and Foreign Affairs (for the NPEI).

Lack of published reports on key whole-of-government strategies and plans is a strong indication that the objectives outlined in such documents are not used by the government as references to assess the progress towards accomplishing them.

■ How does Albania do in regional terms?

Graph 3: Indicator PDC P5 I1: Public availability of information on Government performance



38 The GP for 2017-2021 outlines the government’s objectives in roughly three main areas: (1) economic growth, (2) public services and rule of law, and (3) European integration.

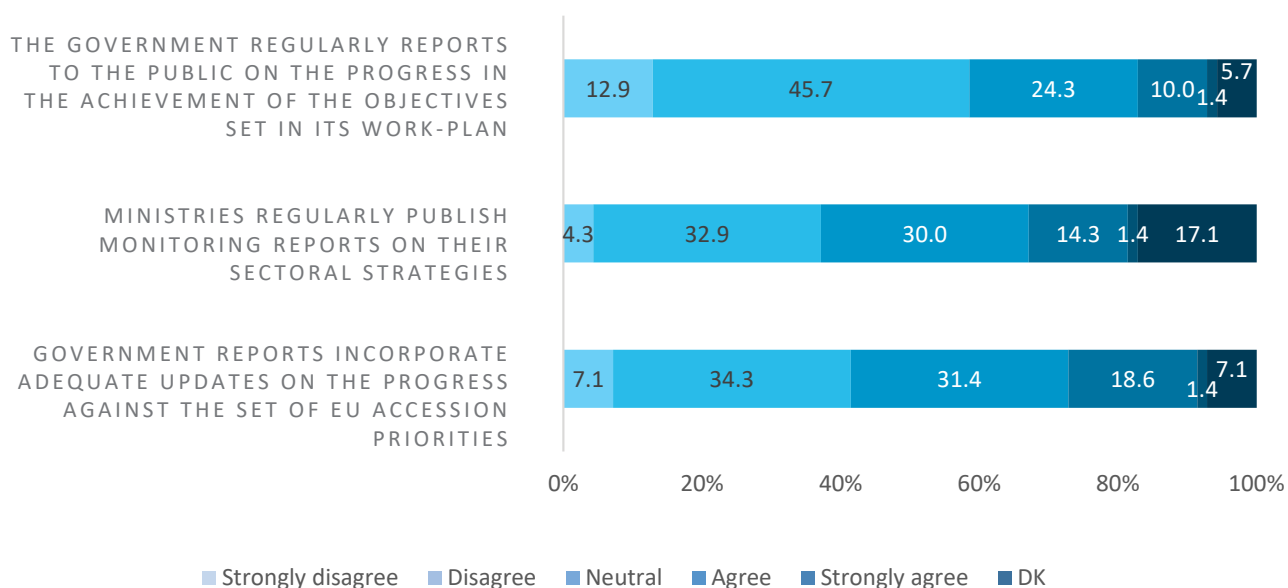
Table 4. WeBER indicator PDC P5 I2: Civil society perception of the Government's pursuit and achievement of its planned objectives

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	0/2
CSOs consider that the Government's reports incorporate adequate updates on the progress against the set EU accession priorities	0/2
Total score	1/16
Indicator value (scale 0 – 5)³⁹	0

This indicator focuses on CSO perceptions on the availability of government reporting on the progress made on its work plan, the relationship between government plans and actual policies that are implemented, and the incorporation of EU integration priorities in government plans. The sample consisted of a total of 81 CSO respondents and the base (number of respondents) for these questions was 70. Responses were measured by the level of agreement with specific statements.

Approximately 11% of respondents maintain that progress on the work plan objectives is regularly reported by the government. There is a slightly more positive perception regarding the monitoring reports of sectoral strategies published by various ministries: 15.7% of respondents maintain that ministries publish such reports. Concerning the incorporation of updates of progress on EU accession priorities in government reports, only 20% confirm that they are incorporated adequately.

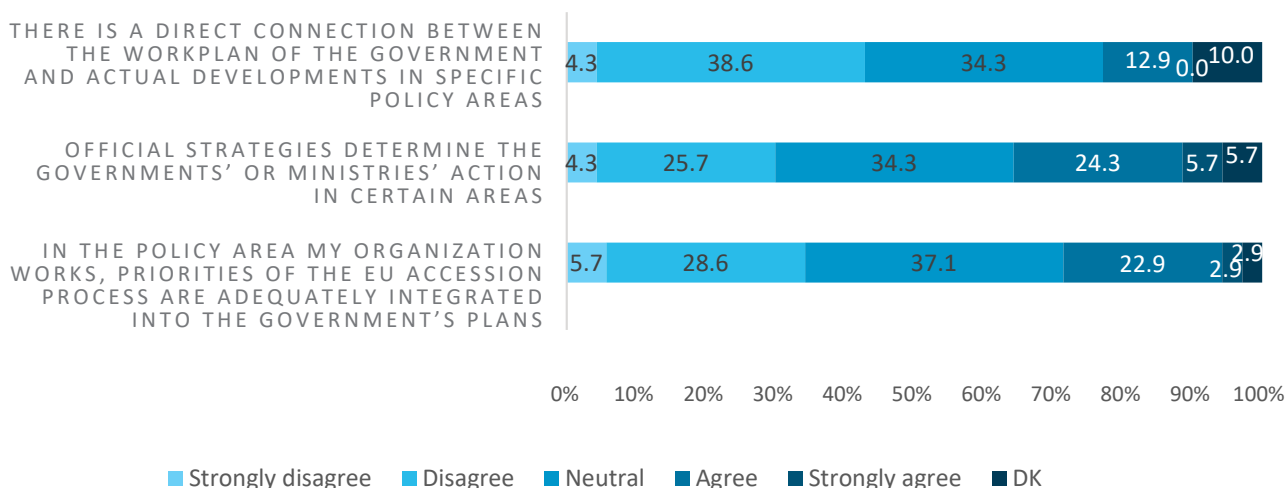
Chart 1. CSO perceptions on reporting of the implementation of government work plan



³⁹ 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

While only 13% of respondents consider that there is a direct connection between the Albanian governments' work plan and the actual policy areas developments, 30% find that in certain areas, the government's or ministries' action is actually determined by official strategies. Furthermore, 25.8% consider that government's plans, in certain policy areas, do integrate EU accession priorities adequately.

Chart 2. CSO perceptions on the incorporation of EU accession priorities in work plans and relationship between government work plans and actual policy implementation

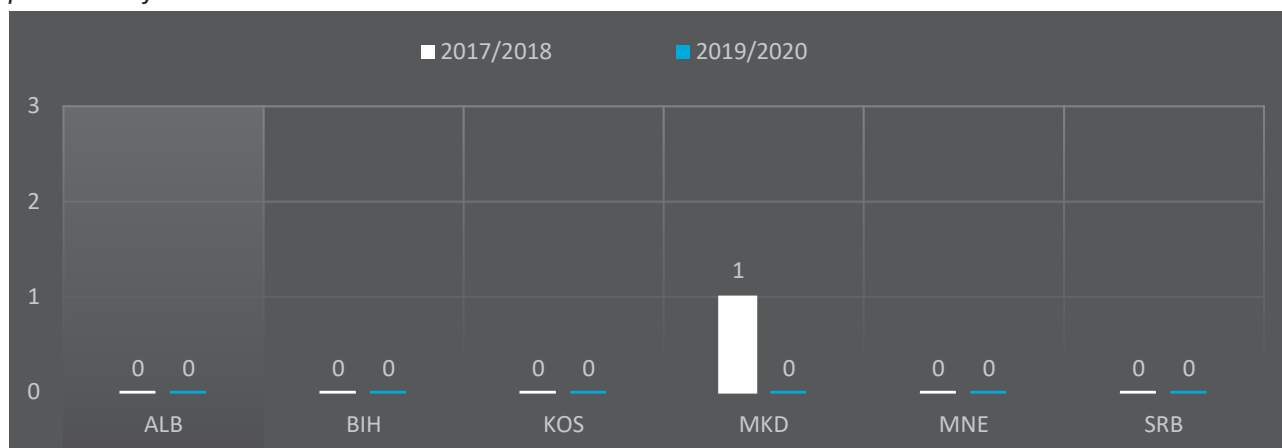


Overall, the extent of which CSOs perceive that the government's work is led by official strategies varies from very low (11%) to low (30%). Although there are no significant differences between the two monitoring cycles, CSO perceptions have deteriorated compared to the 2017/2018 monitoring cycle. Decline is evident in all questions that are part of this indicator. On the question of the alignment of government policies with work plans, there is a 15.7% decline in the positive perception; on the question of official strategies determining government action in specific areas, there is a 4.1% decline; on the question of government reporting on the progress towards meeting work plan's objectives, there is a 6.2% decline. Even the CSOs positive perception on the inclusion of EU accession priorities has suffered a significant decline: 11.4% in the case of inclusion of accession priorities in government plans and 10.8% decline in the case of incorporation of EU progress updates in government reports.

Since there are no government reports on the majority of whole-of-government strategies and plans, it is likely that the positive perception of a share of CSOs surveyed is influenced by their particular project-based engagement and cooperation with central government institutions.

How does Albania do in regional terms?

Graph 4: Indicator PDC P5 I2: Civil society perception of the Government's pursuit and achievement 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

Table 13: WeBER indicator PDC P6 I1: Transparency of the Government's decision-making

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	2/4
The Government publishes adopted documents in a timely manner	2/4
Total score	4/16
Indicator value (scale 0 – 5)⁴⁰	1

This indicator assesses the transparency of the CoM decisions by reviewing the content of the PMO's website to establish whether the decisions and the information on government sessions – meeting agendas, minutes, and press releases – are published. The findings from this process are further complemented by measuring CSO perceptions on transparency of the decision-making process.

After reviewing the content of the PMO's website, we found that the meeting agendas and minutes of Council of Ministers sessions are never published. The minutes are not published because of the "confidentiality" clause in the Law on the Organisation and Functioning of the Council of Ministers⁴¹, whereas for the meeting agendas there are no legal prohibitions. Regarding press releases, during the six-months monitoring period (October 2019 – March 2020), the PMO had published only seven. Furthermore, the decisions of the Council of Ministers were partially published in a timely manner. Out of 192 Council of Ministers decisions issued only 129 were published and out of 21 Normative Acts issued only 5 were published. They were easily accessible on the PMO's website.

The COVID19 pandemic did not significantly change government practices on publication of CoM decisions. It is worth noting, however, that out of the 10 normative acts adopted in March – at the height of COVID19 pandemic restrictions – only three were published on the PMO's website.

The results of the CSO survey on their perceptions on the government's decision-making transparency reveal a significant disapproval of present government practices.⁴² The sample consisted of a total of 81 respondents, and 71 CSOs responded to the questions.

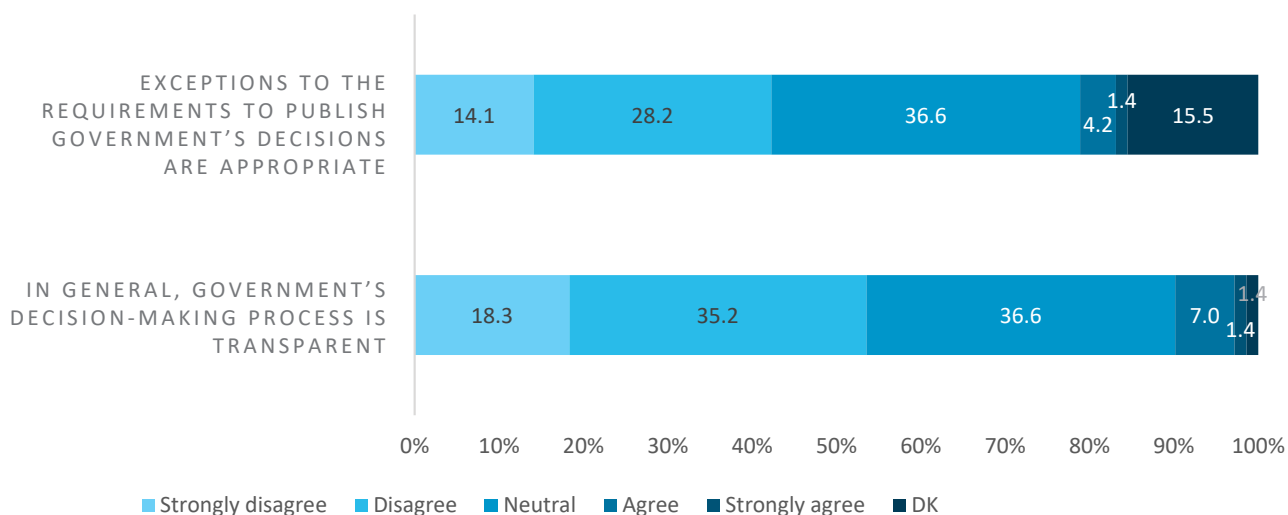
The majority of CSOs (53.5%) consider the decision-making process of the government as not transparent, while more than 1/3 of them (36.6%) are neutral. Similarly, most CSOs (42%) consider the exceptions to the rules of publishing of government decisions as not appropriate, while more than 1/3 (37%) are neutral on this topic.

40 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

41 Article 17, Point 2, Law no. 9000, date 30.01.2003 "On the Organisation and Functioning of the Council of Ministers".

42 The sample consisted of a total of 81 respondents, and 71 CSOs responded to the questions.

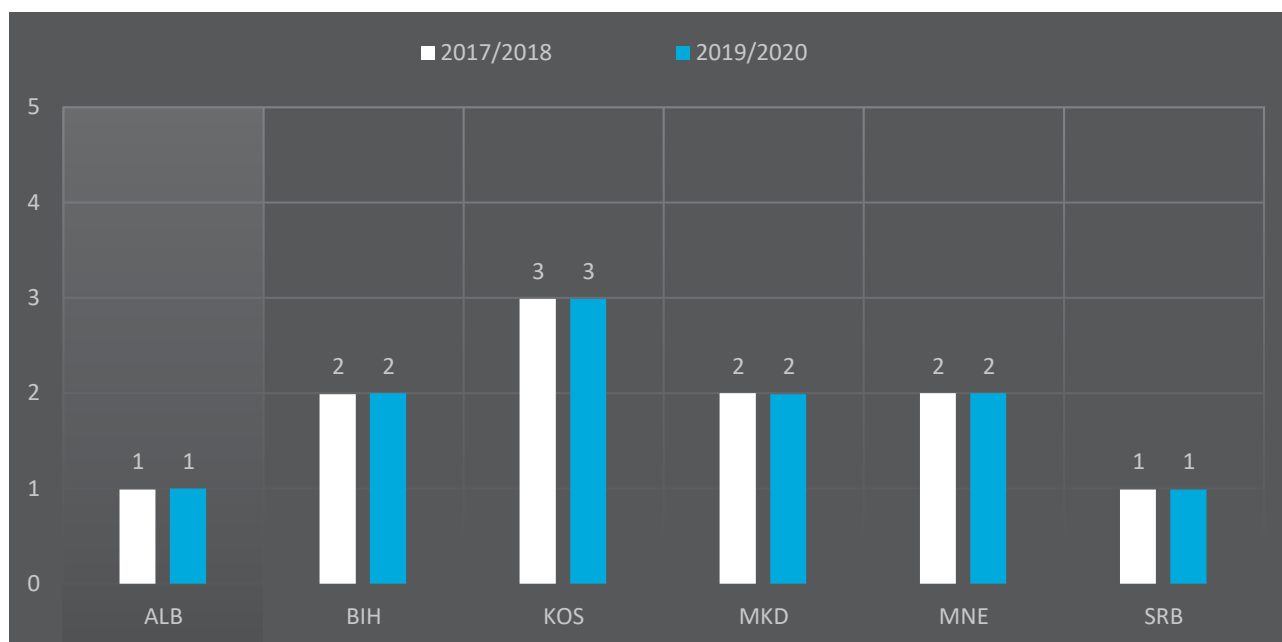
Chart 3. CSO perceptions on the government's decision-making process transparency



Although there are no changes in the overall indicator value and score compared to the previous monitoring cycle, there is a decrease in the percentage of CSOs that think government decision-making process is transparent (from 15% to 8.4%) and that exceptions to publishing of government decisions are appropriate (10.9% to 5.6%). Similar to the previous indicator, since key documents on the Council of Ministers sessions, i.e. minutes and agenda, are not published, it is likely that the positive perception is shaped by the interactions of CSOs with government institutions, or a lack of knowledge of the legal provisions which explicitly enable the confidentiality of government sessions.

How does Albania do in regional terms?

Graph 5: Indicator PDC P6 I1: Transparency of the Government's decision-making



PRINCIPLE 10: THE POLICY-MAKING AND LEGAL-DRAFTING PROCESS IS EVIDENCE-BASED, AND IMPACT ASSESSMENT IS CONSISTENTLY USED ACROSS MINISTRIES

Table 6. WeBER indicator PDC P10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development

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	2/4
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	1/2
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	2/2
Representatives of relevant ministries participate in policy dialogue (discussions, round tables, closed door meetings, etc.) pertaining to specific policy research products.	2/2
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	11/24
Indicator value (scale 0 – 5)⁴³	2

This indicator combines the examination of the government policy papers and impact assessment studies – to determine if they reference CSO findings – with the CSO perceptions on their involvement in the policymaking process by central government institutions. Three policy areas were selected to assess the use of CSO findings in government policy papers and impact assessment studies: **anti-corruption, anti-discrimination, and social protection.**

First, government strategies and action plans in the three policy areas were examined to determine if CSO findings had been referenced. Second, impact assessment studies prior (ex-ante) to the adoption of strategies, action plans, and legislation were examined for the same purpose. Third, the same process was repeated for impact assessments after (ex-post) the adoption of strategies, action plans, and legislation. Since Albania is in the first stages of institutionalising formal process for ex-ante and ex-post assessment of strategies and legislation, we classified the following available government documents as “assessments” for the purpose of this indicator⁴⁴:

- The explanatory note (relacion shoqëruës) to a draft-law and government policy papers preceding the adoption of legislation (e.g. the analytical document preceding the justice reform in Albania⁴⁵) were considered ex-ante assessments.

43 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

44 The policy areas examined were anti-corruption, anti-discrimination, and social protection.

45 Ad-hoc Parliamentary Committee on Justice Reform, Analysis of the Albanian Justice System (Tiranë: Assembly, 2015), http://www.reformanedrejtjesi.al/sites/default/files/dokumenti_shqip_0.pdf.

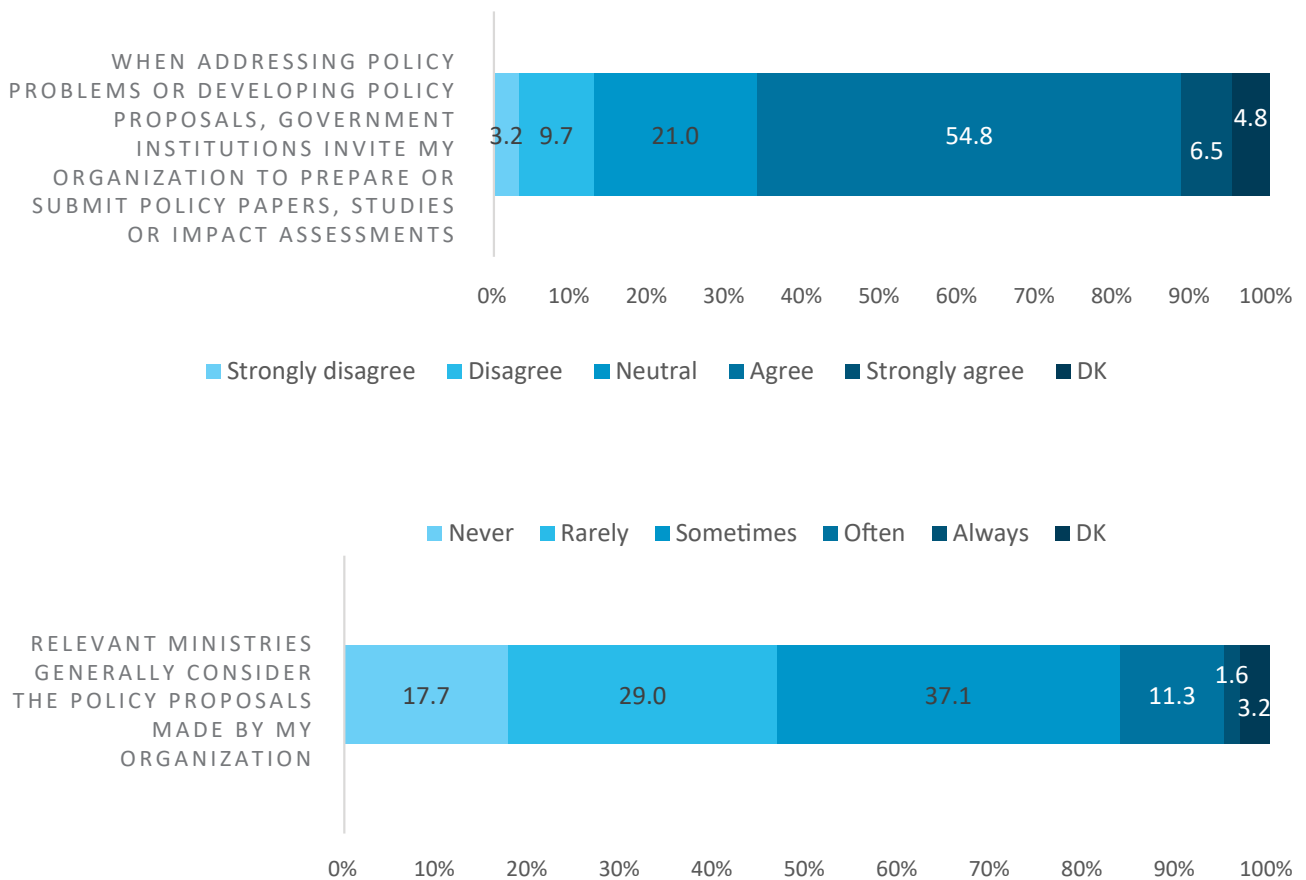
- Reports from the Commissioner for Protection against Discrimination, the Ombudsperson, Supreme State Audit Reports, and other government monitoring reports of strategies, action plans, and legislation were considered ex-post assessment documents.

Evidence-based findings produced by CSOs can be considered to be regularly referenced in the sample of adopted government strategies, as 69% (9 out of 13) of examined strategies contain reference to CSO findings. Regarding ex-ante impact assessments and ex-post analyses for the examined policy areas, the situation has somewhat improved compared to the last monitoring cycle, but remains low. For the same measurement period, 18% (4 out of 22) of examined ex-ante policy papers and impact assessments, and 41% (5 out of 12) of examined ex-post policy documents contain reference to CSO findings.

The results from the CSO perception survey are based on the responses from 62 CSOs out of the total of 81. They show a rather complex picture of CSO-government cooperation in drafting government policy papers and legislation and discussing policy initiatives. While CSOs have been interested in stronger cooperation with public institutions, there is a reluctance from public institutions to proactively and consistently solicit CSO expertise.

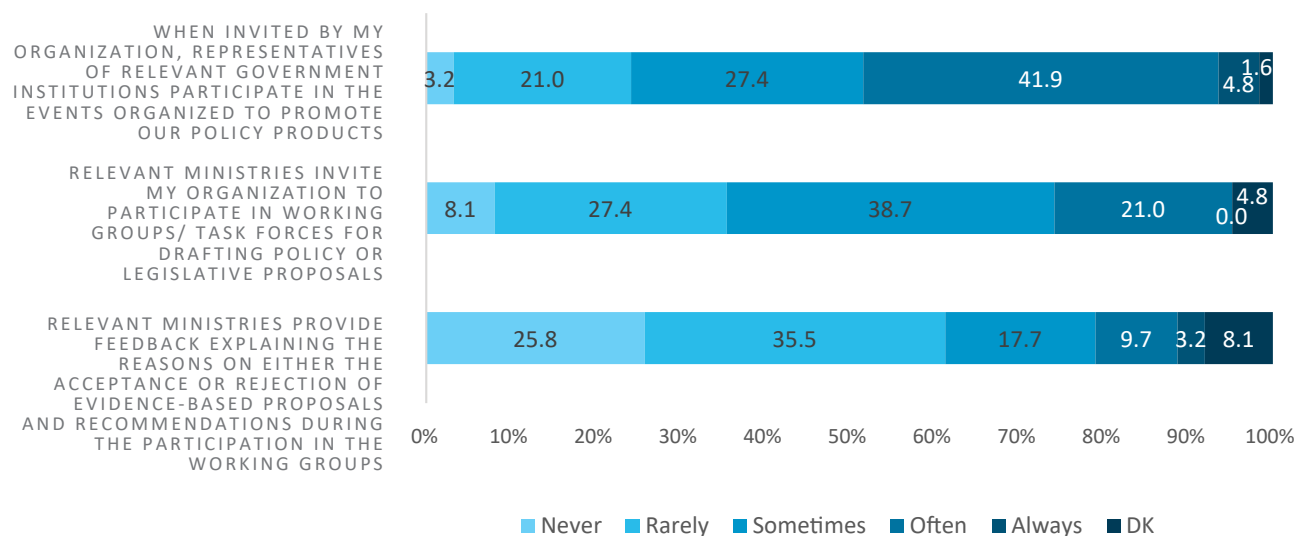
Based on the results of the CSO survey, the majority of CSOs (61.3%) say they are invited to prepare or submit policy papers, studies or impact assessments when authorities address policy problems or develop policy proposals in their areas of work, but feel as if the consideration of such policy proposals is low. Only 12.9% of CSOs believe that ministries often or always take into consideration their proposals, while 37% agree that it happens sometimes.

Chart 4. CSO perception of the government's approach to soliciting their policy expertise



Government representatives are engaged more proactively in policy dialogues by CSOs. According to 46.7% of respondents, government representatives usually or always participate in policy forums when invited by CSOs. On the other hand, CSO participation in working groups/task forces for drafting policy or legislative proposals in their area of expertise is low. Only 21% of CSOs say that they are usually or always invited, while 38.7% say that they are sometimes invited. Furthermore, government feedback on evidence-based proposals by CSOs remains low. Only 13% agree that government institutions provide reasoning on their acceptance or rejection of CSOs' proposals. More than 1/3 (35.5%) believe that this happens rarely, while 25.8% believe that it never happens.

Chart 5. CSO perception of the government-CSO policy cooperation



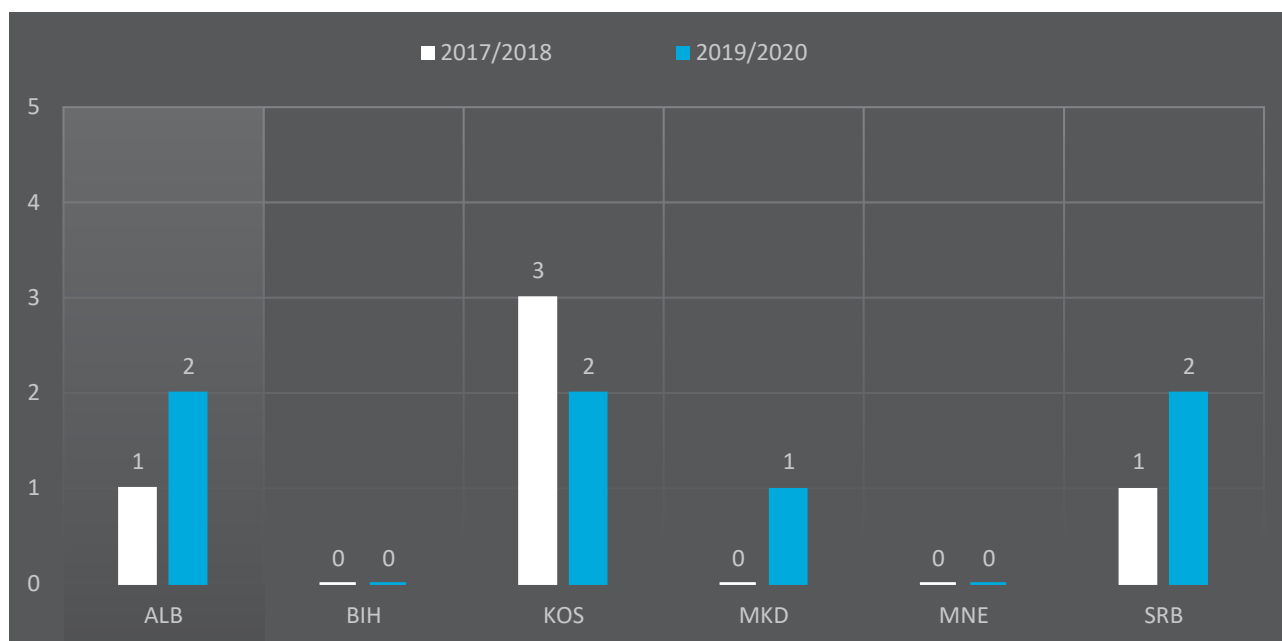
Despite the low level of cooperation, there have been a few improvements compared to the last monitoring cycle:

- Although low in absolute numbers, more ex-ante and ex-post assessments were evidenced than the last monitoring cycle 2017/18, during which they were missing.
- There has been an increase in perception that CSOs are invited to submit policy proposals (from 37% in 2018 to 61% in 2020) and on the participation of government stakeholders in policy dialogues organized by CSOs (37% in 2018 to 47% in 2020).

On the other side, there has been a slight decrease in the participation of CSOs in working groups/task forces (from 27% during 2017/2018 to 21% during 2019/2020).

■ How does Albania do in regional terms?

Graph 7: Indicator PDC 10 I1: Use of evidence created by think tanks, independent institutes and other CSOs in policy development



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

Table 7. WeBER indicator PDC P11 I 1: Civil society perception and scope of involvement in policymaking

Indicator elements	Scores
Scope of public consultations on policy documents in central administration	0/4
Scope of public consultations on legislation in central administration	2/4
Availability of reporting on public consultations on policy documents by central administration	0/4
Availability of reporting on public consultations on legislation by central administration	0/4
Basic functionality of a national public consultation portal	0/4
Advanced functionality of a national public consultation portal	1/2
Proactiveness of informing on public consultations	0/4
Embeddedness of early public consultations in practice	0/2

Quality of reporting on public consultations	0/2
Impact of public consultation results on policy making	0/2
CSOs consider formal consultation procedures create preconditions for effective inclusion of the public in the policy-making process	1/2
CSOs consider formal consultation procedures are applied consistently	0/2
CSOs consider that they are consulted at the early phases of the policy process	0/2
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 sponsoring ministries take actions to ensure that diversity of interests is 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.	0/2
CSOs consider ministries (sponsors of policy and legislative proposals) accept consultees' inputs/comments	0/2
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 Gov.	0/2
Total score	4/50
Indicator value (scale 0 – 5)⁴⁶	0

This indicator is also based on the combination of methods: CSO survey and the review of the public consultation process and legislation. All government policy documents and legislation adopted in the second half of 2019 – and subject to the Law on Public Consultation – were checked against the draft documents published on the public consultation portal.

Inconsistency underlies the public consultation process. Although basic legal requirements have been established to ensure an effective public consultation process, central government institutions do not consistently adhere to the current framework, and do not seek to proactively engage civil society organizations in the consultation process.

While public consultation was held for roughly 64% (18 out of 28) of the laws passed during the measurement period, only 40% (6 out of 15) of the strategies and action plans had undergone public consultation for the same period. For the drafts that underwent public consultation, no public consultation reports were produced by the central government institutions. In addition to the lack of reporting, another concern is the lack of proactiveness of central government institutions to issue notifications through multiple channels on the public consultations being held; notifications are mainly published on their websites and through the public consultation portal.

Furthermore, the lack of public consultation reports and the lack of feedback by central government institutions on recommendations provided by CSOs does not ensure the effectiveness of the consultation process, and precludes the adoption of recommendations that could improve a draft-act before approval. Although not foreseen by Albanian legislation and not conducted during the monitoring period, early consultations – i.e. consultations before writing the draft-act – can also improve the quality of the document adopted.

