Independent Reporting Mechanism (IRM): Albania Progress Report 2016 - 2017

Gjergji Vurmo, Independent Researcher

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Executive Summary: Albania

Independent Reporting Mechanism (IRM) Progress Report 2016-17

Albania's third national action plan addressed issues ranging from access to information, open contracting, and whistleblower protection. However, less than half of the commitments are clearly relevant to OGP values and only one commitment has transformative potential impact. Going forward, it is important that the government align its OGP priorities with EU accession reforms and prioritize commitments, such as transparency of public procurement, disclosure of assets of public officials, and

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. Albania began participating in OGP in 2011. The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each country that participates in OGP.

The Minister of State for Innovation and Public Administration (MSIPA) was the leading office responsible for Albania's OGP commitments. MSIPA had no legal power to enforce changes on other agencies within the government, and its ability to compel subnational authorities was limited. MSIPA no longer exists after the change in government in September 2017. The new National OGP Coordinator has not been identified.

MSIPA established a Technical Working Group with representatives from each participating institution based on the PM's Order. Although this Order stipulates civil society organizations (CSOs) may participate in meetings, CSOs were not a part of this body in the current action plan. In March 2016, OpenAlb, the multi-stakeholder forum, was founded.

At a Glance:
Member since: 2011
Number of commitments: 17

Level of Completion:
Completed: 35% (6)
Substantial: 24% (4)
Limited: 29% (5)
Not started: 12% (2)

Commitment Emphasis:
Access to
information: 47% (8)
Civic participation: 18% (3)
Public accountability: 6% (1)
Tech & innovation
for transparency &
accountability: 24% (4)

Commitments that are
Clearly relevant to an
OGP value: 41% (7)
Of transformative
potential impact: 6% (1)
Substantially or completely

This report was prepared by Gjergji Vurmo, Independent Researcher

OGP Process

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

MSIPA officials and the Coalition of CSOs for OGP Albania (the CSOs initiating OpenAlb) held several meetings to coordinate the design of the action plan. By April 2016, 42 commitments were proposed by government agencies and CSOs, which were subsequently published for public comment. While some CSO suggestions were considered by the government, MSIPA had the final say in approving the action plan. Out of the 42 proposed commitments, 17 were included, and only four were proposed by CSOs.

The government and CSOs worked together to establish OpenAlb as the multi-stakeholder forum. While OpenAlb played a crucial role in the development of the action plan, it only met once during the implementation period. OpenAlb became inactive after November 2016. In the future it is essential that OpenAlb meet regularly, and establish formal rules of proceedings, membership and reporting.

By the time of writing this report (October 2017), the Government of Albania has not published a self-assessment report.

Commitment Implementation

As part of OGP participation, countries make commitments in a two-year action plan. The Albania action plan contains 17 commitments. Table 1 summarizes each commitment's level of completion and potential impact. Table 2 provides a snapshot of progress for each commitment and recommends next steps. In some cases, similar commitments are grouped and reordered to make reading easier.

Note that the IRM updated the criteria for starred commitments in early 2015 in order to raise the standard for model OGP commitments. Under these criteria, commitments must be highly specific, relevant to OGP values, of transformative potential impact, and substantially completed or complete. Albania received one starred commitment (Commitment 9).

Table 1: Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION			
✪ COMMITMENT IS MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
1. Improve portal for access to information				✔				✔
2. Budget transparency				✔				✔
3. Integrated Registry of Citizens' Housing			✔				✔	
4. Public notification and consultation registry				✔				✔
5. Digital archive			✔				✔	
6. Scientific research database			✔			✔		
7. Publish government legislation online			✔					✔
8. Electronic registry of concessions			✔				✔	
✪9. Implement Whistleblower Protection Law				✔				✔
10. Provision of electronic services			✔					✔
11. Simplify building permit applications			✔					✔
12. Establish digital counters		✔						✔
13. Service passport standardization		✔						✔
14. Citizen Card			✔					✔
15. Pilot e-prescription			✔				✔	
16. Electronic Monitoring System of Forests			✔			✔		
17. Electronic system for professional licensing applications			✔					✔

Table 2: Summary of Progress by Commitment

NAME OF COMMITMENT	RESULTS
1. Improve portal for access to information • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Complete	The lack of a centralized portal for access to information requests poses a challenge to the implementation of the Law on the Right to Information. This commitment incorporates a function in the "ask the state" portal to track information requests, includes a complaints mechanism, and expands the database on transparency programs and contact information for right-to-information coordinators. In 2016, a tracking function that enables interested parties to check the status of their request for information or complaint was added to the portal. The portal also contains up-to-date information on transparency programs and right-to-information coordinators. The IRM researcher found that the number of complaints submitted has increased significantly. Moving forward, the government should ensure administrative actions are taken against responsible persons who violate the law.
2. Budget transparency • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Substantial	This commitment seeks to improve transparency and participation in the budget process by increasing the amount of budget documents published and creating opportunities for citizens to participate in the budget preparation process. The 2016 and 2017 Citizens' budget, a list of public investments, monitoring reports for each ministry, and all documents related to the draft budget were published on the Ministry of Finance website, though the extent to which the information has reached the public is unclear. The consultation did not involve civil society in the budget design procedure. Moving forward, the government should encourage citizen participation and invest efforts in improving the usability of budget information.
3. Integrated Registry of Citizens' Residence • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Limited	In order to properly provide civil services, such as social welfare or obtain vital information on Albanian emigrants for use in state and private institutions, the Ministry of Interior (MoI) aims to create an updated Registry of Citizens' Residence, which will contain all the information about Albanian nationals in one place. This commitment's relevance to OGP values is unclear, as the registry will only be accessible to public officials. In November 2015, the MoI announced the new database and in 2016, the database population system was launched in three pilot municipalities. At the end of the first year of implementation, less than half of citizen entries of residence (600,000) were verified during the pilot stage. To make this commitment relevant to OGP values, the government could include an open data initiative to provide public access to the integrated registry.
4. Public notification and consultation registry • OGP Value Relevance: Clear	To ensure effective implementation of the law and to increase citizens' involvement in decision making, this commitment involves a portal for consultation that is integrated with e-Albania and does not require registration to view draft documents. The new portal

• Potential Impact: Moderate • Completion: Complete	hosting the registry for public notification was launched on time: it is integrated with the e-Albania portal, and includes sections for consultations with citizens and experts. Due to lack of awareness, no feedback from citizens or experts was received through the portal on the first 15 draft laws up for consultation. Moving forward, the government should launch a public campaign to increase public awareness of the portal and develop statutory procedures to govern public engagement.
5. Digital archive • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Limited	The lack of an online state database or digital archive causes difficulties for citizens trying to obtain construction-related documents. This commitment aims to aid compliance with Albania's Digital Agenda by providing access to online services and material. Stakeholders agree that this commitment represents a step forward in improving government services through digitization, however, its relevance to OGP values is unclear as this commitment does not specify if the digital archive is intended for public use. As of September 2017, the leading institution no longer exists, and the only evidence of completion is a CM decision to adopt bylaws to enable the establishment of the digital archive. Moving forward, this commitment should be revised in the next action plan to ensure open, public access to the digital archive by integrating it into the e-Albania portal.
6. Scientific research database • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Not Started	In order to encourage trilateral (public-civic-private) cooperation when developing policies, and to bring Albania closer to the EU standards of open science, this commitment aims to develop, adopt, and promote open standards and to establish legislation that will enable a search portal for government-funded, scientific data and publications. The agency responsible for this commitment's implementation underwent reforms and has faced human resources and infrastructure challenges. The IRM researcher found no progress on implementation. Moving forward, the commitment should be redesigned and tailored to the responsible institution's competences and seek the cooperation of relevant institutions.
7. Publish government legislation online • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	While public access to legislation is legally required, local government legislation is not publicly available in all 61 municipalities and the current system of providing legislation information is inefficient. This commitment specifies that the central ministries publish legislation information on their websites and that local governments publish legislation on vendime.al. The Minister of State for Local Issues was not aware of its responsibility and was unable to offer information on the commitment's completion. 41 of 61 (67 percent) local government units published legislation information in 2017, an increase from 12 LGUs in 2016. Moving forward, the commitment should be redesigned to clearly define institutional responsibility, include

	mechanisms for public consultation when drafting bylaws, and more.
8. Electronic registry of concessions • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	This commitment aims to improve access to information, public oversight, and integrity of institutions involved in managing concessions and public private partnerships (PPPs) by creating an electronic Concessionaire register based on the current Law on Concessions and PPP. The Agency of Concessions Treatment launched the registry at the end of 2016. Only a portion of contracts have been published on the registry, and none in open data format. Moving forward, the registry should publish all contracts in open data format in accordance with OCDS, and further harmonize with EU public procurement rules.
♻9. **Implement Whistleblower Protection Law** • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Complete	This commitment aims to increase reporting on cases of corruption and to protect whistleblowers by implementing the Law "On protection of whistleblowers" in four steps: adopt bylaws, consult with stakeholders, improve capacities of the oversight institution, and raise public awareness about whistleblowing. Bylaws were drafted and adopted after Partners Albania launched a public comment period and carried out public consultations. Partners Albania and HIDAACI carried out several capacity building events and organized two campaigns, providing information on the law, the benefit the law brings, and more. Moving forward, the government should continue awareness raising and training activities.
10. Provision of electronic services • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Complete	The National Agency for Information Society (NAIS) aims to build an electronic forms management system to help public institutions reduce the amount of paperwork and the time it takes to provide services. Specifically, NAIS aims to digitalize 36 services of the Ministry of Foreign Affairs (MFA) and provide an e-permit service, allowing online application for construction permits. By 2017, all 36 MFA services were available on the e-Albania portal and the MFA website. E-permit services were offered on e-Albania at the outset of action plan development, and its use is low in small and medium-sized municipalities. Moving forward, e-Albania's service usage should be mapped and a public-facing element should be added to ensure OGP relevance.
11. Simplify building permit applications • OGP Value Relevance: Unclear • Potential Impact: Moderate • Completion: Complete	In order to address the time-intensive, costly process of receiving a building permit, this commitment aims to translate the permit application to an online platform by utilizing electronic communication between the current registry and records of other public institutions to relocate data and track the status of applications. Stakeholders welcome the project but raise concerns with its applicability in municipalities with no regulatory land use plan. The NAIS and the National Territorial Planning Agency (NTPA) report that this project is complete and has been used

	25,000 times by citizens and businesses. This commitment should not be taken forward as it is not relevant to OGP values.
12. Establish digital counters • OGP Value Relevance: Unclear • Potential Impact: None • Completion: Complete	To improve citizens' access to the e-Albania portal and its services, NAIS committed to setting up digital counters (or kiosks) around the country where citizens will be able to access the e-Albania 24/7. Despite its aim to enhance access to e-services, only placing kiosks in urban centers does not improve access for citizens in rural areas who do not have access to the internet. NAIS reported in 2016 that more than 15 digital kiosks were distributed across the country with 465 e-services available through e-Albania. Interviewed citizens from remote areas were aware of the digital kiosks but had not used them. The government should consider distributing useful materials regarding the digital kiosks, rather than continue this commitment in the next OGP action plan.
13. Service passport standardization • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Substantial	The Agency for the Delivery of Integrated Services Albania (ADISA) aims to continue the public service reform that standardizes 700 service passports, providing information on all public services. This commitment is a routine legal obligation and is not relevant to OGP values. In 2016, ADISA reported that 548 passports have been developed: ADISA is on track to reach their objective of 700 standardized service passports by the end of 2017. This commitment should not be taken forward.
14. Citizen Card • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial	This commitment aims to ensure the routine publication of a citizens' card, an infographic explaining e-services offered on e-Albania, as obliged under the law "On the provision of public services at the counter in the Republic of Albania." In late 2016, the draft of the citizens' card was submitted to 18 institutions and in 2017, MSIPA held consultations in high schools and with responsible institutions. Focus group participants were unaware of this commitment and, ultimately, this commitment should not be taken forward to the next action plan.
15. Pilot e-prescription • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Limited	This commitment facilitates the transition of paper prescriptions to a nationwide electronic prescription system in order to reduce the number of false prescriptions, reduce error between doctors and pharmacists, etc. Despite this ambitious outcome, this commitment is an incremental step that does not address corrupt practices or low public trust in the healthcare system. The e-prescription system was launched in Tirana in March 2017 along with a number of instructional materials. While many focus group participants praised the system as a step toward improving public services, some expressed skepticism with regard to its actual results in the fight against corruption in the healthcare system. Moving forward, follow-up commitments that offer public access to data and other information gathered through e-systems should be undertaken.

16. Electronic Monitoring System of Forests • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Not Started	Illegal logging has contributed to the severe degradation of Albanian forests, and there is no computerized system in place for monitoring and recording illegal activities and/or forest fires. This commitment aims to establish an electronic monitoring system of forests which will include real-time fire detection, monitoring cameras, real time information exchange, and more. It is not clear, however, how the electronic monitoring system will directly prevent abuse and corruption. There is no evidence that this commitment has been started. Moving forward, this commitment should be reframed to involve civil society and ensure regular publication of compliance data and other relevant results.
17. Electronic system for professional licensing applications • OGP Value Relevance: Unclear • Potential Impact: Minor • Completion: Substantial	Corruption in the professional licensing process undermines the safety and verifiability of professionals in sectors such as construction and healthcare. This commitment aims to develop an online service for licensing applications, exchange information to verify the status of the application, and improve internal capacity for monitoring licenses. This commitment does not specify how it will improve public access to information or reduce corruption. An application for an individual license has been available on e-Albania, but there is no evidence that the other activities have been completed. This commitment should not be taken forward in the next action plan.

Recommendations

While progress has been made in implementing the commitments, the current action plan does not address major stakeholder priorities and several commitments are not clearly relevant to OGP values. A main recommendation is that the government include ambitious commitments that are in line with the European Union (EU) accession process and prioritize areas such as open contracting, disclosure of assets of public officials, and effective implementation of the law on public consultation.

Beginning in 2014, all OGP IRM reports include five key recommendations about the next OGP action planning cycle. Governments participating in OGP will be required to respond to these key recommendations in their annual self-assessments. These recommendations follow the SMART logic; they are Specific, Measurable, Answerable, Relevant, and Timebound. Given these findings, the IRM researcher presents the following key recommendations:

Table 3: Five Key Recommendations

Ensure renewed leadership and successful transfer of institutional knowledge on OGP
Adhere to the OGP Participation and Co-creation Standards
Focus on more ambitious, OGP-relevant commitments on open contracting in line with EU accession framework
Ensure effective implementation of public consultation legislation
Prioritize public officials' asset disclosure and public accessibility of the land register

Eligibility Requirements: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, see Section VII on eligibility requirements at the end of this report or visit bit.ly/1929F1l.

Gjergji Vurmo is an independent researcher in Albania. He has fifteen years of experience working with third sector organizations in the areas of good governance, EU integration, civil society development and organizational management. He is also a Programme Director at the Institute for Democracy and Medication (IDM), an Albanian non-governmental think tank based in Tirana.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism

I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government.

Albania began its formal participation in August 2011, when the former Minister for Innovation and Information and Communications Technology, Genc Pollo, declared his country's intention to participate in the initiative.[1]

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Albania developed its third national action plan from March 2016 to July 2016. The official implementation period for the action plan was 1 July 2016 through 31 July 2018. This year one report covers the action plan development process and first year of implementation, from 1 July 2016 to 30 June 2017. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation (30 June 2017) will be assessed in the end-of-term report. The government of Albania has not published its self-assessment for the first year (1 July 2016 to 30 June 2017) of the implementation of the OGP action plan 2016 – 2018.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Gjergji Vurmo of the Institute for Democracy and Mediation (IDM), who carried out this evaluation of the development and implementation of Albania's third action plan. To gather the voices of multiple stakeholders, the IRM researcher organized three focus group discussions with ordinary citizens from different regions of the country and with diverse demographic backgrounds, and one stakeholder forum with civil society, academia and other OGP stakeholders in Tirana, which was conducted according to a focus group model. By the time of drafting of this report (October 2017) the Government had not prepared a report on the implementation of the action plan or a self-assessment. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

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[1] http://www.opengovpartnership.org/sites/default/files/LOI%20Albania%201.png

II. Context

Since 2014, when Albania was awarded candidate status by the European Union (EU), the country has seen progress in civil society development and anti-corruption efforts. However, OGP continues to have low traction among relevant institutions, hindering implementation of commitments. The focus of the current action plan has largely revolved around e-government and digitization reforms, while it has not captured critical issues that could benefit from more openness and public accountability.

2.1 Background

Albania is a transition country with core democratic institutions in place. However, it is also characterized by fragility and high politicization of its governance structures. The prospect of the European Union (EU) accession has been a major force of development and democratization reforms in recent years. Albania received EU candidate status in 2014 and has since gone through a series of reforms and legislative changes aimed at strengthening the rule of law and the fight against corruption. The country has noted considerable improvements in the conduct of free and fair elections, civil society development and anti-corruption efforts.

An important milestone for transparency was the adoption of the new Freedom of Information Law in 2014, replacing previous legal acts on access for information. The law has mandated the creation of a new supervisory body, clarified the definitions of public information and public authorities subject to the law, shortened timeframes for providing responses for access to information requests, introduced sanctions for failure to comply with legal provisions and mandated proactive publication of certain categories of information.[1] While the legislative framework is solid and in line with best international standards, its implementation in practice remains problematic. According to a 2016 report by the local CSO Mjaft Movement, Albanian public institutions respond to public information requests in only 42 percent of total cases. Out of 230 FoI requests submitted by the organization, only 98 replies were obtained. Only 80 responses provided the complete information requested.[2]

The Constitution of Albania guarantees civil liberties, including freedom of assembly and expression. The media landscape is diverse, with a wide range of media outlets covering political processes and government wrongdoings, including cases of abuse of public office. The Balkan Investigative Reporting Network (BIRN), a region-wide investigative source, has provided highly sought independent information on some high-level cases of political corruption. Still, the press environment in Albania is considered to be only partly free,[3] as most media outlets are biased in favor of one of the political parties, and the links between politics, business and the media have led to increased self-censorship among journalists.[4] While media ownership is formally transparent through the National Registration Center, the functioning of the media market remains opaque and the lack of transparency of government financing remains a concern.[5]

Since joining OGP, Albania has improved its institutional framework for civil society operation, and cooperation between government and non-governmental

organizations has intensified. In November 2016, parliament enacted a law to set up the National Council for Civil Society, a consultative body that is mandated to assist the government to create policies for civil society development. Civil society representatives also have seats in the National Council for European Integration, a structure for forming national consensus on EU integration.[6] The government has consulted civil society on important strategy documents and reforms, such as the country's anti-corruption strategy (2015-20) and action plan (2015-17), as well as the overhaul of the judiciary. However, it is still not clear how and to what extent NGO opinions influence the final outcomes of policy decisions. NGOs in Albania have been facing financial sustainability concerns, particularly those dependent on foreign donor grants. In addition, attempts by politicians to co-opt NGO representatives into the political parties' agendas have undermined the impartiality of civil society.[7]

Compared to previous years, Albania has made progress on fiscal transparency. The government of Albania currently posts seven out of eight key budget documents publicly online.[8] Since the 2015 Open Budget Survey, Albania has published the Year-End Report and the Citizens Budget.[9]

In April 2017, the Albanian Law on Asset Declarations was approved. The amended law widens the circle of public officials obliged to declare assets, expanding coverage to the members of the judiciary, high prosecutorial council, and managers of public limited companies. The amended law also increases the frequency of controls of asset declarations. Declarations of MPs must be checked every two years instead of three, and all officials for whom specific frequency of control cannot be established must be controlled every five years instead of seven. The law creates challenges for HIDAACI, the agency in charge of controlling asset declarations, since it operates with a paper-based declaration system and relies on written requests to other institutions to obtain information necessary for verification. The new law on asset declarations introduces the possibility of electronic filing of declarations. The law also obliges the relevant institutions to provide verification information to HIDAACI through the electronic system, which enables the interconnection and exchange of registered data in the registers or electronic database of these institutions. The amended law establishes the declarations are official documents and fall under right to information. Since the legal basis for mandate in disclosure of public declarations has been unclear, this new provision represents a positive change.

The EU accession process has been the major driver of reforms in areas that are directly relevant for increasing government openness and accountability. In 2016 the European Commission noted that the government of Albania continued to make progress in meeting the objectives set out in the five key priorities for the opening of accession negotiations: judicial reform, public administration reform, corruption, organized crime, and human rights protection.[10]

In December 2015, the parliament adopted a so-called decriminalization law banning convicted criminals from holding public office, a move that was expected to boost the fight against corruption and restore public trust. The implementation of this law continued in the past year, though its concrete results were limited due to the slow pace of judicial proceedings initiated by subjects of this law. Members of the parliament, mayors and other elected officials have lost their mandates as a result of

this law. In December 2016, the Central Election Commission has dismissed two MPs and one mayor for hiding their past crime convictions.[11]

According to a 2016 European Commission report, the wide-ranging judicial reform made significant progress with the unanimous parliamentary approval of constitutional amendments.[12] The so-called vetting law "on the assessment of judges and prosecutors" began implementation in mid-2017, and the draft law "On the organization and functioning of institutions fighting corruption and organized crime" is expected to play a historic role in ending impunity, increasing public accountability and restoring public trust in the judiciary and other state institutions, through the establishment of a special anti-corruption structure. Two special structures are foreseen to be established by the new legislation—the Special Prosecution Office and the National Bureau of Investigation. The establishment of these structures will take place upon the setting up of the new organs of the judiciary—the Supreme Prosecution Council and the Supreme Judicial Council. A vetting process for judges and prosecutors is currently under implementation in Albania, aiming to dismiss members of the judiciary with unjustifiable wealth and assets, members who are corrupt, with links to criminal suspects, and members whose professional records raise serious concerns. The effective implementation of these laws and concrete results in this regard are key to opening the accession negotiations with EU.