46 Conversion of points: 0-9 points = 0; 10-17 points = 1; 18-25 points = 2; 26-33 points = 3; 34-41 points = 4; 42-50 points = 5

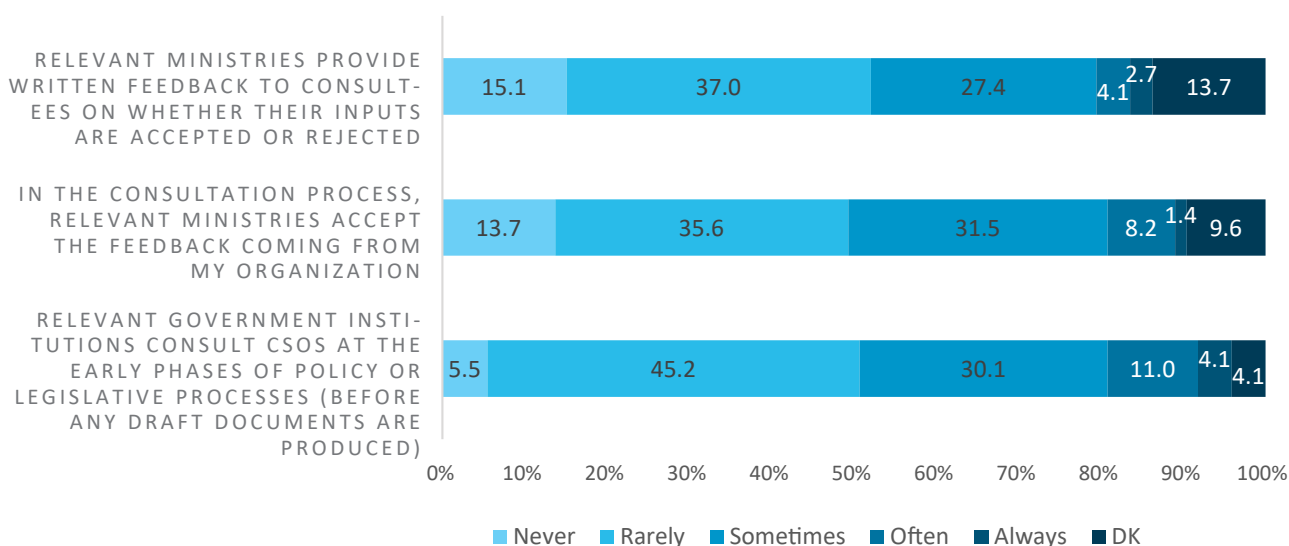
The public consultation portal has sufficient features to submit and view comments, as well as examine the supporting documentation for a draft-act; however, the portal is not user-friendly as it does not include features that ease its use. Although it is possible to search for draft-acts by institution as a category, it does not feature a more comprehensive database search that would enable the user to access a draft-act with ease, without having to scroll down the documents uploaded by institution, which can be a rather tedious process.

In addition to the public consultation process conducted by central government institutions, the Assembly conducts its own public consultation process of the draft-acts submitted by the Council of Ministers. The Assembly issues annual reports on the public consultations held for the draft-acts that have been adopted, but its reports are rather general and include only statistical data on recommendations that were submitted, accepted, and rejected.⁴⁷

Some of the findings from the review of the consultation process for selected legislation and policy documents are also confirmed by the CSO survey results. The CSOs that responded to questions related to public consultation were 73 out of the total of 81. Only 7% of CSOs state that relevant ministries often or always provide them feedback on their recommendations, while the majority (52%) state that ministries rarely or never do so. Similarly, only 9.6% of surveyed CSOs state that ministries in fact accept their recommendations whereas the majority (49%) states that it rarely or never happens.

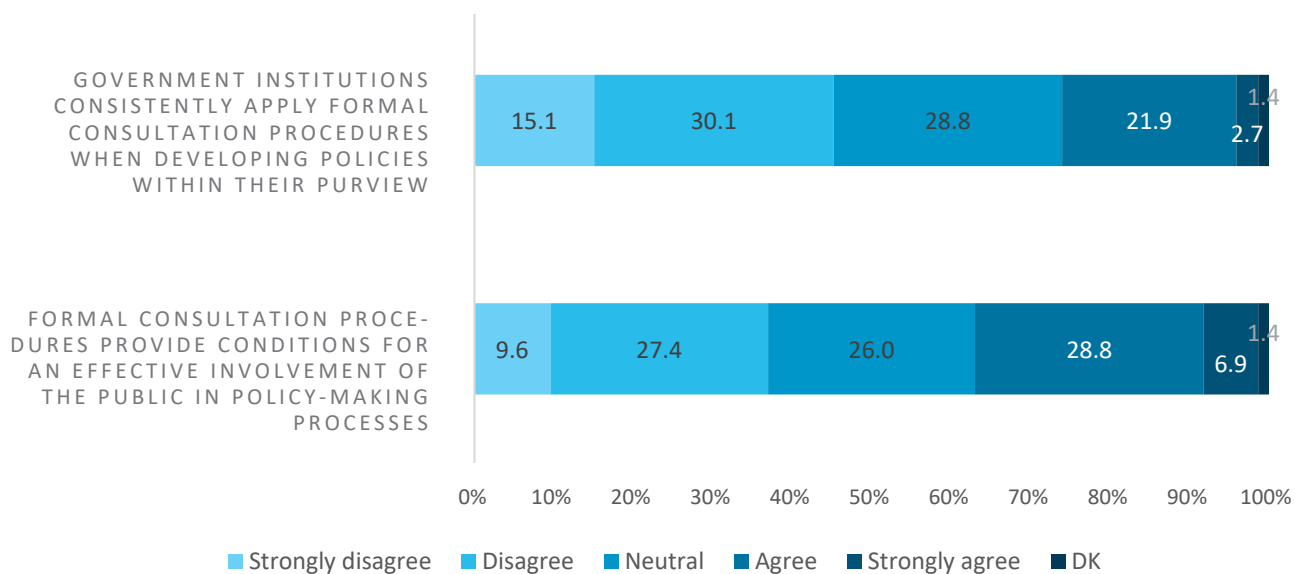
Moreover, 45% of the organizations state that formal consultation procedures are not consistently applied. On the other hand, the perception on whether the current consultation procedures provide conditions for an effective involvement of the public in policymaking processes are split relatively evenly: 37% disagree, while 35.7% agree. Consultations at early stages of the drafting process are not foreseen in the Albanian legislation; however, survey results show a variety of opinions: 11% state that they have been consulted; 50% state that they have not been consulted; 30% maintain that they have been sometimes consulted early.

Chart 6. CSO perception of the government's handling of CSO feedback through the public consultation process



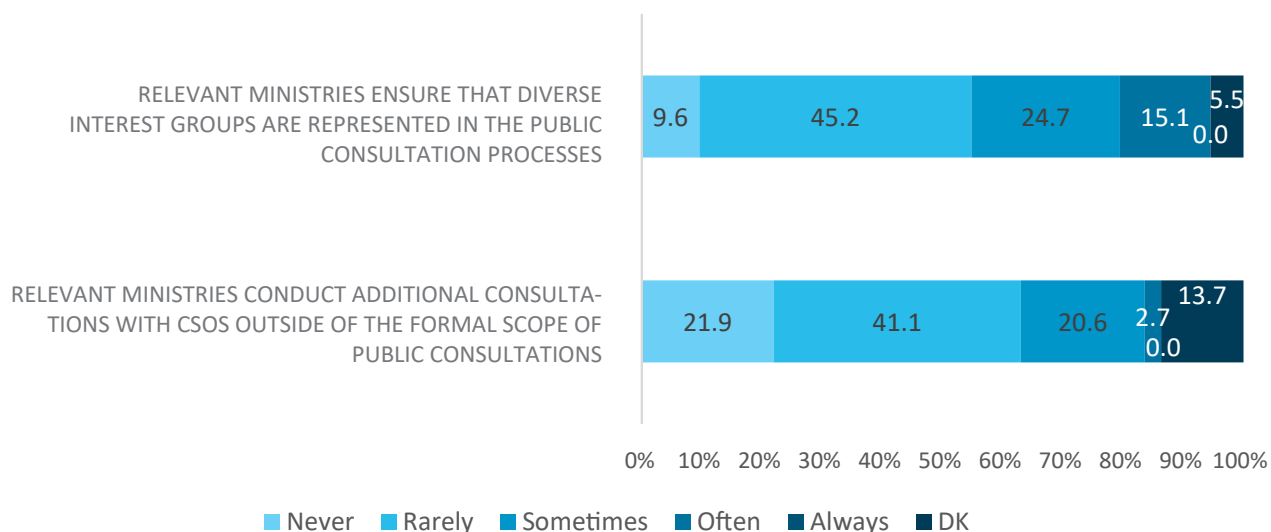
47 Assembly of the Republic of Albania, Report on the Participation of the Public and Civil Society in the Decision-Making Process in the Assembly for 2020, http://www.parlament.al/Files/RaporteStatistika/2020_Pjes%C3%ABmarrja_Publikut.pdf.

Chart 7. CSO perception of the government's application of formal public consultation procedures



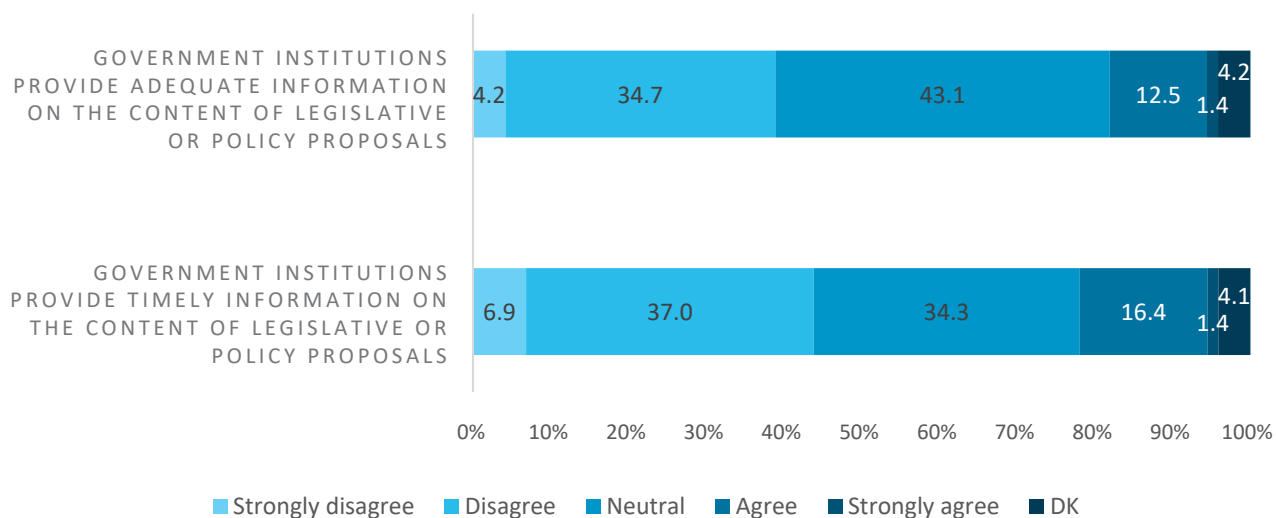
CSOs were also asked whether diverse interest groups (women, trade unions, minorities) are represented in the consultation process, and whether additional consultations were conducted with CSOs aside from the formal process. On the first question, 9.6% responded that diverse interest groups are never represented, while 45.2% responded that they are rarely represented. On the second question, 22% responded that additional consultation processes are never held, while 41% responded that such consultations processes are rarely held.

Chart 8. CSO perception of the inclusion of diverse interest groups in the consultation process and the application of additional consultation sessions



Another issue, according to the CSOs surveyed, is that adequate information on policy and legislative proposals is lacking. Only 14% of surveyed CSOs state that government institutions provide adequate information on the content of legislative or policy proposals, while 43% are neutral and 39% disagree. Government institutions fail to provide timely information on the content of legislative or policy proposals according to 44% of CSOs while more than a third (34.3%) were neutral.

Chart 9. CSO perception of the timeliness and adequacy of information by government institutions to the public for consultation purposes

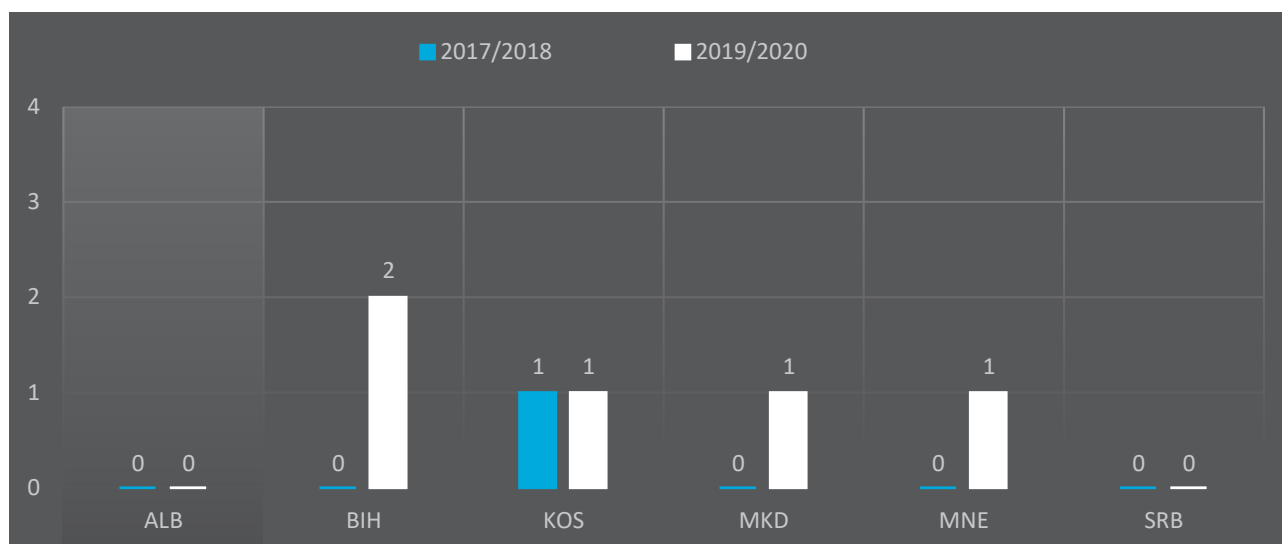


There have been no considerable changes in the results of the survey elements of this indicator, except for the decrease from 45% (2017/2018) to 37% (2019/2020) of CSOs stating that current consultation procedures provide conditions for an effective involvement of the public in policy-making processes.

The results from the 2019/2020 monitoring cycle cannot be strictly compared to those of the previous monitoring cycle because of the desk-based elements added to the survey-based ones, thus impacting the overall indicator score and the value scale.

How does Albania do in regional terms?

Graph 7: Indicator PDC P11 I1: Civil society perception and scope of involvement in policymaking



III.4 SUMMARY RESULTS: POLICY DEVELOPMENT AND COORDINATION

Lack of government reporting on three out of four whole-of-government strategies/action plans and the examination of government-CSO cooperation on policy development and coordination reveal significant shortcomings on the transparency, accountability, openness, and genuine public engagement that is required to draft and implement successful policies. Three trends are particularly concerning: (1) an abundance of social media posts to promote government achievements, whilst no official reports on whole-of-government policies cannot be found, (2) an inefficient and ineffective public consultation process, and (3) lack of evidence-based policymaking.

Extensive use of social media campaigns to promote claimed government achievements without official data available on the actual implementation of whole-of-government strategies and action plans establishes an information asymmetry in favour of the government and to the detriment of public accountability. Without publicly available information that can be examined, the government can – and does indeed – shape a narrative of successfully meeting overall objectives. This is a strong indication that the government does not seek to be genuinely accountable, or consider the participation of civil society in the policymaking process. Lack of evidence-based policymaking and effective public consultation further support this proposition.

Despite a strong interest from civil society and – particularly – civil society organisations with considerable expertise in the areas of rule of law, EU-accession reforms, and social policy, Albanian policymakers have yet to consider and appreciate the importance of evidence-based policymaking and civil society participation in the process. While noticeable improvements have been made through the establishment of a legal framework for public consultations, no further progress has been made on establishing the regulations and procedures necessary to make the process effective and efficient. Similarly, despite the formal inclusion of the regulatory impact assessment (RIA) methodology for government draft-laws, the broad exemptions to the requirement to use the methodology and the absence of its use in areas that are not exempt, suggests that government institutions lack the institutional capacities or the will to formulate evidence-based policies.⁴⁸

48 RIA methodology is mandatory for government draft-laws that seek to transpose the EU acquis in the Albanian legislation. Nevertheless, the use of the methodology in these cases is not grounded on a thorough analysis and consideration of different regulatory and non-regulatory options.

III.5 RECOMMENDATIONS FOR POLICY DEVELOPMENT AND COORDINATION

Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
The Council of Ministers should publish annual implementation reports of the Government Plan.	Not implemented	There are no published reports of the implementation of the Plan.
The monitoring reports on central government planning document should be made publicly available.	Partially implemented	Published reports can be found only for the Medium Term Budget Program 2018-2020, but not for National Strategy for Development and Integration, National Plan for European Integration, or the Government Program.
The Council of Ministers should publish agendas, minutes (summaries) and press-releases government sessions.	Not implemented	There have been no changes since the last monitoring cycle.
Regulatory Impact Assessment (RIA) methodology should be institutionalized and implemented accordingly within the current policymaking system.	Partially implemented	RIA has been included as part of the governmental law-making process, but it is not fully implemented.
Sponsoring ministries should strive to adequately reference evidence-based findings produced by CSOs in their adopted government policy documents, policy papers and other assessments.	Partially implemented	Although there is an increase in referencing evidence-based publications by CSOs, the majority of government policy papers and reports accompanying government draft-acts typically mention advice given by external aid organisations and experts.
Sponsoring ministries should proactively and systematically provide feedback on the evidence-based proposals and recommendations during the policy-making process.	Not implemented	Relevant ministries in general do not 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. (Assessment based on focus group discussions with local and national CSOs.)
Public consultations should be results-oriented instead of process-oriented.	Not implemented	There have been no changes since the last monitoring cycle.
Ministries should publish annual plans of their decision-making process.	Not implemented	There have been no changes since the last monitoring cycle.
Ministries should consistently use the public consultation portal to publish all draft-acts that are subject to public consultation.	Not implemented	There have been no changes since the last monitoring cycle.
Public consultation processes should allow for timely examination of government proposals in accordance with legal deadlines.	Not implemented	CSOs are not timely provided with information on the content of legislative or policy proposals. (Assessment based on CSO perception survey results and review of public consultation process for sampled government draft-acts.)
Ministries should publish their annual reports on the transparency of decision-making process as required by the public consultation law, to include information on the number of acts approved, feedback received, recommendations accepted and refused, and number of meetings conducted.	Not implemented	There have been no changes since the last monitoring cycle.
Public institutions should ensure the representation of diverse interests in the consultation processes.	Not implemented	Sponsoring ministries have not taken enough action to ensure that a diversity of interests is represented in the consultation processes (women's groups, minority rights groups, trade unions, employers' associations). (Assessment based on CSO perception survey results and review of documents provided by public institutions on the public consultation process for PAR strategic documents.)
Ministries should provide adequate attention to capacity building in public administration for conducting effective and efficient stakeholder engagement.	Partially implemented	ASPA delivers training modules on stakeholder engagement.
Ministries should monitor the implementation of their participatory processes.	Partially implemented	Stakeholder engagement varies by ministry. Overall, however, ministries should improve both their engagement and reporting mechanisms.

■ PAR Monitor 2019/2020 recommendations

The recommendations for this part are essentially the same as the ones of the previous monitoring cycle since most of the previous recommendations have not been addressed, while a few have been partially addressed.

1. The Council of Ministers should publish annual implementation reports of the Government Plan, NSDI, and NPEI.
2. The Council of Ministers should publish agendas, minutes (summaries) and press-releases government sessions. To this end, the “confidentiality” clause in the Law on the Organization and Functioning of the Council of Ministers should be revoked.
3. Regulatory Impact Assessment (RIA) methodology should be effectively implemented. Government assessment studies and systematic and targeted stakeholder engagement must guide the process.
4. Evidence-based policymaking must be at the core of the government’s approach towards public policy. Public institutions must establish a network of cooperation with universities, institutes, and CSOs to share official data, solicit policy proposals, and discuss policy options.
5. The public consultation portal should be fully functional. In addition to their ability to submit comments, citizens ought to be able to see other comments and receive responses by lead institutions.
6. Public institutions should publish annual plans of their decision-making process in accordance with Article 6, Point 1.b) of the Public Consultation Law and Article 7, Point 1.gj) of the Law on the Right to Information.
7. Ministries should publish their annual reports on the transparency of decision-making process in accordance with Article 20 of the Public Consultation Law, which includes the number of acts approved, feedback received, recommendations accepted and refused, and number of meetings conducted.
8. Ministries should consistently use the public consultation portal to publish all draft-acts that are subject to public consultation.
9. Public consultation processes should allow for timely examination of government proposals in accordance with legal deadlines.
10. Public institutions should ensure the representation of diverse interests in the consultation processes.

IV. PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

IV.1 WEBER INDICATORS USED IN PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

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

■ State of Play in Public Service and Human Resource Management

In 2013 Albania adopted a new law to regulate the country's civil service while the comprehensive public administration reform (PAR) strategy (2015-2020) would guide civil service reform.⁴⁹

Civil service legislation is generally in line with SIGMA's Principles of Public Administration.⁵⁰ Nevertheless, there are several exclusions from the horizontal and vertical scopes of the civil service, whereby a few central administration institutions or positions are not governed by civil service legislation.⁵¹ Examples of exemptions from the horizontal scope include the National Agency for information Society and the National Agency for Natural Resources. Examples of exemptions from the vertical scope include the director general of General Directorate of Customs and the director of the National Food Authority.

Civil service recruitment procedures have not changed since the latest amendment to the Civil Servant Law in 2014. The recruitment process is similar for all categories except for senior civil servants, who are recruited through a national pooled recruitment system to first attend the training program through the Albanian School of Public Administration (ASPA) and then be appointed according to their rank after finishing the program. This recruitment track has not been used since the adoption of the Civil Servant Law in 2013. Instead, direct admission into the senior civil service has been the norm. While in the first case successful candidates must attend and successfully pass the examination⁵² of the ASPA in-depth training program before being admitted into the senior civil service, in the second case they can attend the training program after being admitted into the senior civil service and no examination is required. Competitions for direct appointments are allowed in accordance with Article 27/5 of the law, which allows such competitions until the first senior civil servant cohort graduate from ASPA or when there

49 Department of Public Administration, Crosscutting Public Administration Reform Strategy 2015-2020 (Albanian), http://dap.gov.al/images/DokumentaStrategjik/ PAR_Strategy_2015-2020_English.pdf.

50 OECD, Methodological Framework for the Principles of Public Administration (Paris: OECD Publishing, 2017), <http://www.sigmaxweb.org/publications/Principles-of-Public-Administration-2017-edition-ENG.pdf>.

51 See OECD, Monitoring Report: Albania (Paris: OECD Publishing, 2017), 64-65, <http://www.sigmaxweb.org/publications/Monitoring-Report-2017-Albania.pdf>.

52 The minimum passing score is 70.

are not enough graduates to meet the needs for the senior civil service vacancies.⁵³ In 2019 ASPA started piloting a training program for mid-level and senior civil servants.⁵⁴

Integrity in public administration is regulated mainly by laws on the conflict of interest⁵⁵ and declaration of assets⁵⁶ of public officials⁵⁷. Although the regulatory framework is in place, the EU Commission has noted the lack of institutional capacities to verify assets and assess conflict of interest.⁵⁸ This issue is also recognized by the Department of Public Administration (DoPA).⁵⁹

A fair remuneration system has continued to be a challenge. The Department of Public Administration has drafted a white paper on remuneration reform, which was to be consulted with the Ministry of Finance and Economy to estimate the financial impact.⁶⁰

Additionally, the issue of unlawfully dismissed civil servants is causing significant financial damages to the country's budget. The Commissioner for the Oversight of the Civil Service (COCS) estimated that 511,748,508 Albanian Lek (approximately 4,128,629 euros) were paid in outstanding salaries due to unlawful dismissals.⁶¹ Simultaneously, the rate of return of civil servants to the civil service has been slow, in part because of the desire of civil servants to continue working in the same position they occupied before being dismissed. This has not always been possible and in certain cases their position was no longer available due to institutional restructuring. By the end of 2019, 66.5% of court decisions had been implemented by reinstating civil servants to a new position. There is slight increase in the implementation rate compared to 2018 when it stood at 62.8%.⁶²

■ 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 was 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's selection criteria:

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.

53 Law no. 152/2013 "On the civil servant", <http://www.dap.gov.al/images/Legjislacionishc/Ligji%20152%20perditesuar.pdf>.

54 Department of Public Administration, Crosscutting Public Administration Reform: 2019 Annual Monitoring Report (Albanian), 56, <http://dap.gov.al/publikime/dokumenta-strategjik/204-raportet-e-monitorimit-te-strategjise>.

55 Law no. 9367, date 7.04.2005, "On the Prevention of Conflicts of Interest in the Exercise of Public Functions" (amended), <http://dap.gov.al/images/LegjislacioniAP/Ligj%20nr.9367,%20date%207.4.2005%20Per%20parandalimin%20e%20konfliktit%20te%20interesave.pdf>.

56 Law no. 9049, date 10.04.2003, "On the Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials" (amended), <http://www.ildkpi.al/legjislacioni/>.

57 Other relevant legislation includes Law no. 138/2015 "On the integrity of officials who are elected, appointed, or hold public office", <http://dap.gov.al/legjislacioni/per-administraten-publike/91-ligj-nr-138-2015-per-garantimin-e-integritetit-te-personave-qe-zgjidhen-emerohen-ose-ushetrojne-funksione-publike>; Law no. 9131, date 08.09. 2003, "On the Rules of Ethics in the Public Administration", <http://dap.gov.al/legjislacioni/per-administraten-publike/44-ligj-nr-9131-date-08-09-2003-per-rregullat-e-etikes-ne-administraten-publike>; and Law no. 60/2016 "On whistleblowing and whistleblower protection", <http://www.ildkpi.al/legjislacioni-section3/>.

58 EU Commission, Albania 2020 Report, 16-17, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/albania_report_2020.pdf.

59 Department of Public Administration, 2019 Civil Service Report (Albanian), 18, <http://dap.gov.al/publikime/raporte-vjetore>.

60 Department of Public Administration, 2019 Civil Service Report (Albanian), 42-43.

61 Commissioner for Civil Service Oversight, 2019 Annual Report, 159, <http://www.kmshc.al/wp-content/uploads/2021/01/ANNUAL-REPORT-2019.pdf>.

62 Department of Public Administration, 2019 Civil Service Report (Albanian), 35-36.

- 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 of these principles combines the findings of SIGMA's assessment within specific sub-indicators. However, *having in mind that there is no SIGMA assessment for 2020, WeBER researchers performed their own calculation of SIGMA sub-indicators in this PAR Monitor cycle, on the basis of SIGMA's methodology. SIGMA/OECD cannot be held responsible for the result of such calculation, but only the authors of this report.*

In addition, monitoring is based on 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 candidates for civil service vacancies, and 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, between the second half of June and the beginning of August 2020.⁶³ 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.⁶⁴ 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.⁶⁵ 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 its 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 5 May - 30 May 2020.⁶⁶ In all three surveys, WeBER applied uniform questionnaires throughout the region and disseminated them in local languages, ensuring an even approach in survey implementation.

WeBER uses six indicators to measure the five principles mentioned above. In the first indicator, WeBER monitors the public availability of official data and reports about the civil service and employees in the central state administration. In the second indicator, monitoring includes the extent to which widely applied temporary engagement procedures undermine the merit-based regime. Openness, transparency and fairness of recruitment into the civil service, as a particularly critical aspect of HRM in the public administration due to its public facing character, is examined within the third indicator. The fourth indicator places focus on the prevention of direct and indirect political influence on senior managerial positions in the public service, while the fifth indicator analyses whether information on the civil service remuneration is transparent, clear and publicly available. Finally, in the sixth indicator, WeBER examines the promotion of integrity and prevention of corruption in the civil service..

63 Surveys were administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Albania, the civil servants' survey was conducted from 15 July to 4 August 2020, and disseminated by DoPA. The CSO survey was conducted from 24 June to 29 July 2020.

64 For Albania, the survey sample was N=975. The base for questions within Principle 2 was n=892 respondents, Principle 3 had n=975 respondents, Principle 5 had n=392 and n=457 respondents and Principle 7 had n=791 respondents.

65 For Albania, the survey sample was N=81. The base for questions within PS&HRM area was n=70 respondents.

66 Perceptions are explored using a survey targeting the public (aged 18 and older) of six Western Balkan countries. The public perception survey employed a multi-stage probability sampling and was administered combining computer-assisted web and telephone interviewing (CAWI, and CATI), using a standardized questionnaire through omnibus surveys in Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia during 5 May - 30 May 2020. For Albania, the margin of error for the total sample of 1007 citizens is $\pm 3.14\%$, at the 95% confidence level.

IV.2 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.

Table 8. WeBER indicator PSHRM P2 I1: Public availability of official data and reports about the civil service and employees in the central state administration

Indicator elements	Scores
The Government keeps reliable data pertaining to the public service	2/4
The Government regularly publishes basic statistical data pertaining to the public service	0/4
Published statistical data includes data on employees other than full-time civil servants in the central state administration	0/4
Published statistical data on public service is segregated based on gender and ethnic structure	2/2
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	2/2
Total score	13/25
Indicator value (scale 0 – 5)⁶⁷	2

This indicator focuses on government collection, use, and reporting of public service data. Albania has established a central HR database (Human Resource Management Information System – HRMIS), which includes data on civil service salaries, social security and healthcare contributions. The database is managed by DoPA, but it is the responsibility of each institution to update their data. Despite its interoperability with other government databases, the HRMIS does not feature an option to generate historical data on the number of public servants by civil service category/administrative body. The average total annual salary data for different civil service categories is administered by the Ministry of Finance and Economy. The use of the system for payroll generation has expanded from 90 institutions in 2018 to 120 government institutions in 2019.

DoPA regularly produces and publishes annual reports on the civil service on the DoPA website. The DoPA report for 2019 includes information on (i) human resource management, (ii) structural reform, (iii) remuneration system, (iv) training and capacity building, and (v) the development and expansion of HRMIS, which is related to the degree of use of the system in the public administration.

⁶⁷ 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.

The section on structural reform provides information on the reorganization of line ministries and subordinate bodies; the section on remuneration provides information on relevant legislative changes on civil service pay and the impact on rank and positions; and the section on training and capacity building provides information on trainings held per rank per topic, regional exchanges, and foreign assistance. The section on human resource management includes data on recruitment, civil service mobility, and integrity and disciplinary measures taken.

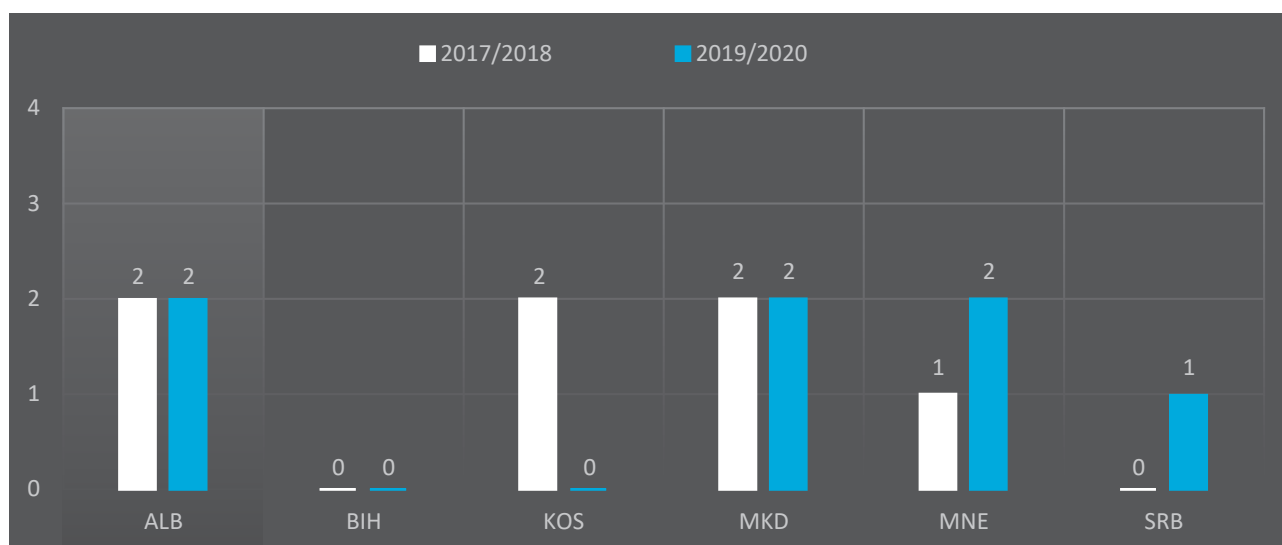
The annual reports focus only on the civil service and do not provide any data on central state administration employees on a fix-term contract or general state employees. This is because DoPA is not legally required to administer data on employees other than civil servants. It is thus difficult to assess their performance and needs.

The 2019 annual report covers six out of seven key public service issues. It includes information on (i) planning and recruitment, (ii) career development, (iii) trainings held, (iv) salaries, (v) disciplinary procedures and decisions, and (vi) measures to ensure professional integrity and prevent corruption; appraisals are not included. The content of the sections includes general information and data, but there is little analysis discussing challenges or the impact of the achievements.

The civil service data are not published in an open data format, but they are promoted through DoPA’s social media accounts on Facebook and Twitter. Except for the positive expansion of HR database users, there are no significant differences in HR management and reporting on public service policy from the 2017/2018 monitoring cycle.

■ How does Albania do in regional terms?

Graph 8: Indicator PSHRM P2 I1: Public availability of official data and reports about the civil service and employees in central state administration



The second WeBER indicator under Principle 2 focuses on the policy and legal frameworks. This indicator analyses the “Performance of tasks characteristic for civil service outside of the civil service merit-based regime” (indicator PSHRM_P2_I2).