While Albania's score in Transparency International's Corruption Perceptions Index improved slightly in 2016 (39 out of 100) as compared to the previous year (33 out of 100)[13], corruption continues to be a serious problem, impeding the progress on EU accession negotiations and hindering the country's investment climate. While the necessary anti-corruption legal framework is in place, its enforcement has been ineffective and conviction rates are very low.[14] The 2016 EC Report on Albania notes that some progress has been made in the past year through the adoption of the law on whistleblower protection, the law on the creation of a specialized and independent anti-corruption body, and increased access to national electronic public registries for prosecutors and police. However, the report reiterates that corruption remains prevalent in many areas and continues to be a serious problem.

Preparation and passage of the law on whistleblower protection was a commitment in Albania's second action plan. The law entered into force in October 2016 for public institutions and has been applied to private entities as of 1 July 2017. So far there have been no cases recorded under this law. To facilitate enforcement of the newly passed legislation, the current action plan contains a commitment on implementing the law "On the protection of whistleblowers" by adopting bylaws, consulting with stakeholders, improving oversight capacities, and raising public awareness of whistleblowing.

The procurement and construction sectors have been particularly affected by patronage networks. Irregular payments and bribes are known to be frequently exchanged in the process of awarding contracts and licenses. Favoritism has also been a problem in procurement as officials are often perceived to favor well-connected companies and individuals. According to the 2015 Investment Climate Statement (ICS), companies in Albania experience non-transparent processes when competing for public tender (e.g. 'fixed' technical specifications) which can exclude potential bidders. Albania now has an obligatory e-procurement platform and the

Public Procurement Agency also publishes a list of companies that have committed irregularities during the procurement. However, in practice, companies implicated in corruption are not effectively prohibited in future procurement bids.[15] The action plan addresses these corruption risks in public procurement through a commitment on institutionalizing open contracting, but progress in this area has been limited.

The general elections were a major political event in 2017. The political opposition's allegations over the use of drug trafficking money for buying elections led to a major three-month deadlock, from February to June 2017, and a parliamentary boycott by the opposition Democratic Party.[16] A last-minute consensus was reached between the government and opposition leader which opened the way for the opposition to participate in the parliamentary elections which were postponed from 18 June to 25 June. However, no meaningful progress was made to address concerns over transparency and control of political party financing.

While civil society was actively involved in advocating and pressuring political parties to adopt constitutional amendments on judicial reform (July 2016) and the main laws for its implementation (October – December 2016), heated political debates and the opposition's threat to boycott the general elections weakened CSOs' ability to effectively advocate on these issues.

OGP in Albania remains an unfamiliar topic for many state and non-state institutions especially at the local level, as well as for the general public. In the first period of the current action plan (2016-2017), few local government institutions have shown a solid understanding of OGP. Similarly, few institutions have used OGP experiences. When they have done so, it has often been with the support of international donors and local CSOs (UNDP, Swiss Agency for Development and Cooperation, COPLAN). For example, the Municipality of Tirana established an open data portal[17] for municipal services with the support of UNDP. Similarly, a COPLAN project has launched an open data portal[18] on local government budgets.

2.2 Scope of Action Plan in Relation to National Context

The current action plan includes some notable commitments on access to information and public consultations. Commitments on implementation of the whistleblower protection law and open contracting are particularly important for anti-corruption efforts. However, a large focus of the current action plan is on e-government and digitization reforms. Several commitments in the current action plan, including the establishment of digital counters (Commitment 12) and registration of e-prescription (Commitment 15), are part of larger reforms to expand and improve e-government. While these commitments are important and impactful for delivery of government services to citizens, they are not contributing to opening government for more citizen input or for holding public officials accountable.

Commitments in the current OGP action plan do not adequately capture the EU accession priorities for Albania. In order to open EU accession talks, Albania must address five key priorities: anti-corruption, the fight against organized crime, public administration reform, judicial reform, and human rights. Albania adopted important constitutional amendments in 2016, paving the way for the biggest judicial and anti-

corruption reform, both of which represent key priorities of the country's accession to the EU. Justice reform remains key to the rule of law and could also be transformative for the areas of (open) governance, accountability and integrity. The fight against corruption, impunity and judicial reform remain a central priority for civil society, donors, and international partners of Albania. Commitment 9 - or the implementation of the Law "On protection of whistleblowers, capacity building, amendments and its bylaws - is a highly specific, transformative commitment that covers the law's implementation, awareness raising, consultation and training for relevant staff. Other than this one commitment, however, the current action plan does not address any of the above-stated issues.

Finally, other issues that have not been part of the action plan include political party financing and open data initiatives. Recent elections have once again shown that electoral reform and transparency of political party financing require greater focus in the upcoming period. These topics have not so far been included in any of the OGP action plans (2012-2018). Additionally, despite some modest experiences of users accessing the open data portal of the Municipality of Tirana, open data in Albania still remains underdeveloped. More efforts are needed to give an impetus to the OGP agenda in the country.

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[1] IDFI, New Right to Information Law in Albania, https://idfi.ge/en/new%E2%80%93freedom%E2%80%93of%E2%80%93ifnromation%E2%80%93legislation%E2%80%93albania

[2] Balkan Insight, Albanian Institutions Fail a Transparency Test, http://www.balkaninsight.com/en/article/albanian-institutions-difficulties-in-doing-transparency-07-11-2016

[3] Freedom of the Press Report, https://freedomhouse.org/report/freedom-press/freedom-press-2017

[4] Nations in Transit Report, 2016

[5] European Commission Albania 2016 Report, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf

[6] National Council for European Integration, https://www.parlament.al/wp-content/uploads/sites/4/2015/10/perberja_e_k--shillit_komb--tar_t--_integrimit_europian_copy_1.pdf

[7] Bertelsmann Transformation Index 2016, Albania Country Report, https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Albania.pdf

[8] http://survey.internationalbudget.org/#profile/AL

[9] http://survey.internationalbudget.org/#availability

[10] EC 2016 Report on Albania, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf

[11] See Albania 2017 Nations in Transit Report, Freedom House, https://freedomhouse.org/report/nations-transit/2017/albania

[12] A 2016 European Commission report, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf

[13] Corruption Perceptions Index 2016, https://www.transparency.org/news/feature/corruption_perceptions_index_2016

[14] Business Anti-Corruption Portal, Albania, http://www.business-anti-corruption.com/country-profiles/albania

[15] Business Anti-Corruption Portal, Albania, http://www.business-anti-corruption.com/country-profiles/albania

[16] Reuters, https://www.reuters.com/article/us-eu-albania-protests/albanian-opposition-to-boycott-parliament-defying-eu-appeal-idUSKBN1612GL

[17] Municipality of Tirana, http://opendata.tirana.al/

[18] COPLAN, http://www.financatvendore.al/

III. Leadership and Multi-stakeholder Process

The government and CSOs worked together to establish OpenAlb, a joint multi-stakeholder forum, which served as the main consultation hub for the action plan development and awareness raising. Without a dedicated state budget and human resources for OGP, however, consultations did not take place at the same pace (depth and breadth) nationally as it did in the capital through OpenAlb. Government-civil society cooperation during implementation of the action plan was almost entirely missing, with the exception of one event co-organized through OpenAlb.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Albania. Table 3.1 summarizes this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

1. Structure	Yes	No
Is there a clearly designated Point of Contact for OGP (individual)?	☑	
	Shared	**Single**
Is there a single lead agency on OGP efforts?		☑
	Yes	**No**
Is the head of government leading the OGP initiative?		☑
2. Legal Mandate	Yes	No
Is the government's commitment to OGP established through an official, publicly released mandate?	☑	
Is the government's commitment to OGP established through a legally binding mandate?	☑	
3. Continuity and Instability	Yes	No
Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle?	☑	
Was there a change in the executive leader during the duration of the OGP action plan cycle?		☑

The Minister of State for Innovation and Public Administration (MSIPA) is the leading office responsible for Albania's OGP commitments. However, MSIPA has no legal power to enforce policy changes on other agencies within the government. (See Table 1.1 on the leadership and mandate of OGP in Albania). Since September 2013, when MSIPA was assigned to be a National OGP Coordinator for Albania, its mandate

has largely been the coordination of the OGP process, but it has no authority to compel any other state agency to assume and carry out commitments' implementation. As a result of the limited mandate, the action plan is heavily oriented toward executive-led commitments on transparency, ICT and public services, and only exceptionally involves commitments from other institutions outside the executive branch.

Additional limitations to MSIPA's mandate and performance stem from the fact that MSIPA has limited human resources and funding. The Minister of State's funding is planned under the Prime Minister's (PM's) budget. Currently there are two MSIPA employees who deal with OGP action plan coordination and implementation, on a part-time basis. Furthermore, MSIPA has no dedicated budget for OGP coordination activities and therefore cooperation with civil society organizations has been vital in addressing the lack of government funding.

Based on the PM's Order no. 37 (5 February 2015), MSIPA established a Technical Working Group (TWG) with representatives (i.e., experts, specialists, directors) proposed by each participating institution. This group acts as a government inter-agency coordination mechanism. In past action plans, as well as the current action plan, civil society has not been part of this body although the PM's Order stipulates that CSOs may participate in meetings. A Technical Secretariat, composed of MSIPA and representatives of the National Agency for Information Society (NAIS), provides technical support to this inter-institutional working group on OGP.

Responding to the IRM recommendation on the need for involvement of civil society in the OGP process, a multi-stakeholder forum—OpenAlb—was established in March 2016, gathering representatives of civil society and government. This forum has played a crucial role in the design of the 2016–2018 OGP action plan. Section 3.2 describes the activities of the government bodies in the OpenAlb multi-stakeholder forum.

The PM's Order no. 37 (2015) lays out the rules for coordination of the OGP process in Albania. However, government and other state agencies are not legally obliged to make commitments.

It is important to note that Albania is a parliamentary democracy where local government authorities enjoy significant autonomy. Therefore, the national level government has no "sticks" to compel subnational authorities to take up OGP commitments or hold them accountable for the extent of their implementation. Although OGP is an open process in Albania, few local governments have shown interest in it and participated in the OGP action plan development, mostly through awareness raising, training and informing activities carried out by CSOs (see Section II on "Development of Action Plan").

Finally, unlike the development of the action plan, its implementation was impacted by the General Elections that took place in June 2017. At the time of writing (October 2017), the new Government which took office in September 2017 has not clarified who will be Albania's new National OGP coordinator. The MSIPA, the leading office before the General Elections, does not exist in the new cabinet. It also remains unclear which competencies the new OGP coordinating structures will assume.

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2 Participation in OGP by Government Institutions

How did institutions participate?	Ministries, Departments, and Agencies	Legislative	Judiciary (including quasi-judicial agencies)	Other (including constitutional independent or autonomous bodies)	Subnational Governments
Consult: These institutions observed or were invited to observe the action plan but may not be responsible for commitments in the action plan.	26[1]	0	0	1[2]	2[3]
Propose: These institutions proposed commitments for inclusion in the action plan.	14[4]	0	0	1[5]	0
Implement: These institutions are responsible for implementing commitments in the action plan whether or not they proposed the commitments.	17[6]	0	0	1[7]	0

In Albania, participation in OGP was limited to central government agencies (with MSIPA, NAIS, Ministry of Interior and MSLI being the most active) and one independent institution (Commissioner for Freedom of Information and Personal Data Protection). Although Albania is implementing a major judicial reform, no

judiciary institution, nor Parliament, participated in the development process of the OGP action plan. Consequently, the current action plan focuses predominantly on activities undertaken by the executive branch of governments, including modernization of government services. The action plan does not include any commitments related to the judiciary or parliament. Table 1.2 above details which institutions were involved in the various stages in OGP.

The CSOs participating in the OpenAlb forum,[8] a multi-stakeholder body gathering civil society and government representatives involved in the OGP process, were instrumental in involving local government authorities in the process (namely Municipality of Shkodra and Fier). OpenAlb was initiated by the NGOs which were part of the Coalition of CSOs for OGP Albania, a self-established civic structure of organizations. While no local government has proposed an OGP commitment, one civil society organization (InfoCip) proposed a commitment to publish online central and local government legislation in open systems and for free.

The Government and civil society have cooperated closely in the development of the OGP action plan. MSIPA, in cooperation with the OpenAlb forum, invited representatives of government agencies and other independent institutions to propose commitments. The OpenAlb forum served as a platform to consult various institutions in the development of the action plan.[9] Civil society expertise was particularly important in helping the Government to develop OGP relevant commitments. However, MSIPA had the final say in approving the action plan which included 17 out of a total of 42 specific commitments that were discussed in the OpenAlb multi-stakeholder forum between April and June 2016, including only four CSO-proposed commitments. MSIPA officials and OpenAlb forum representatives explained that such choice was made for two main reasons: first, some of the proposed commitments did not meet the criteria of OGP relevance and, second, the Government had to make realistic choices from the implementation perspective.[10]

Unlike the development phase for the action plan, the OpenAlb forum was less active in monitoring the implementation of the OGP action plan; no other meetings took place. CSOs participating in the OpenAlb forum have played an important role in promoting and developing capacities among local government units and civil society outside Tirana concerning OGP implementation.[11] OpenAlb organized only one event, on 22 November 2016, to discuss lessons learned about OGP in 2016, the multi-stakeholder forum, and challenges ahead.[12]

3.3 Civil Society Engagement

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of Albania during the first year (2016-2017) of the implementation of the 2016-2018 action plan.

Table 3.3: National OGP Process

Key Steps Followed: 5 of 7		
Before	**1. Timeline Process & Availability**	**2. Advance Notice**

		Yes	No		Yes	No
	Timeline and process available online prior to consultation	☐		Advance notice of consultation	☐	
	3. Awareness Raising			**4. Multiple Channels**		
	Government carried out awareness-raising activities	☐		4a. Online consultations:	Yes	No
					☐	
				4b. In-person consultations:	Yes	No
					☐	
	5. Documentation & Feedback					
	Summary of comments provided				Yes	No
					☐	
During	**6. Regular Multi-stakeholder Forum**					
	6a. Did a forum exist?	Yes	No	6b. Did it meet regularly?	Yes	No
		☐				☐
After	**7. Government Self-Assessment Report**					
	7a. Annual self-assessment report published?	Yes	No	7b. Report available in English and administrative language?	Yes	No
			☐			
	7c. Two-week public comment period on report?	Yes	No	7d. Report responds to key IRM recommendations?	Yes	No

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[13] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborative."

Level of public input		During development of action plan	During implementation of action plan
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.	☐	
Involve	The public could give feedback on how commitments were considered.		
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.		☐
No Consultation	No consultation		

MSIPA's officials and the Coalition of CSOs for OGP Albania[14] (represented by the Institute for Democracy and Mediation (IDM), MJAFT! Movement, REC Albania and AIS) held several meetings in early 2016 to coordinate next steps in the design of the action plan. On 23 March 2016 the Coalition of CSOs for OGP Albania and other civil society and government institutions' representatives gathered to launch the OpenAlb forum in the framework of an IDM project funded by the US Embassy in Tirana. Of the 200 CSOs invited to the publicly announced event, approximately 45 participants, including government agencies and CSO representatives, attended the forum and discussed the format and possible commitments to be included in the action plan. They also jointly agreed on a timeline (March – June 2016) and the general approach for the next steps, including drafting and consulting on commitments with stakeholders, publishing online and final approval. Timeline of the agreed process was published on OpenAlb's website (www.openalb.net) and shared broadly through mailing lists and social media (by CSOs and MIAP officials). The event launching the OpenAlb forum served also to raise public awareness about OGP.[15]

Two workshops were organized by an IDM project with approximately 25 central government and civil society representatives in Tirana in April 2016 to help stakeholders develop a better understanding of the OGP action plan co-creation. By the end of April 2016, a total of 42 commitments were proposed by government agencies and CSOs based on the template developed by IDM, and it was subsequently published for public comment on OpenAlb's website. In addition to four CSOs-proposed commitments included in the action plan, the Government took into consideration CSOs' suggestions to improve some of the government-proposed commitments. No public comments were submitted to the website by the time of adoption of the action plan in July 2016.[16]

Joint working groups composed of CSOs, relevant government ministries and other agencies discussed each of the proposed commitments during several meetings held between April and June 2016.[17] These working groups included NGOs both participating in OpenAlb and those not part of OpenAlb at the time. Working groups'

discussions were highly constructive. Participants at these meetings at MSIPA's premises included mostly Tirana-based members of the Coalition of CSOs and representatives of the line ministries who proposed commitments for the new action plan. Non-capital based CSOs could send feedback via email, although some of them had participated earlier in the March 2016 event.

Civil society representatives offered suggestions to make the commitments more relevant to OGP and also to reflect key challenges and concerns for Albania. Some of these suggestions were considered by the Government in the final action plan. Representatives of state institutions were open to suggestions but also drew attention to the need to have a realistic action plan. IDM experts conducted an assessment of the 42 proposed commitments and offered MSIPA a set of recommendations to further improve the action plan. Nevertheless, the Government of Albania made an autonomous choice of which commitments to include in the final action plan.

Although the draft commitments were published online and disseminated to more than 200 CSOs nationwide since April 2016, the total number of active CSOs which provided feedback by July 2016 was limited to approximately 15 organizations. The government did not respond to CSO feedback on whether or not their proposals were taken into consideration. On the side of state actors, nearly 30 institutions (central government and few independent institutions) actively participated in the development of the action plan.

While some CSOs underlined the need to include institutions from other branches of power (legislative, judiciary) and from the private sector, no such stakeholder was involved by the end of the action plan development period. Another shortcoming of the process, which has affected the quality of consultation, is that MSIPA did not conduct any awareness raising or consultation events outside the capital. Only a few awareness-raising meetings with civil society and local government representatives were organized by some civil society members of the OpenAlb forum. The local media covered these events.[18]

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarizes that information.

The Government of Albania and the civil society organizations worked together to establish the OpenAlb forum as a multi-stakeholder body for a participatory OGP process. As in the previous action plan round, civil society through the OpenAlb forum played a crucial role in the development phase. However, much like the experience of the 2014-2016 action plan, civil society and MSIPA did not exchange or discuss regularly on the implementation of the action plan between July 2016 and June 2017. Accordingly, the OpenAlb forum failed to meet its second part of the objective to act as a joint forum of government and CSO representatives monitoring the progress of action plan's implementation and evaluating responsible institutions' performance.

During the reporting period of implementation of the action plan, there has been only one meeting of the OpenAlb forum, on 22 November 2016, which took the form of a public event with broad participation from CSOs and government institutions' representatives.[19] MSIPA officials have reported to the IRM researcher that public information and consultation with civil society has taken place during the implementation of the action plan. However, no evidence was provided to support this statement, except a list of social media posts and news from the MSIPA website on various public events which do not qualify as "periodic consultations with CSOs on the progress of the action plan implementation".[20] CSOs' representatives interviewed by the IRM researcher confirm that MSIPA did not consult regularly during the action plan implementation.

The OpenAlb multi-stakeholder forum does not have any formal rules of proceedings, membership, coordination and reporting. The Institute for Democracy and Mediation (IDM) was the coordinator until November 2016, after which OpenAlb became inactive. The IRM researcher's observation of discussions in early 2016 between MSIPA and the (then) Coalition of CSOs for OGP Albania found that such choice was deliberately made by CSOs in order to facilitate CSOs' affiliation with, and participation in, the OpenAlb forum. However, this has led to equally inactive civil society players during the action plan implementation, as was the case in the 2014–2016 OGP period.

MSIPA representatives suggested that the Government has been open and highly responsive to contacts and exchange on OGP with interested or active members of the OpenAlb forum such as IDM, AIS, InfoCip, or the Mjaft! Movement. Civil society representatives acknowledge that they should have been more proactive to call for periodic meetings of the OpenAlb forum during action plan implementation. However, CSOs also suggest that civil society has been overloaded with other advocacy actions related to important reforms in the country (i.e. the judicial reform during 2016, the approaching general elections and the political stalemate in 2017) that have made it impossible to get state players' attention on OGP.[21] In fact, many CSOs have organized a number of rallies and coalitions during the second half of 2016 on the adoption of the judicial reform.

Another deficiency of the implementation period relates to the fact that public awareness-raising activities on OGP have been very limited and completely dependent on CSOs' project funding. The Government has not dedicated a specific budget for the coordination, monitoring, reporting, and awareness raising related to activities in the OGP action plan, which would have led to a meaningful, proactive approach to involve more stakeholders in the implementation phase.

Accordingly, the monitoring of and reporting on the implementation of the action plan during 2016-2017 has involved only state institutions. The PM's Office did not get involved in promoting OGP and Albania's action plan, as suggested by the IRM report in 2016, while public information campaigns relied entirely on CSOs' project funding.

For the upcoming period of the OGP process in Albania it is essential to address the shortcomings over OpenAlb forum's involvement in monitoring and evaluating the implementation of the action plan. The Government of Albania should, in this

context, offer support and facilitate CSOs' actions. Progress on the action plan's implementation, periodic review, reporting, and monitoring must be more comprehensive, and their outcomes must be publicly available.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

At the time of writing of this report (October 2017) the Government of Albania had not published a self-assessment report.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

	Recommendation	Addressed?	Integrated into Next Action Plan?
1	Establish an ongoing multi-stakeholder forum, and develop a comprehensive management (at least quarterly monitoring) and reporting framework for the Action Plan Implementation	☐	☐
2	Undertake more ambitious and OGP-relevant commitments that place citizens and interest groups in an interactive role in the areas of anti-corruption, fighting impunity, enhancing transparency, and accountability. The government could provide more opportunities to direct citizen input and monitoring, building on the models of corruption denouncing portal and digital commissariats.	☐	☐
3	Promote open government approaches in developing key sectorial reforms and initiatives, including judicial reform, political party financing, and the ongoing debate on the integrity of elected and high-level public officials.	☐	☐
4	Civil society must take stock of the OGP process and better streamline OGP content in its agenda.	☐	☐
5	Dedicate a specific budget and human resources to the National Coordinator who deals with the OGP action plan development, implementation and	☐	☐

monitoring, as well as national promotion of Albania's OGP Agenda with the public, interested stakeholders, public administration and the community of donors.		

The IRM recommendations (Albania 2015 Progress Report) aimed at improving the content and process of OGP action plan implementation in Albania. As such, they were addressed at both government and civil society stakeholders. Out of the five recommendations, government and civil society players in Albania addressed only one of them, albeit partly. Specifically, the first IRM recommendation called on Government and CSOs in Albania to "establish a multi-stakeholder forum and to develop a comprehensive management (at least quarterly monitoring) and reporting framework for the action plan implementation." Although such a forum was established for the 2016-2018 action plan, it did not have a management and reporting framework, which would allow stakeholders to monitor the implementation of the action plan during 2016–2017.

While the 2016–2018 action plan contains important commitments that enhance access to information or improve public services, only one of them—Implementation of the Law "On protection of whistleblowers", capacity building, amendments and its bylaws—places citizens and interest groups in an interactive role in the area of anti-corruption. The 2014–2016 action plan included important commitments, which relied on citizens' role to denounce corruption. Although Albania is implementing one of the most important reforms to fight corruption, end impunity and improve public trust in the judiciary, no relevant commitment was included in the current action plan.

Several commitments were proposed in 2016 by both state and civil society institutions with specific focus on anti-corruption, integrity building, accountability, etc. Some of them include: Continuing the "Stop-Korrupsionit" commitment; political party financing; commitments related to EITI; and proactive publication of annual statements of asset declarations by public officials. The Government did not include these commitments which would have also addressed the third recommendation of the IRM in 2015—to promote OGP approaches in other sectorial reforms.

With regards to the last two recommendations, the IRM researcher finds that they have not been addressed or integrated into the next action plan. Civil society engagement was limited to the active OpenAlb forum members and few other CSOs. The Government also continued to leave the OGP agenda out of its financial focus. Finally, the Government did not undertake any OGP awareness-raising activities with possible stakeholders or the general public.

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[1] Council of Ministers; Ministry of Health, Ministry of Justice, Ministry of Education, Ministry of Finance, Ministry of social welfare and youth, Ministry of environment, Ministry of Interior, Ministry of foreign affairs, Ministry of transport and infrastructure, Ministry of economic development, Ministry of urban development, Minister of state for parliamentary affairs, Minister of state for local issues, MSIPA, Agency of territorial development, National Agency of territorial planning, NAIS, National Agency of protected areas, Agency of research, technology and innovation, Albanian Roads Authority, Compulsory healthcare

Insurance Fund, Institute of transport, State inspectorate of environment, forests and waters, Central technical archive of construction, Office of immovable property registration.

[2] Commissioner of freedom of information and personal data protection.

[3] Municipality of Fier, Municipality of Shkodra.

[4] Ministry of Justice, Ministry of Education, Ministry of Finance, Ministry of social welfare and youth, Ministry of environment, Ministry of Interior, Ministry of foreign affairs, Ministry of transport and infrastructure, Ministry of economic development, Ministry of urban development, Minister of state for parliamentary affairs, Minister of state for local issues, MSIPA, NAIS.

[5] Commissioner of freedom of information and personal data protection.

[6] Agency for Research, Technology and Innovation, Agency for the Delivery of Integrated Services Albania, Central Technical Archive of Construction, Concession Treatment Agency, Minister of state for local affairs, Minister of state for Innovation and Public Administration, Ministry of economic development, trade, tourism and entrepreneurship, Ministry of Education and Sport, Ministry of Environment, Ministry of Finance, Ministry of Health, Ministry of Interior, Ministry of Justice, Ministry of Urban Development, National Agency for Information Society, National Territorial Planning Agency, State Inspectorate of Environment and Forests.

[7] Commissioner of freedom of information and personal data protection.

[8] Active CSO participants in the OpenAlb forum include: IDM, InfoCip, European Movement Albania, Barazi ne vendimemarrie, CSDS Durres, Institute for Political Studies, Auleda vlore, Mjaft Movement, Regional Environmental Center, OSFA (Soros Foundation), OpenAda Albania (AIS), and Partners Albania. There are other CSOs who have agreed to be part of OpenAlb, but the above list mentions those that are most active.

[9] The OpenAlb forum, http://www.inovacioni.gov.al/al/newsroom/lajme/forumi-i-aktoreve-te-interesit-per-zbatimin-e-partneritetit-per-qeverisje-te-hapur&page=3. Date accessed June 2017. In the course of writing this report, the MSIPA website has been removed.

[10] Interviews with Jona Josifi (MSIPA) and Artela Mitrushi (IDM), June 2016.

[11] In the framework of its project IDM carried out two workshops on OGP and local government services in Shkodra and Fier municipalities, July 2016, http://rozafa.tv/2016/07/perceptimi-qytetareve-mbi-sherbimet-ne-nivel-lokal/ and https://www.youtube.com/watch?v=WCP3iotlGiU. MJAFT! Movement, InfoCip, Albanian Institute of Science (AIS), the Center for Civil Society Development (CSDC) in Durres and other organizations have raised awareness on OGP at local level through their projects on issues related to transparency, access to information, open data and civil society participation.

[12] The OpenAlb fourm, http://www.inovacioni.gov.al/al/newsroom/lajme/nisma-ogp-rezultate-konkrete-per-me-shume-transparence-ne-qeverisje&page=1. Date accessed June 2017. In the course of writing this report, the MSIPA website has been removed.

[13] IAP 2's Public Participation Spectrum, http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/ foundations_course/IAP2_P2_Spectrum_FINAL.pdf

[14] Civil society members of the Coalition included IDM, MJAFT! Movement, Institute for Policy and Legal Studies (IPLS), Open Society Foundation for Albania (OSFA), AULEDA, Institute for Parliamentary Studies (IPS), INFOCIP, Albanian Institute of Science (AIS), BIRN Albania, REC Albania, Albanian Students Abroad Network (ASAN), Partners Albania for Change and Development, European Movement in Albania (EMA), Civil Society Development Center (CSDC). The Coalition of CSOs for OGP Albania initiated OpenAlb and are part of it.

[15] Civic and media coverage (in English) of the forum, http://www.balkancsd.net/albania-launches-the-ogp-multi-stakeholder-forum/ and http://www.albaniannews.com/index.php?idm=5104&mod=2

[16] The following consultations were held in the framework of the OpenAlb forum, Consultative meeting on the first draft of the action plan on 29 April 2016, http://openalb.net/mc-events/takim-mbi-konsultimin-e-draftit-pas-reflektimit-te-komenteve/; thematic meetings with stakeholders on 10 May 2016, http://openalb.net/mc-events/takime-paralele-tematike/; three separate sessions on 6 June 2016, http://openalb.net/mc-events/grupet-tamatike-angazhimet-per-hartimin-e-plan-veprimit-per-pqh-2016-2018/; four sessions on 7 June 2016, http://openalb.net/mc-events/grupet-tamatike-per-angazhimet-per-hartimin-e-plan-veprimit-per-pqh-2016-2018/. Also, a webinar was livestreamed by OpenAlb at http://openalb.net/mc-events/webinar-mbi-partneritetin-per-qeverisje-te-hapur-pqh/

[17] The meetings focused on thematic OGP commitments such as Creating safer communities, Environmental protection, Access to information and Modernization of Public Services.

[18] Shkodra municipality, http://www.starplus-tv.com/aktualitet-star-plus-tv-shkoder/item/14637-sherbimet-ne-nivel-vendor-tryeza-e-diskutimit-qe-u-mbajt-ne-shkoder and http://rozafa.tv/perceptimi-

qytetareve-mbi-sherbimet-ne-nivel-lokal/. Fier Municipality, http://idmalbania.org/sq/raport-mbi-perceptimin-e-qytetareve-mbi-ofrimin-e-sherbimeve/

[19] OpenAlb public event, http://www.inovacioni.gov.al/al/newsroom/lajme/nisma-ogp-rezultate-konkrete-per-me-shume-transparence-ne-qeverisje&page=1. Date accessed June 2017. In the course of writing this report, the MSIPA website has been removed.

[20] Email communication, 24 July 2017.

[21] Interviews with Aldo Merkoci – Mjaft! Movement, Artela Mitrushi – IDM, July 2017.

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.[1]

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach time frames and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
    - High: Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
    - Medium: Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
    - Low: Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
    - None: Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
    - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
    - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
    - Public Accountability: Will the government create or improve opportunities to hold officials answerable for their actions?
    - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?[2]

- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
    - Identify the social, economic, political, or environmental problem;
    - Establish the status quo at the outset of the action plan; and
    - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgement about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a "transformative" potential impact if completely implemented.[3]
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Based on these criteria, Albania's action plan contained one starred commitment, namely: Implementation of the Law "On protection of whistleblowers", capacity building, amendments and its bylaws (Commitment 9).

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Albania and all OGP-participating countries, see the OGP Explorer.[4]

General Overview of the Commitments

The third OGP action plan of Albania includes 17 commitments organized around four main themes: Open government to increase access to information, open government for creating safer communities, open government for public service modernization, and open government to protect the environment. The IRM has not changed the organization of the commitments but has renumbered them for clarity. For example, Improvement of database/portal with coordinators' data of the right to information and transparency programs is numbered '1' rather than '1.1'.

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[1] Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

[2] IRM Procedures Manual. Available at: http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

[3] The International Experts Panel changed this criterion in 2015. For more information visit: http://www.opengovpartnership.org/node/5919

[4] OGP Explorer: bit.ly/1KE2WiI

1. Improve portal for access to information

Commitment Text:
Title: Improvement of database/portal with coordinators' data of the right to information and transparency programs

Currently the Commissioner for Freedom of Information and Protection of Personal Data has established a central portal for access to information through which citizens are able to make requests for information online and if this right is not fulfilled, they will be able to also complain online. In this portal there will be an expanded database of transparency programs of public authorities through which public information is provided without request, data for coordinators on the right to information and records of such requests and responses.

Under this action plan, the portal will improve its module for the publication of complaints and responses that citizens have addressed to institutions under their programs for transparency, portal will also stay up to date with the latest information for these coordinators at each institution.

This commitment means providing the possibility to track electronically information and complaints from the interested parties themselves.

Responsible institution: Commissioner for Freedom of Information and Protection of Personal Data

Supporting institution(s): Open Society Foundation for Albania (OSFA)

Start date: 2016   **End date:** 2018

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
1. Improve portal for access to information			⬜		⬜			⬜			⬜		Yes				⬜

Context and Objectives
The portal http://pyetshtetin.al (in English "ask the state") was launched by the Open Society Foundation for Albania (OSFA) in 2015 following the adoption of the new Law on the Right to Information in 2014.[1] This is an online platform designed to facilitate procedures for public access to information. The portal was designed and

coordinated in close cooperation with the Commissioner for Freedom of Information and Protection of Personal Data (CFIPPD). [2]

However, the Law on the Right to Information was only recently adopted and there are concerns over the lack of a central registry of applications for access to information and the lack of an updated database with the names of the employees and their contact details (i.e. telephone number and email), both of which would facilitate the implementation of the law. This commitment addresses these concerns by improving the current portal to allow citizens to electronically track their information requests and also track their complaints (if their right to information has not been fulfilled). The portal will also be updated to contain an expanded database on transparency programs and contact information for coordinators.

This commitment is expanding data available to citizens and is improving a module for tracking complaints; therefore, the commitment is relevant to OGP values of access to information and technology and innovation.

While this commitment clearly states its intended outcome, it does not specify how the lead implementing agency will take measurable and verifiable steps to achieve its objective (i.e. creating a complaints mechanism, expanding the current database, etc.). Therefore, the IRM researcher considers this commitment to be of medium specificity.

Although it is a legal obligation to publish and regularly update transparency programs and data of the right to information coordinators, many state institutions especially at local level do not fully comply with this obligation. While the law creates basic preconditions, it does not establish a proactive approach when publishing information. Hence, the potential impact of this commitment is moderate in that it facilitates the implementation of the law. A more transformative commitment, however, would include the guarantee of the government response to public complaints. It is important to mention that the impact of the full implementation of this commitment is largely dependent on the extent to which interested parties—citizens and non-state actors—make use of it and on the extent to which responsible institutions respond to the requests and complaints.

Completion

This commitment was fully implemented within the first year of the OGP action plan, due to the support provided through the project of the Soros Foundation (OSFA) in Albania.

During 2016 the portal incorporated the tracking function, which enables interested parties to check the status of their request for information or complaint if their request has not been fulfilled.[3] The portal includes a section on the register of requests which is connected to the register of each state institution at central or local level.[4] A register of complaints is also part of the portal and both tools include a search engine.[5] Few institutions publish what the request was about on the register. An annual register of complaints (searchable) is also available on the portal.

The portal also contains up-to-date information on the coordinators of access to information and transparency programs of state institutions. Easy-to-digest

information (manuals, videos etc.) is offered through this portal for the public on how to use the platform and how to exercise their right for free access to information.

Early Results (if any)

A comparative analysis of the number of the complaints from 2015 to the first half of 2017 suggests that the number of parties submitting requests and/or complaints through the pyetshtetin.al portal is increasing. A total of 684 complaints were submitted to public authorities in 2016, while in the first five months of 2017 there were nearly 270 complaints, which is almost the same as the number of entries in 2015 for the whole year. The majority of complaints have been solved through mediation, which means that the Commissioner gets in touch with the respective institution and later offers the information to the person submitting the complaint.

Next Steps

In the next action plan, the government should develop a commitment to ensure that the responsible body responds no later than 30 days upon reception of a comment regarding the reason for acceptance or rejection. Furthermore, the law states that the responsible public body should take immediate corrective measures following legal violations. However, it does not provide administrative sanctions for responsible persons who may violate the law. Article 21 should be amended to specifically indicate the administrative measures that should be undertaken by the Commissioner for the Right to Information and Protection of Personal Data to proportionally reflect the violation.

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[1] CFIPPD 2015 annual report states that a number of activities have been implemented with OSFA during 2015, such as training of public authorities' coordinators of the right to information, Regional Conferences in korca, Vlora, Shkodra etc. The development of the portal was also reported as under way. See Annual Report 2015, http://www.idp.al/wp-content/uploads/2016/10/Raporti_Vjetor_2015.pdf.

[2] Information provided by OSFA representative Klodian Seferaj.

[3] For access to information requests citizens can use the following link, http://pyetshtetin.al/kerko-informacion/, while for complaints, http://pyetshtetin.al/ankohuni-tek-komisioneri/.

[4] OSFA portal, http://pyetshtetin.al/rregjistri-i-kerkesave/

[5] OSFA portal, http://pyetshtetin.al/rregjistri-i-ankesave/

2. Budget transparency

Commitment Text:

Transparency in public finances is a key element of the government, so that budget information published on time, be easily accessible and clear to citizens. This commitment further enhances macroeconomic and fiscal stability as well as higher rates of economic growth. In addition, it helps to improve the efficiency of public expenditure. Ministry of Finance has paid great attention to budgeting transparency, placing it on top of its priorities, materialized in Public Finance Strategy 2014-2020.

Improving budget transparency through this commitment will be achieved by:

- *Preparing all necessary documents required for budgeting, in such a format that their structures are clear and comprehensive for citizens;*

- *Publishing on time these documents;*

- *Publishing in the website of the Ministry of Finance and in the media, all the activities conducted by the Ministry, including hearings for budget mid-term programming to achieve the active participation of representatives from various organizations, including citizens, NGOs, civil society, from central and local government at all levels.*

Responsible institution: Ministry of Finance

Supporting institution(s): Partners Albania, AIS, etc.

Start date: 2016   **End date:** 2018

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
2. Budget Transparency			⬛		⬛	⬛					⬛		Yes			⬛	

Context and Objectives

The 2015 International Budget Partnership report for Albania noted that the Government provides the public with minimal budget information and has performed poorly in engaging the public in the budget process. To improve transparency and participation, the report suggests publishing a number of budget documents, including a Year-End Report and Mid-Year Review, and a "Citizen Budget." It

recommends presenting more information on the classification of expenditures. To improve participation, the report recommends the government establish credible and effective mechanisms for capturing a range of public perspectives on budget matters. The Government has recently started to take steps to improve budget transparency. To a significant extent, the recent improvements are owed to the reforms and obligations Albania is carrying out in the framework of the European integration process, specifically in the domain of public finance management.

The government is looking to increase the amount of budget documents published and is seeking to expand civic participation by creating the opportunity for citizens and other stakeholders to participate in the preparation of budget documents.

The commitment clearly indicates the measurable deliverables with regards to the preparation and publication of specific budget documents. However, it is not clear what Ministry of Finance (MoF) activities will be published and it is also not clear how meetings with civil society will take place and what the level of involvement would be. Overall, the specificity of this commitment is medium.

If fully implemented, this commitment could have a moderate potential impact for increasing budget transparency. The government is taking important steps not only to publish budget information but to make it understandable for citizens. Furthermore, budget consultation with interest groups has historically taken place after budget design, and during parliamentary procedures for adoption. This consultation procedure often takes place on tight deadlines, allowing limited time for change. Involving interest group participation during the design process would enhance their influence in the decision-making process.

Completion

The 2016 budget, the "Citizen Budget" and the list of public investments under the medium-term budget program have been published. While no information on the progress of implementation was presented by the government point of contact for this commitment, IRM investigation finds that this commitment has been implemented on time.

Although, the commitment intended to involve civil society and other interest groups in the budget design procedure with the Ministry of Finance, this did not occur. Rather, public consultation took place during the parliamentary procedure of budget adoption, which has been the government's usual practice.

All necessary documents related to the draft budget are prepared and are online at MoF's website.[1] A "Citizen Budget" was prepared and published for 2016 and 2017, and draft budgets have been published on the MoF website.[2] The Ministry has also published gender budgeting for the medium-term budgetary program.[3] Monitoring reports for each ministry are published on the MoF's website on a quarterly basis.[4]

For the 2016 budget, the Government failed to deliver on the mid-year review which was recommended by the annual Open Budget report.[5] However, it remains unclear whether and to what extent the published information has reached the public and target stakeholders. Businesses and media have reacted to various budget issues (mostly tax-related and business climate) only during the parliamentary review of the

budget. There are no methods or publicly available tools in place to measure the extent of information usage by stakeholders.

Despite the improvements and the completion of this commitment's stated activities, civil society monitoring for 2016[6] and 2017[7] suggests there is still room to improve the government's performance, particularly in relation to the consultation of the draft budget. Specifically, for the 2017 draft budget which falls within the timeline of this commitment under the OGP action plan, experts underlined that the Government did not comply with the legal deadline to submit the draft budget on 15 October 2017, thus reducing the time available for consultations with civil society and interest groups at the parliamentary standing committees.[8] Since the consultation did not involve civil society and other interest groups in the budget design procedure, the IRM researcher could not code overall completion any higher than substantial.

Early Results (if any)

Although the actions taken to implement this commitment note a positive development for budget transparency in Albania, they are not enough to ensure active participation of citizens. Firstly, they do not guarantee that easy-to-digest information on the budget reaches citizens at large. None of the participants in the focus group conducted by the IRM researcher was aware of the "Citizen Budget" brochure published on the MoF website.[9] Secondly, participation of civil society and other interest groups in the parliamentary standing committees reviewing the draft budget remains limited. Furthermore, civil society experts suggest that they need to be consulted earlier than the time draft reaches the parliament in order to provide for an additional consultation channel. Often, interest groups are not consulted at the parliamentary hearings on the draft budget or their suggestions are ignored.[10]

Next Steps

The IRM researcher suggests a follow up to this commitment consisting of proactive measures encouraging participation and actions to meaningfully involve citizens and interest groups in the design of the budget. Furthermore, it is important to address the recommendations of the Open Budget report for Albania,[11] particularly those related to participation and oversight:

- In both law and practice, ensure the legislature is consulted prior to the virement of funds in the Enacted Budget and the spending of contingency funds that were not identified in the Enacted Budget; and
- Hold legislative hearings on the state of the economy that are attended by the executive and open to the public.