Table 9. WeBER PSHRM P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime

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.	0/4
The hiring procedure for individuals engaged on temporary contracts is open and transparent	0/4
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	6/28
Indicator value (scale 0 – 5)⁶⁸	1

This indicator assesses the legal criteria for temporary engagements in the central administration. Temporary engagements refer to the employment of employees in the central administration to perform tasks similar in nature to those performed by civil service employees.⁶⁹ Standing Albanian legislation defines two types of temporary engagements of employees who perform tasks similar to the civil service: (1) short-term contract employees working in the central administration⁷⁰ and (2) public service contracts of an intellectual or advisory nature⁷¹. The indicator further measures the perceptions of civil servants on the use of temporary engagements in the central administration.

Albanian legislation does not limit the number of temporary engagements in relation to the overall number of civil servants in the central administration. Although decisions of Council of Ministers specify the annual limits of employees under temporary contract provisions, that limit is not strict and frequently changes. DCM no. 47, date 22.01.2020 “On the distribution of contracts on temporary engagement in the public sector” specifies the annual limits of employees under temporary contract provisions, but that limit has increased from 1,427 to 2,597 employees throughout the year. Furthermore, it does not include specific criteria to assess potential employees for such engagements.

Similarly, DCM no. 109, date 6.3.2019 “On setting the standards for conducting some activities with temporary employees in central government units” outlines the type of positions for temporary engagements, but does not include the criteria for employment. That information is to be part of joint orders between the Ministry of

68 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..

69 General service employees are excluded.

70 Point 5, Article 16, Law on the Organization and Functioning of State Administration, <https://qbz.gov.al/eli/ligj/2012/09/27/90>.

71 The Law on Public Procurement includes a provision for consultancy services, which are defined as 'public service contracts of an intellectual or advisory nature' in the law. <http://www.app.gov.al/legjislacioni/prokurimi-publik/ligji/>.

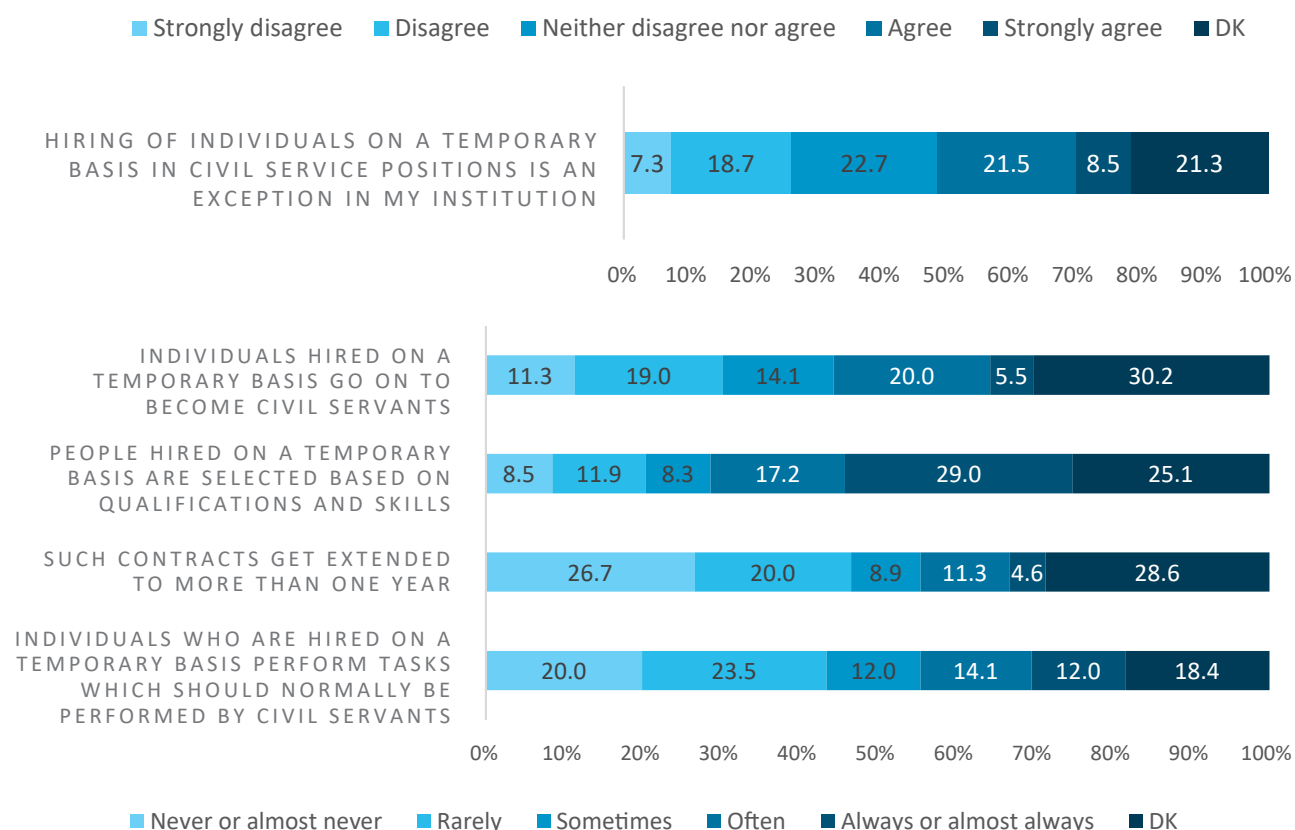
Finance and Economy and the respective central government institutions, but central government institutions do not publish vacancy calls for temporary engagements that do not fall under “service contracts” since standing legislation does not require them to publish them.

Temporary engagements through consultancy contracts are published through the Public Procurement Agency and must include the object of the contract, the reference of the procurement procedure, remuneration, duration, short description of contract, terms of reference, and the deadline for submission of proposals. They are defined as “public service contracts of an intellectual or advisory nature” in the Public Procurement Law and regulated through DCM no. 914, date 29.12.2014 “On the approval of the public procurement regulations”. There are no legal time limits set for such contracts, but the duration of contract is included in the service contract call. Criteria for the selection of potential consultants include: (i) experience of the consultant, (ii) quality of proposed methodology, (iii) qualification of staff that will be involved, (iv) transfer of knowledge (if required).⁷² It is, however, unclear what the specific criteria are, i.e. minimum work experience to be considered or the staff qualifications required. Furthermore, the service contract calls published in the Bulletin of Public Notifications do not include the description of the contract, terms of reference, qualification requirements, and selection procedure.

■ Summary of survey results

Despite insufficient legal provisions regulating the duration and employment for temporary engagements, the responses from the survey⁷³ of civil servants indicate that there are internal regulations at place enforced by their institution. Only 30.0% of civil servants maintain that hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in their institution.

Chart 10. Civil servant perceptions on temporary engagements



72 Article 37, Decision of Council of Ministers no. 914, date 29.12.2014 “On the approval of the public procurement regulations”, <http://www.app.gov.al/GetData/DownloadDoc?documentId=303a2377-25d3-450c-9a4c-e63638e45a27>.

73 The sample for the survey was N=975 while the base for the questions in this indicator was n=892. Responses were measured by the level of agreement with specific statements.

Employees hired on a temporary basis do not become civil servants after their temporary engagements end, according to 30.3% of civil servants. Almost the same percentage (30.2) either did not know or did not want to respond.

According to 46.2% of civil servants, temporary employees are selected based on qualifications and skills. Conversely, 25.1% either did not know or did not want to answer.

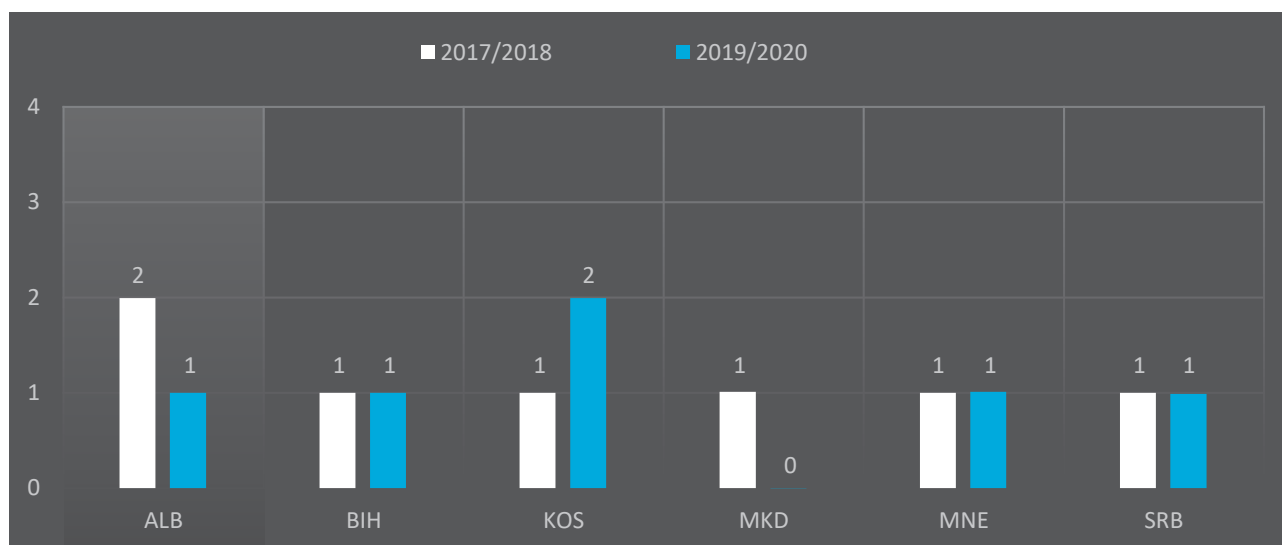
Concerning the extension of temporary contracts, 46.7% of civil servants maintain that they are “rarely” or “never or almost never” extended to more than one year, while 28.6% either did not know or did not want to answer.

Regarding the scope of the engagement of temporary employees, 43.5% of civil servants maintain that Individuals who are hired on a temporary basis do not perform tasks which should normally be performed by civil servants

Frequent changes to the limits of the number of government employees under temporary contracts suggests lack of proper planning for institutional needs and service provision.

■ How does Albania do in regional terms?

Graph 9: Indicator PSHRM P2 I2: Performance of tasks characteristic for civil service outside of the civil service merit-based regime



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

Table 10. WeBER indicator PSHRM P3 I1: Openness, transparency and fairness of recruitment into the civil service

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	2/4
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	2/4
Candidates are allowed and invited to supplement missing documentation within a reasonable timeframe	2/4
Decisions and reasoning of the selection panels are made publicly available, with due respect to the protection of personal information	2/4
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	0/2
Total score	15/36
Indicator value (scale 0 – 5)⁷⁴	2

This indicator measures the criteria for civil servant recruitment and demotion by examining relevant provisions in the civil service legislation that regulate the recruitment procedures and the criteria for demotion. To assess the transparency and meritocracy of the recruitment process, we examined five most recent completed public competitions for civil service jobs for the year preceding the monitoring, i.e. 2019. The competition announcements were chosen from five different state administration authorities: one large ministry, one medium ministry, one small ministry and two central state administration agencies (special organizations, offices, government services, etc.). Only institutions and positions subject to the Civil Servant Law were taken into account. The indicator further includes the findings from the civil servant survey and from the interviews held with civil servant candidates.

We found that vacancy announcements are published mainly on the Department of Public Administration's portal. Sample institutions⁷⁵ either did not have a relevant section for vacancy announcements on their website or the link they provided led to DoPA's website. Announcements are generally clear, and the job description

⁷⁴ 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.

⁷⁵ Ministry of Finance and Economy, Ministry of Education, Youth, and Sports, Ministry of Tourism and Environment, General Maritime Directorate, Agency for the Processing of Concessions.

section lists the responsibilities for the position. The evaluation criteria for each position includes the share of the score for the written test, interview, and the candidate's CV, but the announcements do not further explain the methodology. However, a link is provided to a DoPA instruction that details the evaluation criteria.⁷⁶

The competition process for all civil service positions includes two phases: (a) preliminary verification of candidates to ensure that basic requirements are met and (b) evaluation of the candidates who meet the basic requirements. The candidates disqualified for not meeting the basic requirements after the preliminary verification process may request further clarifications and request to submit additional documents. Unsuccessful candidates for the executive, low-level, mid-level, and top-management corps (TMC) positions can submit such requests and documents to DoPA within five days of the decision.⁷⁷

Vacancies are filled first through internal competitions (lateral transfer or promotion) within the civil service for the executive, low- and mid-level positions. Exceptionally, if they have not been filled through internal competitions, the vacancy call is open for competition to candidates outside the civil service.⁷⁸ For TMC positions, competitions are held either to be admitted to ASPA's TMC training track – and be appointed to a senior civil service position upon completion of the training – or to be admitted directly into the senior civil service after which they are required to attend ASPA's in-depth training program. The competition process for TMC positions through the ASPA training track is open to candidates outside the civil service, but only 20% of the vacancies are available to those candidates, while 80% of vacancies are allocated to civil servants.⁷⁹ Nevertheless, this procedure has not been actually used, and TMC vacancies have been filled through direct competitions, which are open to candidates outside of the civil service.

Article 27 of the Civil Servant Law allows for direct recruitment of senior civil servants until the first cohort has graduated from ASPA or when the number of ASPA graduate do not meet the needs for senior civil servants.⁸⁰ However, the DCM that regulates the TMC recruitment process underscores that after successful TMC candidates have been appointed, they will need to complete ASPA's training program.⁸¹ Nevertheless, this requirement has not been implemented since the entry into force of the Civil Servant Law because the program is still in its piloting phase.

Civil service legislation requires that the competition results and final decisions be published on DoPA's website and the National Employment Service portal. However, there are no requirements to publish the reasons for such decisions. Similarly, there are no provisions to mandate the publication of the annulment of competition procedures.

■ Summary of survey results

Civil servants⁸² responded to questions on their perceptions of on meritocracy and transparency of the recruitment process.⁸³ According to 46.8% of civil servants, connections are not necessary to get a civil service job in their institution; 63.2% maintain that civil servants in their institution are recruited on the basis of qualifications and skill.⁸⁴ Concerning the equal treatment of candidates in the recruitment process, according to 72.6% of civil servants, in their institution all candidates are treated equally.⁸⁵

76 DoPA Instruction no. 2, date 27.3.2015, <http://www.dap.gov.al/legjislacioni/udhezime-manuale/54-udhezim-nr-2-date-27-03-2015>.

77 See Decision of Council of Ministers no. 243, date 18.03.2015 "On the acceptance, lateral transfers, probation period, and appointment in the executive category", amended by DCM no. 746, date 19.12.2018, <http://dap.gov.al/legjislacioni/per-sherbimin-civil>; Decision of Council of Ministers no. 242, date 18.03.2015 "On the filling the vacancies for low- and mid-level leadership positions", amended by DCM no. 748, date 19.12.2018: <http://dap.gov.al/legjislacioni/per-sherbimin-civil>; Decision of Council of Ministers no. 118, date 5.3.2014 "On the procedures of appointment, recruitment, management, and the termination of the employment relations of Top-Management Corps Civil Servants", amended by DCM no. 388, date 6.5.2015: <https://bit.ly/3bCuLU>.

78 For each of these civil service categories, see articles 22-26 of the Law on the Civil Servant, <http://dap.gov.al/legjislacioni/per-sherbimin-civil>.

79 Chapter IV, Decision of Council of Ministers no. 118, date 5.3.2014 "On the procedures of appointment, recruitment, management, and the termination of the employment relations of Top-Management Corps Civil Servants", amended by DCM no. 388, date 6.5.2015.

80 Article 27, paragraph 5, Law on the Civil Servant.

81 Chapter VI, paragraph 4, Decision of Council of Ministers no. 118, date 5.3.2014.

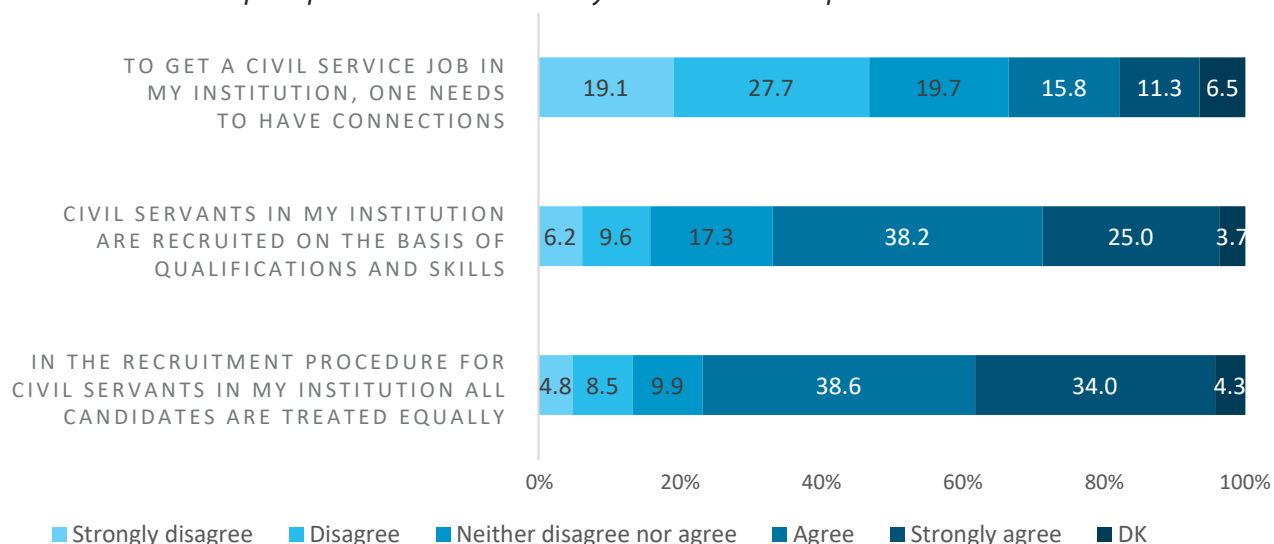
82 The sample for the public perception survey was N=1007 respondents from Albania aged 18+, base for the question is n=1007.

83 The sample for the civil servants survey was N=975; the base for the questions in this indicator was n=975.

84 In the last monitoring cycle, the outcomes were 44% and 63.7% respectively

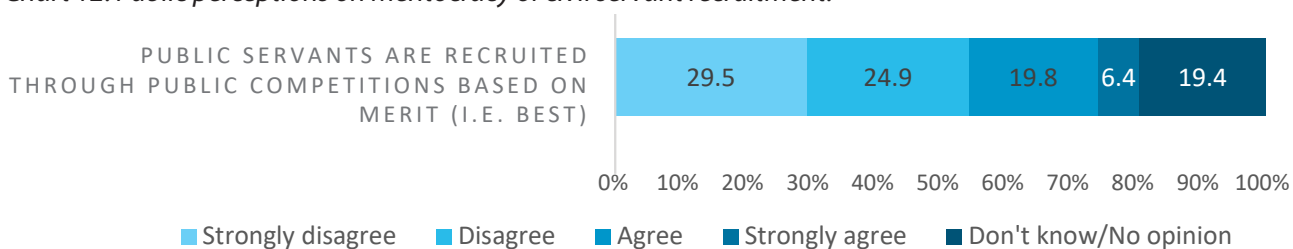
85 In the last monitoring cycle, the outcome was 67.9%.

Chart 11. Civil servant perceptions on the meritocracy of the recruitment process.



Despite these relatively high positive perceptions from civil servants, only 26.3% of the Albanian public maintain that recruitment of public servants is merit-based.⁸⁶

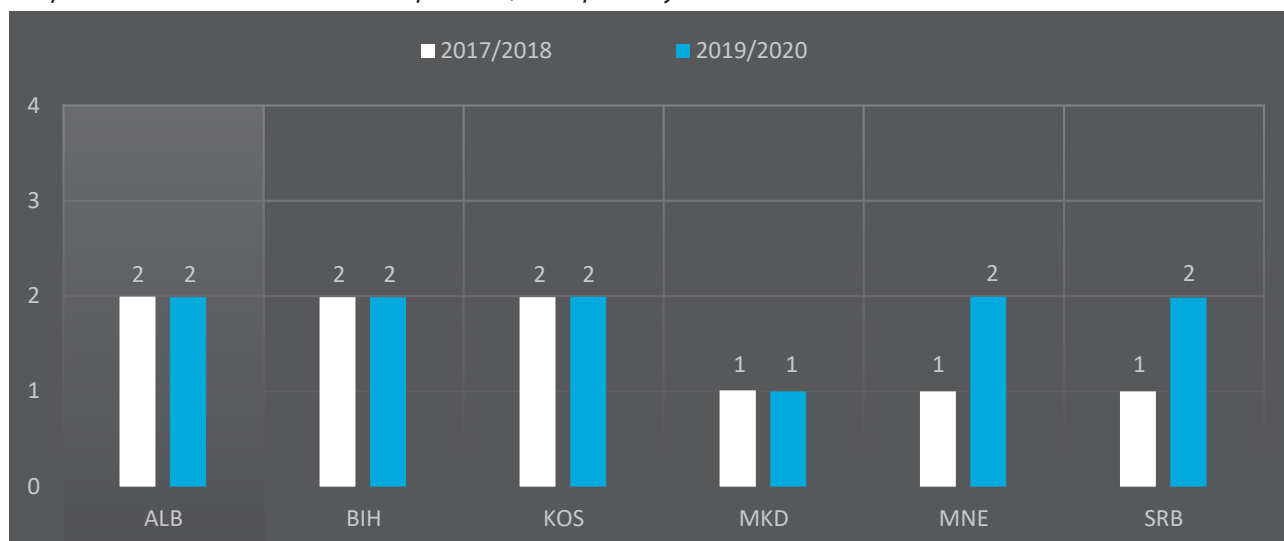
Chart 12. Public perceptions on meritocracy of civil servant recruitment.



There is a significant difference between the perceptions of the general public and civil servants on the integrity and meritocratic nature of the recruitment of civil servants. This can be due to lack of information from the public or bias from civil servants.

How does Albania do in regional terms?

Graph 10: Indicator PSHRM P3 I1: Openness, transparency and fairness of recruitment into the civil service



⁸⁶ In the last monitoring cycle, that percentage was 35.2%.

PRINCIPLE 4: DIRECT OR INDIRECT POLITICAL INFLUENCE ON SENIOR MANAGERIAL POSITIONS IN THE PUBLIC SERVICE IS PREVENTED

Table 11. WeBER indicator PSHRM P4I1: Effective protection of senior civil servants' position from unwanted political interference

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.	2/4
Acting senior managers can by law, and are, only appointed from within the civil service ranks for a maximum period limited by the Law	0/4
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 a 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	18/40
Indicator value (scale 0 – 5)⁸⁷	2

Political interference in senior managerial positions is assessed by examining the legislative framework and the process and outcomes of the last TMC recruitment. The findings are complemented by the results from the civil servants and the CSOs survey. The methodology for elements 1-3 and 5 is based on the SIGMA assessment criteria.

87 Conversion of points: 0-7 points = 0; 8-14 points = 1; 15-21 points = 2; 22-28 points = 3; 29-34 points = 4; 35-40 points = 5

The legislative framework is adequate to ensure a merit-based and non-discriminatory competitive process for senior civil servant vacancies. Recruitment criteria for senior civil service are merit-based and non-discriminatory.

Vacancy announcements are published in accordance with the annual recruitment plan, following the decision of Council of Ministers approving the number of vacancies. The National Selection Committee, which includes nine members, evaluates the candidates. The Committee is headed by the director of DoPA, and other members include the director of ASPA, one member from academia appointed for a two-year mandate by ASPA after an open and competitive process, a senior civil servant selected at random for a two-year mandate, and five other members from academia appointed by the Council of Ministers through an open competitive process (duration of mandate unclear).⁸⁸ Members from academia must not have been political party members in the last three years before their appointment to the Committee. No additional vetting processes are in place after the decision of the Committee has been made. Additionally, the Civil Servant Law prohibits senior civil servants from being members of a political party. Despite these very important provisions that seek to prevent political interference in the senior civil service, the continuous documented abuses of state resources, including human resources, by governing parties in parliamentary elections suggest that they could be further strengthened.⁸⁹

Albania uses a pooled recruitment system for senior civil servants. This means that candidates for TMC positions apply not for a specific vacancy but for all available vacancies. Vacancy announcements for TMC positions do not include the specific positions and institutions associated to them.⁹⁰ Potential TMC candidates may register on DoPA's portal, but the portal does not offer an option to subscribe to new announcements, and they must submit their documents in person to DoPA⁹¹. At the end of the selection process, the candidates are ranked and appointed accordingly. The list of successful candidates is published, but not their scores nor their ranking.⁹² The list of successful candidates is subsequently submitted to central government institutions so that they can choose which candidate to appoint for their respective vacancies.⁹³

As of November 2020, there were 118 senior civil servants appointed, and all of them through a competitive procedure.⁹⁴ This is highly commendable – particularly when compared to other countries in the region that have additional political vetting procedures in place after the competition⁹⁵; however, it is difficult to assess whether one of the top three candidates, or the best candidate, has been appointed as per the methodological criteria for this indicator. This is because DoPA publishes the list of successful candidates, which includes only their names, and does not publish the list of all candidates who have scored more than 70 points, as well as their respective scores.⁹⁶ Consequently, it is not possible to compare and verify.

Nevertheless, an important positive practice has been established on the ranking procedure: when two candidates have the same score but one of them is a woman or a person with disabilities, they are ranked higher than the other candidate.⁹⁷

Pooled recruitment is surely an easier process to manage and its centralized nature makes it easier to monitor, but it does not account for the required policy expertise for a particular position. The institutions in which

88 Chapter II, Decision of Council of Ministers no. 118, date 5.3.2014.

89 See the 2009, 2013, and 2017 reports of the Office for Democratic Institutions and Human Rights (ODIHR). ODIHR, Republic of Albania Parliamentary Elections 28 June 2009: OSCE/ODIHR Election Observation Mission Final Report (Warsaw: ODIHR, 2009), <https://www.osce.org/files/f/documents/9/8/38597.pdf>; ODIHR, Republic of Albania Parliamentary Elections 23 June 2013: OSCE/ODIHR Election Observation Mission Final Report (Warsaw: ODIHR, 2013), <https://www.osce.org/files/f/documents/e/2/106963.pdf>; ODIHR, Republic of Albania Parliamentary Elections 25 June 2017: OSCE/ODIHR Election Observation Mission Final Report (Warsaw: ODIHR, 2017), <https://www.osce.org/files/f/documents/4/d/346661.pdf>.

90 The TMC announcement for 2019 include only the recruitment criteria while the number of vacancies is included in the relevant decision of Council of Ministers. See "Announcement for direct acceptance in the top-management corps of the civil service," http://dap.gov.al/images/Tnd/2019-04-20%20TND_shpallje%20final.pdf and Decision of Council of Ministers no. 215, date 17.4.2019 "On the opening of the procedure of direct acceptance into the TMC, also for candidates outside the civil service, for the year 2019", <https://qbz.gov.al/eli/vendim/2019/04/17/215>.

91 Information provided by DoPA on 5 March 2021 via email.

92 See "Announcement of the final list of successful candidates accepted as part of the top-management corps in the civil service," <http://dap.gov.al/images/Tnd/2019-30-06TND-Lista-Perfundimtare.pdf>.

93 Section IV, subsection E, DoPA Instruction no. 6, date 19.09.2014 "On the recruitment and appointment procedures for top-management corps civil servants", amended, <http://dap.gov.al/legjislaioni/udhezime-manuale/58-udhezim-nr-6-date-19-09-2014>.

94 FOI response from DoPA received on 26 November 2020.

95 See Miloš Đinđić et al, Western Balkan PAR Monitor 2019/2020 (European Policy Centre – CEP: Belgrade, 2021), 96, <https://bit.ly/3AKF6LZ>.

96 DoPA, however, does publish the list of preliminary verified candidates. See "Announcement of the preliminary verification list of candidates for the direct procedure of acceptance into the top-management corps of civil service," http://dap.gov.al/images/Tnd/TND_Lista_Paraprake.pdf.

97 Chapter IV, paragraph 18, Decision of Council of Ministers no. 118, date 5.3.2014.

the vacancies must be filled are not published, and the recruitment criteria are consequently general – i.e. not oriented towards the relevant policy area/s for which the institution is responsible. Not including criteria related to the required policy expertise presents an added political and policy risk, since senior civil servants could be appointed in any central government institution based on political connections regardless of their policy expertise or lack thereof.⁹⁸

Criteria for dismissal from the senior civil service are non-discriminatory and objective. They include political party membership, (ii) unsuccessful completion of ASPA training, (iii) two subsequent ‘unsatisfactory’ evaluations (after 24 months), (iv) a continuous situation of conflict of interest for which the civil servant has taken no action to resolve, (v) institutional restructuring (if it is not possible to be appointed to another position), (vi) voluntary resignation, (vii) medical incapacity, and (ix) in other cases determined by law.⁹⁹

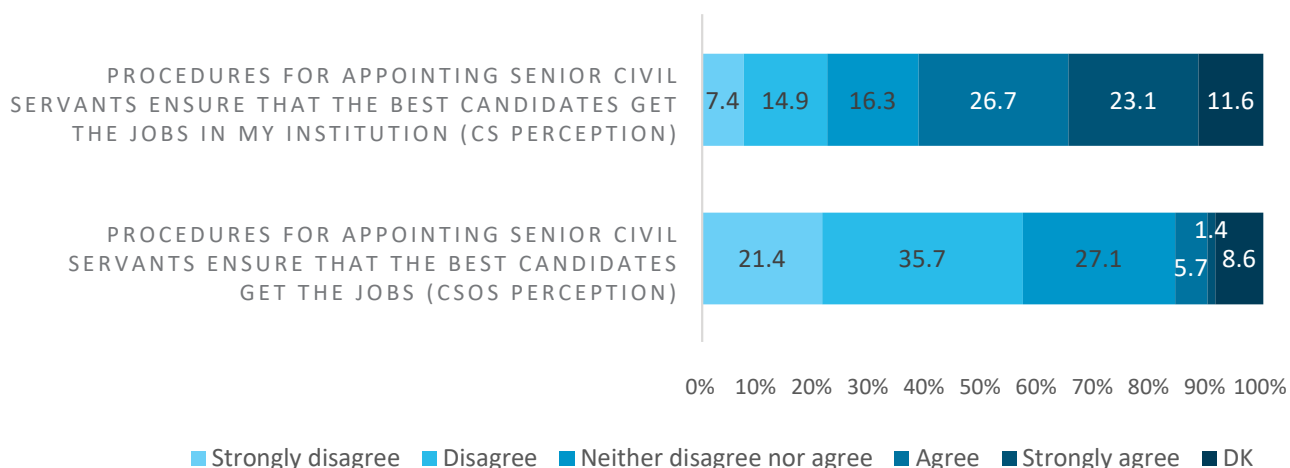
Concerning acting senior civil servant positions – i.e. the temporary assignment to a vacant senior civil service position – Articles 14 and 15 in the Law on the Organization and Functioning of the State Administration regulate the conditions under which such temporary assignments can be made. If the director general position is vacant, the most senior of the directors within the general directorate is temporarily assigned to the position. Similarly, if the secretary general position is vacant, the most senior of the director generals is temporarily assigned. These provisions ensure that temporary assignments are conducted in line with the Civil Servant Law by ensuring that the officials who are temporarily assigned are civil servants; however, the duration of such assignments is not legally limited.

■ Summary of survey results

Civil servants¹⁰⁰ and CSOs¹⁰¹ responded to questions on the recruitment and appointment criteria for civil servants. There are noticeable differences between the two, although comparisons between them do not apply to all questions.

According to 49.8% of civil servants procedures for appointing senior civil servants ensure that the best candidates are appointed. Conversely, only 7.1% of CSOs are of the same opinion.¹⁰² Approximately 57% do not think that such procedures ensure that the best candidates are appointed while 27% were neutral.

Chart 13. CSOs vs. civil servant perception on senior civil servant appointment procedures.



98 Inclusion of criteria related to policy expertise would ensure that mid-level civil servants or an external candidates, who have built expertise on a particular policy area, are appointed in accordance with their expertise. Although the distribution of appointments in accordance to expertise may be done by the National Selection Committee through their judgment, there are presently no legal or sub-legal provisions, which require them to do so. Therefore, hypothetically, a successful candidate with expertise on energy policy can be appointed to a TMC vacancy in the Ministry of Education.