Additionally, the government and civil society should invest more efforts in improving the usability of the budget information which largely depends on the capacities of final recipients (public) and the intermediaries helping the public to better understand the budget—media, CSOs, other interest groups. In this context, the following measures would help the impact of budget transparency:

- Introduce easy-to-digest information in schools and higher education courses;
- Carry out "understanding budget" public campaigns; and
- Train journalists on state finances and budget related matters.

[1] MoF, http://www.financa.gov.al/al/raportime/buxheti/buxheti-ne-vite

[2] MoF, http://www.financa.gov.al/al/raportime/buxheti/buxheti-i-qytetarit

[3] MoF, http://www.financa.gov.al/al/raportime/buxheti/buxhetimi-gjinor

[4] MoF, http://www.financa.gov.al/al/raportime/buxheti/raporte-monitorimi/viti-20171507096197

[5] http://www.internationalbudget.org/budget-work-by-country/findgroup/group-data/?country=al

[6] OSFA Report, http://www.osfa.al/publikime/fondacioni-prezanton-analizen-e-projektbuxhetit-2016-dhe-monitorimin-e-buxhetimit-te-prioriteteve-te-integrimit-ne-projektbuxhetin-2016

[7] OSFA Report, http://www.osfa.al/publikime/fondacioni-prezanton-analizen-e-projektbuxhetit-2017-dhe-monitorimin-e-buxhetimit-te-prioriteteve-te-integrimit-ne-projektbuxhetin-2017

[8] Monitoring of Public Finances: Analysis of 2016 draft budget, page 4, https://www.osfa.al/sites/default/files/osfa_monitorimi_i_projekt-buxhetit_2017_0.pdf

[9] IRM Focus Groups with youngsters and participants from remote areas, August – September 2017.

[10] Java News, http://www.javanews.al/dhomat-e-tregtise-kunder-paketes-fiskale-nuk-u-thirrem-per-konsultime/

[11] 015 Open Budget Survey, www.internationalbudget.org/wp-content/uploads/OBS2015-CS-Albania-English.pdf

3. Integrated Registry of Citizens' Housing[1]

Commitment Text:

There is a lack of the Integrated Registry of Citizens' Housing.

The registration of citizens housing will enable many services that can be offered to citizens from their house; these services will be redimensioned after the creation of this database.

An important aspect of this service is the registration of Albanian emigrants housing. This will enable important information with extensive use of state and private institutions (the vote of emigrants, penalties at home and many other uses).

The whole process will ensure the involvement of citizens in order to verify the accuracy and integrity of datas; an example for this is that the data on registration of emigrants will be obtained through self-declaration. Also, feedback from citizens will be taken through urban offices and civil registry offices spread across the whole country.

The registration of citizens housing will enable many services that can be offered to citizens from their house; these services will be redimensioned after the creation of this database. One aspect of this service is the census of emigrants. This will enable important information with extensive use of state and private institutions (the vote of emigrants, penalties at home and many other uses).

- *Increase quality of services to the citizens through housing registry*
- *Melting of the National Address Registry with the Civil Status Registry*
- *Populating the addresses of residents*

Responsible institution: Ministry of Interior

Supporting institution(s): N/A

Start date: 2016   **End date:** 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
3. Integrated Registry of Citizens' Housing		⬚			Unclear					⬚			Yes		⬚		

Context and Objectives

According to the civil registry of Albanian citizens, Albania's population is approximately 4.3 million, while the actual number of Albanian residents is approximated to be 2.88 million as of January 2017.[2] Over the past 25 years, it is estimated that nearly 1.4 million Albanian citizens have emigrated, mostly to western European countries (Italy, Greece, Germany, France, United Kingdom, etc.), as well as to the United States, Canada, and Australia.[3] Additionally, internal migration has been a widespread and constant phenomenon: from 1992–2000, about 1.3 million people migrated internally, toward urban centers as well as toward rural areas, including the peri-urban areas of Tirana, Durres, Shkodra, Fier, and Korca.[4]

These migratory movements have not been registered in the civil registry of Albanian nationals, thus causing confusion for a number of public services provided by the state and for other citizens' rights and obligations, such as voting rights and social welfare.

The integrated registry of citizens' residence aims to create an accurate database integrated with the civil registry which contains all data of citizens (name, birthday, identification number, etc.) including their residential address. According to the action plan, this will offer online access to services for citizens. A service this commitment aims to achieve is the census of emigrants, through the integrated registry of citizens' housing. Ultimately, the action plan suggests that the Civil Status registry will be integrated with the National Address registry and contain all the information about Albanian nationals in one place, including their updated residence. Although this commitment targets a very important concern in Albania, its relevance to OGP values is unclear. The registry of citizens' housing will only be accessible to public authorities.

While this commitment clearly lays out its intended outcome (and subsequent services provided), the commitment text itself does not specify the measurable steps the Ministry of Internal Affairs will take to create an integrated registry of citizens' housing. It is also not clear how the registry would increase quality of services for citizens and, more specifically, how the government would go about conducting a census of migrants. The specificity of this commitment is low, for the above reasons.

If fully implemented, the potential impact of this commitment is minor. Establishing an integrated registry facilitates the government's work to verify the accuracy of migratory movements and aggregate citizen data in one place. However, due to the low specificity of the commitment, the IRM researcher cannot consider potential impact to be anything greater than an incremental step in registering migratory movements.

Completion

After clarifying the details of this commitment's activities, the IRM researcher found that the government envisioned three steps: 1) amend law no. 9270 on the system of addresses, 2) launch the database population process, and 3) pilot the housing registry. The database population process involves assigning new codes to households, and then entering data (e.g. the households' number of residents, professions) in the database. The integrated registry of citizens' residence was announced by the Minister of Interior in November 2015.[5]

In September 2016, the Parliament of Albania adopted the law no. 89/2016 "On some amendments to the 'Law no. 9270 date 29.07.2004 on the system of addresses', as amended."[6] In October 2016, the database population process was launched.[7] By December 2016, the new system of addresses was in place in the pilot municipalities. Citizens in the pilot municipalities (Tirana, Vlora, Durres) were told to report their residential and alternative addresses in the offices of civil registry at local government units by July 2017. However, this deadline was not realistic: many citizens were not aware of the requirement and faced fines of 10,000 ALL (approximately 90 USD), after which the authorities proposed to postpone the deadline.[8]

The government representative for this commitment reported that the piloting of the Registry is under way. In the pilot phase, nearly 600,000 entries of residences have been verified by the time of the preparation of this report and there are another 800,000 to be verified.[9] The piloting phase is being carried out in cooperation with the Electricity Power Distribution Operator, a public company.[10] However, it remains unclear when the project will be completed at the national level.

Early Results (if any)

Across three focus group organized by the IRM researcher, a majority of respondents (ordinary citizens) were familiar with this commitment.[11] Civil society representatives and citizens participating in the focus group discussions emphasized the importance of this project for better public services, control of the territory and public safety, electoral processes, etc.

However, the Registry's datasets will be in use for public authorities only. Civil society representatives suggest that lack of public access to the Register makes the OGP relevance of this commitment questionable, despite its importance.

Next Steps

As written, the commitment addresses an important issue in Albania, and can significantly improve state institutions' activities in public service delivery. However, the commitment is currently not relevant to any OGP values. The IRM researcher recommends that this commitment be taken forward into the next action, with an amendment to also include an open data initiative. This will provide public access to the integrated registry. In respect of the personal data protection legislation, some of the information which could be made publicly accessible includes: number of residences and voters per residence area, voting stations and voters lists, ratio of resident population and emigrants per area (village, town, region), etc. Such information may be useful not only for municipal and community planning purposes but also for election monitoring.

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[1] The correct title of this commitment in English is "Integrated registry of citizens' residence" (*Alb. "Regjistri i integruar i banesave te shtetasve"*). The commitment's description uses the same terminology as in the action plan. However, the report will elaborate as per the correct term in English.
[2] INSTAT, http://www.instat.gov.al/al/temat/treguesit-demografikë-dhe-socialë/popullsia/publikimet/2017/popullsia-e-shqipërisë-1-janar-2017/
[3] European Commission Report, http://ec.europa.eu/social/BlobServlet?docId=8835&langId=en

[4] Ibid.

[5] Ministry of Interior, http://www.punetebrendshme.gov.al/al/newsroom/fjalime/prezantohet-projekti-i-regjistrimit-te-adresave-dhe-shtetasve-popullimi&page=2

[6] Law 89/2016, https://www.parlament.al/wp-content/uploads/2016/07/ligj-nr-89-dt-15-9-2016.pdf

[7] See Minister of Interior statement launching the process, http://www.punetebrendshme.gov.al/al/te-rejat/lajme/vlore-tahiri-nis-procesi-i-popullimit-punesohen-1200-te-rinj-per-regjistrimin-e-shqiptareve

[8] As a result, it was requested to postpone the deadline, http://www.panorama.com.al/adresat-e-reja-kaos-ne-zyrat-e-gjendjes-civile-nga-sot-nis-vendosja-e-gjobave/

[9] Interview with Loran Sevi, Ministry of Interior, October 2017.

[10] The project is implemented by the MoI and the Operator's duty in this context was to help the Ministry with information about the residents/buildings with whom the company has a power supply contract. Telephone interview with Adri Kola, October 2017.

[11] Focus group discussions were carried out with young people (30 August 2017), women (31 August 2017) and participants from remote and rural areas (4 September 2017).

4. Public notification and consultation registry

Commitment Text:

Title: Establishment of electronic registry for public notification and consultation

Creating the registry for public notification and consultation belongs to the implementation of Law No. 146/2014 "On public notification and consultation".

In this context, this system is designed as a section in the form of a unique interactive virtual forum of government services e-Albania.al. Any decision-making and legislative institution, through a user that will be act as coordinator of the institution, and the cast will publish for consultation with citizens and interest groups of every draft or draft prior to its adoption.

The inclusion of this unique portal registry e-Albania.al government, and the inclusion of public consultation system within it will increase the exposure and access of citizens to the system.

This investment is aimed at increasing transparency and increasing public engagement in governance to meet the needs for creating the system functional for public notification and consultation.

Through this registry, access and opportunity of communication of all parties concerned will be provided. This form ensures and strengthens equality in terms of access to information and service, taking into consideration the specific needs to certain individuals or groups. This commitment also aimed at increasing transparency and increasing public engagement in governance.

Responsible institution: National Agency for Information Society (NAIS)

Supporting institution(s): Minister of State for Innovation and Public Administration; Line ministries

Start date: 2016　　　　　　　　　　　　　　**End date:** 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
4. Public notification and consultation registry		☑			☑	☑		☑			☑		Yes				☑

Context and Objectives

Citizens' involvement in policy and decision making is an important challenge and opportunity for participatory democracy in Albania. In the past few years Albania has taken important steps to involve citizens in central and local level governance. The Law "On public notification and consultation" asks all public authorities to consult citizens on draft legislation or strategic documents and appoint coordinators for public consultations. The adoption of the law establishing the National Council for Civil Society (November 2015) provided the framework for more structured consultations with civil society organizations (CSOs). However, at the time of writing, the National Council for Civil Society is yet to be a proactive forum.

The European Commission (EC) report on Albania, published in 2016, concluded that effective implementation of the laws on the right to information and public consultations remains a challenge, especially at local level.[1] In 2016, only 22 percent of Albanians reported that they have been part of public consultations at the local level.[2] Civil society representatives and the public at large remain skeptical about public consultations, which they consider to be formal processes carried out by state institutions and do not reflect their feedback at the final phase. A portal for public consultation was created in 2015, following the adoption of the Law "On public notification and consultation." This portal has been monitored by civil society actors who have pointed out a number of concerns. ResPublica, a non-governmental organization based in Tirana, reports that between November 2015 and May 2016 only 5 percent of monitored public authorities had appointed a Public Consultation Coordinator, and only 8 percent of monitored public authorities had prepared public registers on draft legislation or other acts that are subject to public consultations. On the portal www.konsultimipublik.gov.al/, ResPublica reported that the website was online, but no Register was functional.[3]

The inclusion of a new public consultation portal in this context represents an important measure to increase public participation in decision making by using information and communication technology. If fully implemented, this commitment would significantly improve transparency of institutions and its processes by increasing public engagement, which the IRM researcher considers to be moderate potential impact. Additionally, the portal would enable public access to information on draft legislation at different stages before it reaches the Parliament and subsequently improve civic participation by providing the public with a consultation system. This interactive forum is relevant to the OGP values of access to information, civic participation, and technology and innovation.

The commitment clearly identifies its intention to establish a portal for public notification and consultation of draft legislation; however, it does not list measurable steps that would cumulatively lead to the establishment of this electronic registry. Therefore, the specificity of this commitment is low.

Completion

The registry for public notification and consultation was updated and integrated with the e-Albania portal, on time, in the first year of the action plan. The portal includes a section on consultations with citizens and a separate section for consultations with

experts. The IRM researcher was not provided with any information on the number of users registered with the portal.

The interlink with e-Albania serves as a user registration and identification for the portal. No registration is required to access the acts under public consultation procedure at www.konsultimipublik.gov.al. However, registration is compulsory in order to comment on the acts under consultation.

Early Results (if any)
Although the implementation of this commitment was carried out on time, its results are disappointing. No feedback (comments) from citizens or experts was received through this portal on any of the 15 draft laws and draft strategies which were put out for public consultation during 2017. There are several reasons for the low level of feedback: many participants at the focus groups organized by the IRM researcher were not aware of the portal. The few who were informed (representatives of local CSOs) suggested that the main reasons for limited feedback were the condition to register with e-Albania and a lack of public awareness about the portal.

Next Steps
Despite the missing results and impact in the past year, the portal www.konsultimipublik.gov.al remains an important online public consultation opportunity. Nevertheless, some additional steps are still required in order to boost its use and usefulness.

- For the portal to be more successful, it needs to be more broadly promoted among citizens. CSOs have used social media to inform citizens about the portal. However, the IRM researcher recommends that the public campaign also use traditional media.
- To improve the public consultation framework, the government needs to undertake a bigger effort by developing statutory procedures governing public engagement in policymaking. When publishing draft legislation, the government needs to provide adequate timeframes for consultations, establish clear rules to guide consultation, and provide feedback on citizens' input.

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[1] EC report on Albania, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf
[2] "Audit of political engagement in Albania" (IDM 2016) page 24, https://www.ndi.org/sites/default/files/IDM%20Audit%20of%20Political%20Engagement%20in%20Albania.pdf
[3] "Public consultations – Challenges of enforcing the law in the first year" (Res Publica June 2016), http://www.respublica.org.al/wp-content/uploads/2016/07/konsultimi-publik-sfidat-e-vitit-te-pare-te-zbatimit-te-ligjit.pdf

5. Digital archive

Commitment Text:
The commitment proposed by the Ministry of Urban Development and the Central Archive for Technical Construction has the overall objective of monitoring compliance with the development of the Digital Agenda in Albania and recognized technological standards referred to by similar entities in other countries of the EU, as well as similar institutions in the country. The Archive should turn into a technology-based asset for access, convertible and comparable with European similar archives, improving the effectiveness of the service provided to citizens through:

- Providing services online through access on the Internet / intranet citizens or entities and other interested parties who require these services, access to online material opportunities.

- Creating opportunities for publication technological and infrastructural services, real-time benefit in their reduction in costs of services, human processes of energy saving automatic.

- Reduction of the use of documents and other archival materials of the original by increasing the scale of their use in an electronic form.

Responsible institution: Central Technical Archive of Construction/Ministry of Urban Development

Supporting institution(s): N/A

Start date: 2016 **End date:** 2018

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
5. Digital archive		☐			Unclear					☐			No		☐		

Context and Objectives
Private sector development remains a priority for the Government of Albania. In April 2015, the government approved the "Digital Agenda", which includes steps to increase business innovation, establish incubators for ICT, increase FDIs, and increase the competitiveness and economic growth in the country.[1] The main aim of this

measure was to reduce costs through cooperation, infrastructure sharing and synergies. This commitment builds on this work and has the overall objective to monitor compliance with the Digital Agenda and other recognized technological standards in European Union (EU) countries.

Currently, the Central Technical Archive of Construction, one of the lead implementing agencies, is the only institution in Albania that collects and manages documents of technical construction. Their database is not digitalized which leads to increased costs for citizens (traveling to Tirana to apply and obtain documentation at the Central Technical Archive of Construction) and delays in obtaining the required material (because citizens will have to travel in person).

This commitment develops a digital archive as a technology-based asset for access, convertible and comparable with similar European archives. The action plan suggests that this commitment will improve the effectiveness of public services in three ways: first, it will provide access to online services and material (through Internet/Intranet) to citizens, entities, and other interested parties who require these services. Second, it will reduce costs for the state institutions and businesses involved in issuing construction permits who, up until this point, have had to print all the necessary papers. Third, it will reduce the use of documents and other archival materials by increasing the scale of their use in electronic form. Although the commitment's description suggests that it will improve services to citizens, it does not explain how citizens will access the digital archive and whether it is intended for public use. The specificity of this commitment is low because it requires interpretation on the part of the IRM researcher to identify what activities will be taken to develop and implement the archive as described.

Despite the ambitious outcomes, as stated by the government, the IRM considers this commitment to have minor potential impact. In addition to its low specificity, this commitment will effect incremental change in the ways businesses operate. Construction companies will be able to more easily apply for a building permit and individuals will be able to access online maps of their properties, however, the scope of this commitment is limited.

Although this commitment represents a step forward in improving government services, through digitalizing the archive of technical construction, its relevance to OGP values is unclear. The digital archive does not include a public-facing element. Since the archive does not publicly disclose information or increase the quality of information, it is not relevant to access to information.

Completion

The IRM researcher could not obtain any official information on the completion of this commitment. At the time of preparing of this report (August – October 2017) the Government of Albania went through a restructuring process and, as of September 2017, the Ministry of Urban Development no longer exists. The IRM researcher's interviews with former staff of the Ministry of Urban Development and current officials of the Central Technical Archive of Construction confirmed plans to develop a digital archive but they were not aware that the project was an OGP commitment.[2] Similarly, no participant at the IRM focus groups was aware of this commitment or its activities.

At the time of writing, the level of completion for this commitment is limited and behind schedule. The IRM researcher could only trace a Council of Ministers Decision no. 365, date 26 April 2017 "On the establishment of the state database Digital Archive of the Central Technical Archive of Construction." The CM decision adopts bylaws to enable the establishment of the digital archive and indicates the database as interlinked with other state databases and offers primary and secondary data, as described in this commitment, to interested parties (e.g. state institutions, citizens, businesses, and the Central Technical Archive of Construction).

Next Steps

As written, this commitment is not relevant to OGP values. However, the IRM researcher recommends that it be taken forward to the next action plan, provided it ensures open access for the public, rather than just through the request of an interested party. Additionally, the Digital Archive should be interconnected with the e-Albania portal through a level four e-service, while also ensuring public access. Currently, the e-Albania portal includes (three) informational services related to the Central Technical Archive of Construction.[3] Finally, if this commitment is taken forward with the intention to open access to information, more work needs to be done to increase awareness among citizens and government staff of this commitment's activities, and its ties to OGP.

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[1] The Digital Agenda, http://ec.europa.eu/docsroom/documents/22382/attachments/1/translations/en/renditions/native

[2] Interviews conducted in September 2017.

[3] as the e-Albania portal, https://e-albania.al/SherbimiADISA.aspx?kodi=AL031021; https://e-albania.al/SherbimiADISA.aspx?kodi=AL031019; and https://e-albania.al/SherbimiADISA.aspx?kodi=AL031018

6. Scientific research database

Commitment Text:

Title: Creating a database for archiving and publication of research funds and programs in Albania

In Albania there is few cooperation (or nonexistent) between the scientific community and the private sector and the scientific community and public institutions about policy-making based on evidence. One of the main negative consequences is the lack of research's results produced in Albania. Currently, there are a number of programs in the country (with public funds or donor's funds) that support research. But the lack of a unique portal, which should contain all research deliverables and calls, hinders the development of this cooperation.

The Albanian government will be committed to maximizing access to information related to researches funded by public and private funds to promote greater cooperation between the scientific community, public institutions and private sector. Activities proposed in this context are the following:

- Development, adoption and promotion of open standards for science in Albania.

- Completion of legislation through a bylaw to enable one-stop search for publications and data resulting from scientific work undertaken by the Albanian institutions and researchers (supported by Albanian and other funding resources).

Responsible institution: Ministry of Education and Sport

Supporting institution(s): Agency for Research, Technology and Innovation (ARTI); Institute for Democracy and Mediation (IDM)

Start date: 2016   **End date:** 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
6. Scientific research database				⬜	⬜			⬜			⬜		No	⬜			

Context and Objectives

According to the UNESCO Country Programming Document, science in Albania is in need of development.[1] There is a lack of cooperation among the scientific community (i.e. private sector and public institutions) regarding science-based policy decisions in Albania. A negative consequence of limited cooperation is that research produced in Albania rarely impacts policy making. Evidence-based policy making, on

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the other hand, relies on active involvement of informed stakeholders, quality of research and open access to research products.