99 Chapter XII, Law no. 152/2013 “On the civil servant”.

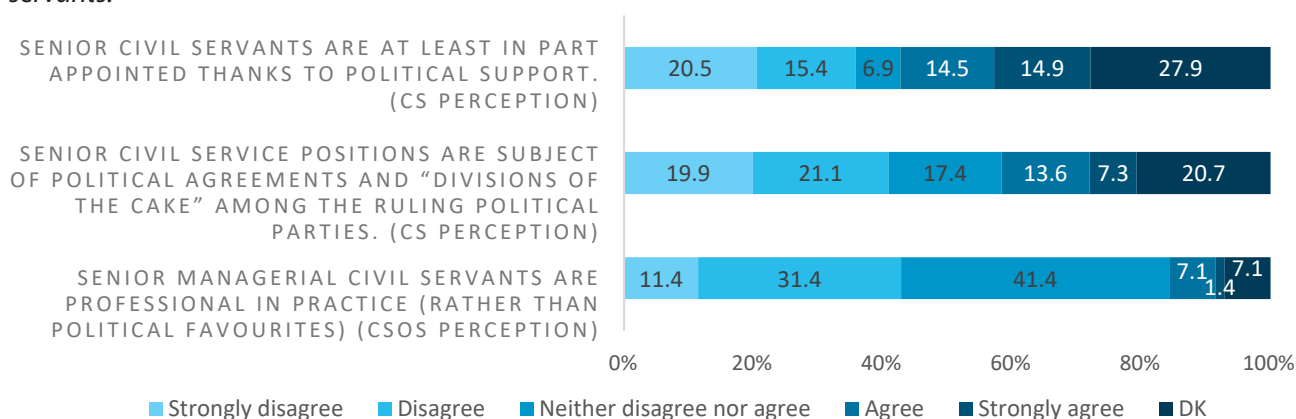
100 The sample for the civil servants survey was N=975 while the base for the questions in this indicator was n=821. Responses were measured by the level of agreement with specific statements, via a self-administered questionnaire.

101 The sample for the survey of CSOs was N = 81 CSOs’ respondents, surveyed via a self-administered questionnaire. Base for these questions was n=70.

102 In the last monitoring cycle the outcomes for civil servants and CSOs were 47.8% and 15.9% respectively.

Concerning the influence of political support in appointments of senior civil servants, 35.8% of civil servants perceive that they are “never or almost never” or “rarely” in part appointed due to political support.¹⁰³ Approximately 29.3% of them maintain that it happens “sometimes” or “often”. Similarly, 40.9% of civil servants maintain that senior civil service appointments are not part of intra-governmental dealings between political parties in coalition government¹⁰⁴; 17.4% are neutral while 20.7% did not know. Conversely, only 8.6% of CSOs maintain that senior civil servants are professional in practice.¹⁰⁵ Approximately 42.8% of them disagree while 41.4% are neutral.

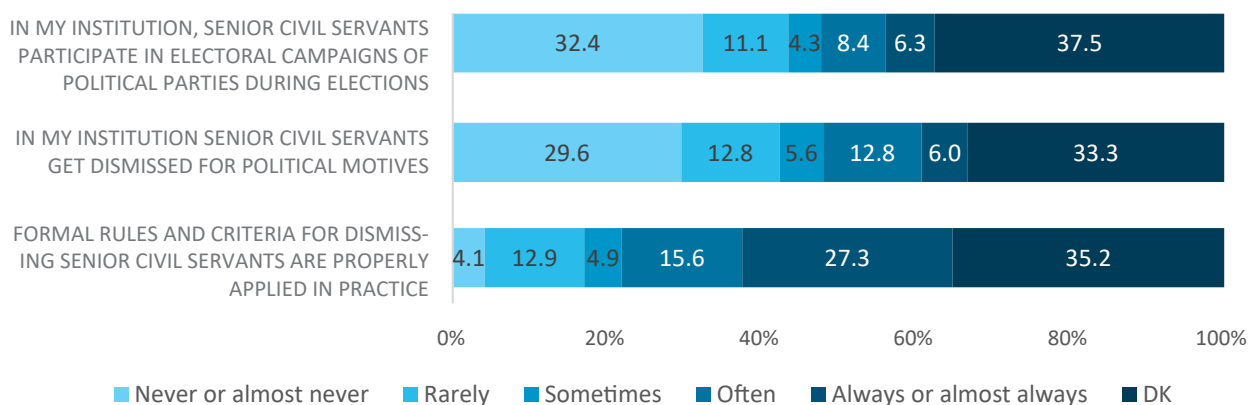
Chart 14. Perceptions of civil servants and CSOs on political influence in the appointment of senior civil servants.



On the participation of senior civil servants in electoral campaigns of political parties, 32.4% of civil servants perceive that senior civil servants in their institution had “never or almost never” participated in electoral campaigns¹⁰⁶; 37.5% do not know.

Concerning senior civil servant dismissals, 42.4% of civil servants perceive that senior civil servants are not dismissed for political motives;¹⁰⁷ 33.3% do not know. However, only 27.3% of civil servants consider that formal rules and criteria for dismissing senior civil servants are properly applied in practice;¹⁰⁸ 35.2% do not know.

Chart 15. Civil servant perceptions on dismissals and participation of senior civil servants in electoral campaigns.



103 In the last monitoring cycle, the outcome was 32%.

104 In the last monitoring cycle, the outcome 35.9%.

105 In the last monitoring cycle, the outcome was 22.7%.

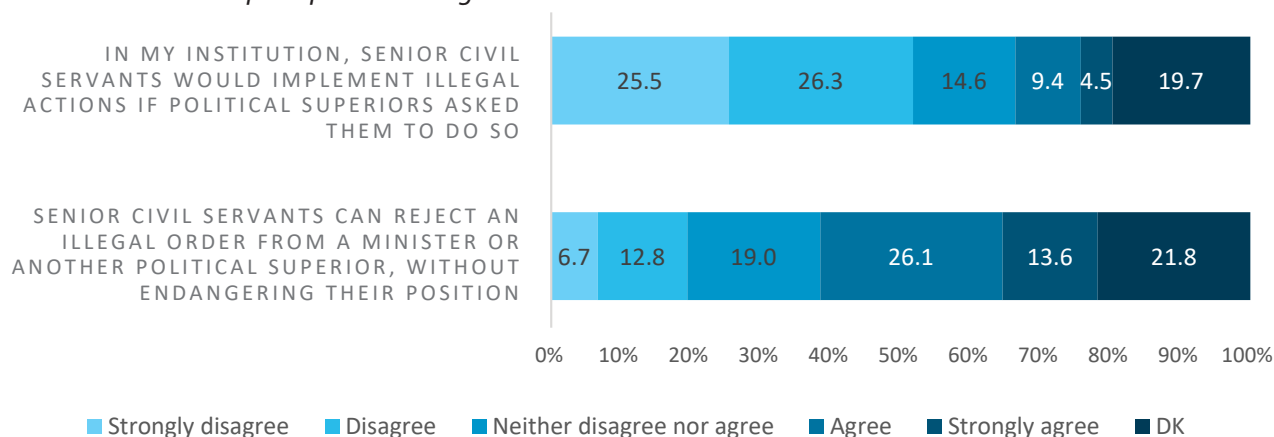
106 In the last monitoring cycle, the outcome was 31.5%.

107 In the last monitoring cycle, the outcome was 39.8%.

108 In the last monitoring cycle, the outcome was 26.5%.

Civil servants were asked whether they are pressured to implement illegal actions in their institution, and whether they can reject to implement such actions without endangering their position. On the first question, 51.8% of civil servants consider that in their institution senior civil servants would not implement illegal actions if political superiors asked them to do so, while 39.7% consider that senior civil servants can reject an illegal order from a minister or another political superior without endangering their position.¹⁰⁹

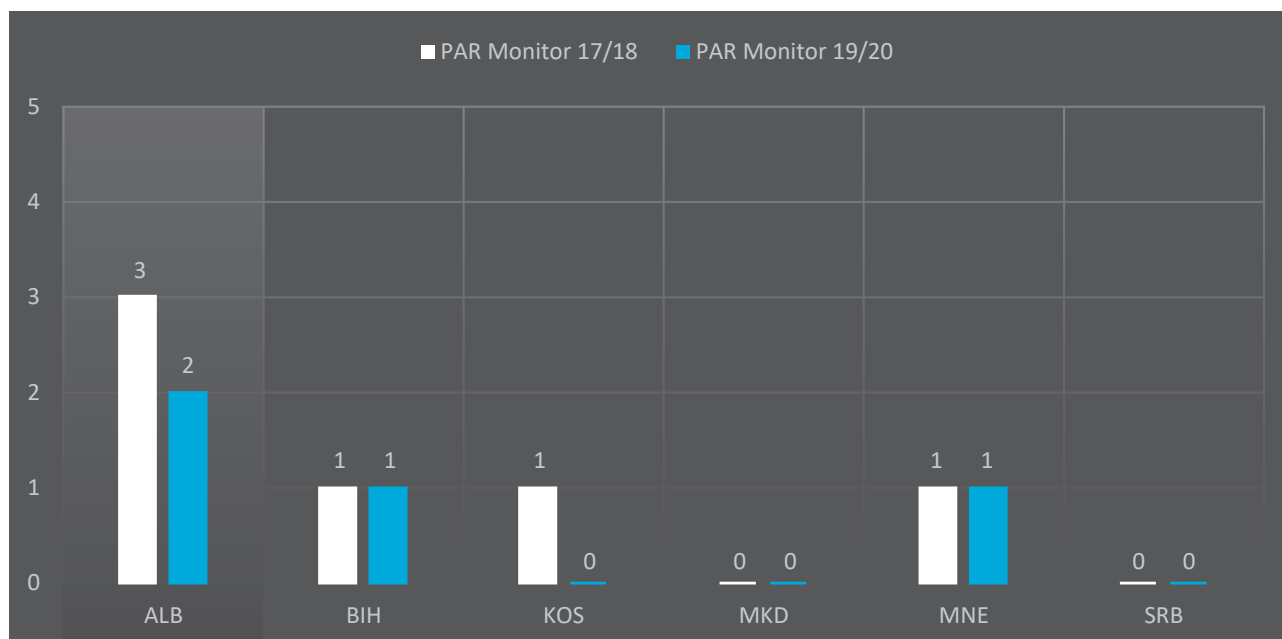
Chart 16. Civil servant perceptions on illegal orders



While survey results for civil servants are consistent with the last monitoring cycle and indicate a slight increase, results from the survey of CSOs indicate a decrease in the perception that recruitment of senior civil servants is meritocratic. The lack of documentation from the 2019 competition for TMC position has negatively affected the score for element no. 5 and, consequently, for the whole indicator.

How does Albania do in regional terms?

Graph 11: Indicator PSHRM P4 I1: Effective protection of senior civil servants' position from unwanted political interference



109 In the last monitoring cycle, the outcomes were 48.4% and 36.2% respectively.

PRINCIPLE 5: THE REMUNERATION SYSTEM OF PUBLIC SERVANTS IS BASED ON THE JOB CLASSIFICATION; IT IS FAIR AND TRANSPARENT

Table 12. WeBER indicator PSHRM P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system¹¹⁰

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	4/4
Information on civil service remuneration system is available online	4/6
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	1/2
Total score	15/22
Indicator value (scale 0 – 5)¹¹⁰	3

This indicator measures whether the remuneration system for the civil service is clearly, fairly, and transparently outlined in the legislation. The score is calculated by taking into consideration also the civil servant perceptions.¹¹¹

The basic salary structure is simply categorized, but the rules and regulations for calculating supplements feature exemptions based on institutional affiliation.¹¹² Furthermore, the calculation of the supplements is not based on a clear and standardized system whereby the workplace hardship and specific nature of the work to be performed are clearly defined and applied in practice. DoPA has been working to reform the remuneration system and has prepared a reform document that is in the process of being finalized.¹¹³ Legislation does not include bonuses either in the budget law or the salary law.

Overtime supplements are divided into three categories: (i) overtime working hours at night (1900-0600), (ii) overtime working hours during the day (until 1900), and (iii) overtime during the holidays and weekends. Compensation is divided into two groups: (i) 50% additional rest time to the working time or 50% additional financial compensation to the regular salary for work during the weekend, official holidays, and between 2200-0600 during working days; (ii) 25% additional rest time to the working time or 25% additional financial compensation to the regular salary for additional working hours during the daytime.¹¹⁴

General information on civil servant salary disaggregated by category is available on DoPA's website. Further information is provided on supplemental payments based on educational attainment or institutional affiliation; however, salary information is not included in job announcements.

¹¹⁰ 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.

¹¹¹ The sample for the civil servants survey was N=975.

¹¹² Decision of Council of Ministers no.187, date 8.3.2017 "On the approval of the salary structure for civil servants/government employees, deputy minister, cabinet officials in the Prime Minister's Office, line ministries, Presidency, Assembly, Central Electoral Commission, High Court, General Prosecutor's Office, some independent institutions, government bodies subordinate to the Prime Minister's Office and line ministries, and the administration of the Prefect." <http://dap.gov.al/legjislacioni/per-administraten-publike/144-vkm-187-pagat-e-nepunesve-civile>.

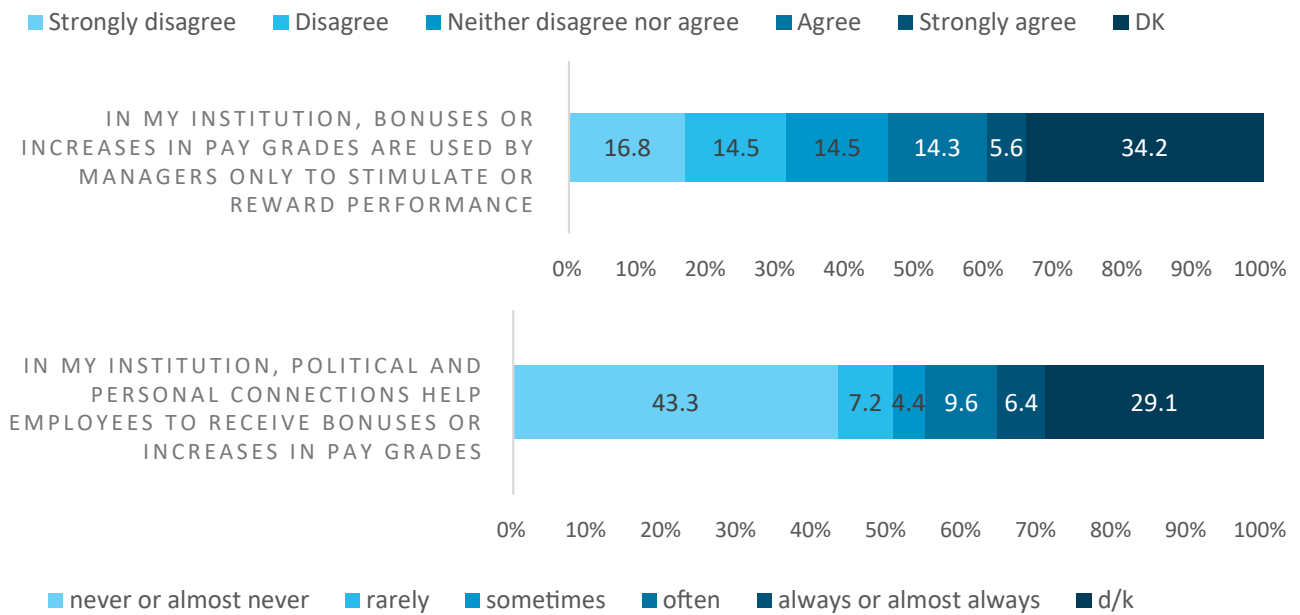
¹¹³ DoPA, 2020 Annual Report, 16, <http://dap.gov.al/publikime/raporte-vjetore>.

¹¹⁴ See Labor Code of the Republic of Albania, <https://bit.ly/3sq40uM>; DCM no. 511 date 24.10.2002 "On the official working hours and holidays in public institutions" amended, <https://bit.ly/3snglun>.

Summary of survey results

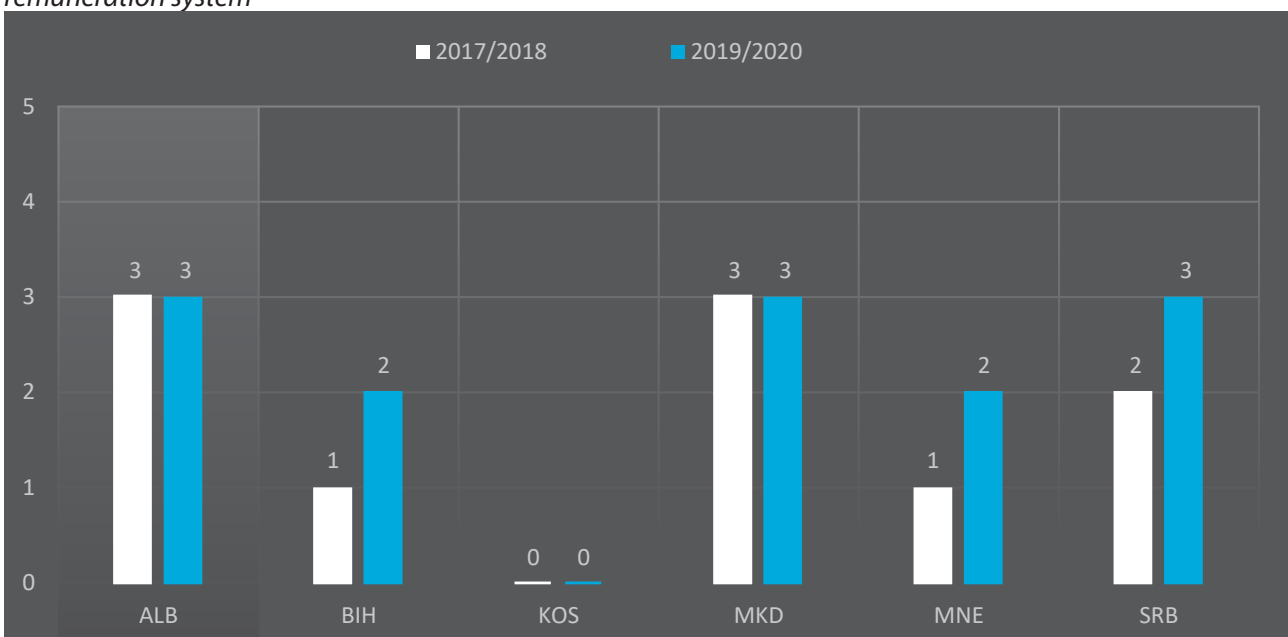
Civil servants were asked to respond to questions related to the fairness of the remuneration system in place. According to 19.9 % of civil servants, bonuses or increases in pay grades are used by managers only to stimulate or reward performance; 31.4% disagree, while 34.2% do not know. On the question of potential political influence on bonus allocation or pay raises, 50.5% of civil servants consider that political and personal connections either “never or almost never” or “rarely” help employees receive bonuses. The base (number of respondents) for these questions were 392 and 457 respectively.

Chart 15. Civil servant perceptions on dismissals and participation of senior civil servants in electoral campaigns.



How does Albania do in regional terms?

Graph 12: Indicator PSHRM P5 I1: Transparency, clarity and public availability of information on the civil service remuneration system



PRINCIPLE 7: MEASURES FOR PROMOTING INTEGRITY, PREVENTING CORRUPTION AND ENSURING DISCIPLINE IN THE PUBLIC SERVICE ARE IN PLACE

Table 13. WeBER indicator PSHRM P7 I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service

Indicator elements	Scores
Integrity and anti-corruption measures for the civil service are formally established in the central administration	2/4
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	7/18
Indicator value (scale 0 – 5)¹¹⁵	2

This indicator assesses the adequacy of the legal provisions to promote integrity, prevent corruption and ensure discipline in the public service. The assessment is based on SIGMA's methodological framework for the evaluation of the measures, and on the responses from the civil servant and CSOs perception surveys.

The legislation in place to prevent conflict of interest and ensure integrity in the civil service includes provisions that regulate gifts, stakes in private enterprises, and recusal from a position (and reassignment) in case of a conflict of interest.¹¹⁶ The Law on Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials does obligate senior and mid-level civil servants to file an asset disclosure form every year¹¹⁷ whilst the scope of the Law on Whistleblower Protection includes all public institutions and corporations where the state has a majority stake.¹¹⁸

The Penal Code includes a range of provisions for fraud, deception and corruption offenses by public officials that include financial fraud against the state, acts of forgery/counterfeiting documents, active bribery, passive bribery, embezzlement, abuse of functions/power, trading in influence, money laundering and other acts involving the proceeds of crime; however, illicit enrichment is not criminalised.¹¹⁹

¹¹⁵ 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.

¹¹⁶ Decision of the Council of Ministers no.714/22.10.2004 "On external activities and gifts received by public administration personnel", Chapter II, Paragraph 14, restricts gifts to a public administration employee up to 10,000 ALL. It also includes provisions prohibiting gifts in kind that include loans or other objects of value below the market value, stock options, or their transfer to family members.

¹¹⁷ Law on Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials, <https://bit.ly/2RvEJmb>.

¹¹⁸ Law on Whistle-blower Protection, <http://www.ildkpi.al/wp-content/uploads/2019/01/ligj-nr.-60-dt.-2.6.2016.pdf>.

¹¹⁹ Most of these provisions are included under Chapter VIII, Section II, "Offenses against the state by state employees and those in public service". <https://qbz.gov.al/preview/a2b117e6-69b2-4355-aa49-78967c31bf4d>.

Despite these provisions, standing legislation does not include clear provisions on “revolving door” situations.¹²⁰ Although the Law on the Prevention on the Conflict of Interest recognizes that public officials may be improperly influenced by private interests through future employment prospects¹²¹, the provisions on resolving situations of conflict of interest for both civil servants and other officials working in regulatory bodies refer to the conflicts that arise while those officials are in public office, and do not feature specific provisions that address post-public employment restrictions. Only the Law on the Rules of Ethics in the Public Administration includes a provision that regulates post-public employment of public officials: Article 17 (prohibition of representation in conflicts against the public administration) prohibits public officials for two years after leaving the public sector from representing a person or organization “engaged in a conflict or trade relation with the Albanian public administration”, related to actions performed by the official while in office.

While this provision does include a two-year “cooling off”¹²² period, the nature of post-public employment engagements are rather unclear. The title of the article would suggest that it refers to legal representation, while the provision itself seems to refer also to cases in which the public official may use insider information for private interest in his/her new capacity. In addition to the need for this provision to be further clarified, the most important gap in the legislation is the lack of institutional arrangements to actually regulate pre-public and post-public employment.¹²³

Similarly, no provisions are in place to restrict secondary employment except for a formal approval by the civil servant’s superior.¹²⁴

The anti-corruption strategy in place has clearly identified objectives whilst action plans clearly determine activities, timelines, costs, and the institutions tasked with the implementation of the activities to address public sector corruption. Quarterly and annual reports on the implementation of the Inter-sectoral Strategy against Corruption are published on the website of the Ministry of Justice and easily accessible.¹²⁵ For 2019, completion rate for anti-corruption measures related to the preventive approach of the anti-corruption policy - which target the transparency and integrity of the public administration - was 55%.¹²⁶ Although some of the activities under the preventive approach are related to the civil service, the reports do not include the completion status of specific activities; therefore, it is not possible to deduce the activities related specifically to the civil service since only overall completion rates are provided.

■ Summary of survey results

The results from the civil servants¹²⁷ and CSOs¹²⁸ surveys on their respective perceptions of the integrity of civil servants differ significantly. According to 61.8% of civil servants, anti-corruption measures in place in their institution are effective in achieving their purpose; only 14.3% of CSOs consider such measures as effective whilst the majority (54.3%) disagree.¹²⁹

120 “Revolving door” situations occur when professionals move from the public to the private sector and vice versa either because a civil servant uses the public office for private gain if he/she is employed by a private company in exchange for favored treatment or when the civil servant favors a private company in which he/she held a managerial position thus being in a situation of a conflict of interest.

121 Article 5, Point 1.ç), Law no. 9367, date 7.4.2005 “On the prevention of conflict of interest while exercising public functions”, <https://bit.ly/3hVaSNv>.

122 The public official refrains from engaging in the private sector in such a capacity that could use insider information for private gain.

123 For a reference on regulations that regulate post-public employment see the organization and functioning of the United Kingdom’s Advisory Committee on Business Appointments, <https://www.gov.uk/government/organisations/advisory-committee-on-business-appointments>. For a reference on regulations to regulate “revolving door” situations see Directive no. 14 of the Maltese government “Governing framework for the management of the revolving door policy for public employees”, <https://publicservice.gov.mt/en/people/Documents/Directives/Directive14.pdf>.

124 Article 47 of the Law on the Civil Servant regulates the secondary employment of civil servants. The provisions of this article allow civil servants to be engaged in profit-making activities provided that they have a written permission from their superiors.

125 See Ministry of Justice, Inter-sectoral Strategy against Corruption 2015-2020, http://www.drejtezia.gov.al/wp-content/uploads/2018/06/Inter-sectoral_Strategy_against_Corruption_2015-2020_4.pdf.

126 Ministry of Justice, Inter-sectoral Strategy against Corruption 2015-2020, 17-18.

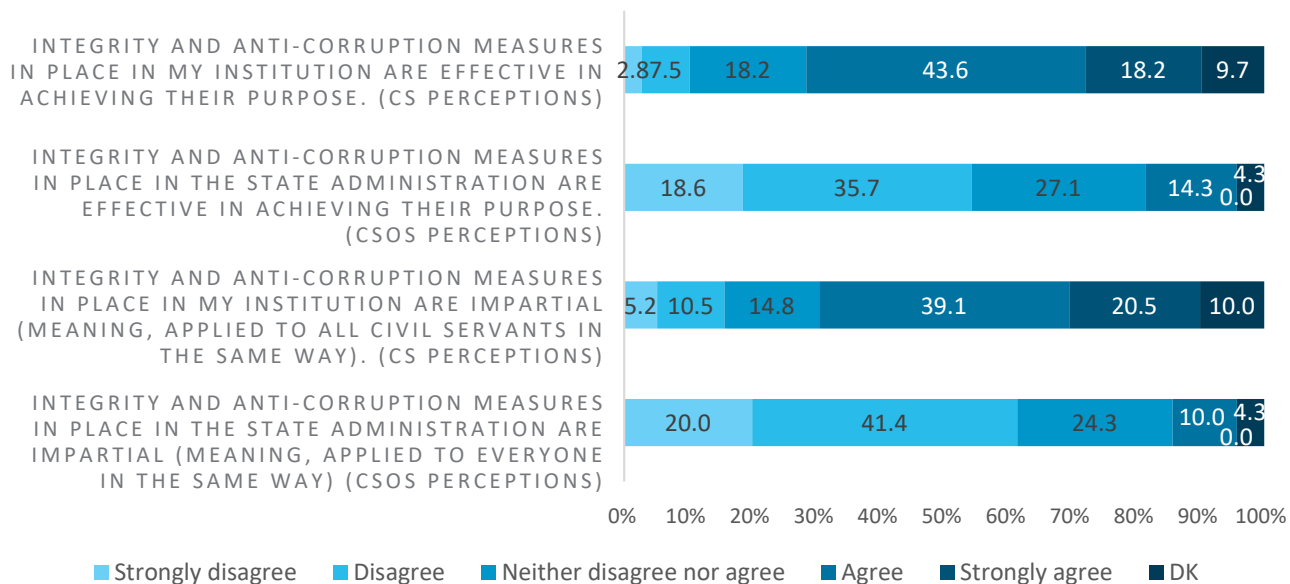
127 The sample for the civil servants survey was N=975 while the base for the questions in this indicator was n=791.

128 The sample for the survey of CSOs was N = 81 CSOs’ respondents. Base for the questions for this indicator was n=70.

129 In the last monitoring cycle, the outcomes were 61.2% and 17.0% respectively.

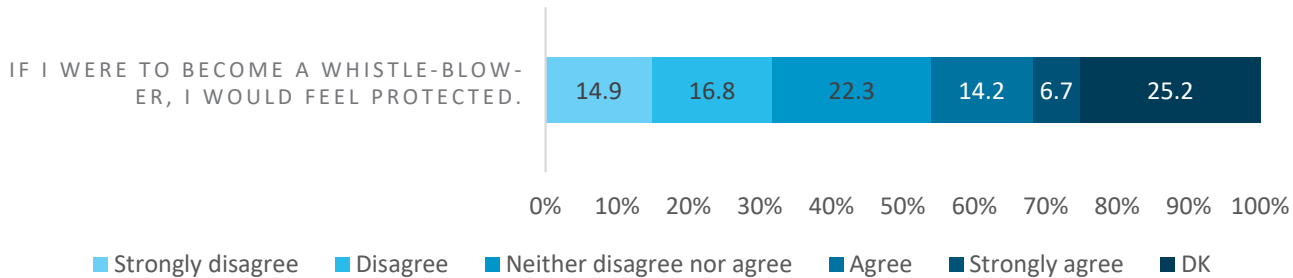
Concerning the impartiality of integrity measures in place, according to 59.5% of civil servants integrity and anti-corruption measures in place in their institution are applied to all in the same way; only 10.0% of CSOs share the view that such measures in the state administration are impartial whilst the majority (61.43%) disagree.¹³⁰

Chart 18. CSOs vs civil servant perceptions on the effectiveness of integrity measures



On whistle-blower protection measures, 20.9% of civil servants feel that if they were to become a whistle-blower, they would feel protected;¹³¹ 22.25% were neutral while 25.16% did not know.

Chart 19. Civil servant perceptions on whistle-blower protection.

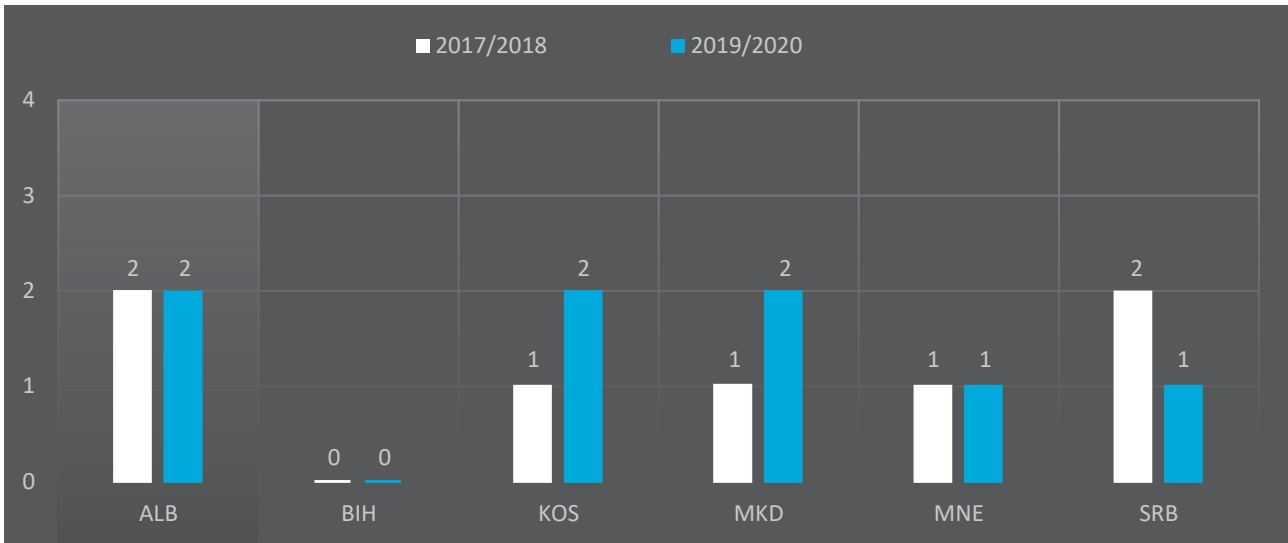


130 In the last monitoring cycle, the outcomes were 57.9% and 9.1% respectively.

131 In the last monitoring cycle, the outcome was 17.7%.

■ How does Albania do in regional terms?

Graph 13: Indicator PSHRM P7 I1: Effectiveness of measures for the promotion of integrity and prevention of corruption in the civil service



IV.3 SUMMARY RESULTS: PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

There have been no fundamental changes in Albania's civil service policy compared to the last monitoring cycle and the 2017 SIGMA assessment. Exceptions to the vertical and horizontal scopes of civil service legislation persist. Civil service competition procedures remain the same, and senior civil servants have continued to be appointed through the direct track. A few positive trends have been noted throughout this monitoring cycle, including an increase in usage of the centralized human resource management information system (HRMIS) and the use of social media to publish data and provide information on the application process and civil service competition procedures.

Despite these positive trends, the current policies on temporary engagements and integrity measures present significant political and corruption risks. Except for temporary engagements for consultancy contracts, there are insufficient legal requirements that regulate the selection process for temporary engagements, limit the maximum number of temporary engagements, or regulate the renewal of short-term contracts after they expire. Lack of clear legal criteria for temporary engagements undermines the integrity, impartiality, and professionalism of the public administration.

Similarly, the integrity measures in place do not cover the entire civil service, and they feature substantial gaps particularly regarding secondary employment and "revolving door" situations. These are important risk areas because they can potentially enable private companies or individuals to exert considerable influence on the civil service, thereby shaping regulatory policy or ensuring that public policies are implemented in such a manner that they actually serve private interests. Consequently, the lack of such regulations poses the risk that public resources are put in the service of private interests.

Although current recruitment and appointment criteria for top-management corps positions are transparent, they are rather general. The adoption of general – rather than policy-specific – criteria for recruitment and appointment of senior civil servants reduces the chance that the best possible candidates for a specific policy area apply because TMC vacancies are not categorized by institution. Recruitment criteria do not seek to promote the recruitment of policy experts while the selection process for the appointment of successful TMC candidates does not ensure that candidates with expertise in a specific policy area are appointed to the relevant institution.