In the past year, some initiatives focusing on open science and creation of databases with applied and scientific research data have taken place. These initiatives include the European Union (EU) research innovation program "Horizon 2020," to build capacity and increase investment in research.[2] Another initiative is the "South-Eastern European Data Services," which aims to establish new data services to curate and preserve digital social science data and make these available free of charge to the research community for secondary analyses.[3] Another initiative is the Regional Cooperation Council (RCC) working group on open science with western Balkan countries.[4]

The purpose of these initiatives and this OGP commitment is to bring Albania closer to European standards of open science.[5] A 2015 assesment carried out by the Regional Research Promotion Programme (RRPP) and the Institute for Democracy and Mediation (IDM) on evidence-based designing of social programs found a discrepancy between evidence and policies, with regards to timing, budgeting and content. Additionally the report identifies some serious concerns, including the accuracy of data produced by different actors and the difficulty in translating programs' evidence and their implementation on the ground.[6]

Despite the number of domestic programs and multilateral initiatives, Albania still lacks a unique portal, which should contain all research deliverables and calls. This hinders cooperation among the scientific community and policy-influencing institutions. This commitment aims to foster a culture of evidence-based policies by engaging research resources, sharing research deliverables, and thereby developing better policies. Furthermore, it encourages trilateral (public-civic-private) cooperation for efficient policies and promotes scientific research standards. This commitment aims to achieve its objective through the completion of two steps: the first is to develop, adopt, and promote open standards for science. The second is to establish legislation to enable a one-stop search portal for scientific data and publications, and subsequently to create the portal. Both activities are clear and verifiable, and the overall commitment is considered to be highly specific.

If fully implemented, this commitment would have a moderate impact on the research capacities and quality in Albania, the evidence-based policy making, and efficient policy implementation. By establishing open science standards and enabling the development of a one-stop portal for publications and data, Albania is taking an important step forward in strengthening research capabilities and output. However, for a potentially transformative impact, more needs to be done in order to increase the quality and integrity of research by public and private academic and civil society (think tanks) stakeholders.

Finally, this commitment is relevant to the OGP values of access to information and technology and innovation because it creates an aggregated portal for stakeholders to access all the scientific research undertaken by Albanian institutions and researchers.

Completion

Based on the Law "On higher education and scientific research" and the August 2016 Council of Ministers decision,[7] "On the establishment, composition and functioning of the National Agency of Scientific Research and Innovation," the Agency for Research, Technology and Innovation (AKTI) was renamed as "National Agency of Scientific Research and Innovation" (NASRI) and transferred under the authority of the Ministry of Education and Sports. Over the past year, the transformed AKTI has faced serious challenges in terms of human resources and infrastructure, thus making it difficult to perform its duties.[8]

Additionally, while the Institute for Democracy and Mediation (IDM) is listed as a supporting institution, the IDM had no involvement in this commitment. The government thought that the CSO proposing the commitment would also be in charge of its implementation. While no official information has been offered to the IRM researcher on the progress of this commitment, additional investigation could also not track any progress in implementing either of the milestones.

Next Steps

As planned under the current OGP action plan, this commitment intended to create the necessary legal and institutional framework for a national database of scientific and applied research data, as well as to launch the actual portal. However, additional work needs to be done to substantively develop a functional portal, which should be a follow up for this commitment.

Re-design of this commitment needs to start from the responsible authority, given the recent changes and competences of (now) NASRI. Rather than relying on foreign donors' projects, the Ministry of Education and NASRI must act on adopting the legal and policy documents for open science in accordance with the European Commission (EC) 2012 recommendation, which entails the inclusion of an institutional framework that will enable an online database on scientific and applied research datasets produced in Albania. Furthermore, the commitment needs to identify and seek the cooperation and involvement of relevant institutions, such as universities, think tanks, associations of business who conduct research, etc.

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[1] UNESCO Country Programming, http://unesdoc.unesco.org/images/0023/002330/233036E.pdf
[2] EC report, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf
[3] South-Eastern European Data Services, http://seedsproject.ch/?page_id=2
[4] RCC program on Skills and mobility, http://www.rcc.int/flagships/3/skills-and-mobility and workshop on "Researcher mobility and open science contributing to research excellence" http://www.rcc.int/news/203/researcher-mobility-and-open-science-contributing-to-research-excellence
[5] Specifically EC recommendation on access to and preservation of scientific information (2012, https://ec.europa.eu/research/science-society/document_library/pdf_06/recommendation-access-and-preservation-scientific-information_en.pdf
[6] Report on the Roundtable "Use of Scientific Evidence in Designing Social Protection Policies in Albania" (March 2015), http://idmalbania.org/wp-content/uploads/2014/10/Evidence-based-Policymaking-Roundtable_report.pdf
[7] Council of Ministers, http://www.kryeministria.al/al/newsroom/vkm/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-31-gusht-2016
[8] Interviews with former and current officials of (former) AKTI during 2016/2017.

7. Publish government legislation online

Commitment Text:

Title: Publish online central and local government legislation in open systems and for free

Infocip considers that access to the central and local legislation is a public service that does not need improvement, despite more explicit legal requirements.

The commitment to publish online in open systems free national and local legislation includes:

- *Regarding the central legislation, the government is committed to the publication of legislation in the official websites of the line Ministries, free of charge, in the section: Legislation.*

- *Regarding local government legislation, Infocip offers vendime.al as online national platform, unique in its kind, which may be adopted as a reporting mechanism.*

Responsible institution: Minister of state for Local Issues (MSLI)

Supporting institution(s): InfoCip

Start date: 2016   **End date:** 2018

Editorial note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
7. Publish central and local government legislation			⬜		⬜						⬜		No		⬜		

Context and Objectives

INFOCIP, a civil society organization based in Tirana, considers access to central and local government legislation a public service. While access to legislation is provided and is legally required, local government legislation is not publicly available in all 61 municipalities in Albania. A 2016 MJAFT! Movement monitoring report suggests that nearly 58 percent of central and local government institutions failed to respond to

freedom of information requests submitted by the organization. For local government legislation, challenges are even more pressing given the fact that many municipalities, especially small and medium-sized municipalities, do not have official websites.[1]

The current system of providing government legislation is also fragmented and inefficient. According to the legislation in force, national legislation and bylaws adopted by the Government should be published in the Official Gazette. These acts are also published electronically on the portal http://www.qbz.gov.al. On the other hand, Article 18 point 3 of the Law "On the local self-government in Albania" stipulates that legal acts adopted by municipal councils are published on websites or in other spaces accessible to the public, as well as through other means. But because many local governments do not have official websites, the practice of publishing local legislation is fragmented.

While developing the 2016-2018 action plan, INFOCIP proposed that the Government of Albania commit to publishing central and local government legislation online in open data for free, or open systems as referred to by the action plan. This commitment consists of two steps. First, for the central government, the commitment specifies that bylaws and other legal acts adopted by institutions will be published online in the websites of each ministry, under a separate heading (legislation). Second, for the local government, the commitment offers the portal vendime.al as a possible reporting mechanism. Vendime.al is an initiative of INFOCIP supported by various donors (e.g. US embassy in Tirana, National Endowment for Democracy, the European Union-funded project CIVILISC).

If fully implemented, this commitment will have moderate potential impact. For local government legislation, the vendime.al portal, combined with the websites of municipalities, fully address the need for online public access to municipal councils' decisions. However, for central government legislation the commitment does not capture all central government agencies. The commitment is also vague in determining what type of legislation—laws, bylaws, decisions, regulations, orders, etc.— should be made publicly available. Additionally, the commitment text only refers to publication of central government legislation on Ministry websites, and not in the Official Gazette. It is unclear where ministries are committed to publishing their legislation.

This commitment addresses the OGP value of access to information. The commitment activities focus on adopting legislation, which will enable an increased amount of information and improved quality of information. However, because this commitment does not provide a mechanism for public consultation on central or local government legislation, it is not relevant to civic participation or public accountability.

Completion

It is important to note that the Minister of State for Local Issues (MSLI), the leading institution, was not aware of its responsibilities regarding this commitment. INFOCIP, the listed supporting institution, acted as the lead implementing organization. In addition, MSLI was unaware that they had committed to publish central legislation on the official websites of the line ministries and the Official Gazette. This

misunderstanding made it difficult to gauge completion, but the poor coordination among institutions does not have a direct consequence on specificity coding.

The MSLI has not offered information on the progress of this commitment, and completion has been coded as not started for the first commitment activity. The progress of this commitment's implementation is uneven for central and local government legislation. Even before this commitment was undertaken, most government ministries' websites had a section titled "legislation," containing information about the basic legal and sub-legal acts regulating the sectors of their authority. Yet, not all ministries' websites contained this information. Other ministries included partial information (e.g. laws but not updated information about adopted bylaws such as ministers' orders, decisions or regulations).[2]

With regards to the local government legislation, a 2017 monitoring report by INFOCIP suggests that 41 out of the 61 local government units in Albania (nearly 67 percent) have published the decisions of municipal councils, compared to 12 LGUs (20 percent) in 2016. 17 municipalities publish local government legislation on both their website and vendime.al. Another 15 publish local legislation only at vendime.al. Seven municipalities infrequently publish online local legislation, while two municipalities only publish online the title of the decisions of municipal councils.

INFOCIP has reported that vendime.al has expanded the number of municipalities which publish their decisions in this portal. Furthermore, INFOCIP has also reported that the portal had approximately 2,500 to 3,000 unique visitors per month in the first half of 2017, and an overall average of 200,000 clicks per month.[3]

Early Results (if any)
No information about the use of the "legislation" section in line ministries' websites has been offered to the IRM researcher. However, INFOCIP has provided useful and reliable data on the use of the vendime.al portal.

CSOs and local government experts are aware of and are using the vendime.al portal. However, no citizen participating in the focus groups conducted by the IRM researcher was aware of the commitment or the vendime.al portal.

Next Steps
While Albania is still on time to publish central government legislation by June 2018, realistically, there is not enough time for all 61 municipalities to publish local government legislation with all the legal acts in force.[4] The IRM researcher recommends following up this commitment in the next action plan. In addition to this, the commitment also needs to be redesigned to include clearer definitions of actions and the institution(s) responsible for its implementation. Specifically, with the new government taking office in September 2017, the following steps need to be taken into account:

- Take measures to unify all ministries' websites with a separate "legislation" section. Additionally, the same should apply for other state agencies at the central government level.
- Have the responsible institution identify the type of legal acts to be published. At present, it remains unclear which government institutions is in charge of this commitments as the MSLI does not exist in the new government cabinet.

- Remind municipalities to coordinate with vendime.al and make use of the already rich resource of local government legislation. INFOCIP is taking action to coordinate with the government and donors (UNDP Albania) supporting the territorial and administrative reform's implementation.
- Include mechanisms for public consultation when drafting bylaws.
- Take actions to make the commitment more relevant for interest groups (e.g. businesses, CSOs, media) through greater clarity on the type of bylaws to be published under the ministries' websites; and
- Coordinate with donors supporting the publication of local legislation, an element of territorial and administrative reform (in force since 2015) and take into account the need for more targeted use of vendime.al.

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[1] "Challenges of local government units in the fight against corruption", IDM assessment report 2016, http://idmalbania.org/wp-content/uploads/2016/08/LGU-Anticorruption-English.pdf

[2] The website of the Ministry of foreign affairs did not have a separate section about "legislation"; the Ministry of Education and sport included "legislation" heading about sports, date accessed June 2017.

[3] Interview, reports and access to files provided by INFOCIP during July – September 2017.

[4] The STAR 2 Project (Support to the Territorial and Administrative Reform) can be used in this regard. Between 2017 and March 2019 the STAR 2 project will support the online legislation (from 2015 onwards) for 31 municipalities which do not publish online legal acts in cooperation with the Commissioner on the Right to Information and Protection of Personal Data. Information obtained from STAR 2 officials (September 2017).

8. Electronic registry of concessions

Commitment Text:

Title: Open standards for contracting, public contracts to be published in open data format

AIS organization is as an organization that promotes open data and transparency, simultaneously engaged as a member of the Coalition for Open Government Partnership for Albania. In this term, AIS proposed several commitments to the Government and its partners, to be included in the 2016-2018 national action plan, including: online publication of concession and PPP contracts in which the GoA is part.

The governmental institution engaged in this commitment is the Ministry of Economic Development, Trade, Tourism and Entrepreneurship.

The Albanian government is engaged in the use of open standards for contracting. This is a current trend of the efforts of nations and stakeholders to access information on public contracts and the way they proceed to their finalization. The Concessionaire Register has to be built on the basis of the Law on Concessions and PPP, and DCM is deemed delivering in an open data format by also ensuring trade or intellectual secret. The Concession Treatment Agency has undertaken this commitment to create the Electronic Registry of Concessions and Public Private Partnership pursuant to Law No. 125/2013, as amended, and the Council of Ministers Decision Nr. 211 dated 16.03.2016 "On the establishment and administration of the Electronic Registry of Concessions / PPP".

This institution is currently collecting data on all contracts and PPP concession by all contracting authorities in the Republic of Albania. The database that will be created as a result of this commitment will be public and accessible to all.

Responsible institution: Ministry of Economic Development, Trade, Tourism and Entrepreneurship/ Concession Treatment Agency

Supporting institution(s): Albanian Institute of Science – AIS

Start date: 2016   **End date:** 2018

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
8. Electronic registry of concessions			☐		☐			☐			☐		Yes		☐		

Context and Objectives

Corruption is a serious problem in Albania, and more than two-thirds of the public believe that nothing that can done to reduce corruption.[1] In the past few years several corruption allegations related to public private partnerships (PPPs) and concessions have been raised by the media and civil society organizations (e.g. concessions on hydropower plants, mining industry, healthcare services).[2] The lack of transparency and integrity regarding concessions and PPPs have become serious concerns. Publishing contracts about concessions and related information in an open data format will significantly improve access to information, public oversight and integrity of institutions involved in approving and managing concessions and PPPs.

This commitment aims to make use of open standards for contracting in the establishment by the Concession Treatment Agency of a Concessionaire register, based on the Law on Concessions and PPP (i.e. Law No. 125/2013, as amended, and the Council of Ministers Decision No. 211 dated 16.03.2016 "On the establishment and administration of the Electronic Registry of Concessions / PPP"). The Agency is currently collecting data on all contracts and PPP concessions by all contracting authorities in Albania. The subsequent database will be held to open data standards and will be public and accessible to all. Because this commitment outlines its objective and a verifiable deliverable, its specificity is medium.

If fully implemented, this commitment may have a moderate potential impact. The Registry is a step forward to improve transparency, accountability, and public integrity. Civil society stakeholders interviewed by the IRM researcher have reported high expectations from this commitment, especially in fighting corruption and improving transparency of government. Additionally, it serves European Union (EU) accession reforms, aligning the country closer to EU membership.

By making use of ICT tools (electronic registry) for greater transparency and accountability this commitment advances OGP values of access to information by making public key data and information about approved concessions and PPPs. However, this commitment does not include a public accountability mechanism. Other than an increase in available data on concessions, there is no evidence that this registry would guarantee civil society or stakeholder monitoring of the procedures, concessions and public benefit from PPPs. A truly transformative commitment would include an accountability feature or disclosure of information on beneficial ownership on the concession and contracting processes while they are taking place, and not just when completed.

Completion

The Registry of Concessions and PPPs was launched at the end of 2016 by the Agency of Concessions Treatment.[3] No consultations with civil society, media, or other interest groups were carried out on the implementation of this OGP commitment. As of writing, not all contracts are published on the registry and the provided information is not in open data format. Consequently, the Registry did not produce the desired results, nor did it offer more transparency on the granted concessions. Various media outlets, and civil society groups such as Open Data Albania continue to raise concerns over the lack of information on concessions and PPPs.[4] While still on schedule, it is unlikely the government will be able to fully

implement this commitment by June 2018. Finally, it is important to note that the Albanian Institute of Science (AIS) was not involved in this commitment, despite being listed as a supporting institution in the action plan.

Early Results (if any)

The Registry of Concessions and PPPs does not publish information in open data format, as envisioned by this commitment. AIS Director Aranita Brahaj points out that there is no methodology of the Registry and one has to visit multiple portals. For example, one has to visit the Public Procurement Registry to obtain information on the procedure of the specific PPP or concession. Otherwise, one must go to the National Business Registry to obtain information on changes of the status of concessionaires, or other government institutions to obtain information on the performance of concessions (taxes paid, profit made etc.).[5]

Next Steps

The Registry did not publish all contracts nor did it publish information in open data format. In addition to continuing implementation, the public also needs to be aware of the progress of concessions, how much the state is paying, how much the concessioner is paying, public benefit, and other information. In other words, the scope of information published should be expanded. Moving forwards, the IRM researcher recommends the Public Procurement Agency (PPA) consider the following steps, in cooperation with the Council of Ministers:
- Increase the number and quality of datasets for each concession and PPP;
- Carry out consultations with civil society, media and other interest groups to improve the current Registry and in continuity;
- Improve the Registry of Concessions and PPPs by publishing all contracts in open data format in accordance with Open Contracting Data Standard (OCDS);
- Link the Registry to the Public Procurement Commission's complaint process; and
- Strengthen the e-procurement performance and compliance monitoring system and provide for public reporting and monitoring of performance.

The IRM researcher also suggests that recommendations from the 2016 European Commission (EC) progress report also be included in the next action plan. The report touches on the following issues:
- Albania needs to further harmonize with EU public procurement rules, including recommendations on a contract registry for all public contracts and improvements in the processes of concession award and management and defense procurement;
- There is a lack of necessary human resources at concessions treatment agency in the Ministry of Economy and Trade (only 12 employees).[6]
- Further approximation of the legal framework and improvement of related bylaws regulating the Registry should address civil society concerns over the usability of Registry's information and the extent of information provided at the portal. Such amendments should include aspects related to format of information (in open data), type of information (e.g. revenues, collected taxes)

and other aspects which are not specified and which would make a real difference.[7]

[1] Shadow Power, http://seldi.net/fileadmin/public/PDF/Publications/RAR_2016/SHADOW_POWER_EN_FINAL.pdf

[2] Corruption allegations, https://www.reporter.al/prokuroria-nis-hetimet-per-koncesionet-multimilioneshe-te-beqajt/

[3] To access the Registry, http://www.atrako.gov.al/?page_id=112

[4] Open data, http://open.data.al/sq/lajme/lajm/lang/sq/id/1953/titull/Pesekoncesionetefshehtateqeverisegjatekohessezgjedhjeve/Pese-koncesionet-e-fshehta-te-qeverise-gjate-kohes-se-zgjedhjeve

[5] Interview with Aranita Brahaj, October 2017.

[6] EC Report on Albania 201, page 37, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf

[7] In October 2017 the Registry included nearly 15 concessions, with over 2/3 of them before 2015.

✪9. Implement Whistleblower Protection Law

Commitment Text:

Title: Implementation of the Law "On protection of whistleblowers", capacity building, amendments and its bylaws

In May 2014, NCAC and the Ministry of Justice, with the assistance of the Dutch government that is channeled through Utrecht University, began drafting the Law "On whistle blowers and the protection of whistleblowers". This law serves at increasing transparency of public and private institutions by creating a better environment for employees to step up and denounce corruption cases.

The law defines corruption related offences, delineates the competences of the internal mechanisms, and pinpoints which body should serve as the external reporting mechanisms and defines how the protection of whistleblowers should be ensured. In addition, the law applies both to the public and private sector. It was adopted in Parliament on June 2, 2016. By Decree of the President of the Republic No.9647 dated on 20.06.2016, the law was published in the Official Gazette No.115 on June 23, 2016 and it entered into force on July 8, 2016. Its legal effects extend from October 1, 2016 with the exception of legal effects for internal whistleblowing for private subjects, which start on July 1, 2017 (Note: this was a commitment of NAP 2nd 2014-2016).

Objectives for this NAP's commitment:

- *Drafting of bylaws, relevant instructions and reporting forms for the prosecution and investigation by HIDAACI for successful implementation of this law;*

- *Consultations with stakeholders in Tirana and other districts for the introduction of bylaws, consultation and recommendations thereof;*

- *Capacity building through trainings and technical assistance for staff of HIDAACI and other public administration staff about the successful implementation of the law, bylaws and regulations, preparation of job descriptions for staff responsible for receiving alerts and pursuits;*

- *Awareness and education campaigns in the media of the law and the importance of its implementation in the fight against corruption.*

Responsible institution: Minister of state for local issues (MSLI)

Supporting institution(s): Partners Albania, media, businesses

Start date: 2016   **End date:** 2018

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
✪9. Implement Whistleblower Protection Law				⬚	⬚	⬚	⬚					⬚	Yes				⬚

Editorial Note: Commitment is measurable, clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented.

Context and Objectives

The Law "On protection of whistleblowers", which was a commitment in the previous OGP action plan, was adopted in June 2016.[1] The law defines corruption-related offenses, identifies which body should serve as the external reporting mechanisms and defines how the protection of whistleblowers should be ensured. The law applies both to the public and private sector. It entered into force in October 2016, with the exception of legal effects for internal whistleblowing for private subjects, which entered into force on 1 July 2017. The law creates legal protections for employees to step up and denounce corruption cases.

The commitment's objective as specified in the action plan is two-fold: to increase the number of reports on cases of corruption in public authorities, and to protect whistleblowers. To achieve this goal the commitment foresees four activities: adopt bylaws to ensure implementation of the law, consult with stakeholders, improve capacities of The High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest (HIDAACI), the oversight institution, and raise public awareness about whistleblowing. These activities create the necessary environment and institutional mechanisms for the application of the law. If fully implemented, this overall commitment could have a transformative potential impact. Drafting secondary legislation, training of public servants and raising public awareness will help to ensure effective implementation of this important anti-corruption law.

This commitment is highly specific. With the exception of activities two and four (i.e. consult with stakeholders and raise awareness), all activities clearly delineate the measurable deliverables, whether it is drafting by-laws or scheduling capacity building trainings.

This commitment is particularly relevant to OGP values of access to information, civic participation (through consultations on the draft by-laws) and public accountability (ultimately, through increased numbers of reports on corruption and other wrongdoings in the public and private sector).

Completion

The commitment has been completed. All activities foreseen under this commitment are completed. Bylaws were drafted and adopted after holding public consultations.[2]

By November 2016, all secondary legislation—including Council of Ministers Decision, HIDAACI Directives and the Directive of the Commissioner for the Right to Information and Protection of Personal Data—were adopted to ensure implementation of the law on whistleblower protection.

In August 2016 a local NGO, Partners Albania, launched a public invitation for comments and recommendations on the bylaws for the law on whistleblower protection.[3] The draft bylaws were shared through the Partners Albania website, social media, and email. In total, the draft bylaws were sent to 1,100 civil society organizations, 250 businesses, 61 municipalities, 120 public institutions at central level and state agencies, 165 media representatives and 150 representatives of donors and international development agencies in Albania. Partners Albania carried out public consultations in Tirana. Consultations carried out with central government institutions were separate from consultations carried out with private sector representatives, media and civil society. A total of approximately 240 participants attended the consultations held in Tirana, Fier, Shkodra, Korca, and Elbasan in September 2016. Participants included local government and other state institutions, civil society, businesses, media and other stakeholders.[4] Public consultation events were coordinated with HIDAACI, the National Anti-Corruption Coordinator and the Commissioner on the Right to Information and Protection of Personal Data.

Partners Albania and HIDAACI carried out a series of capacity building events. The annual 2016 HIDAACI report stated that curricula for a series of ToT (training of trainers) events was prepared in 2016.[5] Partners Albania experts conducted trainings for HIDAACI staff in 2017. The ToT was conducted at the Albanian School of Public Administration (ASPA). The participation of ASPA trainers enabled trainees to build their skills and capacities in order to continue carrying out trainings for civil servants in the units in charge of whistleblowing in public institutions and in private entities.[6]

In 2017 Partners Albania carried out two trainings with approximately 80 employees from relevant units of central and local government institutions. Additionally, in accordance with the Memorandum of Understanding (MoU) signed in July 2016, Partners Albania has continuously provided technical assistance to HIDAACI and other state institutions in all institutional steps. A study trip to the Netherlands by HIDAACI staff was also organized in the framework of Partners Albania's project. This visit facilitated dialogue with the main Dutch institutions responsible for the implementation of the whistleblowing law. During this visit, some government institutions and private companies shared their experience on whistleblowing legal framework implementation and the challenges, using a variety of illustrative cases.

As for the fourth and final activity commitment, MSLI organized two campaigns, commenced traditional media and social media awareness raising, and set up public information billboards in major Albanian cities by July 2017. The awareness-raising activities started in October 2016, parallel with the entry of the law into force.[7] An informative television spot has been broadcasted in social and traditional media.[8] This provides information on the law, which institutions are obliged to implement it, what the penalties are for not following the law's instructions, the benefit that the law brings in the fight against corruption, and more. Additional promotional materials (e.g. flyers, City Lights billboards and posters, video adds in YouTube and social media) have been disseminated online and in the main urban centers, institutions

and public spaces. Another awareness-raising campaign (consisting of Spot 2, CTL, video ads, etc.) was launched in May 2017 and is currently offering information to relevant institutional employees and the general population including procedures, concrete forms of whistleblowing in institutions, what to do in such cases, etc. The campaign's broadcast was fully realized during June-July 2017.[9]

Overall, the IRM researcher would like to note that Partners Albania has played a crucial role in the implementation of this commitment through a project supported by the Netherlands embassy in Tirana.[10]

Early Results (if any)

The commitment has established the necessary legal and institutional infrastructure for the implementation of the law, including trainings and other capacity building activities for units in charge of whistleblowing in public institutions. However, it is too soon to expect concrete cases of whistleblowing. Civil society experts suggest that further progress in the implementation of the judicial reform will likely encourage such cases due to increased trust in judicial (and other) institutions that will tackle whistleblower cases.[11]

The implementation of this commitment in the first year is quite encouraging, particularly in view of the MoU signed between state institutions (MSLI, HIDAACI) and the civil society organization (Partners Albania).

Next Steps

In the second year of implementation, the IRM researcher recommends the Government to continue awareness-raising and training activities for the implementation of the law.

The conclusion of the current action plan (June 2018) coincides with more advanced stages of judicial reform in Albania, which is expected to increase public trust and integrity of institutions. Given the high potential for transformative impact, this IRM report strongly encourages follow-up actions in the next action plan. The responsible state institutions, in cooperation with civil society and other stakeholders (e.g. media), should focus on the monitoring and practical implementation of the law on whistleblowers in public and private sector institutions.

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[1] The law "On protection of whistleblowers", https://www.parlament.al/wp-content/uploads/2016/06/ligj-nr.-60-dt.-2.6.2016.pdf

[2] By November 2016 all by-laws and regulations were adopted to ensure implementation of the Law on the protection of whistleblowers, as follows: Council of Ministers Decision no 816 date 16 November 2016 "On the structure, selection criteria and employment issues of employees in the public institutions' units in charge of the implementation of the law on whistleblowers and protection of whistleblowers"; HIDAACI Directive "On the structure, selection criteria and training of employees in the private institutions' units in charge of the implementation of the law on whistleblowers and protection of whistleblowers"; HIDAACI Regulation on the administrative investigation of the whistleblower's request for protection from vengeance; HIDAACI internal Regulation on the administrative investigation of the whistleblower case and protection of confidentiality; Directive of the Commissioner for the right to information and protection of personal data "On the conditions, criteria for personal data processing and timeframe in the application of the law no 60/2016".

[3] Partners Albania, http://partnersalbania.org/News/konsultime-mbi-aktet-nenligjore-per-zbatimin-e-ligjit-per-sinjalizimin-dhe-mbrojtjen-e-sinjalizuesve/.

[4] Partners Albania Facebook page,
https://www.facebook.com/permalink.php?story_fbid=10154488726133955&id=46227243954
[5] HIDAACI 2016 Report, page 12, www.hidaa.gov.al/raportet/Raporti%20Vjetor%202016-%20ILDKPKI.docx
[6] A total of 155 units were established in central government institutions and local government units during the reporting period, Interview with Arjola Agolli, September 2017.
[7] Interview with HIDAACI official, September 2017.
[8] Television spot, https://youtu.be/HzHMUqdQF0s
[9] The spot was broadcasted by national and local media (TV Klan; ABC News, Top Channel, Ora News, TVSH, Vizion Plus) and through social media. Partners Albania has communicated with several media to organize during this implementing period television interviews and participation in television programs, on this initiative at News 24 TV, Scan TV, Vizion Plus TV, Gazeta Shqiptare (Newspaper) etc.
[10] Review of the project dossier, enabled by Partners Albania.
[11] Interview with Arjan Dyrmishi, Co-coordinator of the Southeast Europe Coalition on whistleblowers protection, August 2017.

10. Provision of electronic services

Commitment Text:
This commitment aims at delivering e-services through an electronic forms management system (E-forms). This will help institutions involved to reduce manual paper work which is much slower than electronic processing of information using electronic forms of communication with citizens. The system will also help citizens and businesses to reduce time for obtaining services. Form's processing time will be reduced because eForms will be submitted in electronic format. The system will increase the efficiency of government employees, which will serve citizens faster and better.

Responsible institution: National Agency for Information Society

Supporting institution(s): Line ministries and their subordinate institutions, local authorities, independent institutions. In total, over 85 institutions that provide services through the E – Albania.

Start date: 2016   **End date:** December 2017

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
10. Provision of electronic services		✔			Unclear					✔			Yes				✔

Context and Objectives

This commitment builds on the past two action plans. The first action plan (2012) established e-Albania, a government portal providing electronic services, and the second action plan (2014) contained three separate commitments, including the implementation of a public expenses module and the improvement of public services. This commitment aims to increase the number of e-services and improve current services to level three and four, which means that public services would be offered entirely online. This commitment also aims to extend the interoperability function provided through the e-Albania portal. In other words, this function would allow different information technology systems to communicate, exchange data, and use information that has been exchanged.

Currently the e-Albania portal includes 248 electronic services in levels three and four. The responsible institution, the National Agency for Information Society (NAIS),

will build an electronic forms management system (E-forms) to help public institutions reduce the amount of paperwork and time for citizens and businesses to obtain services. Additionally, NAIS will digitalize 36 services of Ministry of Foreign Affairs (MFA) and ensure the standardization of websites of every consulate. Given the large number of Albanian migrants abroad in Europe and elsewhere (nearly 1.4 million), the consular services are a welcome measure. A second NAIS project complementing this commitment is an e-permit service, which will allow for the possibility to apply for construction permits online through e-Albania.

Despite improving accessibility of administrative services for citizens, the potential impact of this commitment, as described in the action plan, is minor. The listed activities do not advance OGP values beyond the routine responsibilities of tasked institutions to "populate" e-Albania with services.

This commitment is of low specificity. Although the commitment text explains what the objective is (i.e. delivering e-services through a new system) and elaborates on its intended outcome, it does not provide any details regarding steps taken to achieve the commitment and how such steps could be measured.

This commitment's relevance to OGP values is unclear. The commitment does not entail any mechanisms that would disclose new information to citizens or create new opportunities for citizens to influence decision making. The main focus of this commitment is to improve service delivery, rather than open government.

Completion

No official information was provided to the IRM researcher on the progress of this commitment. Monitoring conducted by the IRM researcher during 2016 established that MFA e-consular services were not available. At the beginning of 2017, all 36 MFA services with the interoperability function were available on the e-Albania portal[1] and on the MFA website under Online Consular Services (Alb. SHKO-Sherbime Konsullore Online).[2] However, some services are available only for Albanian citizens residing in Italy. During August 2017, the IRM researcher confirmed the services were operational through test applications by Albanian migrants residing in Germany and Italy. In addition to these services, e-Albania also offers four informative services (not including the "online application" module).

During the reporting period (2016–2017) the websites of all Albanian diplomatic and consular missions abroad were standardized[3] and include a virtual 3D location video.[4] Links to e-consular services are also part of the standardized websites.[5]

E-permit services were offered on the e-Albania portal at the time of action plan development, but this was only the case for local government units with approved urban local plans.[6] The NAIS annual report for 2016 indicates that starting from 1 September 2016, construction permit applications are done only online.[7] Nevertheless, usage in 2016 was low, as reported by private stakeholders especially in small and medium-sized municipalities.[8] However, by the end of 2016, the target of 390 services had been reached.[9]

Early Results (if any)

Participants at IRM focus group discussions confirmed they are aware of some of these services offered at e-Albania. However, none of them had ever used the e-

services. The IRM researcher could not establish the frequency of use of e-permits or other information related to this commitment's progress. The 2016 annual NAIS report provides some data on the usage of e-permits but they relate to December 2015, before the commencement of this action plan. The most used e-permit service is "preliminary declaration of works' start" (33 percent of applications) and development permit (27 percent of applications).

Next Steps

One of the recommendations of the previous IRM report is the continued expansion of e-Albania services. Other recommendations include: mapping its use and usability and adding a public access or transparency element, to ensure OGP relevance of e-Albania related commitments in the future. One possibility is the development of a feedback and complaints module to allow users to raise issues to government officials and form a peer-to-peer community.

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[1] E-Albania portal, https://e-albania.al/ekonsullata.aspx

[2] SHKO-Sherbime Konsullore Online, http://www.punetejashtme.gov.al/al/sherbime/sherbimet-konsullore-online

[3] Albanian diplomatic and consular mission, http://www.punetejashtme.gov.al/al/perfaqesite-diplomatike/perfaqesite-shqiptare-ne-bote and http://www.ambasadat.gov.al

[4] Virtual 3D location video, http://www.ambasadat.gov.al/greece/

[5] E-consular services, http://www.ambasadat.gov.al/italy/sq/shërbime-të-ambasadës

[6] E-permit services, http://gazeta-shqip.com/lajme/2016/02/25/lejet-e-ndertimit-online-hapat-per-te-aplikuar-ne-sistemin-e-ri/

[7] See NAIS 2016 Report, page 12, http://akshi.gov.al/images/raporti%20vjetor%202016.pdf

[8] Interview with owner of a construction company, October 2017.

[9] See http://akshi.gov.al/images/raporti%20vjetor%202016.pdf; https://e-albania.al/esherbimet.aspx

11. Simplify building permit applications

Commitment Text:
Title: Establishment of multifunctional centralized system for building permits

This commitment foresees the establishment of a multifunctional system to simplify the procedure of building permit applications and their processing by providing citizens and businesses the opportunity to apply only online for those permits. The purpose of this project is the construction of a multifunctional system and centralized to simplify procedures for license applications development and construction, providing citizens and businesses the opportunity to apply online. Being a centralized system is intended to be accessed electronically from all units of the central government and all other institutions involved in the decision making process through the respective accounts. This project aims to implement electronic communication between the National Territorial Planning Agency registry with the electronic records of other institutions to checks and/or automatically revocate applicants' data through the government interoperability platform; also tracking status of the application at any stage of the procedure.

This kind of permit is only provided 'offline' asking for businesses to receive lots of documents from other public institutions and submit everything at the premises of the National Territorial Planning Agency (situated in Tirana). This process includes extensive efforts and time 'til the provision of the permit.

This project aims at implementing electronic communication registry NTPA with the electronic records of other institutions for vetting or making automated database of applicants, through the platform governmental interaction and tracking the status of the application at any stage via eTracking system. This project will also adapt the current registry in accordance with the latest legal changes. The system will be introduced for the first time in the Albania and will include the application for development permit applications through the system fully online. It is very important the close cooperation with local authorities to achieve this multifunctional centralized system.

Responsible institution: National Agency for Information Society

Supporting institution(s): Ministry of Urban development/ National Territorial Planning Agency, Local government units

Start date: 2016　　　　　　　　　　　**End date:** 2016

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete

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11. Simplify building permit applications			✔	Unclear		✔	Yes			✔

Context and Objectives

Until early 2016, building permits were only provided "offline." In order to receive a building permit, businesses were required to obtain a lot of documents from other public institutions and submit everything at the premises of the National Territorial Planning Agency (NTPA) in Tirana. This process included extensive effort and time, especially for businesses located outside of Tirana.

This commitment aims to implement electronic communication between the NTPA registry and the electronic records of other public institutions. This multifunctional centralized system will automatically update applicants' data, relocate data through the interoperability platform, and track the status of an application at any stage of the procedure. According to the OGP action plan, this project will also adapt the current registry in accordance with the latest legal changes. This is the first time a centralized system for building permits has been introduced in Albania, and it will fully translate the permit application to an online platform. The specificity of this commitment, as written, is medium. The government explicitly mentions the development of a multifunctional system and includes the different elements within the system, (i.e. eTracking). However, the deliverables are not clearly measurable and it is unclear what legal changes will be applied to the current registry.

Representatives of the association of construction companies have welcomed this project, although they raised concerns with its applicability in municipalities with no adopted territorial regulatory plans.[1] Representatives of leading state institutions and representatives of institutions supporting the implementation of this commitment did not provide any information to the IRM researcher. This commitment is an important step to facilitate construction companies' operations and decrease costs during the building permit procedures. The potential impact of this commitment is moderate: the government is improving service delivery, and ultimately digitalizing the building permit application procedure to reduce work for businesses.

This commitment's relevance to OGP values is unclear. While the centralized system improves procedures, it does not improve their transparency, nor does it improve institutions' accountability. Additionally, the system does not grant public access to information related to granted building permits and the procedures followed therein.

Completion

The National Agency for Information Society (NAIS) and the NTPA have reported this project as completed.[2] The NTPA has shared instrucuions on how to use the system with interested parties.[3] In March 2017, NAIS reported, "The system offers a digitalized process involving all institutions in charge of treating a construction permit application". NAIS went on to report that the system had been used 25,000 times by citizens and businesses, and it has had 1,155 users from state institutions

(civil servants) from September to December 2016.[4] No information was provided to IRM regarding the system's use in the second half of 2017.

Next Steps

This commitment is fully complete and the IRM researcher recommends that it not be taken forward in the next action plan. While it positively impacted businesses applying for building permits, this commitment is not relevant to OGP values and open government.

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[1] Interviews with representatives of the Association, June 2017.

[2] NAIS and NTPA project completed, http://www.azht.gov.al/al/newsroom/lajme/lejet-e-ndertimit-online-sherbimi-e-leje

[3] Manual for e-permit, http://www.azht.gov.al/files/news_files/17-02-28-03-25-26Manual_Aplikimi_ne_e-leje.pdf, manual for e-signature http://www.azht.gov.al/files/news_files/17-02-28-03-25-28Manual_Teknik_Nenshkrimi_Elektronik.pdf and video link https://www.youtube.com/watch?v=dyd1DbXqrTw

[4] Page 41 of the annual 2016 monitoring report of the "Inter-sectoral strategy of public administration reform", March 2017, http://dap.gov.al/images/DokumentaStrategjik/SNRAP%20Raporti%20Vjetor%202016%20Final%2016.03.2017.pdf

12. Establish digital counters

Commitment Text:

Title: Establishment and distribution of digital counters

In order to improve public services provided to the citizens and to promote latest technologies, NAIS has taken the initiative to spread digital counters throughout the country.

Presentation for the first time of digital counters will bring increased transparency to provide the administration services. Through electronic delivery, NAIS intends to improve availability, quality and transparency of public services and reduce time of implementation of procedures and public administration costs.

Through the distribution of digital counters e-Albania portal aims at providing access and easier navigation on the Internet for all Albanian citizens who can run on a single point of public access to information or public services online that are provided through the unique e-government portal. Digital counter will offer public services 24/7.

Responsible institution: National Agency for Information Society (NAIS)

Supporting institution(s): Close cooperation with private sector

Start date: 2016　　　　　　　　　　　　**End date:** 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
12. Establish digital counters		▯			Unclear				▯				Yes				▯

Context and Objectives

In order to improve public services provided to citizens and to promote the latest technologies, the National Agency for Information Society (NAIS) took the initiative to set up digital counters throughout the country. Digital counters (or kiosks) are to be set up at public spaces near institutions and trade centers. By visiting these digital counters, citizens will be able to access e-Albania, the e-government portal, 24/7. Through electronic delivery, NAIS intends to improve availability of public services, and reduce time and public administration costs. By logging in, citizens are able to make payments, obtain information about public services, print certificates, etc.

Although this commitment enhances access to e-services for citizens, its OGP relevance is unclear. While this commitment aims to increase quality of access, the actual amount of information disclosed is unchanged and it does not improve access to e-services to citizens who do not have access to the internet (or other means of using e-services) in remote or rural areas. NAIS plans for digital counters to be distributed only in urban centers, near municipalities or other institutions.

The specificity of this commitment is low. While the main objective and intended outcomes of this commitment are clear, the commitment text does not provide measurable steps needed to spread digital counters and monitor their effectiveness. The number of digital counters is also unspecified.

This commitment has no potential impact. These digital counters are intended to provide access to e-Albania for citizens who do not have internet access, or do not have frequent access. However, planned digital counters will be distributed to main urban centers and most citizens in urban areas have access to the internet. Civil society representatives suggest digital counters can improve access to e-services for citizens in rural and remote areas of the country.[1] This commitment would have greater potential impact if digital counters were instead distributed to more rural areas.

Completion
The distribution of digital counters to enable citizens' access to e-Albania services was announced in December 2015.[2] The 2016 annual NAIS report and the e-Albania portal announced that 15 digital counters were distributed to municipalities in Tirana, Shkodra, Korca, Vlora, Malesi e Madhe, Elbasan, and Saranda. Other digital counters were distributed in Fier (Elkos trading center), Durres (FlagShip Center), Fier, Kavaja, and other state institutions (e.g. ADISA) in Tirana (four digital counters).[3] In 2016, 465 e-services were available at e-Albania, 241,621 people were registered as users, and 42 public institutions were connected to e-Albania.