IV.4 RECOMMENDATIONS FOR PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT

Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
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.	Partially implemented	There has been an increase in the institutions using HRMIS. (DoPA annual Reports.)
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).	Not implemented	The Government does not regularly publish basic statistical data pertaining to the public service. It does publish such data only in relation to civil servants who have been recruited or promoted annually.
DoPA annual reporting on civil service policy should include more substantiated information concerning the quality and/or outcomes of public service work.	Partially implemented	DoPA annual reports include statistics on recruitment, disciplinary measures, and training, but no assessments on the outcomes or the performance of the civil service.
In order to ensure that all candidates are treated equally and provided the same information during recruitment, DoPA should proactively provide information on the recruitment process to inform the candidates.	Implemented	DoPA includes short videos and graphics that seeks to clarify the application process.
DoPA should publish notifications when public competitions are annulled.	Not implemented	Information about annulled announcements is not made publicly Available.
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 program organised by ASPA and passing of the final exam.	Not implemented	Recruitment and promotion to senior civil servant positions continues to be conducted through competitions for direct appointments.
DoPA should put forward the salary reform in civil service ensuring a simple and clear-cut structure of the remuneration system.	Not implemented	Salary reform has not been implemented. A policy document has been drafted by DoPA, but approval is still pending.
DoPA should publish citizen-friendly explanations or presentations on remuneration in the civil service.	Not implemented	No citizen friendly explanations or presentations on remuneration are available online.
Public institutions should raise awareness and promote the whistleblower protection system.	Not implemented	According to the civil servant perception survey, only 20.9% of felt that they would be protected as whistle blowers.

■ PAR Monitor 2019/2020 recommendations

This monitoring cycle provided an opportunity to examine in detail relevant civil service legislation using the SIGMA assessment framework. This approach enabled a greater scrutiny of legislation to identify specific needs to improve its effectiveness. The following recommendations build on the outstanding ones from the last monitoring cycle by further clarifying them and by adding new ones.

1. Full-scale functionality of the Human Resource Management Information System is critically important to enable a data-driven public administration reform process. DoPA should draft a comprehensive plan for an effective expansion of the system that takes into account operational training and technical needs for government units.
2. DoPA should publish statistical data not only on the civil service but also the rest of the state administration. These data would provide a comprehensive picture of the civil service and would include the number of employees per institution or type of institution and per rank/function in the state administration. Although key data may be published in DoPA's annual reports, detailed data may be published in open data format databases.
3. In addition to the statistics provided on the civil service such as recruitment, disciplinary measures, and training, DoPA's annual reporting on civil service policy should include more substantiated analysis on the performance of the civil service in the state administration.
4. Vacancy announcements should provide a summary of the main duties and responsibilities for the job that are understandable not only by civil servants but also by external candidates, who may not be

familiar with technical details concerning the internal organization and processes of the institution that publishes the vacancy.

5. DoPA should publish notifications when public competitions are annulled and a clear contact point should be provided to submit complaints and clarifications.
6. Access to senior civil service does not give due regard to policy expertise, i.e. expertise in the specific policy area for which the institution is responsible. Current senior civil service recruitment criteria need to be reviewed to require that senior civil servant candidates have the necessary policy experience for the institution to which they are applying.
7. To ensure transparency of senior civil service competitions, in addition to the identity and score of successful candidates, the final competition results must include the identity and score of candidates who have received at least 70 points, even if they have not been appointed as members of TMC.
8. Work on the approval of a clear and fair remuneration system should be expedited.
9. Clear and standardized legal criteria must be established to ensure that temporary engagements for tasks similar to those of the civil service are merit-based, cost-effective, and improve institutional performance.
10. Temporary assignments in the senior civil service must be legally limited to an appropriate duration that does not adversely affect institutional effectiveness.
11. The legal framework for civil service integrity must include clear provisions that thoroughly regulate secondary employment and prevent "revolving door" situations.
12. The whistleblower system must be reviewed to ensure that civil servants are encouraged to publicly condemn corrupt officials and institutional processes, and feel safe in doing so.

V. ACCOUNTABILITY

V.1 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

■ State of Play in Accountability

Accountability, in the framework of this monitoring report, entails the publication of information by central government institutions on the scope of their work, their structure and organization, policies, policy implementation reports, as well as public access to information.

Law no. 119/2014 “On the right to information” includes provisions that obligate public authorities to publish information on their work and regulates the right of the public to access information. In accordance with Article 7, central government institutions must publish information on an array of topics, including organizational and salary structure, policies and policy documents, the legislative framework governing their work, internal control mechanisms (including publication of audit reports), budget implementation, and public procurement information. This information is part of the transparency program that public institutions need to adopt in accordance with the Law.

Article 10 of the Law requires that public institutions appoint a coordinator for the right to information, who is responsible for the facilitation of public access to information. The administrative liabilities for failure to provide information and process information requests are divided between the head of the institution, the coordinator, and public officials directly responsible for the administration of official documents.

The Information and Data Protection (IDP) Commissioner is the responsible institution to oversee the implementation of the provisions of the Law on the Right to Information and review administrative appeals of cases when information requested was not provided by the responsible institution. According to the 2019 IDP Commissioner report, 60% of all public institutions have implemented the transparency program.¹³² Upon a review of 30 public institutions – including ministries – in the same year, the Commissioner found that information on the education and salaries of employees, internal control mechanisms, budget implementation, and public procurement were not published, thus violating the provisions of Article 7 of the Law.¹³³ Despite these violations, it is unclear if any fines were issued. The report mentions the number of court cases in which the IDP Commissioner was involved due to the decisions issued, but it is unclear whether the Commissioner participated in those cases as a party to the dispute or to provide testimony related to the case.¹³⁴

For the year 2020, the IDP Commissioner presented the findings of its monitoring process for, amongst others, 36 central government institutions.¹³⁵ The methodology for this monitoring process is qualitative and public institutions are assessed on the following indicators:

Publication of the transparency program;

1. Updated publication of the register for requests and replies;
2. First and last name of the coordinator for the right to information;
3. Publication of budget report and planning;
4. The adoption of the electronic register for requests and replies.

¹³² IDP Commissioner, 2019 Annual Report, p. 8, https://www.idp.al/wp-content/uploads/2020/03/Annual_Report_2019.pdf.

¹³³ IDP Commissioner, p. 8. These issues were also highlighted in the 2020 EU Commission report on Albania. See EU Commission, Albania 2020 Report, p. 17, 31, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/albania_report_2020.pdf

¹³⁴ IDP Commissioner, p. 17-18.

¹³⁵ IDP Commissioner, Indeks i Transparencës Proaktive të Institucioneve Qëndrore dhe të Varësisë, https://www.idp.al/wp-content/uploads/2021/01/raport_monitorimi_i_institucioneve_qendrore_dhe_te_varesise.pdf.

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 area of accountability, yet this principle looks at both the proactive and reactive sides of the issue.

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

This principle bears utmost significance in increasing the transparency of administrations and holding them accountable by civil society and citizens, as well as in safeguarding the right-to-know by the general public as the precondition for better administration. The WeBER approach to the principle does not assess regulatory solutions embedded in free access to information acts but is based on the practice of reactive and proactive provision of information by administration bodies. On one hand, the approach considers the experience of members of civil society with 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.

WeBER's monitoring is performed using two indicators. The first one focuses entirely on civil society's perception of the scope of the right to access public information and whether enforcement mechanisms enable civil society to exercise this right in a meaningful manner. To explore perceptions, a survey of civil society organisations in Western Balkans was implemented using an online surveying platform from the second half of June to the beginning of August 2020.¹³⁶ The uniform questionnaire with 28 questions was used to assess all Western Balkans administrations, 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 and 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 types, geographical distributions, and activity areas, and hence contributed a representative sample, additional boosting was done where increases to overall responses were needed. Finally, a focus group with CSOs was organised to complement survey findings with qualitative data. Focus group results were not, however, used for point allocation for the indicator.

The second indicator focuses on proactive informing of the public by administration bodies, particularly by monitoring the comprehensiveness, timeliness, and clarity of the information disseminated through official websites. In total, 18 pieces of information were selected and assessed against two groups of criteria: 1) basic criteria, looking at the information's completeness, and whether it was up to date, and 2) advanced criteria, looking at the accessibility and citizen-friendliness of the information.¹³⁷ Information was gathered from the official websites of a sample of seven administration bodies consisting of three line ministries (a large, a medium, and a small ministry in terms of thematic scopes), a ministry with general planning and coordination functions, a government office with centre-of-government functions, a subordinate body to a minister/ministry, and a government office in charge of delivering services.¹³⁸

¹³⁶ The survey of CSOs was administered through an anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). In Albania, the survey was conducted in the period from 24 June to 29 July 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=81.

¹³⁷ Exceptions being information on accountability lines within administration bodies, which was assessed only against the first group of criteria, and information available in open data format, which was assessed separately.

¹³⁸ For Albania, the sample included the Prime Minister's Office, the Ministry of Infrastructure and Energy, Ministry for Health and Social Protection, Ministry of Justice, Ministry of Tourism and Environment, the Agency for Land Compensation, and the State Cadastre Agency.

V.3 WEBER MONITORING RESULTS

PRINCIPLE 2: THE RIGHT TO ACCESS PUBLIC INFORMATION IS ENACTED IN LEGISLATION AND CONSISTENTLY APPLIED IN PRACTICE

Table 14. WeBER indicator ACC P2 I1: Civil society perception of the quality of legislation and practice of access to public information

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	2/4
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	0/2
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	0/2
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
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)¹³⁹	1

This indicator is entirely based on the CSO survey results. The base (number of respondents) for the questions of this indicator was 73 – for the first three elements (availability of information and exceptions to the right to information access) – and 47 – for the rest of the elements.

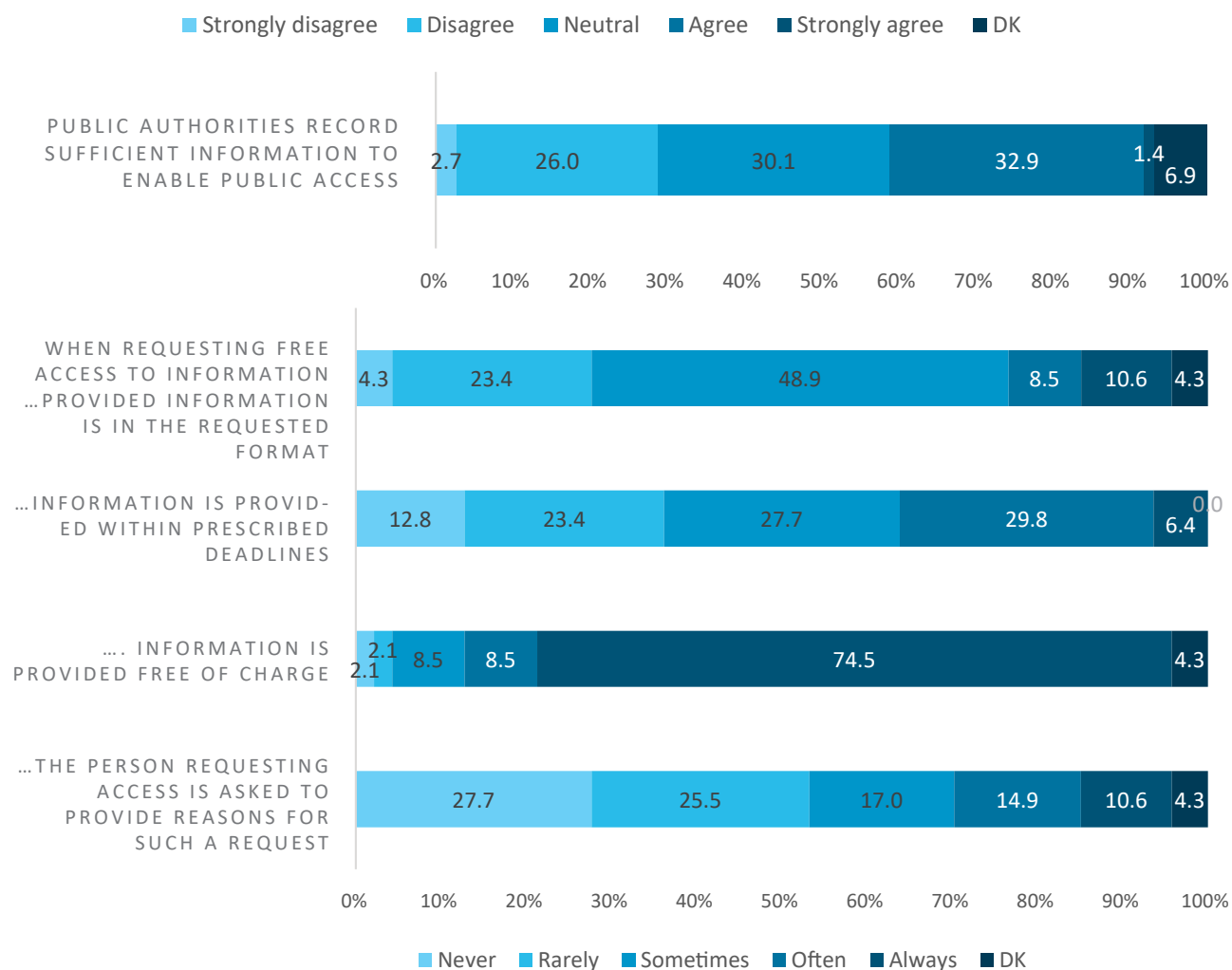
A third of CSOs in Albania (34.3%)¹⁴⁰ consider that Albania's public authorities record sufficient information that can be made available to the public when exercising free access to information. However, most respondents (37%) are either undecided or don't know. Out of the CSOs that have requested information under the right to

¹³⁹ 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.

¹⁴⁰ In the previous monitoring cycle, it was 28%.

information provisions, 19.1% note that information is often or always provided in the requested format¹⁴¹, while 49% maintain that it is sometimes provided in the requested format. Additionally, 36.2% of the respondents say that such information is provided often or always within legal deadlines¹⁴²; however, the same share of respondents maintain that it is never or rarely the case. Information is free of charge in most of the cases, as perceived by 83% of respondents¹⁴³, and reasons to explain the information request are never or rarely requested, according to more than half of respondents (53.2%)¹⁴⁴.

Chart 20. Availability and access to public information



Exceptions to the right of free access to information are prescribed adequately in the legislation¹⁴⁵, according to 42.5% of CSOs, but only 15.1% agree that exceptions are adequately applied in practice¹⁴⁶. Concerning the release of non-classified portions of classified materials¹⁴⁷, only 4.3% of respondents maintain that such information is often or always released.¹⁴⁸ The majority of them (44.7%) don't know, while 42.5% consider that such information is either rarely or never released. The share of positive responses is a bit higher concerning the release of non-personal-data portions of materials that include personal data; 17% maintain that they are often

141 In the last monitoring cycle, it was 34.8%.

142 In the last monitoring cycle, it was 34.7%.

143 In the last monitoring cycle, it was 93.5%.

144 In the last monitoring cycle, it was 43.5%.

145 Restrictions are included under Article 17 of Law no. 119/2014 "On the right to information".

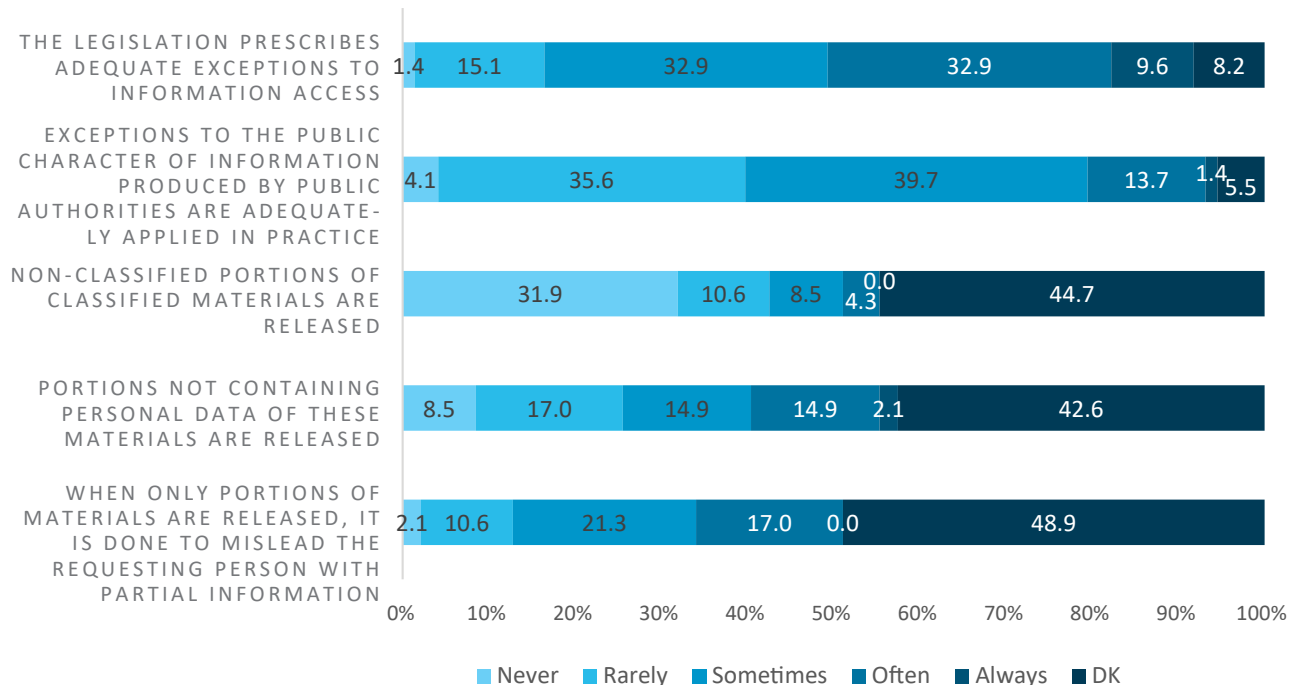
146 In the last monitoring cycle, the values were 46.3% and 18.3% respectively.

147 According to Article 17, paragraphs 5 and 6, in cases when the information requested is classified under Law no. 8457, date 11.2.1999, "On information classified as 'state secret'" (amended), the public authority is required to initiate procedures to re-evaluate the document and provide a redacted version to the requester.

148 In the last monitoring cycle, it was 2.2%.

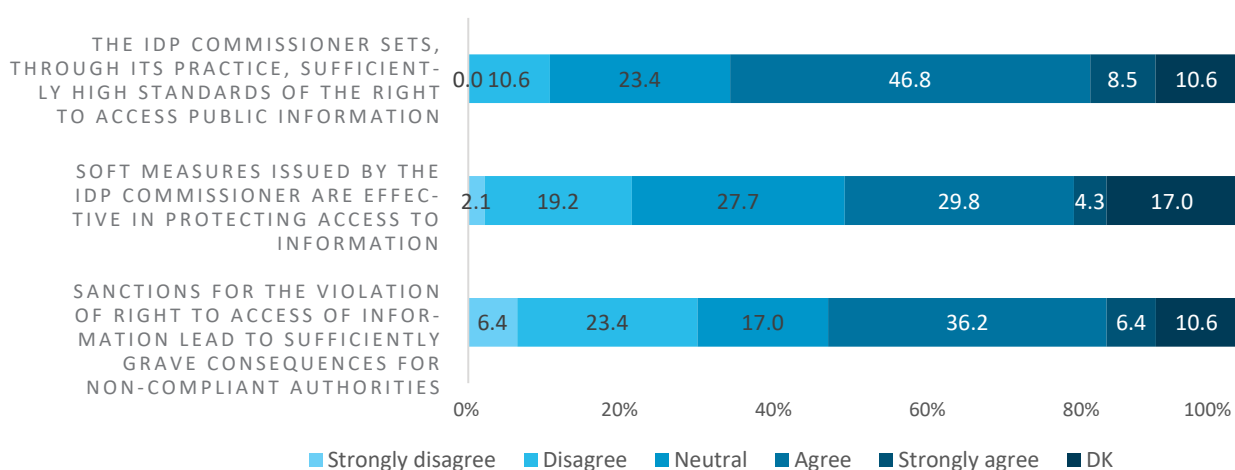
or always released.¹⁴⁹ Nevertheless, the share of respondents who do not know (42.6%) is similar to the previous question on the release of non-classified portions of classified materials. Similarly, almost half of CSOs (48.9%) don't know if data are selectively shared to mislead the recipient of the information, and only 12.7% consider that partial information released rarely or never aims to mislead the requesting person¹⁵⁰. According to more than 1/3 of CSOs, partial release of information sometimes (21.3%) and often (17%) misleads the recipient.¹⁵¹

Chart 21. Release of partial information from classified materials



Overall, the majority of CSOs (55.3%) agree that the IDP Commissioner's practice has set sufficiently high standards for exercising the free access to information¹⁵², and its soft measures¹⁵³ are seen as effective by 34.1% of respondents¹⁵⁴. However, the majority (44.7%) are neutral or don't know, while 21.3% disagree. On the severity of the IDP Commissioner's sanctions on non-compliant public authorities, 42.6% of CSOs agree or strongly agree that they lead to sufficiently harsh consequences¹⁵⁵, while 29.8% disagree or strongly disagree.

Chart 22. Impact of the IDP Commissioner on access to information standards.



149 In the last monitoring cycle, it was 21.7%.

150 In the last monitoring cycle, it was 30.4%.

151 In the last monitoring cycle, the values were 24% and 11% respectively (values rounded).

152 In the last monitoring cycle, it was 47.8%.

153 The IDP Commissioner may mediate disagreements between the requester of information and the public authority to whom the information is requested.

154 In the last monitoring cycle, it was 36.9%.

155 In the last monitoring cycle, it was 45.7%.

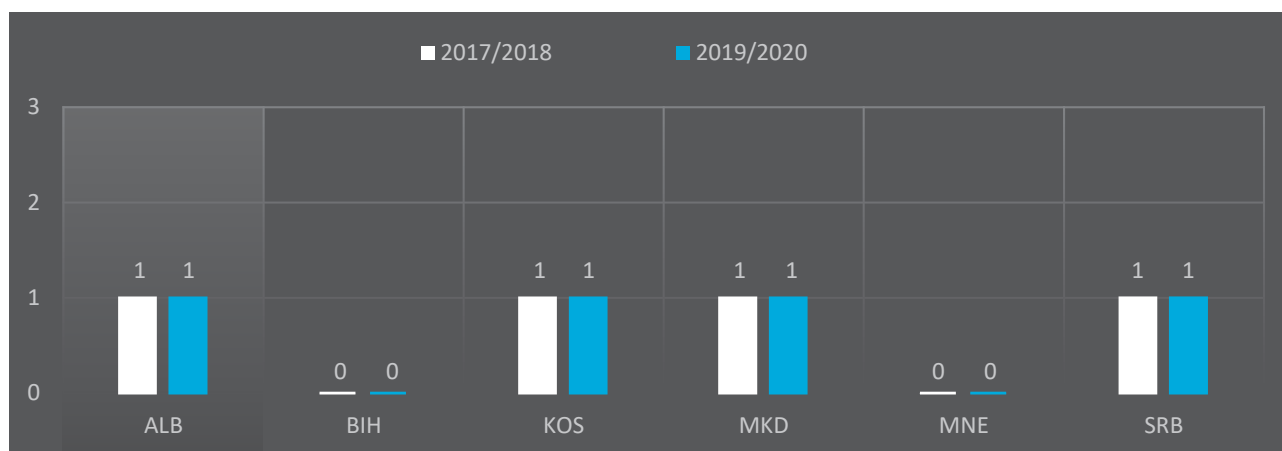
Compared to PAR Monitor 2017/2018, there are both improvements and regresses on CSO perceptions related to access to information. Public authorities' practice of recording sufficient information for future free access is perceived more positively (+6.3%), but there is a considerable decline of the perception that information is provided in the requested format (-15.6%) and free of charge (-10.5%). On the other hand, there is a positive increase (+9.7%) of CSOs that maintain they are not required to provide reasons for requesting information, and of those maintaining that the requested information is received within the legal deadline (+1.5%).

Positive perceptions on adequacy of exceptions in the legislation on free access to information – and their application in practice – have decreased (-3.7% and -3.2% respectively). Nevertheless, having no opinion on the matter, or not knowing, is still persistent among CSOs. Although there is a small increase (+2.1%) in the perception that non-classified content of classified materials is released, there is a steep decrease (-17.7%) in the perception that such releases do not have an intent to mislead the requester. It is particularly important to note that more than 40% of CSOs do not have an opinion on the implementation of legal provisions that require public authorities to disclose non-classified content in classified materials. This could suggest that most CSOs are either uninformed or they have not requested information that could be found in classified materials.

The IDP Commissioner's impact on transparency is perceived more positively (+7.5%), but perceptions on the effectiveness of its soft measures (-2.8%) and the impact of sanctions (-3.1%) on public authorities have slightly decreased.

■ How does Albania do in regional terms?

Graph 14: Indicator ACC P2 I1: Civil society perception of the quality of legislation and practice of access to public information



PRINCIPLE 2: THE RIGHT TO ACCESS PUBLIC INFORMATION IS ENACTED IN LEGISLATION AND CONSISTENTLY APPLIED IN PRACTICE

Table 15. WeBER indicator ACC P2 I2: Proactive informing of the public by public authorities

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	0/2
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	0/4
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
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	0/4
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)	0/4
Websites of public authorities contain accessible and citizen friendly contact information (including e-mail addresses)	1/2
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 external 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	0/2
Public authorities proactively pursue open data policy	0/4
Total score	9/56
Indicator value (scale 0 – 5)¹⁵⁶	0

¹⁵⁶ 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..

The assessment for this indicator is based on the review of the websites of sampled institutions, which included the Prime Minister’s Office (PMO), the Ministry of Infrastructure and Energy, Ministry for Health and Social Protection, Ministry of Justice, Ministry of Tourism and Environment, the Agency for Land Compensation, and the State Cadastre Agency.

The institutions sampled for this indicator generally had basic information on their scope of work, contact information of the coordinator for the right to information, and – on a case by case basis – also for public consultation.

General information on the institution’s budget could be found – except for the Ministry of Tourism and Environment, the PMO, and the Agency for Land Compensation. But budgetary information specific to the indicator criteria – financial report of the previous year and financial plan for current year – was incomplete. Annual financial reports were missing from the Ministry of Infrastructure and Energy and the Ministry for Health and Social Protection, while the Agency for Land Compensation had only procurement plans for 2019. Plans for current (2020) year were missing from all institutions.

Despite its accessibility, the information provided online tends not to be user-friendly. Furthermore, annual reports on the institution’s activities and budgetary information seem not to be intended for the general public as it is not presented in a succinct and simple manner.

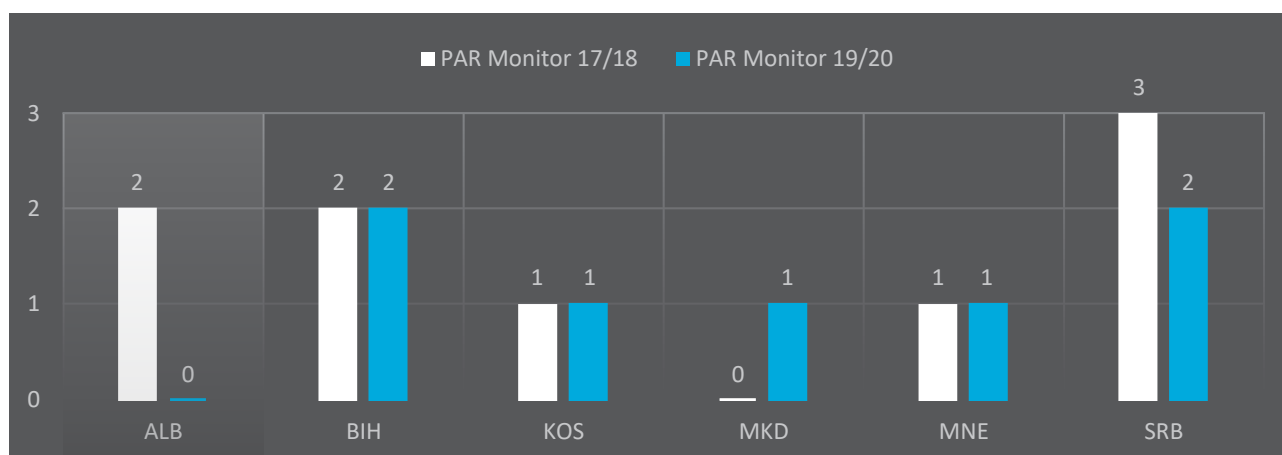
Overall, the sampled institutions are not proactive in engaging with the public through the information they publish, and do not actively pursue an open data policy. Particularly concerning is the overall lack of information published by sampled institutions on their reporting mechanisms to other institutions hierarchically above them, or to which they are constitutionally required to report.

There is a clear difference between the information published by the four ministries and three other institutions: PM’s Office, the Agency for Land Compensation, the State Cadastre Agency. While the ministries provide more information on their strategies, reports, and budgets (with the exception of the Ministry of Tourism and Environment), the other three institutions fail to do so. The information published on their websites tends to be scant and not updated. The Agency for Land Compensation and State Cadastre Agency publish little information on their activities, and are especially difficult to engage and hold accountable.

There is a noticeable decline in the indicator value compared to the last monitoring cycle. Potential reasons could be the different sample of institutions (except for the PMO) and the lack of budgetary information (financial reports for 2019 and plans for 2020).

■ How does Alban do in regional terms?

Graph 15: Indicator ACC P2 I2: Proactive informing of the public by public authorities



V.4 SUMMARY RESULTS: ACCOUNTABILITY

The examination of accountability indicators, which are focused almost exclusively on the availability and access to information, is fundamental to public scrutiny and participation in the decision-making process. Results from the CSO perception survey indicate key challenges on the availability and access to information that are further confirmed through the review of the websites of sampled government institutions.

The survey results also highlight the disparity between – on the one hand – the adequacy of legal provisions to ensure access to information without compromising national security or other sensitive information and – on the other hand – their implementation by public authorities, which tend to prevent access to information by failing to fully implement such provisions.

The role of the IDP Commissioner is recognised as having a positive effect in setting standards on institutional transparency, but most CSOs do not think that both the soft measures and the sanctions imposed by the Commissioner on public institutions are effective in fostering greater institutional transparency.

The review of the websites of sampled institutions indicate that public institutions do not seek to proactively provide important information on their policies, use of taxpayer money, and on their internal structures and accountability processes. Despite these shortcomings, there are public institutions that perform better than others. The four sampled ministries, for example, typically publish more information than the Prime Minister's Office and the two agencies (State Cadastre Agency and the Agency for Land Compensation).

V.5 RECOMMENDATIONS FOR ACCOUNTABILITY

Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
In accordance with law no. 119/2014, public authorities should provide information within prescribed deadlines and in the requested format(s). If there are reasonable barriers or justification for any delays or changes, information seekers should be informed in advance.	Partially implemented	According to the CSO perception survey, 19% of CSOs maintain that Information is provided in the proper format and 36% of CSOs maintain that is not provided on time.
Pending amendments to law 119/2014 should ensure proportionate restrictions to access to information, effective and proportional sanctions with regard to administrative liability mechanisms, and proactive disclosure of public information.	NA	No amendments have been made to this law.
Regarding proactive disclosure of information, public authorities should strive to inform citizens by using a simple language, focusing on ease of access.	Not implemented	Websites of public authorities do not generally contain easily accessible and citizen-friendly information on scope of work; relevant policy documents and legal acts; policy papers, studies and analyses relevant to policies under their responsibility.
Public authorities should display on their websites transparency programmes that are updated and easier to access.	Partially implemented	Although a new format to access the information under the Transparency Program has been adopted, public institutions do not consistently update the information.
Public authorities should establish the practice of publishing annual reports online.	Partially implemented	Some of sampled public authorities contain complete and up to date annual reports.
Public authorities should publish their annual budgets (financial plans) and establish the practice of producing and publishing citizen-friendly budgets.	Not implemented	Financial plans and citizen-friendly budgets could not be found for any of the sampled public institutions.
Public authorities should start publishing datasets pertaining to their scope of work in line with the open data standards.	Not implemented	Public authorities do not proactively pursue open data policy.
Public officials should be provided adequate training on how to comply with proactive disclosure.	Partially implemented	The Information and Data Protection Commissioner provides training to the coordinators for the right to information.

■ PAR Monitor 2019/2020 recommendations

The following recommendations include those from the previous monitoring cycle, which are still to be implemented; some of them are further detailed to highlight additional practices that could to improve institutional transparency.

1. Public authorities must publish in their transparency program all information required by the Law on the Right to Information, and ensure that it is updated. The IDP Commissioner should fine public authorities when they fail to comply with legal obligations.
2. Public authorities must provide information within prescribed deadlines and in the requested format.
3. When the information requested is classified, public authorities must initiate partial or full declassification procedures in accordance with the Law on the Right to Information. The IDP Commissioner must monitor this process and ensure that public authorities do actually implement these legal requirements.
4. Regarding proactive disclosure of information, public authorities should strive to inform citizens by using a simple language, focusing on ease of access.
5. Public authorities should publish annual reports online.
6. Public authorities should publish citizen-friendly budgets and budgetary reports
7. In addition to standing legal obligations, public authorities should proactively publish budget and procurement data in an open data format.