This process was accompanied by some informational events on how to use the digital counters and other advantages offered through them. In November 2016 one such event was held at the premises of the regional Directorate of Transport in Tirana, with citizens applying for different services (e.g. driving license, vehicle registrations, etc.).[4]

Early Results (if any)
No information was provided to the IRM researcher on the implementation of this commitment from NAIS at the end of the reporting period. Accordingly, this report could not establish the frequency of use of the digital counters in urban areas.

Participants at the focus groups with youth and with citizens from remote areas confirmed they were aware of the digital counters but had not used them.

Next Steps
The IRM researcher recommends that this commitment not be carried forward to the next action plan. As mentioned earlier, the establishment and distribution of digital counters is not relevant to OGP values. However, it is clear that this commitment aims to provide increased access to e-services on e-Albania. Given the confusion surrounding e-Albania and its usage, the digital counter in combination with

informational awareness activities could be very helpful for citizens. The government should consider distributing instructional or educational materials alongside these digital counters but pursue this activity outside of the country's OGP action plan. Instead, the IRM researcher recommends the focus of action plans shift to targeted actions that address OGP values.

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[1] Interview with Dalina Jashari, Manager of CIVILISC Project, July 2017.
[2] The distribution of digital counters, https://www.youtube.com/watch?v=RgxL0buUumc
[3] NAIS 2016 Report, page 8, http://akshi.gov.al/images/raporti%20vjetor%202016.pdf
[4] E-Albania portal, https://e-albania.al/lajmi.aspx?id=68

13. Service passport standardization

Commitment Text:

Agency for the Delivery of Integrated Services Albania (ADISA) is committed to preparing service passports for each administrative service, based on experience with customer service standard's delivery in the private sector. This commitment comes as a result of the public service reform, based on a lack of necessary information, transparency, accountability and efficiency in the way of the delivery of public services in the Republic of Albania.

Service passports will be used for all citizens of the Republic of Albania for the delivery, simplification and unification of information for all public services. This will bring a clear picture to the citizens on the manner of how public services are delivered. Each service has his unique service passport, stating data associated with: name of the institution, name of service, code, description, necessary documentation, document delivered, validity of the document, beneficiaries of the service, the time of receipt of service, fee, payment, provision of online services, legal basis, address the office, complaints system, the description of the application procedure in the reception office, call center.

The main objectives of the service passport are as follows:

- *Simplifying of information for citizens on how to benefit public services;*
- *Unification of organizing information for public services;*
- *Standardization of its intended use not only in offices but also in the call center and the e-government portal.*

Currently, ADISA is focused on 10 institutions and is working on the completion of 400 service passports, which are in the final phase of adjustments and coordination to be delivered. Further on ADISA will work upon standartization of 700 service passports already agreed with institutions that provide public services, which will be completed by the end of 2017.

Responsible institution: Agency for the Delivery of Integrated Services Albania (ADISA)

Supporting institution(s): Minister of State for Innovation and Public Administration and all line ministries

Start date: 2016   **End date:** 2017

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Complete
13. Service passport standardization			✔		Unclear					✔			Yes		✔	

Context and Objectives

The Agency for the Delivery of Integrated Services Albania (ADISA) manages the delivery of public services by setting up and administering service windows, or one-stop service centers for citizens.[1] ADISA is also responsible for the preparation and standardization of service passports. The service passports provide simple, unified information of all public services, and each service will have its own passport which includes information such as name of institution, name of service, etc. This commitment follows up a public service reform and aims to continue the standardization of service passports (approximately 700).

To achieve this commitment, ADISA plans to cooperate with state institutions to obtain the relevant information required by the standardization process. Although the objective is clear, the commitment text does not provide measurable deliverables the IRM researcher can use to gauge completion and impact.

The OGP relevance of this commitment is unclear because it does not impact access to information, transparency or public accountability. Rather, it is a routine legal obligation and institutional responsibility of ADISA to facilitate the use of e-services by providing standardized information about e-services (offered at e-Albania and digital counters). Standardized information such as name of institution or name of service, already existed prior to the outset of this action plan. Furthermore, this commitment is the continuation of a standardization process that began before the commencement of this action plan: 10 state institutions have already standardized 371 service passports. Because of this, the potential impact of this commitment is minor.

Completion

The number of institutions standardizing service passports in 2016 reached 18 (from 10 institutions at the beginning of the implementation period in July 2016). A total of 481 service passports were standardized by the end of 2016.[2] ADISA has reported to the IRM researcher that a total of 548 service passports have been developed by 20 state institutions. 475 of them (from 13 institutions) had already been standardized by the end of the reporting period.[3] ADISA is working to standardize another 42 service passports which have been developed for seven state institutions.[4] By the end of 2017, ADISA should reach their objective of 700 standardized service passports.

Next Steps

The IRM researcher considers the standardization of service passports a routine activity to enhance the usability of the e-Albania portal. By providing these service passports, citizens will hopefully have a clearer idea of how public services are delivered. The position of ADISA on the OGP relevance of this commitment is that it enhances access to information and transparency regarding the services provided (e.g. required document, tariffs etc.).[5] However, such information should be considered an integral part of e-services. Therefore, this report recommends that this commitment should not be taken forward in the next action.

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[1] ADISA, http://www.adisa.gov.al/about-us/

[2] Annual Monitoring Report 2016 for the "2015-2020 Inter-sectorial strategy of public administration reform", page 35-36, http://dap.gov.al/images/DokumentaStrategjik/SNRAP%20Raporti%20Vjetor%202016%20Final%2016.03.2017.pdf

[3] In September 2017 ADISA reported on social media that the number of standardized service passports had reached 548 for a total of 20 institutions, https://www.facebook.com/ADISA.ALBANIA/photos/a.1612748952328327.1073741827.155489362144719 4/1993724240897461/?type=3&theater

[4] Email communication and telephone interview with ADISA Director Anisa Gjika. October 2017.

[5] Email communication and telephone interview with ADISA Director Anisa Gjika. October 2017.

14. Citizen Card

Commitment Text:

Minister of State for Innovation and Public Administration, in cooperation with the Agency for the Delivery of Integrated Services Albania (ADISA) undertook the creation of a public document, which, for the first time, will be provided to guarantee citizens and institutions, information on baseline standards for public service delivery at the counter. Institutions and citizens did not know this kind of information previously.

This commitment is to be fulfilled by ADISA, as the authority responsible for standardizing methods of delivering public services at the counter, creating the Citizen's Card, which will include for each service/information on ways/channels for obtaining the service:

- *Rules of conduct at the physical counters;*
- *Rules for the application at the physical service counters;*
- *Rules for obtaining answers to the physical counters;*
- *Rules for appeal;*
- *Models of visual representation at the physical counters;*
- *Service's necessary elements at the physical counters;*
- *Rules of communication and organizing of information on services;*
- *Rules on the use of shapes and functionality of different channels for delivery of public services from the point of view of natural and legal persons;*
- *Classification of services;*
- *Codification of services;*
- *Forms for service application.*

Drafting and publication of the card extensively in print or electronic format would ensure increase of transparency, speed of service, service delivery, continuous improvement, performance and it provides alternative means to fight corruption.

Responsible institution: Agency for the Delivery of Integrated Services Albania

Supporting institution(s): Minister of State for Innovation and Public Administration and all line ministries

Start date: 2017   **End date:** 2018

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity	OGP Value Relevance	Potential Impact	On Time?	Completion

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
14. Citizen Card				⬜	⬜					⬜			Yes			⬜	

Context and Objectives

This commitment represents a legal obligation under the law "On the provision of public services at the counter in the Republic of Albania." In other words, this commitment aims to ensure the routine publication of a citizen's card, which is an infographic explaining e-services offered on e-Albania. After speaking with the Agency for the Delivery of Integrated Services (ADISA), the leading institution, the IRM researcher found that the card should include basic information on: means and channels to obtain a service; requirements and working hours; measurable elements such as costs and deadlines; and points of contact and the process of addressing complaints.[1]

According to the action plan description, the citizen's cards aim to ensure the increase of transparency, service delivery, and performance, as well as providing an alternative means to fight corruption. Representatives of ADISA suggested the card increases transparency and allows for improvement of services.[2] Based on the information provided by ADISA, a citizen's card represents a legal obligation for providing qualitative e-services and with that, also a pre-condition and necessary "infrastructure" on which basis ADISA will be able to measure efficiency and quality of e-services. The commitment text provides a lot of detail on what the new citizen's card should include. This commitment is relevant to access to information, as it provides information on how to obtain services and rules of appeal.

The potential impact of this commitment is minor. The e-service information provided on the citizen's card is the basic information that would guide users through e-services, such as agency, point of access, how to use the service, etc.

Completion

ADISA has reported that the development of the citizen's card started in 2015 and continued through 2016. During the reporting period ADISA has developed the following elements of the citizen's card: information on corruption and transparency, speed of the service, execution of the service, continuous improvement and performance.[3]

In December 2016, the draft of the citizen's card was submitted to 18 institutions, as reported to the IRM researcher by ADISA.

In May 2017 ADISA and the Minister of State for Innovation and Public Administration (MSIPA) carried out a consultation with high schools and subsequently designed a template, identifying what information should be included on the citizen's card. In June 2017, additional consultations with responsible

institutions were carried out in order to agree on the measures they should undertake for delivering on the citizen's card obligation.[4]

When conducting a focus group, the IRM researcher found that participants were not aware of this commitment, although the majority of them were familiar with the e-Albania portal and, to a certain extent, the digital counters.[5]

Next Steps

Although this commitment is a step forward in improving public services, the IRM researcher recommends this commitment not be taken forward to the next action plan.

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[1] Information provided by ADISA, October 2017.

[2] Email communication and telephone interview with ADISA Director Anisa Gjika. October 2017.

[3] Email communication and telephone interview with ADISA Director Anisa Gjika. October 2017.

[4] Information provided by ADISA, October 2017

[5] Focus group discussions with youth, women and participants from remote areas, August – September 2017.

15. Pilot e-prescription

Commitment Text:

Title: Electronic system of registration of e-prescription in the Republic of Albania

This commitment is intended to replace medical prescription on papers to electronic prescription nationwide. Fulfilling this commitment brings increased efficiency of drug reimbursement medical funds and accuracy of determining medical drugs impacting directly on improving the quality of patients' health and health care.

Among other things, e-prescriptions will bring:

- *Reduced possibility of errors resulting from misunderstandings in writing between physicians and pharmacists;*

- *Reduced administrative time communication between patient - physician, patient - pharmacists, pharmacist - Compulsory Insurance Health Care Fund (CIHCF);*

- *Increased level of compliance of drugs given to a patient and increase patient's comfort and in accessing these medicines;*

- *The system will enable gathering of a historical record of actual medication that the patient received.*

Responsible institution: Ministry of Health

Supporting institution(s): Pharmacies

Start date: 2016   **End date:** 2017

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
15. Pilot e-prescription		✔			Unclear					✔			Yes		▢		

Context and Objectives

A 2014 World Bank Report found that Albanians pay a higher price for medications than neighboring countries.[1] And in 2015, a majority of Albanians stated that the healthcare system in Albania is a serious concern.[2] There was some improvement with regards to public trust in the healthcare system, as reported on by the Institute

for Democracy and Mediation (IDM) in 2016.[3] However, further efforts are needed to strengthen the quality of healthcare in Albania. One of the concerns that has often been exploited for corruptive practices and illegal benefits is the prescription system.

Over the past few years Albania has undertaken a number of reforms to digitalize the healthcare services. The objective of this commitment is to substitute paper medical prescriptions for electronic prescriptions nationwide. So far, medical prescriptions have only been recorded on paper and the volume of processing paper prescriptions has been difficult to manage. The Ministry of Health, after successfully piloting the electronic prescription system in the district of Durrës, aims to extend this system across Albania. The intended result of this system, as described in the action plan, is manifold. The government intends the e-prescription system to bring about the following changes: establish a historical record of medication patients receive, increase the efficiency of drug reimbursement funds, increase accuracy of determining medical drugs' impact on patient's health and healthcare, reduce the number of false prescriptions, reduce error between doctors and pharmacists, increase level of compliance of drugs given to patients, and more.

Despite this ambitious outcome, it is unclear how the establishment of an electronic system will increase the level of compliance when doctors prescribe drugs. The specificity of this commitment is low. While the deliverable is verifiable, the text does not provide the measurable steps the government will take to ensure the new e-prescription system will achieve all the results that have been outlined.

Due to the low specificity, the IRM researcher considers this commitment to have minor potential impact if fully implemented. This commitment sets out to substitute paper prescriptions for an electronic system, which is an incremental step that does not address corrupt practices or low public trust in the healthcare system. A more transformative commitment would detail functionalities to be built into the electronic system that would allow prescriptions to be tracked by a monitoring body, or otherwise include a public accountability mechanism to help raise trust among citizens.

This commitment's relevance to OGP values is also unclear. Extending the e-prescription system to the rest of the country does not provide greater or improved access to information for citizens, nor does it provide a mechanism for greater civic participation or public accountability.

Completion

No information was provided to the IRM researcher on this commitment. It was difficult to assess whether or not the commitment was on time, given the vague specificity of the commitment. In September 2017, the new Government of Albania restructured various ministries and agencies (including adding social welfare under the Ministry of Health's purview), and the IRM researcher could not establish contact with the Ministry of Health's point of contact for this commitment.

IRM monitoring during the implementation period established that the e-prescription system was launched in Tirana in March 2017.[4] Earlier, in January 2017, 317 healthcare personnel were trained on the use of the e-prescription system.[5] The application for the e-prescription system is serviced through the e-Albania portal.[6]

The system's application is explained through a number of assisting materials (videos),[7] and it is interlinked with the citizen's health cards.[8]

The IRM researcher was only able to establish the use of the e-prescription system in Durres and Tirana. No information was offered by the responsible institutions on results, nor was information offered regarding the plan to extend the system nationally.

Early Results (if any)

Participants in focus groups, organized by the IRM researcher, were familiar with e-prescriptions and also with the health card, its interlinked component. While many of them praised these projects as a significant step forward in improving public services, some participants expressed skepticism with regards to its actual results in the fight against corruption. "This is petty corruption. The Government should fight the grand corruption in the system of procurements in the healthcare system," said one stakeholder.[9] Private sector operators (i.e. pharmacists) agree to a limited extent, emphasizing that "e-prescription includes a monitoring element which will enable in the future eradication of corruption in the relations patient-healthcare personnel-pharmacists".[10]

Next Steps

The e-Prescription system, the citizen's health card and other e-services in the healthcare system provide an important foundation for greater transparency and accountability measures. In this context, the IRM researcher suggests that other follow-up commitments should be undertaken, specifically those that offer public access to data and other information gathered through e-systems, in compliance with legal requirements for personal data protection. Such actions would include:

- Publish data about the usability of e-Prescription;
- Publish information about "customers' satisfaction"; and
- Publish information about the performance of all operators involved in the e-prescription system, including financial data.

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[1] World Bank and Minister of Health Conference, http://www.oranews.tv/shendetesi/shendetesia-gogoli-i-ri-korrupsionit-raporti-i-bb-ja-si-vidhen-shqiptaret/. Date accessed September 2017. Since writing this report, this web link has been taken down.

[2] Healthcare still remains serious problem according to 67 percent of Albanians, "Impunity" page 21, IDRA 2015, http://www.idrainstitute.org/files/reports/impunity_2014/impunity_final_report.pdf

[3] From 2015 to 2016 the public perception on trust in the healthcare system improved, Public Trust survey (IDM 2016), page 22, http://idmalbania.org/wp-content/uploads/2017/02/IDM-OpinionPoll-2016-EN.pdf

[4] The e-prescription system, http://www.shendetesia.gov.al/al/newsroom/lajme/receta-elektronike-beqaj-vijon-normalisht-zbatimi-ne-4-ditet-e-para-te-tirane

[5] E-prescriptions, http://www.shendetesia.gov.al/al/newsroom/lajme/receta-elektronike-ne-tirane-nis-trajnimi-i-mjekeve

[6] Link to e-prescription application, http://apps.fsdksh.com.al:7777/PublicIdm/;PublicIdmApp=cs4cJY_ICDeXHVPF3IM0WScNP5eYqULi2ENcfxnHaw6kRltz0Nta!1784821236

[7] E-prescription videos, http://apps.fsdksh.com.al:7777/VideoTutorial/Index.html and https://www.fsdksh.com.al/images/stories/receta_elektronike/Sisitemi_recetes_elektronike.pdf

[8] Citizen' health cards registry, https://regjistri.fsdksh.com.al/ahis/faces/Login.jsf

[9] Participant at the IRM focus group with youth.

[10] Interviews with Pharmacists in Tirana, September – October 2017.

16. Electronic Monitoring System of Forests

Commitment Text:
This commitment aims at the creation of an integrated system that will enable monitoring of illegal activities and the timely identification of fire as one of the strategic objectives of the government program regarding forestry.

This commitment aims to:

- *Establish an integrated system for monitoring of forests to prevent illegal cutting of forests;*
- *Real-time detection of fires that may occur in the points to be covered by the system;*
- *Monitoring during 24/365, set out the key points to prevent and control transport of illegal cutting wood material from forests towards urban centers where it is collected and marketed.*
- *Improving quality of service for the prevention of violations of forest cutting.*
- *Real time information exchange with other structures responsible for monitoring and prosecution of the perpetrators of actions against legitimate.*
- *Reduce corruption in this area.*

Responsible institution: Ministry of Environment

Supporting institution(s): State Inspectorate of Environment and Forests

Start date: August 2016   **End date:** 2017

Editorial Note: For full commitment text, please refer to https://www.opengovpartnership.org/sites/default/files/Albania_NAP3_ENG.pdf.

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
16. Electronic Monitoring System of Forests				☐	Unclear					☐			No	☐			

Context and Objectives
Illegal logging in Albania leads back to the collapse of the communist regime in 1991, when the severe disruption in energy supply led to high pressure on wood as a

source of energy.[1] Forest areas cover 36 percent of Albania's land area, but have been heavily degraded over the past two decades.[2] According to a 2005 World Bank study, the harvested volume of industrial timber is five to eight times larger than the officially recorded supply.[3] Local experts say that this illegal trade continues right in front of the authorities and the problem of illegal logging is inexplicably tied to corruption.[4]

Currently, the State Inspectorate of Environment, Forestry and Water Management has no computerized system for monitoring and recording illegal activities and/or forest fires in every region of the Republic of Albania.

This commitment aims to establish an electronic monitoring system of forests. It will include real-time detection of fires, monitoring cameras, real-time information exchange with monitoring structures, and more. The establishment of this system will also reduce costs of inspections, as described in the action plan. However, the specificity of this commitment is high. The commitment's language specifies the number of cameras to be installed, key installation points, and the transmission of footage to the Forest Police and other relevant structures.

The potential impact of this commitment, if fully implemented, is minor. In 2015 a surveillance system was piloted in Tirana and Shkodra.[5] Although the State Inspectorate has reported positive results in preventing the damage of forests during 2015, environmental organizations have raised concerns that abuse still persists.[6] Without information detailing how the electronic monitoring system will directly prevent abuse and corruption, the IRM researcher cannot consider this commitment's potential impact to be anything higher than minor.

Additionally, the OGP relevance of this commitment, given its description in the action plan, is unclear. This commitment does not identify a mechanism or intervention by which monitoring data will translate into publicly available data or whether citizens will have a possibility to report cases of illegal logging. Without such a mechanism, this commitment is not relevant to OGP values.

Completion

No information was provided to the IRM researcher on the implementation of this commitment. Monitoring websites and reports on the performance of responsible institutions (Ministry of Environment and the State Inspectorate of Environment, Forestry and Water Management) did not identify any activity related to this commitment, except the piloting of a similar system in the Shkodra and Tirana regions. Participants at focus groups organized by the IRM researcher were not familiar with this project, although some of them (rural area participants) are affected by, and aware of, illegal logging. Many participants welcomed this commitment given the current state of the environment and forests in particular. Civil society organizations and networks operating in the environment protection area did not report any activity by the state on this commitment.[7]

At the time of writing, the former Ministry of Environment has been integrated into the Ministry of Tourism. There is no information regarding the point of contact for this commitment. Since the end date for this commitment is listed as 2017, and this

commitment has not yet started, it is unlikely this commitment will be completed on time.

Next Steps

This commitment represents a positive but incremental measure to address concerns in this sector: it takes steps to address the effective management of public resources and the monitoring of private companies' operations. This commitment is important and the IRM researcher recommends that it be taken forward into the next action plan, provided that it is reframed to become relevant to OGP values. Two ways the commitment could be revised is as follows:

- Publish results of online monitoring system or other relevant results; and
- Involve civil society and promote civic participation during system's design, implementation, monitoring, and evaluation.

Ultimately, the IRM researcher suggests the redesign of this commitment in close consultations with environmental organizations, private sector operators and media.