VI. SERVICE DELIVERY

VI.1 WEBER INDICATORS USED IN SERVICE DELIVERY AND COUNTRY VALUES FOR ALBANIA

P1 I1: Public perception of state administration's citizen orientation					
0	1	2	3	4	5
P3 I1: 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
P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers					
0	1	2	3	4	5

■ State of Play in Service Delivery

Service delivery policy is governed by the Long-Term Policy Document of Delivery of Citizen-Centric Services 2016-2025 and the legislation on service delivery.¹⁵⁷ For the purpose of development and coordination, service delivery policy is divided into two components: (i) public services (including healthcare and education) and (ii) e-government and digitalization.¹⁵⁸ The first component is led by the Cabinet Director of the Deputy Prime Minister, while ADISA serves as its technical secretariat; however, e-government services and digitalization are coordinated by the National Agency for Information Society (NAIS).

Albania's service delivery policy reform has been based on digitalization and improved service delivery infrastructure by offering central government services through the e-Albania portal, integrated service delivery centers ran by ADISA, and by improving the existing service delivery channels. As of December 2020 ADISA ran 20 centers for integrated service delivery¹⁵⁹, while – as of December 2019 – 601 services could be accessed through e-Albania.¹⁶⁰

ADISA is also the responsible institution for ensuring the quality of service delivery through standardization of processes, data collection on citizen experience, and monitoring and evaluation of processes. These tasks have been regulated since 2019 through two decisions of Council of Ministers.¹⁶¹ The Manual for the Standardization and Functioning of the Front Office includes also guidelines on complaint filing by citizens, but it is unclear how complaints are processed. The Manual includes also accessibility provisions for citizens with disabilities and indicators to assess the quality of the services, which are based on citizen satisfaction surveys, number of service requests, processing time, and complaints filed.

According to the January-June 2020 report, the integrated service delivery centers have successfully accommodated the needs of citizens with disabilities.¹⁶² The January-December 2020 service delivery strategy monitoring report provides data on citizen satisfaction, service use, and complaints submitted; however, these data are restricted to the integrated service delivery centers and do not include data from the use of

157 These include Law no. 13/2016 "On Service Delivery in the Republic of Albania" and other bylaws regulating service delivery policy, <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>.

158 See Annex 2 of the Order of the Prime Minister no. 157, date 20.10.2018 "On the measures taken to implement the broad sectoral/intersectoral approach and the establishment of the integrated sectoral/intersectoral mechanism".

159 ADISA, Strategy Monitoring Report January-December 2020 (Albanian), 16, <https://www.adisa.gov.al/wp-content/uploads/2021/04/Raport-i-Monitorimit-te-Strategjise-ADISA-2020-v7.pdf>.

160 National Agency for Information Society, 2019 Annual Report (Albanian), 76, <https://akshi.gov.al/wp-content/uploads/2020/11/Raport-i-Permbledhes-AKSHI-2019.pdf>.

161 Decision of Council of Ministers no. 640, date 02.10.2019 "On the authority responsible for quality assurance of service delivery", <http://www.adisa.gov.al/wp-content/uploads/2019/12/14.-VKM-nr.-640-date-2.10.2019-P%C3%ABr-autoritetin-pergjegj%C3%ABs-p%C3%ABr-vler%C3%ABsimin-e-cil%C3%ABsise.pdf>; Decision of Council of Ministers no. 624, date 26.10.2018 "On the approval of the manual for the standardization and functioning of front office", <http://www.adisa.gov.al/wp-content/uploads/2019/12/8.-VKM-Nr.-624-date-26.10.2018-Manuali-Standarteve.pdf>.

162 ADISA, Strategy Monitoring Report January-June 2020 (Albanian), 5, <https://www.adisa.gov.al/wp-content/uploads/2021/01/Raport-i-Monitorimit-te-Strategjise-per-grupin-temati-kte-sherbimeve-publike-ADISA-2020.pdf>.

the e-Albania portal or other services delivered through the offices of central government institutions. The report does include information on the validation of new services and their inclusion in the services accessed through ADISA.

Regarding the quality of services accessed through specific service providers – not through e-Albania or the integrated service delivery centers – few data and information are provided. Performance data are restricted to the number of documents needed to access the service, the administrative steps necessary, and time required. These data show noticeable improvements in service delivery, but they do not include all service providers, nor do they include citizen feedback on the sampled service providers mentioned in the report.¹⁶³

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 civil society and the wider public, these principles bear the most relevance in their addressing the outward-facing aspects of administration that are crucial for the 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 administrations are for redesigning administrative services based on citizen feedback. This is complemented with civil society's perception about distinct aspects of service delivery. Moreover, approached to the selected principles go beyond mere perceptions, exploring aspects of existence, online availability, and the accessibility of information administrations provide on services.

Four indicators were used, two fully measured with perception data (perceptions from civil society and the public) and two by using a combination of perception and publicly available data. The public perception survey employed three-stage probability sampling targeting the public. It focused on citizen-oriented service delivery in practice, covering various aspects of awareness, efficiency, digitalisation, and feedback mechanisms.¹⁶⁴ Since public perception survey was implemented during the COVID19 pandemic, citizens were also asked additional questions on how interested they were to explore more about electronic services since the outbreak and how frequently they have used them during the pandemic. Perception data from these questions were not used for measuring indicator values.

In the measurement of the accessibility of administrative services for vulnerable groups and in remote areas, data from a survey of civil society and focus groups with selected CSOs were used,¹⁶⁵ the latter for complementing the survey data with qualitative findings. The existence of feedback mechanisms was explored by combining public perception data and online data for a sample of five services.¹⁶⁶ Finally, the websites of providers of the same sampled services were analysed to collect information on their accessibility and prices..

¹⁶³ Specific service providers included in the assessment: the State Cadastre Agency, General Maritime Directorate, Civil Registry General Directorate, Institute for Social Security, Central Technical Archive for Construction, and the General Directorate for Road Transportation. ADISA, Strategy Monitoring Report January-December 2020 (Albanian), 23.

¹⁶⁴ Perceptions are explored using a survey targeting the public (aged 18 and older) of six Western Balkan countries. The public perception survey employed a multi-stage probability sampling and was administered combining computer-assisted web and telephone interviewing (CAWI, and CATI), using a standardized questionnaire through omnibus surveys in Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia during 5 May - 30 May 2020. For Albania, the margin of error for the total sample of 1007 citizens is $\pm 3.14\%$, at the 95% confidence level.

¹⁶⁵ The survey of CSOs was administered through an anonymous, online questionnaire. In Albania, the survey was conducted in the period from 24 June to 29 July 2020. The data collection method included CASI (computer-assisted self-interviewing). The survey sample was N=81.

¹⁶⁶ The five services included were: 1) Property registration, 2) company (business) registration 3) vehicle registration 4) the issuing of personal documents: passports and ID cards and 5) value added tax (VAT) declaration and payment for companies.

VI.3 WEBER MONITORING RESULTS

PRINCIPLE 1: POLICY FOR CITIZEN-ORIENTED STATE ADMINISTRATION IS IN PLACE AND APPLIED

The PAR Monitor approaches this principle from the perspective of public perceptions about administrations' citizen orientation, using the indicator "Public perception of state administration's citizen orientation" (SD_P1_I1). This indicator comprises 11 elements.

Table 16. WeBER indicator SD P1 I1: Public perception of state administration's citizen orientation

Indicator elements	Scores
Citizens are aware of government administrative simplification initiatives or projects	2/2
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	4/4
Citizens confirm that time needed to obtain administrative services has decreased	4/4
Citizens consider that administration is moving towards digital government	2/2
Citizens are aware about the availability of e-services	2/2
Citizens are knowledgeable about ways on how to use e-services	1/2
Citizens use e-services	0/4
Citizens consider e-services to be user-friendly	2/2
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	2/4
Total score	24/32
Indicator value (scale 0 – 5)¹⁶⁷	4

The assessment for this indicator is entirely based on the public perception survey. The sample consisted of a total of 1007 respondents over 18 years old. Responses were measured by the level of agreement with a specific statement and the extent of the respondents' knowledge, usage, and facility level regarding specific services. The margin of error for the total sample is $\pm 3.14\%$, at the 95% confidence level. The base (respondents) for the questions varied from 1007 to 338 respondents.

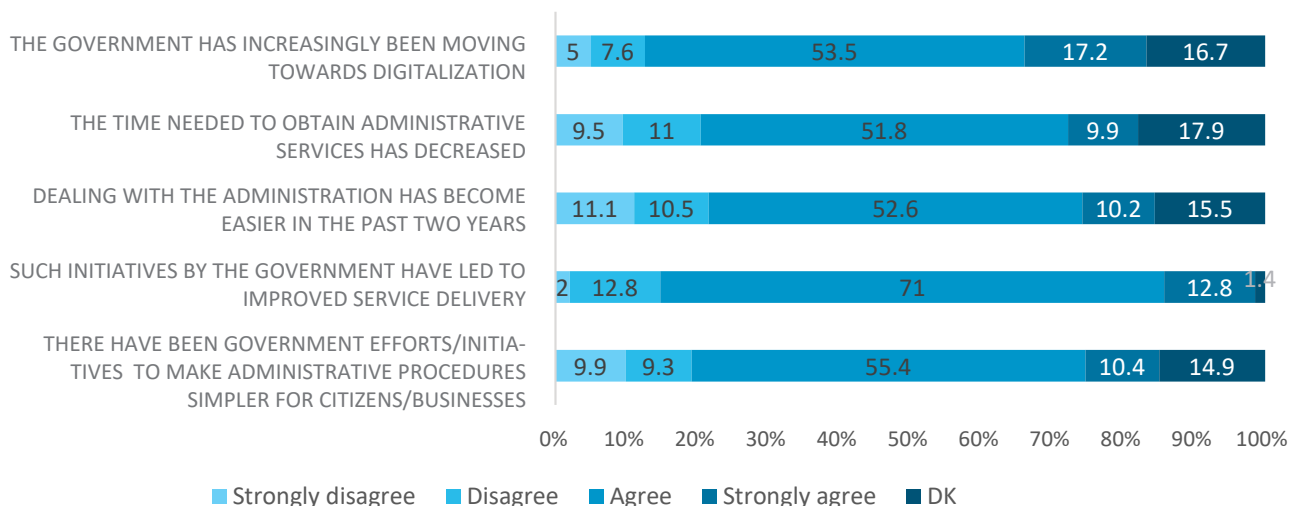
Survey results show that approximately two thirds (66%)¹⁶⁸ of citizens are aware of the government's administrative simplification initiatives and projects for citizens and businesses. 84% of the citizens, who are aware (757 respondents), agree that service delivery has been improved as a result of simplified administrative

¹⁶⁷ 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.

¹⁶⁸ In the last monitoring cycle, the score was 50.4%.

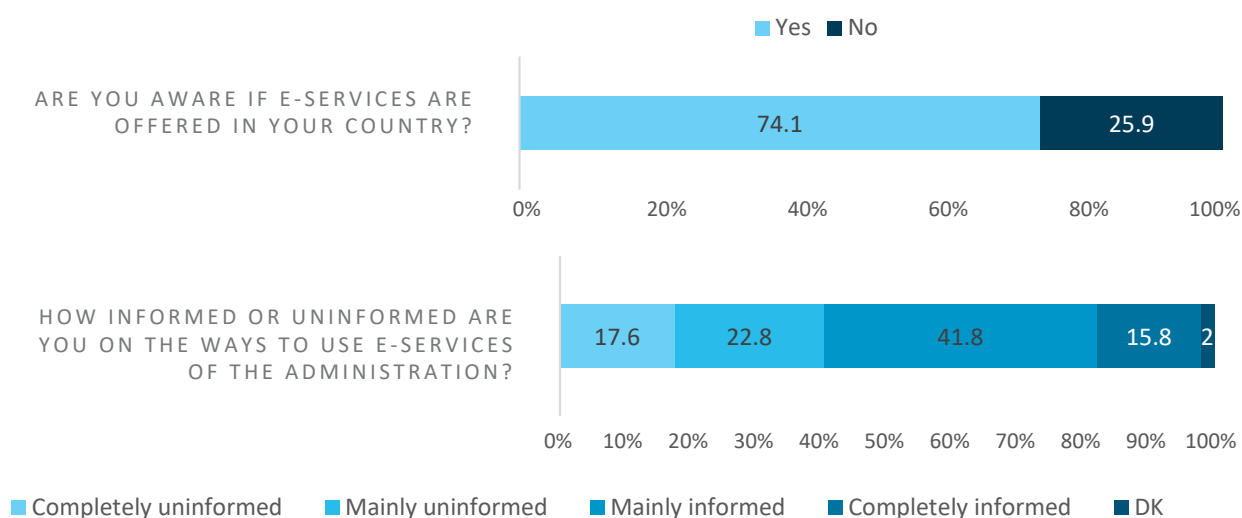
initiatives during the last two years.¹⁶⁹ Meanwhile, 63%¹⁷⁰ of citizens confirm that dealing with the administration has become easier, and 61.7%¹⁷¹ of population confirm that obtaining administrative services has become less time consuming. Overall, 70.63% of citizens agree that the administration is moving towards digitalisation.¹⁷² All these elements score higher than the regional average. They are also noticeably higher than those of the previous monitoring cycle, aside from a small drop (3%) in respondents who agree that service delivery has been improved as a result of simplified administrative initiatives during the last two years.

Chart 23. Public perceptions on ease of service delivery.



Awareness of e-services has increased by 20 percentage points compared to the previous monitoring cycle, thus reaching 74%. On the other hand, out of those who are aware of e-services (746 respondents), slightly more than half (57.6%) say they are informed on how to use them, which is less than the regional average (72%). Also, less than a third of citizens familiar with e-services have actually used them during the last two years (29.4%), which is also below the regional average of 39%. However, 70.4% of those who had used e-services (338 respondents) in the last two years consider them user-friendly.

Chart 24. Public awareness of e-services

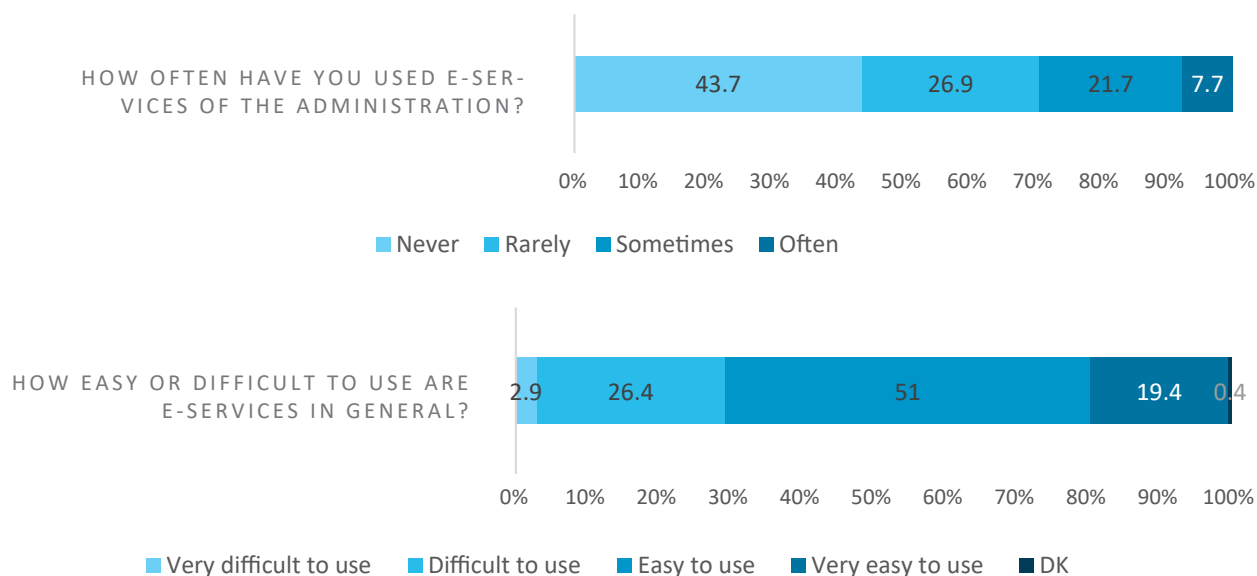


169 In the last monitoring cycle, the score was 88.7%.

170 In the last monitoring cycle, the score was 44.5%.

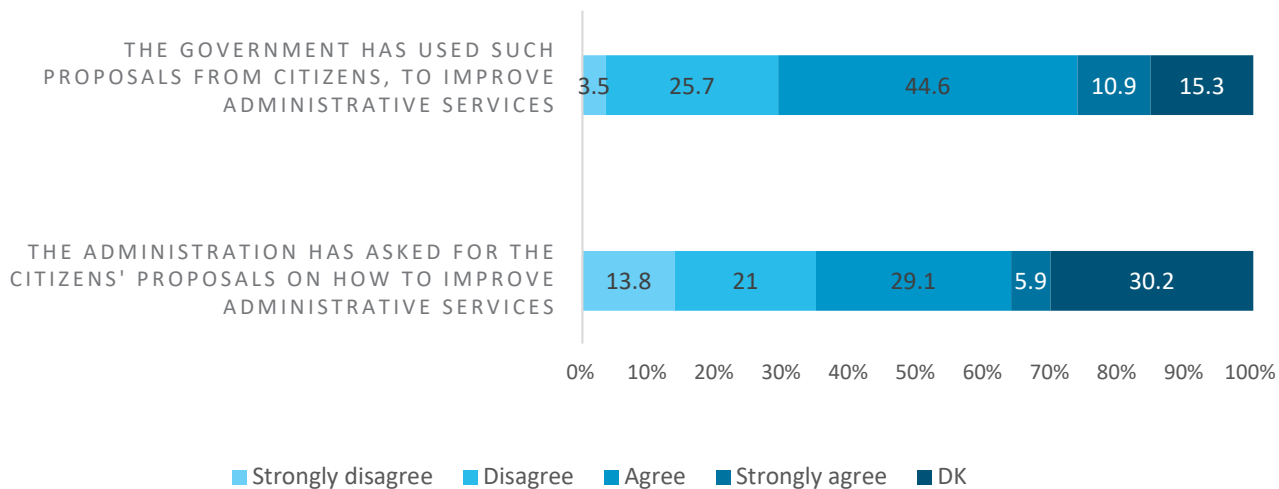
171 In the last monitoring cycle, the score was 45.4%.

172 In the last monitoring cycle, the score was 55.6%.



Concerning perceptions on citizen feedback channels and use by the administration to optimize service delivery, only 35%¹⁷³ of respondents agree that the administration seeks feedback on how to improve its services. Out of this group, 55.5%¹⁷⁴ believe the administration has actually used citizens' proposals to improve administrative services over the last two years. Both these results are lower than the regional average, which is 48% on the solicitation of citizen feedback to improve service delivery quality and 64% on the actual use of citizen feedback to improve administrative services.

Chart 24. Public perceptions on the use of feedback by service providers



Overall analysis shows a positive trend regarding the awareness and recognition of simplified administrative services and improved service delivery, thus scoring above the regional average. On e-services use, however, the low number of respondents suggests that their effective use is rather low. This could be due to issues related to internet access or literacy, since the majority of citizens who use them report that they are satisfied.

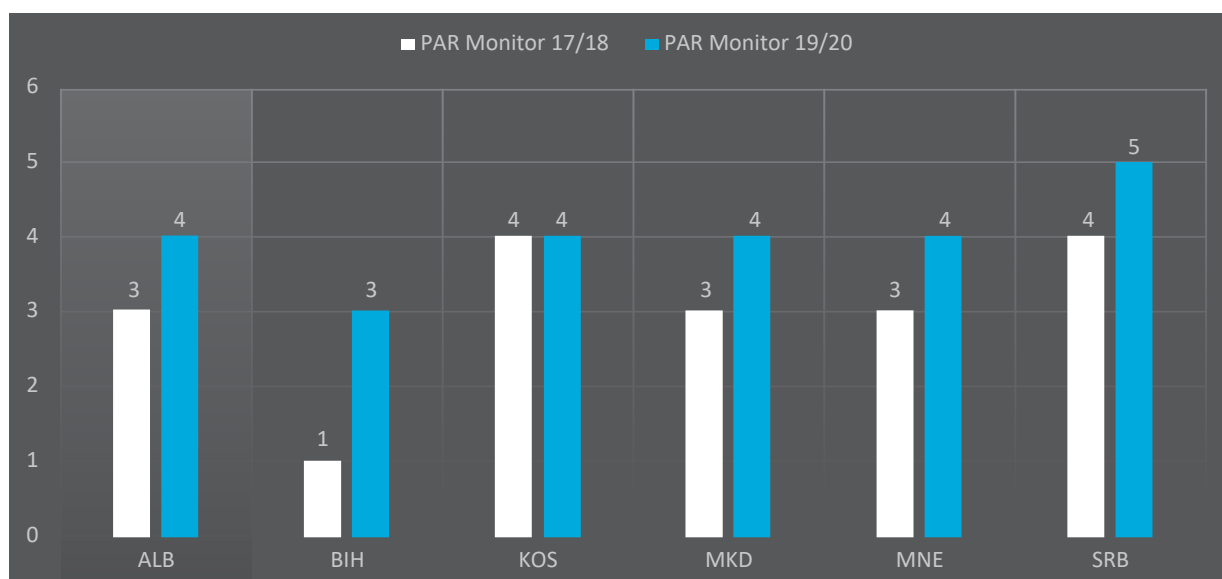
On the other hand, responses suggesting a decrease in the public administration's attempt to improve its service delivery policy through citizen feedback need to be further investigated, but they indicate that service delivery policy is not as oriented towards citizen needs as it should be.

173 In the last monitoring cycle, the score was 43.2%.

174 In the last monitoring cycle, the score was 84.8%

■ How does Albania do in regional terms?

Graph 16: Indicator SD P1 I1: Public perception of state administration's citizen orientation



PRINCIPLE 3: MECHANISMS FOR ENSURING THE QUALITY OF PUBLIC SERVICES ARE IN PLACE

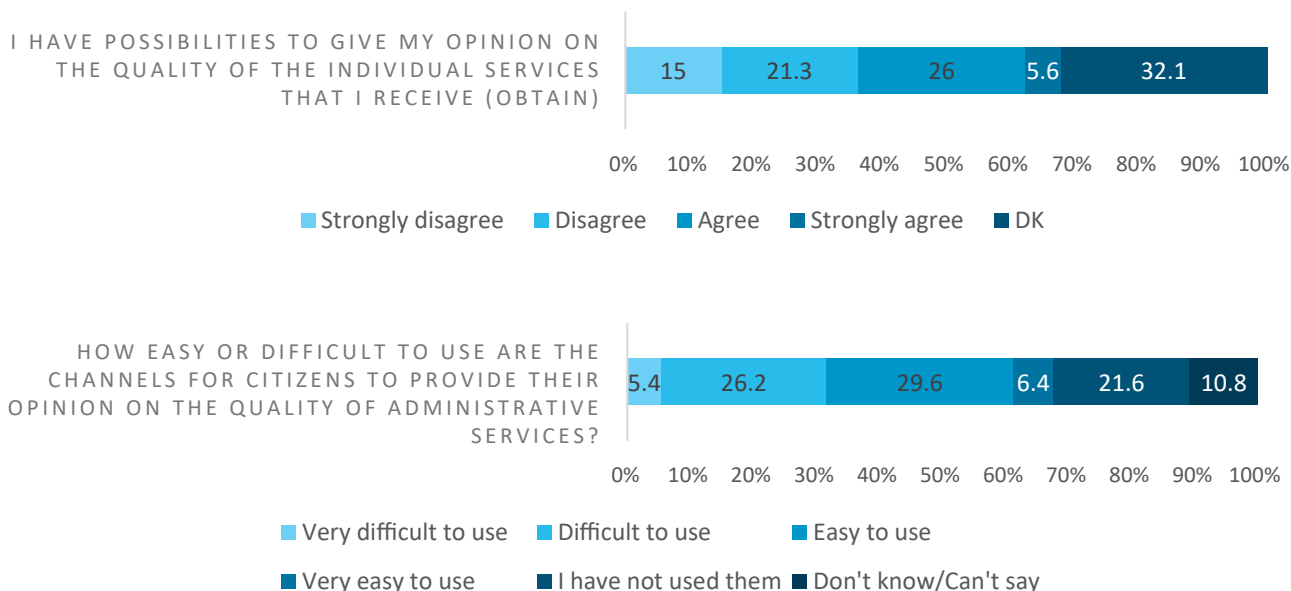
Table 17. WeBER indicator SD P3 I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services

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	2/4
Citizens perceive themselves or civil society as involved in monitoring and assessment of administrative services	0/4
Citizens perceive that administrative services are improved as a result of monitoring and assessment by citizens	2/4
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	5/20
Indicator value (scale 0 – 5)¹⁷⁵	1

175 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..

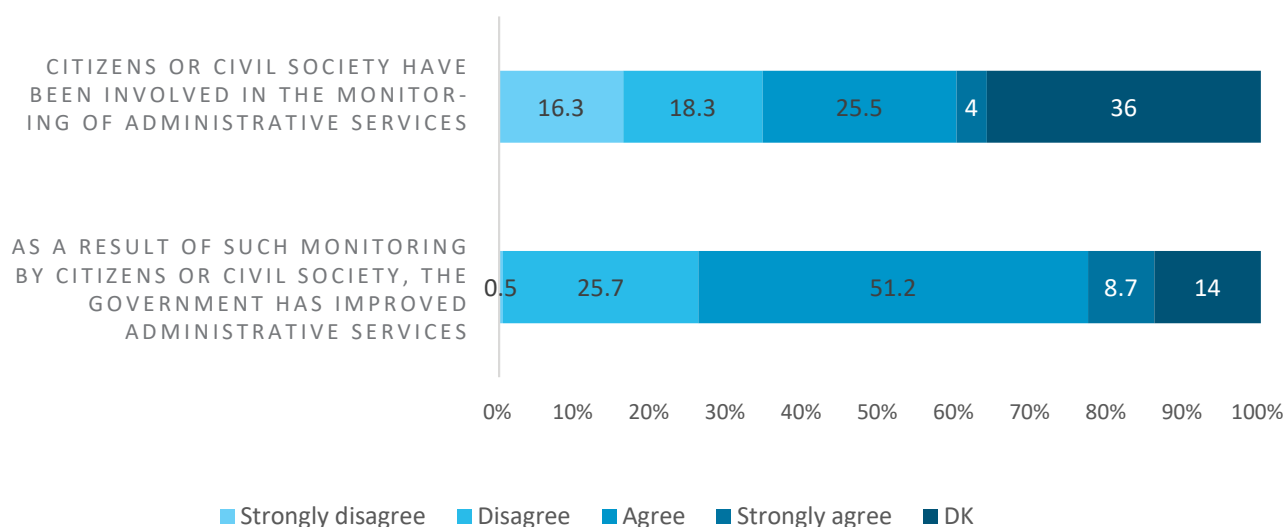
The assessment for this indicator is based on public perception survey results and desk research on the key service delivery providers. The base for survey questions varies from 1007 to 278 respondents. Based on the survey results, approximately a third of citizens (32%) say that they have the possibility to provide feedback on the quality of administrative services.¹⁷⁶ 36% of citizens who have provided feedback (319 respondents) on the use of administrative services consider the channels to provide their opinion as easy to use, as compared to 86.6% in the previous monitoring cycle.

Chart 26. Public perceptions on feedback channels



When asked if they perceive that citizens themselves or civil society are involved in monitoring and assessing administrative services, 29.5% of citizens agree with the statement.¹⁷⁷ 60% of those who responded favourably (278 respondents) perceive that administrative services have been improved as a result of monitoring and assessment by citizens, as compared to 84.4% in the previous monitoring cycle.

Chart 27. Public perceptions on civil society monitoring



176 In the last monitoring cycle, the score was 35.2%.

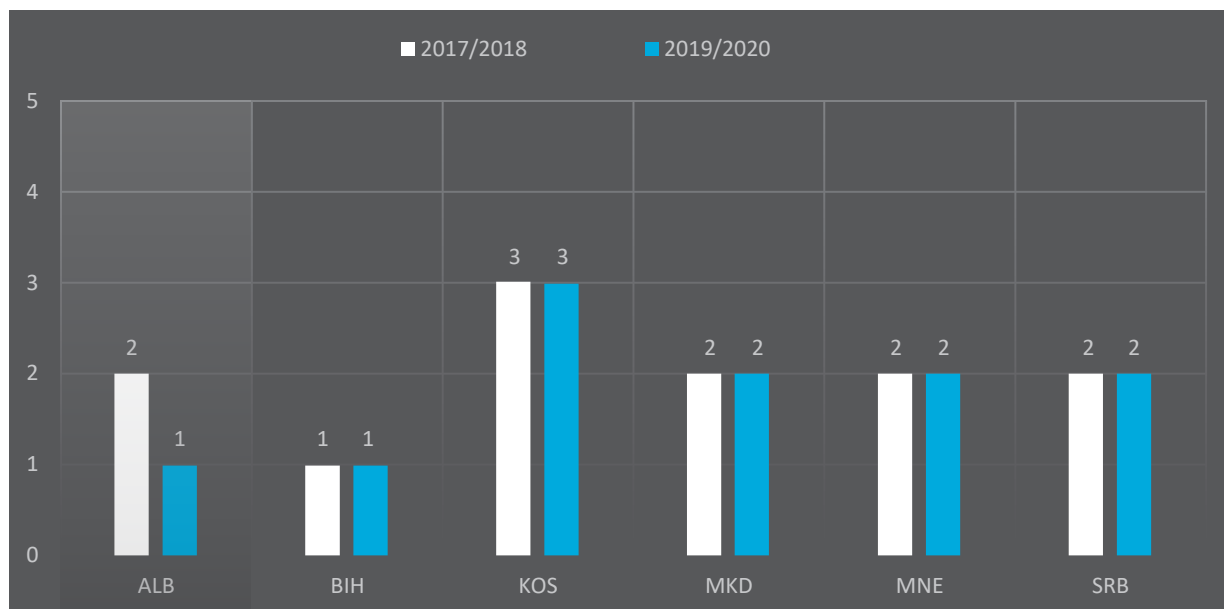
177 In the last monitoring cycle, the score was 35%.

Website analysis included the following service providers: (1) the State Cadastre Agency (property registration/ issuing property certificates); (2) the National Business Centre (business registration); (3) the General Directorate for Road Transport Services (vehicle registration); (4) ALEAT (issuing ID/passports), and; (5) the General Directorate of Taxation (VAT declaration and payment). Except for vehicle registration, other sampled service providers do not provide information online on citizens' feedback on the quality of service delivery.

Compared to the PAR Monitor 2017/2018, there is a noticeable decline in the public's perception of the effectiveness of mechanisms in place to ensure that their feedback is taken into account. There is a steep decline (from 86.6% to 36%) of respondents who consider that feedback channels are easy to use. Perceptions that CSOs are engaged in monitoring and assessing administrative services have also declined (from 35% to 29.5%). There is also a significant decline in respondents who perceive that CSOs' monitoring and assessment work has improved administrative services (85% to 60%). Additionally, public perception survey results indicate lower satisfaction than the regional average.

■ How does Albania do in regional terms?

Graph 17: Indicator SD P3 I1: Public perception and availability of information on citizens' feedback regarding the quality of administrative services



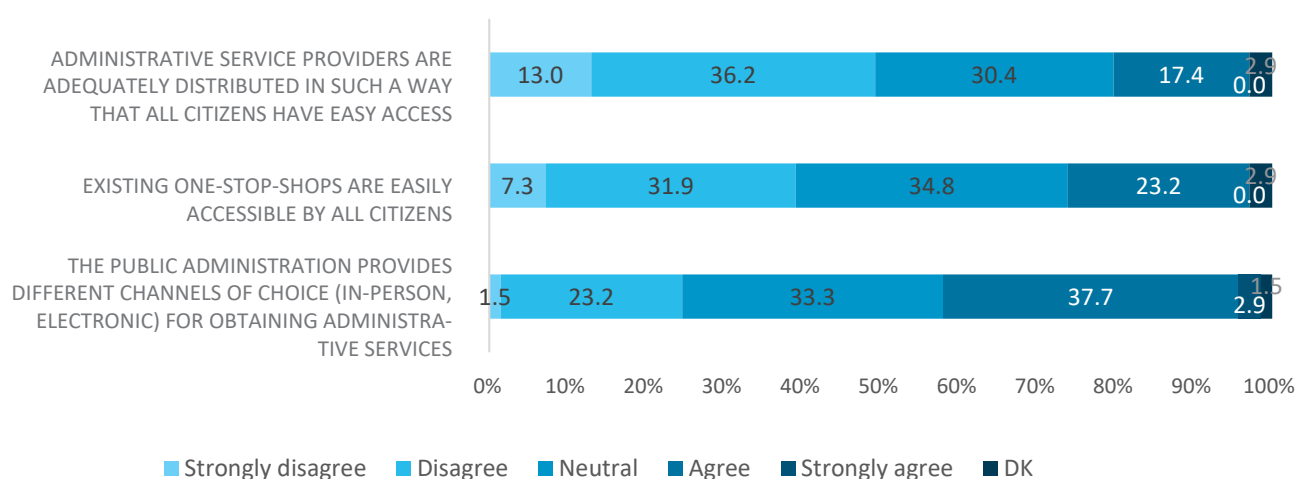
PRINCIPLE 4: THE ACCESSIBILITY OF PUBLIC SERVICES IS ENSURED

Table 18. WeBER indicator SD P4 I1: CSOs' perception of accessibility of administrative services

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	0/4
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	1/18
Indicator value (scale 0 – 5)¹⁷⁸	0

The assessment for this indicator is based on the CSO survey results and focus group discussions with national and local CSOs focusing on the advocacy for persons with disabilities or socially marginalised groups. Focus groups were convened in October 2020, while the sample of CSOs surveyed consisted of a total of 81 respondents and the base (respondents) for the questions of this indicator was 69. Only 17.4% of CSO respondents agree that the administrative service providers are adequately distributed to be easily accessed by citizens.¹⁷⁹ Existing one-stop-shops are perceived more favourably, as 23.2% consider them to be easily accessible¹⁸⁰, and 40.6% of respondents agree¹⁸¹ that administrative service channels are diversified.

Chart 28. Public perceptions on accessibility of services



178 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..

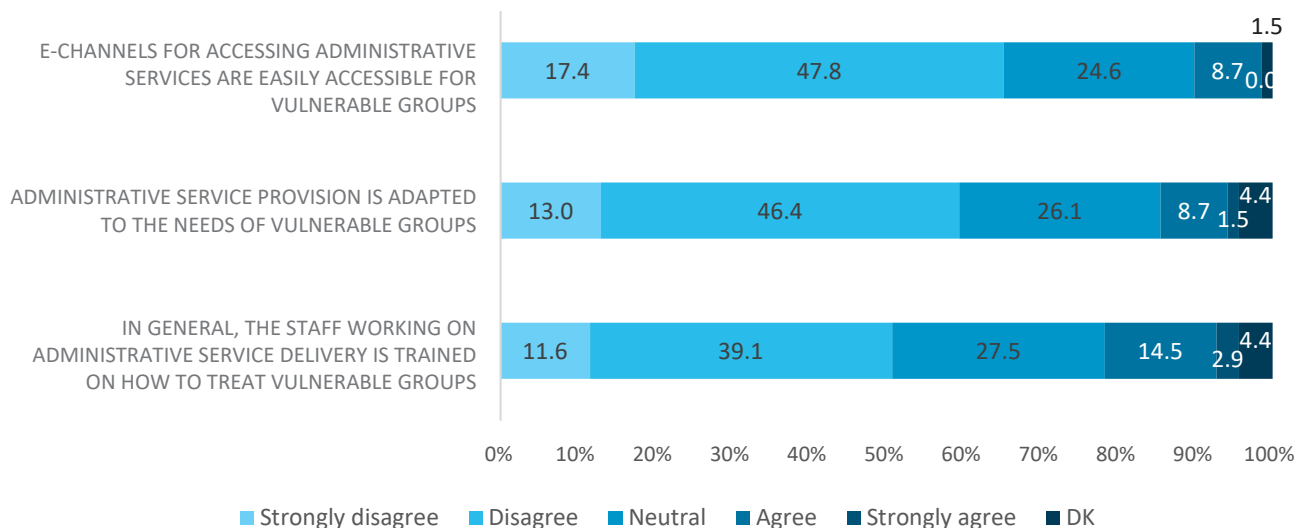
179 In the last monitoring cycle, the score was 22.9%.

180 In the last monitoring cycle, the score was 33.3%.

181 In the last monitoring cycle, the score was 35.6%.

On the accessibility of e-services for vulnerable groups, only 8.7% consider them as easily accessible¹⁸², while close to a two-third majority (65.2%) disagree. Furthermore, only 10.2% of respondents maintain that the needs of vulnerable groups are considered in the administrative services provision¹⁸³, whereas the majority disagree (59.4%). Regarding the training of service delivery personnel to address the needs of vulnerable groups, 17.4% of respondents consider them as trained¹⁸⁴, and once again the majority disagree (50.7%).

Chart 29. Public perceptions on accessibility of services for vulnerable groups

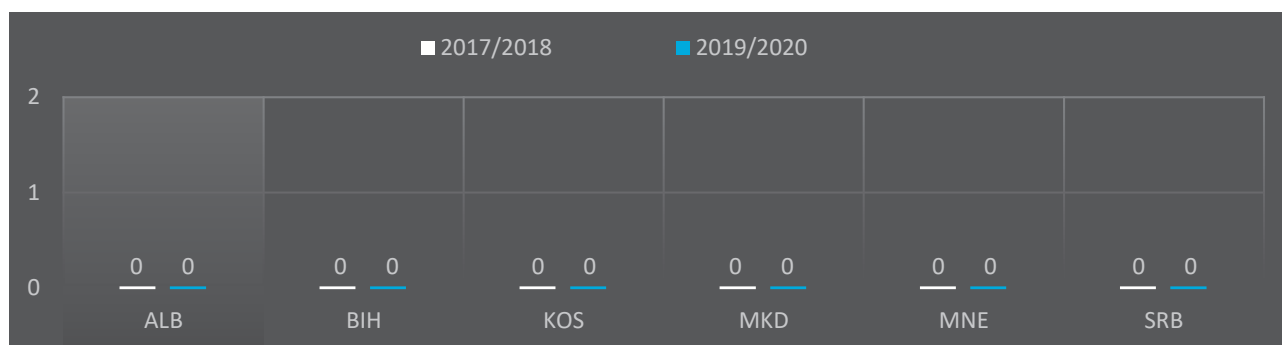


Challenges of the accessibility of services were reiterated in the focus group discussions. According to both local and national CSOs, public services are unequally distributed between rural and urban areas, as well as between central and peripheral areas in the cities. Accessibility of services is challenging for citizens living in rural areas and those living in urban geographical and social peripheries due to the lack of education or because of poor infrastructure.

Compared to the PAR Monitor 2017/2018, data show that there is a slightly increased positive perception on the diversification of administrative service channels in Albania (+5%), their adaption towards vulnerable groups' needs (+3.4%), as well as training of staff providers to properly attend these groups (+7.1%). Nevertheless, perception of vulnerable groups' access of e-services has slightly decreased (-2.7%), as well as on the adequate territorial distribution of administrative services (-5.5%). The latter is further complemented by a 10% decrease of the positive perception on the accessibility of one-stop-shops.

How does Albania do in regional terms?

Graph 18: Indicator SD P4 I1: CSOs' perception of accessibility of administrative services



182 In the last monitoring cycle, the score was 11.4%.

183 In the last monitoring cycle, the score was 6.8%.

184 In the last monitoring cycle, the score was 10.3%.

Table 19. WeBER indicator SD P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers

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	2/4
Websites of administrative service providers include citizen-friendly guidance on accessing administrative Services	1/2
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	1/2
Information on administrative services is available in open data formats	0/2
Total score	14/20
Indicator value (scale 0 – 5)¹⁸⁵	3

The assessment for this indicator is based exclusively on the published information of key service providers – property registration, vehicle registration, business registration, ID services, VAT services (tax administration). Contact information for each of the service providers can be found on their websites. Except for property registration and vehicle registration, the basic procedural information on how to access the services has been published.

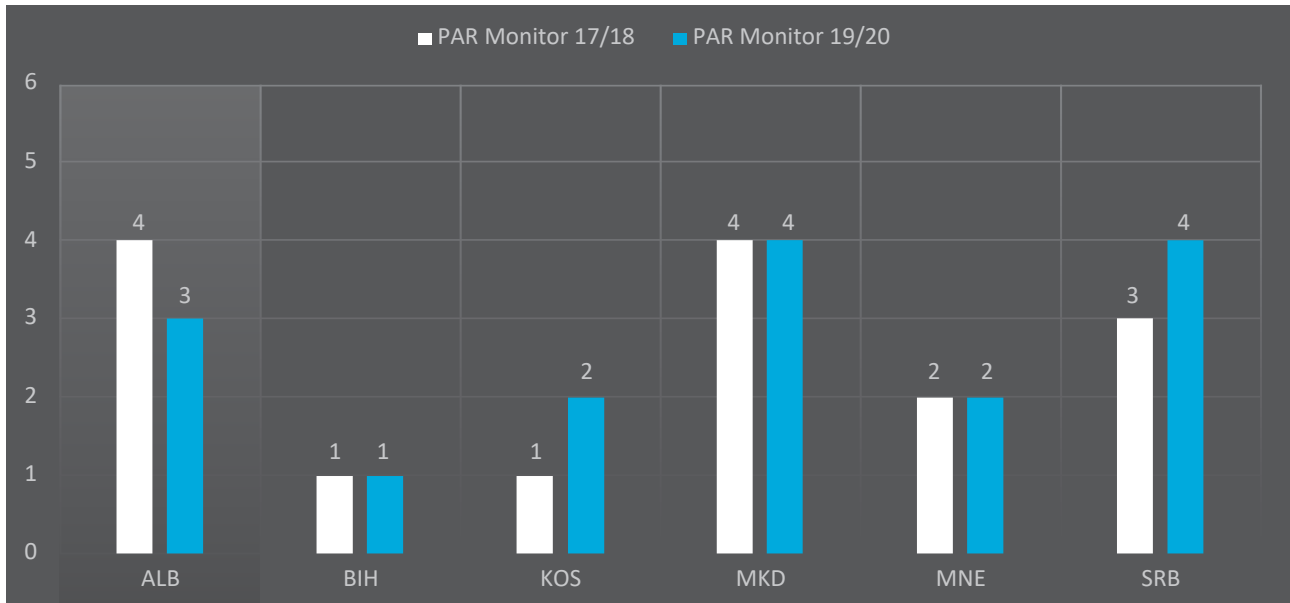
Description of services are generally provided (except for property registration), but original forms can be downloaded only for business registration and VAT services. Similarly, user-friendly guidelines (videos or infographics) can be found only for business and vehicle registration, as well as tax administration services. Rights and obligations of users, specifically in terms of documentation and information that users need to submit, and the service prices are published for all services except for property registration. Price distinctions between in-person and e-services are included for those services accessible electronically: business registration, issuing passport/ID card, and VAT declaration and payment. The information that is publically available is not published through an open data format.

It is worrying that little information is provided on property registration services given that this is an acute issue in Albania. Property registration services received a better score in the previous monitoring cycle on four out of the seven elements that are measured. The current issues could be related to its restructuring process and the establishment of the State Cadastre Agency as a result of that process.

¹⁸⁵ 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...

■ How does Albania do in regional terms?

Graph 19: Indicator SD P4 I2: Availability of information regarding the provision of administrative services on the websites of service providers



VI.4 SUMMARY RESULTS: SERVICE DELIVERY

Both government reports and public perception survey results confirm the government's drive towards digitalization. The e-Albania portal and the integrated service delivery centres have improved the public availability of services, and considerable progress has been made on service provision. Public perception survey results also confirm that obtaining services has become easier and less time-consuming in the last two years whilst awareness of the availability of e-services is noticeably higher than the previous monitoring cycle. Nevertheless, several challenges remain with regard to the accessibility of the services and the government's approach towards a citizen-oriented service delivery policy.

Public perception survey results indicate a low use of e-services, below the regional average. Positive perceptions on the government's predisposition to solicit citizen feedback have also sharply declined compared to the previous monitoring cycle, and it is lower than the regional average. High public awareness of e-services, but low use and insufficient government solicitation, collection, and use of citizen feedback suggest that service delivery policy is not sufficiently oriented towards ease of access and use. The lack of information on citizen feedback or their use from the sampled service providers further suggests that service delivery policy needs to be more citizen-oriented.

Despite these challenges, some service providers have performed better than others. Business and vehicle registration services and – to an extent – VAT services do include sufficient information on the services they provide, channels to obtain them, and the citizens' rights and obligations. On the other hand, ID services and property registration services need to improve the information they provide and establish effective channels to solicit citizen feedback.

VI.5 RECOMMENDATIONS FOR SERVICE DELIVERY

Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
The government should expand its work on administrative simplification in order to cut red-tape and improve service delivery.	Implemented	According to the public perception survey and DoPA 2020 report one-stop-shops and e-services have expanded and dealing with the administration has become easier.
The government should engage in activities specifically aimed at increasing the awareness and promotion of e-services and increase public awareness of the e-Albania portal.	Implemented	According to the public perception survey, 74% of the public are aware of e-services.
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.	Not implemented	The CSO survey and focus group discussions confirm the inadequacy of territorial coverage of administrative services and accessibility for vulnerable groups.
The government should prioritize the development of a wide-encompassing policy framework on quality management models in public administration.	Not implemented	Sampled service providers do not publish reports on the use of citizen feedback to improve service delivery.
Service providers should enable and promote on their websites feedback channels aimed at improving administrative services.	Partially implemented	Business and vehicle registration services include and promote feedback channels.
Service providers should proactively publish basic information data regarding citizens' feedback on administrative services.	Not implemented	Sampled service providers do not provide basic and advanced information on citizen feedback on administrative services.
The government should promote inclusive monitoring of service delivery by civil society and citizens.	Not implemented	According to the CSO focus group discussions, service providers and the government do not seek participation in the drafting and monitoring of service delivery policy.

The government should address accessibility and the needs of the citizens with disability and review disability-specific policies and services to identify gaps and barriers and to plan actions to overcome them.	Not implemented	The CSO focus group discussions confirm the inadequacy of service accessibility for vulnerable groups.
Service providers should ensure that their staffs are adequately trained about communication with and assistance to people with disabilities and other vulnerable groups.	Not implemented	According to the CSO survey, the majority of CSOs do not consider administrative service providers as properly trained on how to treat vulnerable groups.
ADISA should make available information on administrative services in open data formats.	Not implemented	Information on administrative services is not available in open data formats.

■ PAR Monitor 2019/2020 recommendations

The following include outstanding recommendations from the previous monitoring cycle, but they have been expanded to provide additional advice on targeted institutions and processes.

1. ADISA should assess the quality of the implementation of service delivery policy not only through the integrated service centers that it runs but also in key service providers (property registration, vehicle registration, taxation services, business registration, and ID services).
2. ADISA should identify gaps in the implementation of service delivery policy, particularly regarding the following divides: (a) rural vs. urban; (b) center vs. periphery; (c) educated vs. less educated; (d) socially included vs. socially excluded groups. To this end, ADISA should closely engage CSOs working on the rights of persons with disabilities and socially excluded groups to improve service delivery for these groups.
3. ADISA should prioritize the development of a comprehensive policy framework on quality management models in public administration. To this end, data collection and reporting on citizen experience while obtaining services is paramount.
4. Service providers should enable and promote on their websites feedback channels aimed at improving administrative services.
5. Service providers should proactively publish basic data regarding citizens' feedback on administrative services.
6. The government should promote inclusive monitoring of service delivery by civil society and citizens.
7. Service providers should ensure that their staff are adequately trained about communication with and assistance to people with disabilities and other vulnerable groups.
8. ADISA and specific service providers should make available information on administrative services in open data format.

VII. PUBLIC FINANCIAL MANAGEMENT

VII.1 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&8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny					
0	1	2	3	4	5
P11&13 I1: Availability of public procurement related information to the public					
0	1	2	3	4	5
P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work					
0	1	2	3	4	5

■ State of Play in Public Finance Management

The November 2019 earthquake and the COVID19 pandemic caused significant damage to the Albanian economy. In 2020, the country's gross domestic product (GDP) decreased by 7.5% while government debt reached 81.9% of the GDP – a 14.1% increase from 2019.¹⁸⁶

Albania adopted the new public finance management strategic framework in 2019 through the Public Finance Management Strategy 2019-2022.¹⁸⁷ The new strategy builds on the previous one, which was to last until 2020. 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, audit processes, and by ensuring that budget execution is properly linked to government policies. The Strategy has six specific objectives: (i) sustainable and prudent fiscal framework, (ii) well-integrated and efficient planning, (iii) revenue mobilization, (iv) efficient execution of the budget, (v) transparency of public finances, (vi) effective internal control, and (vii) effective external oversight of the public finances.

The International Monetary Fund (IMF) has noted several fiscal risks and shortcomings in public finance management governance. The IMF cautions that ad hoc tax exemptions introduced in 2019 would weaken the tax base, and that earthquake reconstruction funds must be subject to adequate PFM controls, including planning through the budget process.¹⁸⁸ Concerns about public procurement and public-private partnership (PPP) governance are especially highlighted due to their fiscal risks. Robust oversight, monitoring, reporting, and auditing mechanisms need to be put in place.¹⁸⁹ The independence of the Public Procurement Commission – which handles tendering complaints – has been strengthened through the election of Commissioners by the Assembly. Public investment management, however, needs to be strengthened by establishing a unified process for preparing, prioritizing, and evaluating all public investment projects, while the unsolicited use of PPPs should be prevented.¹⁹⁰

The recommendations by SIGMA, the World Bank, and the IMF have been used as a reference for the PFM Strategy. The PPP law has been amended to give to the Ministry of Finance and Economy clear authority to evaluate and approve public-private partnerships, but this has not prevented the expansion of PPPs, and hence their risks. The 2021 budget law set the value cap for PPPs at 49.8% of the GDP.¹⁹¹

186 International Monetary Fund, "Albania: Selected Economic Indicators, 2016–21" in IMF Country Report No. 20/309 (Washington, DC: IMF Publishing Services, 2020), <https://www.imf.org/en/Publications/CR/Issues/2020/11/30/Albania-First-Post-Program-Monitoring-Press-Release-Staff-Report-and-Statement-by-the-49923>.

187 Ministry of Finance and Economy, Albania Public Finance Management Sectorial Strategy 2019-2022 (December 2019), <https://new.financa.gov.al/wp-content/uploads/2020/06/PFM-Strategy-2019-2022-ENG.pdf>.

188 International Monetary Fund, IMF Country Report No. 20/309, 10.

189 International Monetary Fund, 10.

190 International Monetary Fund, 11.

191 Article 18, Law no. 137/2020 "On the 2021 budget", <https://qbz.gov.al/eli/ligj/2020/11/16/137>.

The PFM Strategy observes that stronger analytical capacity in government agencies and the Ministry are needed to properly assess the costs/benefit ratio of PPPs and improve their project design and oversight while the capacity of the Ministry to evaluate and monitor public investments – including PPPs – is fragmented.¹⁹² It is important to emphasise, however, that unsolicited PPP proposals continue to be a legal practice despite recent amendments to the PPP law restricting them to energy production and infrastructure, construction of and service provision for ports and airports.

To improve public internal financial control (PIFC) mechanisms, the Ministry of Finance and Economy (MFE) has approved a policy paper on the topic for 2021–2022. It has approved the methodology for internal control quality review to analyse and evaluate the internal control system of public sector units and issue recommendations to address deficiencies.¹⁹³ Some progress has been made also on external audit. The Albanian State Audit Institution (ALSAI) has drafted the audit guide for government budget implementation and a joint secretariat has been established between the Ministry and ALSAI to improve the implementation rate of internal and external audit recommendations.¹⁹⁴ ALSAI is in the process of reviewing the financial audit manual in accordance with SIGMA recommendations.¹⁹⁵

VII.2 WHAT DOES WEBER MONITOR AND HOW?

The monitoring of the PFM area is performed against six 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 11: There is central institutional and administrative capacity to develop, implement and monitor procurement policy effectively and efficiently.

Principle 13: Public procurement operations comply with basic principles of equal treatment, non-discrimination, proportionality and transparency, while ensuring the most efficient use of public funds and making best use of modern procurement techniques and methods.

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, WeBER's focuses and enhances elements of the transparency and accessibility of information, external communication, as well as proactive and citizen-friendly approaches to informing citizens.

As an additional development since the baseline monitoring, a new indicator was developed to cover the public procurement sub-area of PFM (SIGMA Principles 11 and 13), which was not monitored in the first cycle, and as a result four indicators were measured in this PAR Monitor edition. With this addition, WeBER researchers monitored public procurement policy for the first time, along with annual budget policy, PIFC, and external audits. As it was measured for the first time, the indicator on public procurement in this PAR monitor edition sets baseline values in this area.

¹⁹² Ministry of Finance and Economy, Albania Public Finance Management Sectorial Strategy 2019-2022, 27.

¹⁹³ Ministry of Finance and Economy, 2019 Annual Monitoring Report: PFM Strategy 2019-2022 (July 2020), 28, <https://www.financa.gov.al/wp-content/uploads/2020/09/2019-PFM-Annual-Monitoring-Report.pdf>.

¹⁹⁴ Ministry of Finance and Economy, 2019 Annual Monitoring Report: PFM Strategy 2019-2022, 32.

¹⁹⁵ Supreme State Audit Institution, Monitoring Report of the Development Strategy 2018-2022 and of the Plan of Action for 2019 (Albanian), 17, http://www.klsh.org.al/web/raport_monitorimi_sdp_klsh_22_4_2019_5681.pdf.

The first indicator assesses the transparency and accessibility of budgetary documents, measuring how accessible key budget documents (such as annual state-level budget and budget execution reports) are to citizens, as well as to what extent budgetary information is presented and adapted to the needs of citizens and civil society. To this end, the primary online sources are the data available on the websites of ministries in charge of finance and the data available thereon, as well as official government portals and open data portals.

The second indicator measures the availability and communication of essential information on PIFC to the public and other stakeholders (including consolidated reporting, IA quality reviews, and FMC procedural information). The analysis considers official websites and available documents from government institutions in charge of PIFC policy. The websites of all ministries are analysed for the availability of specific FMC-related information, while official parliamentary documentation serves for the measurement of the regularity of parliamentary scrutiny of PIFC.

In the external audit area, the indicator approach considers SAI's external communication and cooperation practices with the public. This area covers the existence of strategic approaches, means of communication used, citizen-friendliness of 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 was used, complemented with semi-structured interviews with SAI staff to collect additional or missing information.

Finally, in the public procurement area, the indicator measures the availability of public procurement-related information to the public. It focuses on whether central procurement authorities and key contracting authorities publish annual plans and reports, as well as how informative and citizen friendly central public procurement portals are for the interested public. Additionally, this indicator looks into the availability of open procurement data as well as the percentage of public procurement processes done in open procedures. This indicator is entirely based on review of official documentation on public procurement policy.

VII.3 WEBER MONITORING RESULTS

PRINCIPLE 5: TRANSPARENT BUDGET REPORTING AND SCRUTINY ARE ENSURED

Table 20. *WeBER indicator PFM P511: Transparency and accessibility of budgetary documents*

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	4/4
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
Total score	16/24
Indicator value (scale 0 – 5)¹⁹⁶	3

196 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..

Expenditures in the in-year budget reports¹⁹⁷ are classified based on economic and functional domains. The economic expenditures include salaries, capital investments, local government budgetary transfers, interest payments, social protection, and subsidies; functional expenditures include higher education and energy. These reports include relevant statistics on projected and actual revenues and expenditures.

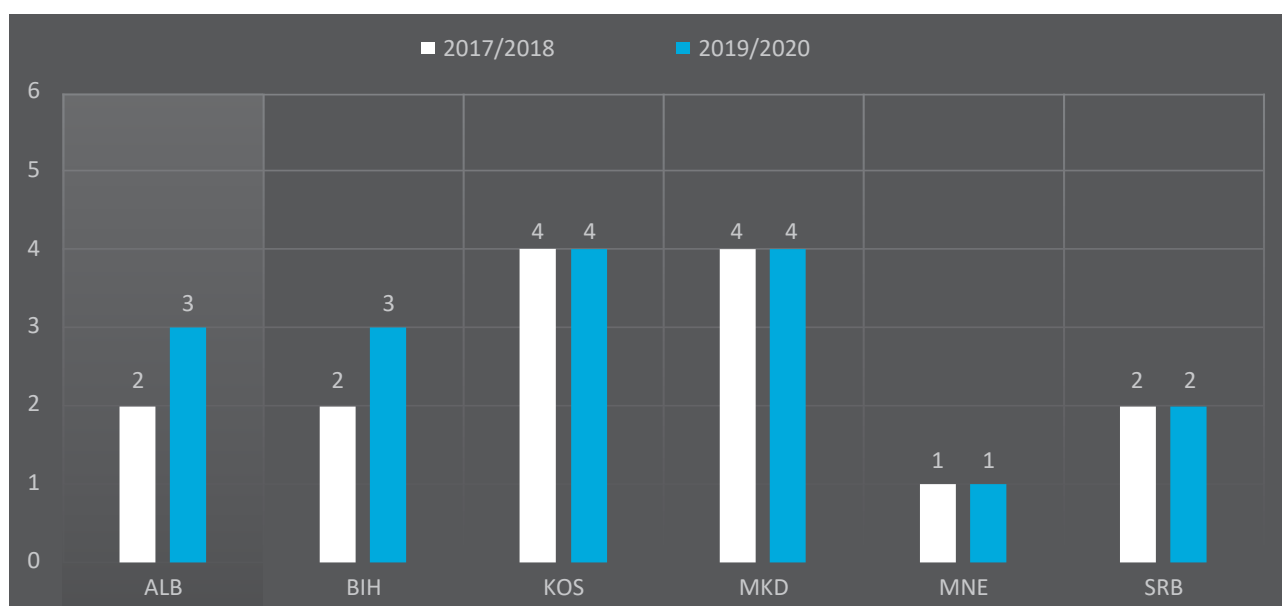
Expenditures in the mid-year report are categorized based on economic, organizational, and functional domains. Economic expenditures include salaries, social protection, subsidies, local government transfers, and interest payments. Organizational expenditures include all the ministries, the prosecution, courts, vetting institutions, the President, and the Assembly. Functional expenditures cover energy, housing, education, agriculture and rural development, healthcare, transportation, tourism, and environment. Nevertheless, functional expenditures tend to be reported under the expenditures of relevant ministries. The reports include a review of macroeconomic indicators, outline future expectations, and provide data and general information on revenues and expenditures.¹⁹⁸

The annual report for the year 2019 contains all three expenditure classifications. The report follows a structure that is similar to the mid-year report, but provides more comprehensive data on functional expenditures that are not limited to energy and housing, but include environment, healthcare, defense, public safety and education.

The budget implementation report for the year 2019 includes also non-financial indicators that evaluate the performance of the government under chapter 4.4 “Treguesit kryesorë të performancës sipas ministrive të linjës” (Key performance indicators by line ministries). This section outlines the policy objectives that have been met for each of the ministries. For example, increases in the number of secondary education or number of farmers who have benefited from various financing schemes designed to stimulate production and employment. In addition to this good practice – i.e. the inclusion of performance indicators – the Ministry has been publishing annual citizen budgets since 2016¹⁹⁹, which provide a general overview of government priorities and expenditures. Budgetary data is also published in open data format (.xls).²⁰⁰

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Graph 20: Indicator PFM P511: Transparency and accessibility of budgetary documents



197 Ministry of Finance and Economy, “Statistika fiskale mujore”, <https://www.financa.gov.al/statistika-fiskale-mujore/>.

198 See for example, Ministry of Finance and Economy, “Buxheti 2020”, <https://www.financa.gov.al/buxheti-2020/>.

199 Ministry of Finance and Economy, “Buxheti i qytetarit”, <https://www.financa.gov.al/buxheti-i-qytetarit-2/>.

200 Ministry of Finance and Economy, “Statistika fiskale mujore”.

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

Table 21. WeBER indicator PFM P6_P8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny

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	2/2
CHU proactively engages with the public	0/2
The Parliament regularly deliberates on/reviews the consolidated report on PIFC	0/2
Total score	6/12
Indicator value (scale 0 – 5)²⁰¹	2

This indicator measures the availability of public internal financial control (PIFC) reports and relevant parliamentary discussion held on the findings of such reports. The MFE regularly publishes PIFC reports.²⁰² They include (1) performance evaluation of government units, (2) financial management and control, (3) evaluation of the implementation of the principles of internal control, (4) support by the MFE on the development of internal control system, and (5) development of internal auditing in the public sector.

The PIFC reports include 18 performance indicators, three of which are related to internal financial control. They measure the effectiveness of financial control mechanisms, the quality of internal financial reports submitted to the MFE (Central Harmonization Unit), and whether the action plan for the establishment of the internal financial control system is satisfactory.²⁰³ These measurements are predominantly conducted through a self-assessment questionnaire completed by public institutions.

Despite the comprehensive PIFC reports and the inclusion of evaluation of internal audit reports of selected public institutions, there have been no reviews of internal audit reports published separately as per the methodology. Nevertheless, some of the shortcomings highlighted include:

1. the absence of rights, obligations, and restrictions of internal auditors;
2. internal audit report structure does not follow professional standards and recommendations are unclear;
3. monitoring of the implementation of recommendations is ineffective whilst the implementation rate is low.²⁰⁴

201 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..

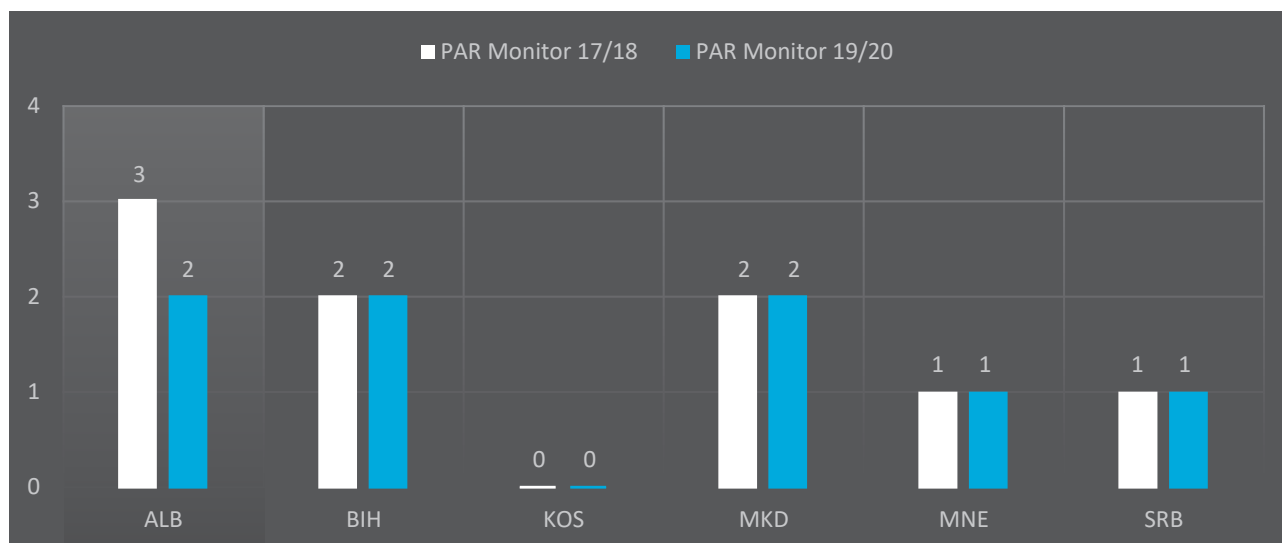
202 Ministry of Finance and Economy, "Raportet vjetore", <https://www.financa.gov.al/raportet-vjetore/>.

203 General Directorate of Harmonization of Public Internal Financial Control, Report on the Functioning of the Public Internal Financial Control System in General Government Units for 2019 (Tirana: Ministry of Finance and Economy, 2020), 19-20, <https://www.financa.gov.al/raportet-vjetore/>.

204 General Directorate of Harmonization of Public Internal Financial Control, Report on the Functioning of the Public Internal Financial Control System in General Government Units for 2019, 64.

■ How does Albania do in regional terms?

Graph 21: Indicator PFM P6_P8 I1: Public availability of information on public internal financial controls and the parliamentary scrutiny



PRINCIPLE 11: THERE IS CENTRAL INSTITUTIONAL AND ADMINISTRATIVE CAPACITY TO DEVELOP, IMPLEMENT AND MONITOR PROCUREMENT POLICY EFFECTIVELY AND EFFICIENTLY

PRINCIPLE 13: PUBLIC PROCUREMENT OPERATIONS COMPLY WITH BASIC PRINCIPLES OF EQUAL TREATMENT, NON-DISCRIMINATION, PROPORTIONALITY AND TRANSPARENCY, WHILE ENSURING THE MOST EFFICIENT USE OF PUBLIC FUNDS AND MAKING BEST USE OF MODERN PROCUREMENT TECHNIQUES AND METHODS

Table 22. WeBER indicator PFM P11_13 I1: Availability of public procurement related information to the public

Indicator elements	Scores
Central procurement authority regularly reports to the public on implementation of overall public procurement policy	4/4
Central review body regularly reports to the public on procedures for protection of rights of bidders in public procurement	4/4
Reporting on public procurement is by the central procurement is citizen-friendly and accessible	2/2
Public procurement portal is user-friendly	2/2
Central-level contracting authorities regularly publish annual procurement plans	0/4
Central-level contracting authorities regularly publish annual procurement reports	0/4
Central procurement authority publishes open procurement data	0/2
Open and competitive procedures are the main method of public procurement	4/4
Total score	16/26
Indicator value (scale 0 – 5)²⁰⁵	3

205 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.

Public procurement policy is regulated by the Public Procurement Agency. The Agency publishes regularly annual reports on the implementation of public procurement policy.²⁰⁶ The reports include (1) statistical data on procurement, (2) legal initiatives, (3) consultative actions (requests for opinion submitted by government institutions), (4) verification and enforcement mechanisms, (5) publication of decisions, (6) court cases, (7) international cooperation, (8) coordination and assistance on implementation of contracts, (9) data management and publication, (10) human resources and financial management. Agency reports are the main source of information on public procurement since line ministries do not typically publish procurement plans and implementation reports. The reports produced by the Agency provide extensive data, but they are not provided in an open data format, which would enable researchers and academics to analyze it. Furthermore, the annual reports do not include assessments and performance of procurement policy. They do, however, include statistics on the competitiveness of the process and the amount of taxpayer money saved for each procurement procedure used.

The Public Procurement Commission is the central review body for procurement complaints. The Commission publishes annual reports on its work that include a section on its own organization and functioning and financial performance, as well as a section on the administration of the complaints.²⁰⁷

Public procurement is conducted centrally through e-procurement. The procurement calls and tender documentation can be accessed free of charge on the e-procurement portal²⁰⁸, while procurement decisions are published in the Public Procurement Agency bulletins.²⁰⁹

Open procedures and proposal requests are the main procedures used for public procurement. While open procurement procedures are unrestricted, proposal requests are not open but are competitive. Proposal requests are proposals submitted by an economic operator for a public service or work. The government then decides to have an open call for the same public service or public works proposed. Although this tendering process is not technically initiated by the government, the call must – nevertheless – be open to all interested economic operators.

For 2019, the share of open procedures and proposal requests is 98.7% (60.4% of which are proposal requests)²¹⁰; for 2018, the share of open procedures and proposal requests is 97.3% (57.3% of which are proposal requests)²¹¹; for 2017, the share of open and competitive procedures is 98.0 % (62% of which are proposal requests)²¹².

Proposal requests do meet formal requirements for open procurement procedures; however, from the proposal to the tendering process and the contract award, the process is exposed to significant corruption risks. The in new public procurement law, Law no. 162/2020 “On public procurement”, approved in August 2020, the proposal requests provision has been omitted.²¹³ Despite this amendment, the largest share of procurement procedures for 2020 continued to be proposal requests (60% of all procedures).²¹⁴ Since the new law was in effect for part of 2020, the 2021 would be a better source to measure its impact on public procurement policy.

206 Public Procurement Agency, “Annual analysis”, <http://www.app.gov.al/rreth-nesh/analizat-vjetore/>.

207 Public Procurement Commission, “Raportet ndër vite”, <http://www.kpp.gov.al/en/Raporte>.

208 Public Procurement Agency, “Njoftim i kontratës së shpallur”, <https://bit.ly/3niqt4>.

209 Public Procurement Agency, “Arkivi i buletinit të prokurimit publik”, <http://www.app.gov.al/t%C3%AB-tjera/arkiva/arkiva-e-buletinit-t%C3%AB-prokurimit-publik/>.

210 Public Procurement Agency, 2019 Annual Report (Tirana: Public Procurement Agency, 2020), 16, <https://bit.ly/3gwfQBh>.

211 Public Procurement Agency, 2018 Annual Report (Tirana: Public Procurement Agency, 2019), 15, <https://bit.ly/3vhS3Jp>.

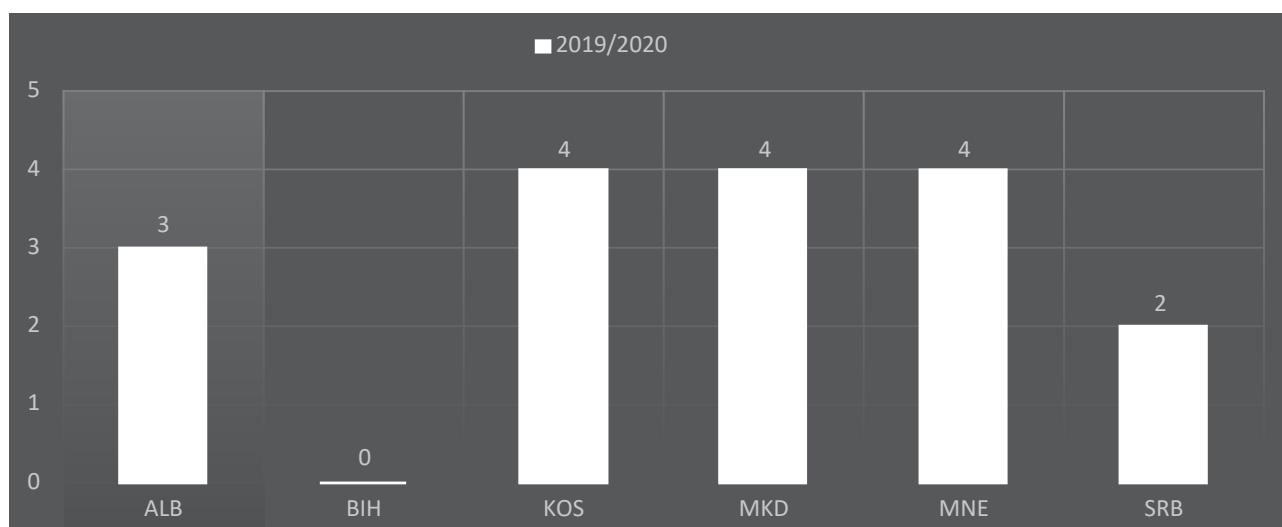
212 Public Procurement Agency, 2017 Annual Report (Tirana: Public Procurement Agency, 2018), 13, <https://bit.ly/2QP4A8y>.

213 Law no. 162/2020 “On public procurement”, <https://bit.ly/3dL19bL>.

214 Public Procurement Agency, 2020 Annual Report (Tirana: Public Procurement Agency, 2021), 18, <https://bit.ly/32EuvCo>.

■ How does Albania do in regional terms?

Graph 22: Indicator PFM P11_13 I1: Availability of public procurement related information to the public



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

Table 23. WeBER indicator PFM P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work

Indicator elements	Scores
SAI develops a communication strategy for reaching out to the public	2/4
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)	2/2
SAI consults CSOs and their work for the purpose of identifying risks in the public sector	0/2
Total score	10/18
Indicator value (scale 0 – 5)²¹⁵	3

215 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..

The ALSAI communication strategy expired in 2019. Nevertheless, its Development Strategy is effective until 2022, and does include communication objectives that seeks to bring the institution's mission, responsibilities, and findings closer to the public through public meetings.²¹⁶ ALSAI seeks to increase communication with the public through media and its own website, and by developing partnerships with civil society organizations, higher education institutions, and field experts, but the institution does not consult CSOs as part of its strategy to identify financial risks in the public sector.²¹⁷

The mission of ALSAI's Directorate of Communication, Publishing and External Relations is to enhance the communication capacities and publications of the ALSAI, providing transparency in public relations through broad cooperation with the media and other partners. The Directorate is also the unit responsible for the following and reporting on the implementation of the Communication Strategy. ALSAI has dedicated at least one staff position for communication and provision of feedback towards the public, the "Specialist in charge of communication and letters of the public" who is in charge of processing the letters and follow-up on the comments, inquiries, or complaints from the public.²¹⁸

ALSAI reports annually on the processing of complaints and information requests in its performance report. In the section on the processing of citizen letters and request for information (Trajtimi i letrave të qytetarëve dhe kërkesave për informim), it outlines its actions upon receiving such appeals.²¹⁹ After the complaints are examined they are categorized into complaints (or other appeals) for which ALSAI is legally responsible and appeals for which other institutions are responsible. If the appeals fall under the second category, they are forwarded to the relevant institutions to respond to the issue presented. Meanwhile, the person who submitted the complaint is notified of the action taken by ALSAI and receives a response as soon as it is delivered to ALSAI by the relevant institution. In the 2019 Annual Performance Report, ALSAI provides the following distribution of complaints received:

1. Privatization and restitution of property – 37%;
2. Public finance management and public procurement – 21%;
3. Taxation and customs – 4%;
4. Other topics – 38%.²²⁰

In addition to processing letters from the public, ALSAI engages the public periodically through the newsletters on its auditing work and organizes a month-long event of conferences and lectures to promote its activities.

While public engagement to promote ALSAI's work contributes to the public's understanding of its role and importance, the bulk of its work – audit reports – are not user-friendly. Audit reports are typically supplemented by a summary of the findings and the recommendations. The summaries are easier to follow and read than the audit report, but they could be more concise by highlighting the purpose of the audit and the key findings and recommendations.

216 ALSAI, Development Strategy of State Audit Institution 2018-2022, 51-52, http://www.klsh.org.al/web/strategjia_zhvillimit_klsh_2018_2022_2_opt_4004.pdf.

217 Information provided by ALSAI on 07 January 2021 in response to an FOI request.

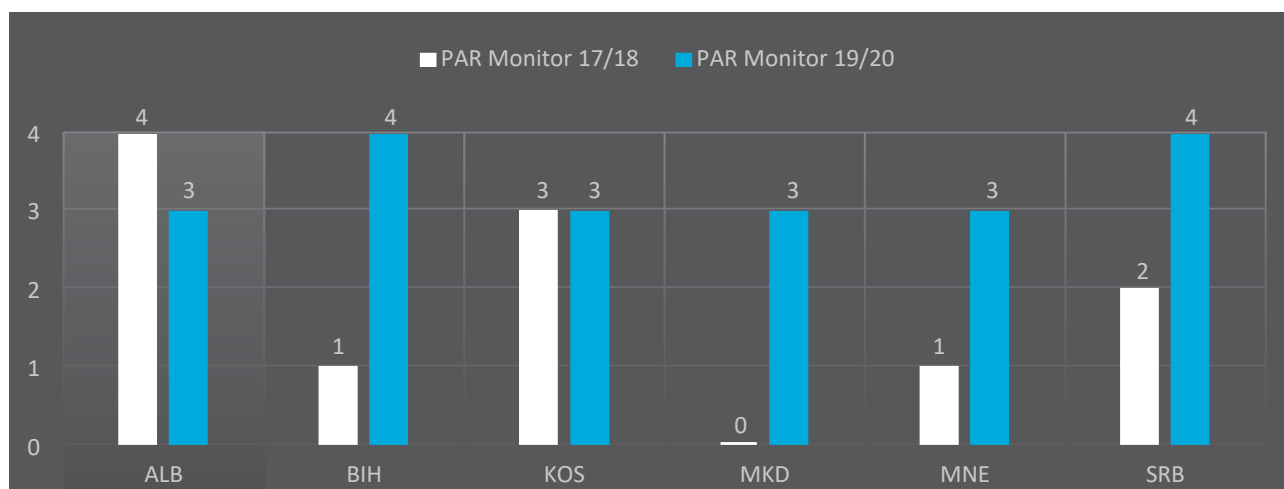
218 ALSAI, Internal Regulation on the Organisation and Functioning of the State Audit Institution, 94, http://www.klsh.org.al/web/rregullore_e_brendshme_e_organizimit_dhe_funksionimit_administrativ_te_klsh_1894.pdf.

219 ALSAI, 2019 Annual Performance Report (Tiranë: ALSAI, 2020), 88, http://www.klsh.org.al/web/raporti_vjetor_j_performances_2019_30_04_2020_5671.pdf.

220 ALSAI, 2019 Annual Performance Report, 88.

■ How does Albania do in regional terms?

Graph 23: Indicator PFM P16 I1: Supreme Audit Institution's communication and cooperation with the public pertaining to its work



VII.4 SUMMARY RESULTS: PUBLIC FINANCE MANAGEMENT

The purpose of a transparent public finance management system is to provide the public with relevant information on government expenditures and their outcomes. This information contributes towards an inclusive decision-making process through which the public can provide feedback on the outcomes of particular investments and on financial and corruption risks associated with public expenditures.

While budget reporting shows moderate improvements, publication of PIFC reports, public procurement reports, and ALSAI's public engagement need to further improve. Budget reporting is moderately comprehensive. It provides the public with basic information on revenues and expenditures. Out of the three reporting formats (in-year, mid-year, and year-end), the year-end reporting is the most comprehensive; however, important information on sectoral performance information on strategic sectors, such as energy, mining, and infrastructure, is not provided. The reports do provide some information on the implementation of specific budget items of the Ministry of Infrastructure and Energy, but not as part of a separate sectoral assessment.

The public would be better able to assess the performance of these and other sectors if up-to-date public procurement reports would be regularly published by line ministries. During the measurement period – December 2020 – none of the ministries had published updated reports while the majority had not published any reports at all. During the writing of this report, we noticed a positive development compared to the measurement period – namely, the publication by the Ministry of Defense of its implementation procurement report for 2020²²¹ and its plans for 2021²²². Publication of these documents is also a legal requirement under the Law on the Right to Information, which includes provisions that authorize the IDP Commissioner to fine public authorities if they fail to fulfil legal obligations under the Transparency Program.²²³

Internal and external financial controls are central to the prevention of waste, fraud, and abuse of public funds. Despite the issues identified in the PIFC reports, they have not been discussed in the Assembly. Parliamentary deliberation on internal financial controls is a critical function of the Assembly's duty to exercise effective oversight over government spending. Similarly, ALSAI has an important function to hold the executive accountable through its auditing. Although its audit reports can be found online, ALSAI could further improve the communication of the main report findings to the public to shorter and more concise summaries. Furthermore, a more proactive approach towards engaging CSOs in discussing financial risks in the public sector could improve its own work by gaining further insight and information.

221 Ministry of Defense, https://www.mod.gov.al/images/te_tjera_nga_mm/prokurime/2021/realizimi-2020.pdf.

222 Ministry of Defense, https://www.mod.gov.al/images/te_tjera_nga_mm/prokurime/2021/parashikime-2021.pdf.

223 The Transparency Program outlines the categories of information and documents that must be published.

VII.5 RECOMMENDATIONS FOR PUBLIC FINANCE MANAGEMENT

Tracking recommendations from PAR Monitor 2017/2018

Recommendation	Status	Comment
In-year budget reporting should include commentaries to accompany numerical data, particularly through providing explanations of significant divergences between actual and forecast amounts.	Not implemented	In-year budget reporting includes only statistical data.
Mid-year and Year-end reporting should be more comprehensive through classifying expenditures apart from economic categories also by functional and organisational categories.	Implemented	Mid-year and year-end budget execution reports include functional and organization categories.
Year-end report budget report should mirror the presentation format of the annual budget proposal.	Implemented	The 2019 year-end budget report mirrors the sections outlined in the approved budget law and its respective annexes on revenues and expenditures.
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).	Partially implemented	Annual year-end report include non-financial indicators (Treguesit e Performancës) of the government.
Ministry of Finance and Economy should facilitate better access to budgetary documents by 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).	Not implemented	There have been no changes since the last monitoring cycle.
Ministry of Finance and Economy should publish all budget data in line with the open data standards – accessible and machine-readable.	Implemented	Budgetary data is published in open data format (.xls) by the Ministry of Economy.
Ministry of Finance and Economy should regularly produce and publish online quality reviews of internal audit reports.	Not implemented	There have been no changes since the last monitoring cycle.
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.	Not implemented	Ministries fail to provide information on their internal public financial control mechanisms.
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.	Not implemented	There have been no changes since the last monitoring cycle.
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.	Not implemented	There have been no changes since the last monitoring cycle.
SAI should consider expanding the use of citizen-friendly tools for effectively communicating its work, including infographics, videos, and data visualisation.	Not implemented	There have been no changes since the last monitoring cycle.
SAI should closely monitor the implementation of its Communication Strategy.	Implemented	The 2019 performance report includes information on the implementation of the communication strategy.

■ PAR Monitor 2019/2020 recommendations

The following are a combination of old and new recommendations. The recommendations from the previous monitoring cycle have been further detailed, whilst the new recommendations seek to address certain issues that had not been in the previous cycle.

1. Budget information ought to be organized separately from the rest of the documents to be found under the “Legislation” tab on the website of the Ministry of Finance and Economy. The documents can be presented in a user-friendly manner by including short explanations on the content that is to be found in the document.
2. In-year budget reporting should include short commentaries to explain the budgetary data, particularly divergences between forecasted and actual figures.
3. Budgetary information under economic, organizational, and functional expenditures need to be better explained and distinguished from each other – particularly the latter two.
4. The year-end report should include a methodology to explain the rationale for the performance indicators chosen, and establish a clear link between policy objectives and outcomes.
5. The Ministry of Finance and Economy should regularly publish online quality reviews of internal audit, separately from PIFC reports.
6. Ministries should publish updated and comprehensive information related to financial management and control within their organization, including responsible persons for implementing PIFC, internal procedures, and information on risk management.
7. The Ministry of Finance and Economy should have the power to fine public institutions that consistently fail to meet legal obligations recommendations issued to improve their institution’s PIFC system under the Law on Financial Management and Control.
8. The Central Harmonization Unit at the Ministry of Finance and Economy should also work towards its external communication, by publishing materials explaining PIFC activities and report findings to the public.
9. Central-level contracting authorities must publish procurement plans and reports in accordance with the Law on the Right to Information, while the Public Procurement Agency should publish procurement data in an open data format.
10. SAI should introduce standardized citizen-friendly summaries for each published audit report in order to increase understanding of SAI’s findings and recommendations.
11. SAI should consider expanding the use of citizen-friendly tools for effectively communicating its work, including infographics, videos, and data visualization.
12. The parliamentary Committee on Economy and Finance must effectively exercise its oversight duties by holding the Ministry of Finance and Economy accountable for an efficient public internal financial control regime.

CONCLUSION: BRINGING PAR TO THE FOREFRONT OF THE REFORM AGENDA

The findings of this report highlight both the need to achieve high standards of transparency, accountability, and inclusiveness in the policymaking process and the technical complexity and inter-institutional coordination needed to achieve them. The reform of the public administration is an extremely challenging endeavour which impacts every aspect of public life. It thus requires greater societal involvement and demand for high standards throughout the policy cycle of the different reform initiatives: from agenda setting and policy design to policy implementation and the monitoring and evaluation of its outcomes and overall impact.

This report focused only on some of the functions of some central government institutions. Although it did not evaluate more broadly and in detail the inner workings and challenges of the state administration, the findings and recommendations can be used by the Albanian government and international donors to improve the effectiveness of their efforts. Together with the SIGMA reports on public administration reform, a wealth of data has been produced to chart the development and outcomes of the reform effort, as well as to identify good practices and continue building on them whilst simultaneously identifying the challenges and needs to be addressed to improve the impact of the reform.

There is a clear and steadfast commitment towards digitalization and improvement of service delivery. Furthermore, state budget reporting practices have improved and the institutions to ensure government transparency (IDP Commissioner) and oversee the civil service (COCS) are producing important reports on the challenges of public administration and have been instrumental to set basic standards of transparency and accountability. The latest effort of the Albanian government to streamline government planning through IPSIS indicate the government's commitment to PAR. Despite these positive outcomes, important challenges related to accountability, transparency, and – most importantly – performance still remain. The policymaking process needs to be not only more transparent and inclusive but also evidence-based. These are essential pre-conditions for effective and performance-driven policymaking.

Reform efforts should be focused on improving the current policymaking and coordination structures and on strengthening the performance of the civil service. To improve the policymaking and coordination structures, a thorough assessment of the current processes should be conducted to identify not only legal and procedural but also institutional challenges that stall the performance of central government institutions. Some of the challenges that ought to be further investigated include the relationship between elected officials and civil servants, the professional independence of civil servants, the policy expertise of civil servants, inter-departmental cooperation and coordination within line ministries (including Sectoral Steering Committees), the effectiveness of inter-ministerial working groups (including Integrated Policy Management Groups).

Additionally, the important milestones that have been achieved in the civil service recruitment and appointment system should be further strengthened through a comprehensive career system that integrates clear training, promotion, and salary criteria for each civil service category and sub-category. Such a system would substantially improve the performance of the civil service by increasing professional standards, and

would lead to policies that are well-formulated and evidence-based, inclusive and transparent, and which seek the best possible public outcomes.

Similarly, service delivery policy should be focused on ensuring equitable access to government services. This is a fundamental challenge that is related to geographical and socioeconomic inequalities, the need to improve internet literacy and broadband access and to integrate the needs of persons with disabilities. Consequently, inter-institutional coordination, public consultation, and data collection are essential to overcome them and ensure that service delivery policy is well-designed and aims to equitably distribute public services.

Finally, public administration reform in Albania ought to be addressed with the same effort as the rule of law reform by the international donor community and Albanian government institutions and civil society. The EU accession process and the conditionality criteria have been focused – particularly in the recent five years – on progress on Chapter 23 and 24 of the EU acquis. Public administration reform, which is also one of the fundamental criteria for accession, has been relatively neglected. However, these two reform processes are closely inter-related because the politicization of the public administration, arbitrary decision-making by eschewing transparency and accountability, and mismanagement of public funds lead eventually to civil and administrative disputes that have the potential to further overwhelm the court system beyond its current limited capacities and the insurmountable cases that are awaiting trial. Investing more resources on PAR would not only improve the performance of the public administration but it would also alleviate – to a certain extent – future burdens on the post-reform justice system that is still being shaped. Admittedly, in the short term it would be rather negligible, but in the long term it would provide substantive improvements to quality of life through a public administration that is more efficient and a justice system that is not overburdened.

METHODOLOGY

APPENDIX

The PAR Monitor methodology was developed by the WeBER research team and was thoroughly consulted among the WeBER expert associates. In accordance with the methodological changes described in this report, methodology is based on 22 SIGMA Principles (as opposed to 21 in the baseline monitoring cycle), and 23 compound indicators are used to monitor these principles within six key areas of PAR.

The PAR Monitor methodology document provides details on the overall approach of the WeBER monitoring, the process of methodology development, the selection of the principles that the WeBER project monitors and the formulations of indicators with descriptions of methodological approaches. Detailed information for the measurement of each indicator is provided in separate indicator tables. Each indicator table contains the following: formulation, weight, data sources, methodology/description what a given element measures and how, and point allocation rules. Finally, each indicator table provides the conversion table for turning the scores from all elements into the final indicator values on the scale from 0 to 5.

PAR Monitor Methodology, and indicator tables are available on the following link: <https://www.par-monitor.org/par-monitor-methodology/>.

The data from all six individual administrations are used and compared. These data were collected through the following methods:

- Focus groups
- Interviews with stakeholders
- Public perception survey
- Survey of civil servants
- Survey of civil society organisations
- Analysis of official documentation, data, and official websites
- Requests for free access to information.

FOCUS GROUPS

Focus groups were conducted for collecting qualitative inputs from stakeholders for certain indicators. Focus group data are most often used to complement or corroborate data collected by other research tools. More specifically, the PAR monitor methodology anticipated focus groups for:

- Strategic Framework for PAR, with civil society organisations (for indicators SFPAR_P1_I1, SFPAR_P2&4_I1)
- Policy Development and Coordination, with civil society organisations (covering PDC_P5_I2, PDC_P6_I1, PDC_P10_I1, PDC_P11_I1)
- Public Service and Human Resource Management, with former candidates who previously applied for a job in central state administration bodies (for indicator PSHRM_P3_I1)
- Accountability, with civil society organisations (for indicator ACC_P2_I1), and
- Service Delivery, with civil society organisations specifically dealing with accessibility issues, vulnerable groups, and persons with disabilities (for indicator SD_P4_I1).

The selection of participants was based on purposive non-probability sampling which targeted CSOs, or other target groups, with expert knowledge on the issue in question. Following focus groups were held:

Table 24: Focus groups

Focus group	Location of CSOs	PAR area
Focus group no. 1	6 local CSOs	Service Delivery
Focus group no. 2	7 local and national (Tirana-based) CSOs	Service Delivery and Policy Development and Coordination
Focus group no. 3	5 local and national (Tirana-based) CSOs	Policy Development and Coordination

INTERVIEWS WITH STAKEHOLDERS

Interviews were conducted to collect qualitative inputs from stakeholders on monitored areas. Similar to focus groups, interviews were largely used to complement and verify data collected by other methods. Due to constraints posed by the outbreak of the COVID-19 pandemic, interviews have in certain cases substituted focus groups as data sources.

Interviews were semi-structured, composed of a set of open-ended questions which allowed for a discussion with interviewees and on-the-spot sub-questions. Selection of interviewees was based on purposive, non-probability sampling and targeted experts relevant for a given thematic area.

Overall, a total of 9 interviews were held during the monitoring period. Interviewees were given a full anonymity in terms of any personal information, in order to ensure higher response rate and facilitate open exchange.

Table 25: Interviews

Interviewees (number of interviews)	PAR Area
Representatives of DoPA (3)	Public Service and Human Resource Management
Former civil service candidate (4)	Public Service and Human Resource Management
Senior civil servant (1)	Public Service and Human Resource Management
Representative of SAI (1)	Public Finance Management

PUBLIC PERCEPTION SURVEY

The public perception survey is based on a questionnaire targeting the general public (18+ permanent residents) in the Albania. The survey was conducted through computer-assisted telephone interviewing (CATI) in combination with computer assisted web interviewing (CAWI), using a three-stage random representative stratified sampling (primary sampling unit, polling station territories, secondary sampling unit: households, tertiary sampling unit: household member). The survey was conducted during 10 May – 30 May 2020. The margin of error for a sample of 1007 citizens is $\pm 3.14\%$, at the 95% confidence level. Below are the demographic data of the sample:

Table 26. Public perception survey sample data

Category	Sub-category	N	Percentage
Household's present income	Living comfortably on present income	49	4.87
	Coping on present income	367	36.44
	Finding it difficult on present income	340	33.76
	Finding it very difficult on present income	251	24.93
Area	Urban	566	56.21
	Rural	441	43.79
Region	North	179	17.78
	Central	508	50.45
	South	320	31.78
Gender	Male	500	49.65
	Female	507	50.35
Age	18-29	260	25.82
	30-44	254	25.22
	45-60	303	30.09
	> 60	190	18.87
Education	Primary or less	487	48.36
	Secondary	363	36.05
	College or University	157	15.59
Employment status	In paid work	461	45.78
	Unemployed	280	27.81
	Other	266	26.42

SURVEY OF CIVIL SERVANTS

Civil servants survey was implemented based on a unified questionnaire targeting civil servants working in the central state administrations of Albania. The questionnaire covered five main sections: recruitment of civil servants, temporary engagements in the administration, status of senior civil servants, salary/remuneration and integrity and anti-corruption. Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform.

975 civil servants participated in the survey, which was conducted between 15 July and 4 August 2020.

Table 27. Civil servant survey sample data

Category	N	Percentage
Civil service position		
Senior civil service manager – head of authority	22	2.26
Mid-level civil servant	59	6.05
Low-level civil servant	159	16.31
Executive-level civil servant	466	47.79
Other	21	2.15
Did not answer	248	25.44
State administration institution		
Ministry	239	24.51
Subordinate agency	257	26.36
Prime Minister's Office	8	0.82
County administration	32	3.28
Other	191	19.59
Did not answer	248	25.44
Gender		
Male	318	32.62
Female	364	37.33
Do not answer	293	30.05
Years working in the administration		
Mean= 15.3 years; Range= 0-41 years		
Sector worked before joining the administration		
Local or regional administration	95	9.74
Other branch of power	19	1.95
Public services	114	11.69

International organisation	10	1.03
Non-governmental organisation	19	1.95
Media	7	0.72
Private sector	268	27.49
This was my first job	93	9.54
Other	102	10.46
Did not answer	248	25.44

Table 28. Margin of error (MoE) per question at the 95% confidence level

Question	MoE range
Civil servants in my institution are recruited on the basis of qualifications and skills	3.62-3.76
In the recruitment procedure for civil servants in my institution all candidates are treated equally (regardless of gender, ethnicity, or another personal trait which could be basis for unfair discrimination)	3.85-3.99
To get a civil service job in my institution, one needs to have connections	2.62-2.79
Hiring of individuals on a temporary basis (on fixed-term, service and other temporary contracts) is an exception in my institution	2.99-3.14
Individuals who are hired on a temporary basis perform tasks which should normally be performed by civil servants	3.19-3.41
Such contracts get extended to more than one year	2.18-2.34
When people are hired on a temporary basis, they are selected based on qualifications and skills	3.53-3.71
Individuals hired on a temporary basis go on to become civil servants after their temporary engagements	2.77-2.92
The formal rules for hiring people on a temporary basis are applied in practice	3.65-3.82
Procedures for appointing senior civil servants ensure that the best candidates get the jobs in my institution	3.41-3.57
In my institution, senior civil servants would implement illegal actions if political superiors asked them to do so	2.89-3.12
Senior civil servants can reject an illegal order from a minister or another political superior, without endangering their position	3.27-3.42
Senior civil service positions are subject of political agreements and "divisions of the cake" among the ruling political parties	2.51-2.67
Senior civil servants are at least in part appointed thanks to political support	2.74-2.93
In my institution, senior civil servants participate in electoral campaigns of political parties during elections	2.02-2.21
In my institution senior civil servants get dismissed for political motives	2.20-2.38
Formal rules and criteria for dismissing senior civil servants are properly applied in practice	3.67-3.84
In my institution, bonuses or increases in pay grades are used by managers only to stimulate or reward performance	2.57-2.74
In my institution, political and personal connections help employees to receive bonuses or increases in pay grades	1.90-2.08
Integrity and anti-corruption measures in place in my institution are effective in achieving their purpose	3.68-3.80

Integrity and anti-corruption measures in place in my institution are impartial (meaning, applied to all civil servants in the same way)	3.59-3.73
If I were to become a whistle-blower, I would feel protected	2.67-2.82
How important do you think it is that the civil society organisations (NGOs) monitor public administration reform	2.51-2.67
How important do you think it is that the public (citizens) perceive the administration as depoliticised	1.30-1.41

SURVEY OF CIVIL SOCIETY ORGANISATIONS

CSO survey results are based on a standardized questionnaire targeting representatives of CSOs working in Albania. The questionnaire included nine sections covering:

1. CSOs' involvement in evidence-based policy-making,
2. Participation in policy- and decision-making,
3. Exercising the right to free access of information,
4. Transparency of decision-making processes,
5. Accessibility and availability of legislation and explanatory materials,
6. CSO's perceptions on government's planning, monitoring and reporting on its work,
7. Effectiveness of mechanisms for protecting the right to good administration,
8. Integrity of public administration, and
9. The accessibility of administrative services.

Data collection was conducted using a self-administered questionnaire on SurveyMonkey platform. 81 CSOs participated in the survey, which was conducted between 24 June and 29 July 2020.

Table 29. CSO survey sample data

Category	N	Percentage
Type of organization		
Policy research/Think-tank	20	24.10
Watchdog	15	18.07
Advocacy	37	44.58
Service provider	32	38.55
Grassroots	28	33.73
Other	15	18.07
Area of operation		
Governance and democracy	42	50.60
Rule of law	18	21.69
Human rights	41	49.40
Public administration reform	12	14.46
European integration	22	26.51
Gender issues	25	30.12
Children and youth	31	37.35

Environment and sustainable development	40	48.19
Education	27	32.53
Culture	18	21.69
Health	10	12.05
Media	12	14.46
Economic development	26	31.33
Civil society development	31	37.35
Social services	30	36.14
Other	14	16.87

Year of registration of the CSO

Mean= 2005; Range=1990-2020

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Position of the respondent in the organisation*

Senior-level management	53	63.86
Mid-level management	4	4.82
Senior non-management	4	4.82
Mid-level non-management	1	1.20
Other	27	32.53

Years working with the organisation

Mean= 10.5 years; Range=0-28 years

ANALYSIS OF OFFICIAL DOCUMENTATION, DATA, AND OFFICIAL WEBSITES

Monitoring heavily relied on the analysis of official documents publicly available on the websites of the administration bodies. The analysed documents include:

- legislation (laws and bylaws)
- policy documents (strategies, programmes, plans, action plans, etc.)
- official reports (implementation reports, public consultation reports etc.)
- analytical documents (impact assessments, explanatory memorandums to legislation, policy concepts, policy evaluations etc.)
- individual legal acts (decisions, conclusions etc.)
- other documents (agendas, meeting minutes and reports, announcements, guidelines, directives, memorandums etc.).

Additionally, official websites of public authorities were used as sources of data and documents for all indicators, except for the ones completely based on survey data. In certain cases, the websites of public authorities were closely scrutinised as they were the key sources of information and units of analysis..

REQUESTS FOR FREE ACCESS TO INFORMATION (FOI)

The PAR monitor methodology relies on publicly available data. Researchers sent FOI requests only in cases where methodology asks for certain institutional practices that could not easily be covered by online available data. Therefore, when an indicator did require information available online, FOI requests were not sent.

That said, the researchers widely used FOI requests as a data collection tool in the following three areas:

1. Policy Development and Coordination (indicators PDC_P6_I1, PDC_P10_I1)
2. Public Service and Human Resource Management (PSHRM_P3_I1, PSHRM_P2_I1)
3. Accountability (ACC_P2_I2).

In certain cases, additional FOI requests were sent for data and information needed in other PAR areas analysed and their indicators, with a total of 19 FOI requests sent.

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