The IRM researcher also recommends that the next action plan take into account the Third Environmental Performance Review of Albania, as suggested by the United Nations Economic Commission for Europe. Some recommendations as detailed in the report are the following:

- Ensure regular publication of compliance and enforcement data;
- Operate a website to increase the transparency of its activities and to stimulate the engagement of the public in the detection of violations.[8]

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[1] Ensuring sustainability of forests, http://siteresources.worldbank.org/INTFORESTS/ Resources/SAVCOR_illegal_logging_ENA_June2005.pdf

[2] Balkan Insight: Illegal Logging Ravages Albania's Forests, http://www.balkaninsight.com/en/article/illegal-logging-ravages-albania-s-forests

[3] World Bank http://siteresources.worldbank.org/INTFORESTS/ Resources/SAVCOR_illegal_logging_ENA_June2005.pdf

[4] Balkan Insight, http://www.balkaninsight.com/en/article/illegal-logging-ravages-albania-s-forests

[5] Interview of the Environment Inspector Chief Ergys Agasi, August 2015, http://top-channel.tv/lajme/artikull.php?id=305967

[6] Reporter, https://www.reporter.al/prjeje-te-shfrenuara-te-pyjeve-ne-veri-ne-prag-te-moratoriumit/

[7] Interview with Rezart Kapedani, Program Manager of Regional Environment Center's ACHIEVE Program for environmental CSOs, October 2017.

[8] Environmental Performance Review, http://www.unece.org/fileadmin/DAM/env/cep/CEP-23/EPR.Albania.IP.3.e.doc

17. Electronic system for professional licensing applications

Commitment Text:

Title: Integrated electronic system for professional licensing of individuals and legal entities that will operate in the field of study design and supervision of commissioning of construction works

Ministry of Urban Development is responsible for the design and implementation of legislation, strategies and policies (among others) in the field of occupational licensing of individuals and legal entities that operate in the field of design and supervision of construction commissioning works.

Currently, Ministry of Urban Development does not have a software application to manage applications for professional licensing in the above areas, and every practice is currently being processed only by paper. This project will provide online applications for professional licensure through the unique interoperability government getaway and their provision at e-albania.al, being in line with the initiatives of the GoA for the delivery of digital services to citizens and businesses.

The main objective of this commitment is to improve services provided to beneficiaries regarding professional licensing of individuals and legal entities that operate in the field of study of the design and supervision of commissioning of construction works. In this way, citizens, businesses and other stakeholders will be able to refer to substantial information and validated in terms of individuals and legal entities that operate in the field of study of the design and commissioning supervision of construction works.

The system will improve service delivery to citizens, facilitate procedures, accelerate and further increase transparency of the system within the ministry, between ministries and other public institutions and also among the public. The system will utilize the entire database of information and minimize as much as possible human intervention in the process, during performance of arithmetic and logical control.

Responsible institution: Ministry of Urban Development

Supporting institution(s): Ministry of Urban Development

Start date: 2016　　　　　　　　　　　　　　**End date:** 2017

Commitment Overview	Specificity				OGP Value Relevance				Potential Impact				On Time?	Completion			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Tech. and Innov. for Transparency and Accountability	None	Minor	Moderate	Transformative		Not Started	Limited	Substantial	Complete
17. Electronic system for professional			▯		Unclear					▯			Yes			✔	

licensing applications

Context and Objectives

Occupational licensing has not been a major reform issue in Albania, except sporadic public debate in relation to tax and social welfare reforms.[1] However, over the past two years, the Government has responded to media concerns over the quality of public services and licensing of some professions, such as those in the health sector.[2] More recently, the media has also raised concerns over vocational training institutions issuing illegal training certificates for people intending to emigrate to various European countries.[3]

Professional licensing in the construction sector is an important measure to improve the quality of construction works, but, above all, it is important for improving construction safety. The Ministry of Urban Development did not have a software application to manage applications for professional licensing; the dossier of applications was processed on paper.

The main objective of this commitment is to improve services provided to beneficiaries, by providing information regarding the possible providers of services. This commitment outlines three activities: to develop an online service for professional licensing applications through e-Albania; to exchange information in real time to verify the status of the application; and to improve capacity for monitoring. While these activities are relevant to the overall objective, they are not clearly measurable.

Although this commitment significantly improves the process of applying for professional licensing, its OGP relevance remains unclear. The commitment's description also does not specify how it will improve public access to information and public accountability, as suggested in the action plan. Although the commitment suggests that interested stakeholders will obtain the names of licensed professionals, such information is not made publicly available.

No civil society organization contacted by the IRM or citizen participating in IRM focus groups was aware of this commitment. To a certain extent, this commitment may have some impact in improving construction work safety in the medium to long term. However, because this commitment has been framed in the two-year action plan cycle, the IRM researcher considers the potential impact to be minor.

Completion

The Council of Ministers Decision no 943 (date 28 December 2016) lays out the rules to improve services provided to beneficiaries, regarding professional licensing of individuals and legal entities that operate in the study of design and supervision of commissioning construction works.[4] Application for an individual license has been made available through the e-Albania portal.[5] For an interim period of six months from the date of approval of CMD no 943, applications for professional licensing could be submitted either through the postal service or online. By 28 June 2017, all applications were to be submitted online at e-Albania portal.[6] No information was provided to the IRM researcher regarding the real-time exchange of information to

verify the status of the application or the improved capacity for monitoring. As such completion cannot be coded any higher than substantial.

Next Steps

The IRM researcher suggests this commitment should not be taken forward into the next action plan, as it relates to the digitalization of the application process and not to any relevant OGP values.

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[1] Occupational licensing, http://shqiptarja.com/m/ekonomi/profesionet-e-lira-pensionistet-do-te-paguajne-kontribute-430279.html

[2] "Licenses, exams for over 3000 doctors and nurses" (title translated), http://shqiptarja.com/home/1/licensat-rikthehet-provimi-p-r-3-mij--mjek--dhe-infermier--335723.html

[3] Opinion, http://opinion.al/kamera-e-fshehte-320-euro-per-trajnimin-e-gati-per-tregun-gjerman-te-punes/

[4] CMD, http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/262-2016.pdf

[5] E-Albania portal, https://e-albania.al/sherbimi.aspx?kodi=11138

[6] Announcement of the Ministry of Urban Development, http://ns3036873.ip-149-202-208.eu/websites/ministria.turizmit/sq/licencat-profesionale-ne-fushen-e-studimit-e-projektimit-dhe-mbikqyrje-e-kolaudimit-te-punimeve-te-ndertimit/

V. General Recommendations

While progress has been made in implementing the commitments, the current action plan does not address major stakeholder priorities and several commitments are not clearly relevant to OGP values. A main recommendation is that the government include ambitious commitments that are in line with the EU accession process and prioritize areas such as open contracting, disclosure of assets of public officials, and effective implementation of the law on public consultation.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

Participants of all four focus groups organized by the IRM researcher agreed that the emphasis of the current action plan should be on better coordination and broader involvement of civil society during the implementation of commitments. Civil society participants warned that the Government should immediately clarify the OGP institutional framework following the reshuffling in September 2017, in order to allow for a sound participatory process during the development of the new action plan. The citizens participating in the IRM focus groups were familiar with many of the 2016-2018 action plan's commitments; however, they were more supportive of commitments addressing citizen priorities, such as the Integrated Registry of Citizens' Housing (Commitment 3), the Law "On protection of whistleblowers" (Commitment 9), and the Provision of electronic services (Commitment 10). They recognized, however, the significant importance of other commitments related to transparency and civic participation, such as Budget transparency, Electronic Registry for public notification and consultation, and Open Standards for Contracting. On the other hand, civil society representatives participating in the multi-stakeholder focus group prioritized commitments with high potential impact, including Publishing online local government legislation in open systems, Open Standards for Contracting, and the Implementation of the Law "On protection of whistleblowers."

Priorities for the new 2018–2020 action plan should center on issues relevant to OGP and Albanian citizens, as well as those which provide an added value to overall development and EU accession. Some of the most important citizens' proposals, which may lead to transformative impact according to CSO representatives participating in the multi-stakeholder forum, include the following:

Access to Information

- Improve the application of the law on the right to information so that institutions, especially at local level, standardize their approach when responding to a citizen's or CSOs' FoI requests; and

- Publish a single portal of all central government and oversight institutions' periodic (quarterly) and annual reports online. This will also enable a centralized database of all governmental reporting and a unified format of reporting based on benchmarks and indicators.

Civic Participation

- Ensure proper public consultations with stakeholders during the implementation of the OGP action plan.

Public Accountability

The following is a list of several, wide-ranging issues in this area that stakeholders want to see addressed that have not yet been addressed in the national action plan.

- Pursue anti-corruption measures especially in relation to public-private partnerships, concessions, political party financing, and education and healthcare sectors;

- Design monitoring mechanisms to increase the effectiveness of the law on political party financing;

- Improve public administration's ethics and standards (meritocracy, fighting nepotism), public services, and tax transparency; and

- Monitor the implementation of judicial reform, particularly the anti-corruption pillar of the reform, including the vetting process, the implementation of "decriminalization legislation," public integrity, etc.

OGP Process

- Increase public awareness of and information provided regarding OGP; and

- Include a greater diversity of institutions and sectors involved in the OGP action plan as responsible institutions (e.g. parliament, judiciary, etc.)

- Ensure that leading and supporting institutions take ownership of commitment responsibilities

Other

- Monitor measures and state institutions' performance in the fight against violence against women;

- Use ICT to improve accountability and transparency in the implementation of strategies related to the agricultural sector and services in this sector;

- Improve transparency of construction building standards and safety;

- Release data on pollution and undertake measures to improve environmental protection in industrial cities;

- Release data and improve transparency of measures in the fight against use of drugs/alcohol among youngsters; and

- Improve the business environment, enable foreign direct investments, and fight poverty through greater transparency and improved economic conditions

In summary, stakeholders participating in this focus group strongly advised for more ambitious commitments responding to citizens' priorities and also to challenges in major rule of law reforms (i.e. judiciary, anti-corruption and impunity, etc.).

5.2 IRM Recommendations

Ensure renewed leadership and successful transfer of institutional knowledge on OGP

After five years as a member country and three action plans, there is little knowledge of the impact of the Open Government Partnership in Albania among the general public and broader government institutions. To bolster the government's commitment to open governance reforms and ensure continuity of successfully implemented commitments, the government needs to make a more significant human and financial investment in OGP. The Albanian government needs to designate clear ownership of the OGP agenda in the restructured government, with a highly visible Ministerial lead, ensure the Secretariat has resources to sufficiently coordinate OGP, and transfer the institutional memory on OGP within the restructured government.

Adhere to the OGP Participation and Co-Creation Standards

In the spirit of OGP, the participating governments should strive to co-create and implement action plans with the public through a participatory process. To meet this goal during the development and implementation of the next action plan, the Albanian government should adhere to the recently released OGP Participation & Co-creation Standards.[1] Government needs to utilize the OpenAlb forum as a joint structure to design and monitor the action plan. To have an open engagement, the government needs to take ownership of the OpenAlb website and regularly update the public through that platform with timely information about the multi-stakeholder forum, including the rules of proceedings, forum membership, and consultation events. The government should also publish progress updates on the implementation of the action plan, including meeting minutes, overview of public contributions and commitment outcomes.

Focus on more ambitious, OGP-relevant commitments on open contracting in line with EU accession framework

The current action plan includes e-government reforms that do not entail openness or civic participation elements that would make them relevant to OGP values. Additionally, reforms carried out under the EU accession process have not trickled down to OGP action plan commitments. However, OGP and EU accession should be seen as complementary processes as OGP action plans can be an additional instrument for ensuring effective implementation of transparency reforms towards EU membership. One of such reforms as pointed out by the 2016 EC progress report is

the public procurement. The next action plan could focus on this reform by including commitments that aim to harmonize legislation with EU public procurement rules, including recommendations on a contract registry for all public contracts and improvements in the processes of concession award and management and defense procurement. The Public Procurement Agency (PPA), in cooperation with the Council of Ministers, should implement a full public registry of contracts, awards and spending using the Open Contracting Data Standard to make the information publicly accessible and design guidelines for the monitoring of procurement procedures to enhance transparency, engagement of users and public trust. This should also link to the Public Procurement Commission's complaint process.

The PPA should continue to strengthen the e-procurement performance and compliance monitoring system using this data and provide for public reporting and monitoring of performance. The Registry of Concessions and Public-Private Partnerships also needs to start publishing all contracts in open data format using the OCDS.

Ensure effective implementation of public consultation legislation

The government should prioritize the implementation of the Law "On public notification and consultation," which imposes considerable obligations regarding publication of draft legislation and organizing consultation. The government needs to institutionalize the practice to consult on draft bylaws, provide adequate timeframes for consultations, establish clear rules to guide consultation, and provide feedback on citizens' input.

Prioritize public officials' asset disclosure and public accessibility of the land register

Several commitments on anti-corruption and accountability, proposed by state and civil society institutions in 2016, were not included in the current action plan. The amendments to the asset disclosure law in April 2017 put off publication of declarations on HIDAACI's website for at least three years, noting that publication can only take place after the necessary infrastructure is put in place. The government could initiate amendments to the law so that declarations could be published online by a certain deadline. The next action plan can include a commitment on asset disclosure of public officials, including specific activities to publish declarations online and to introduce electronic filing and verification, as mandated by the law. Finally, the government should initiate measures to make the land register public, which underpins other anti-corruption efforts.

Table 5.1: Five Key Recommendations

1	Ensure renewed leadership and successful transfer of institutional knowledge on OGP
2	Adhere to the OGP Participation and Co-creation Standards
3	Focus on more ambitious, OGP-relevant commitments in line with EU accession framework
4	Ensure effective implementation of public consultation legislation
5	Prioritize public officials' asset disclosure and public accessibility of the land register

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[1] See https://www.opengovpartnership.org/ogp-participation-co-creation-standards

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.

2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership)

3. Pre-publication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.

4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.[1]

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the "usual suspects" list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g. online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

In addition to periodic contacts during the implementation period with representatives of institutions responsible for the implementation of each commitment and of other parties (civic or private) involved, the IRM researcher conducted a series of interviews at the end of the reporting period from July to October 2017. However, interviewing state representatives and obtaining official information up to the end of October 2017 was extremely difficult due to the ongoing government ministries' reshuffling and restructuring of many state agencies listed as institutions which are responsible or involved in the action plan's implementation. Furthermore, by the time of writing of this report the Government had not prepared a self-assessment report and it was unclear which state institution was the (new) OGP coordinator. Additionally, the OGP point of contact for most state institutions referred to in the action plan was unclear. Consequently, the majority of interviews between July and October 2017 were conducted with non-state stakeholders and a limited number of representatives from state institutions.

To gather the voices of multiple stakeholders, the IRM researcher organized four focus group discussions, of which three were with citizens and one was a focus group with civil society participants—a multi-stakeholder forum.

The purpose of focus groups with citizens was to obtain information from the end-user of OGP commitments' impact on their awareness, involvement and results from the OGP action plan. More specifically, the following key questions were discussed with citizens' focus groups:

- Participants' level of information and awareness about OGP and OGP Albania, the process, action plan, coordination mechanisms, results and impact (general views)

- Level of information about the specific commitments

- To what extent they believe the current action plan reflects the challenges and priorities for Albania and for themselves as a group

- Rating and analyzing the commitments of the current action plan—reviewing progress (depending on the level of information they have) and their expectations

- What concrete commitments (or challenges/priorities) they would like to see in the next action plan

The following focus group discussions with citizens were conducted by the IRM researcher:

Focus group 1 (Tirana, 30 August 2017)

The first focus group involved young women and men (ages 20 to 30 years old), in the process of completing or having already completed higher education, employed and unemployed, ranging from large urban areas (Tirana, Durres, Elbasan) to midsized or small towns (Vore, Lushnje). Various religious and ethnic/cultural backgrounds were represented (e.g. Roma, or religious believers).

Synopsis of the discussion

Only two out of 10 participants (a student and a young employed person) had heard of but did not have much information about, OGP. The source of information was social media (Facebook). Only one of them knew that MSIPA is the national OGP coordinator for Albania and had heard of the OpenAlb forum. Despite not being aware of OGP Albania (process or action plan), the majority of participants (eight out of 10) had heard of at least one OGP commitment. None of them were able to link this information with OGP but were informed in a different context about the commitments (such as media coverage of government activities, various NGOs' projects, international donors' activities, etc.). The commitments they had heard of include: Budget transparency; Integrated Registry of Citizens' Housing;   Publishing online central and local government legislation in open systems for free; Open Standards for Contracting, public contracts to be published in open data format; The Law "On protection of whistleblowers"; Provision of electronic services (E-Albania); Citizen Card. However, the majority of participants reported that they had no information about the progress of the implementation of these "projects." Few of them could offer first-hand experience with these commitments—often through using the results of the commitments or having some information about their results. All participants suggested that OGP Albania is a helpful initiative for the country but in order for it to be more efficient it is essential to inform the public and ensure citizens' involvement (awareness and information). Although the commitments were considered useful if properly implemented, the majority of the group held that they do not reflect the priorities and current challenges of the country. A few of the participants suggested that many commitments are important and address some of the key concerns Albania is facing (e.g. anti-corruption) and that the public needs to be more proactive in asking the government to release information and inform the public through specific campaigns. Participants suggested that some of the most acute challenges of the country were not reflected in the action plan, despite the importance of the issues the action plan currently covers. Such challenges and priorities for Albania include: poverty, employment (especially youth employment), and media freedom. As regards the new action plan, participants suggested that the government include specific commitments in the following areas/sectors:

- Strengthening the meritocracy principle in the public administration and fighting nepotism
- Employment (youth and women), especially in the peripheral areas of main urban centers due to internal migration
- Public services (e.g. extension of one-stop shops)
- Anti-corruption
- Judicial reform
- Improving the business environment, enabling foreign direct investments, and fighting poverty
- Public awareness and informing about OGP
- Strengthening tolerance and fighting ethnic, religious, and racial discrimination
- Tax transparency

- Improving quality of primary and secondary education
- Fighting corruption and improving quality of the higher education system in public universities

Focus group 2 (Tirana, 31 August 2017)

The second focus group involved women from different regions (Tirana, Kamya, Elbasan, Durres, and Vora), of varying age (35 to 57 years old), educational background (50 percent with a secondary education and 50 percent with a higher degree), residence—rural (40 percent), urban (60 percent)—and, employment status (50 percent employed, 50 percent not).

Synopsis of the discussion

When asked about OGP, participants were not familiar with OGP. After a brief presentation of OGP Albania and IRM's role, one participant confirmed she had heard of OGP and CSOs in the news during the last year (she was referring to one of the OpenAlb forum's activities). Participants were not aware of the OGP process or organization's structure globally or in Albania, but they underlined that this is a very interesting initiative which, if properly implemented, could bring added value to reforms and progress in Albania. However, they were highly skeptical about the efficiency of the process. While all participants were skeptical towards the Government, some of them expressed doubts about the effectiveness of the CSOs' role. Another participant (who works for an NGO) opposed this attitude: "This is vicious circle. If we do not trust civil society or groups of citizens to make difference and try to hold the government accountable, then of course CSOs cannot do much. We depend on the trust of citizens to exert pressure on the Government. But if public trust is low then we will not make it." No participant was aware of the OGP commitments although more than half of them confirmed that they were familiar with some of the commitments, as follows: Improvement of database/portal with coordinators' data of the right to information and transparency programs; Integrated Registry of Citizens' Housing; Establishment of electronic Registry for public notification and consultation;   Commitment to publish online central and local government legislation in open systems and for free; Open Standards for Contracting, public contracts to be published in open data format; and, Electronic system of registration of e-prescription in the Republic of Albania.

Two participants were working for local CSOs and discussed in detail commitments such as: Improvement of database/portal with coordinators' data of the right to information and transparency programs; and Establishment of electronic Registry for public notification and consultation. However, other participants could not share detailed experiences or information about action plan commitments. The majority of focus group attendees suggested that: the set of commitments maybe reflects governments' priorities or those of CSOs and donors, but they do not reflect citizens' needs. In this context, one of the FG participants argues – "How is it possible that there is no commitment about poverty, use of drugs in schools or violence against women?"

A few participants suggested that some of the commitments are very useful—such as the whistleblowers' protection law—but expressed doubts about their efficient

implementation. In general, most of them agreed that the action plan does not reflect Albania's pressing challenges. When asked about the most important challenges and concerns Albania must address and that may find space in the OGP action plan through specific commitments, participants suggested the following sectors/areas: Unemployment and poverty; Youth; Education; Women's rights; and Anti-corruption and judicial reform. The IRM researcher invited participants to suggest concrete issues which, in their opinion, must be taken into account in the next action plan and the following were suggested by participants:

- Commitments in support of youth employment

- Food safety standards

- Fight against use of drugs/alcohol among youngsters

- Promoting opportunities for enhanced social and cultural activities for youth

- Public transport, especially for school pupils

- Commitments related to road safety (given the very high number of deaths on Albanian roads)

- Environmental protection in industrial cities (e.g. Elbasan) and other urban centers

- Construction safety

- Construction building standards (to ensure safety standards but also quality of life of residents)

- Commitments improving elementary public schools' infrastructure

- Women empowerment in decision making

- Commitments related to fighting violence against women

Focus group 3 (Tirana, 4 September 2017)

The third focus group gathered women and men from suburbs of the main cities and adjacent rural areas in the regions of Tirana and Elbasan, over 45 years old, with varying employment statuses (unemployed and employed, including self-employed) and secondary or higher education.

Synopsis of the discussion

This focus group discussion was characterized by highly skeptical attitudes towards OGP and complete distrust in the government. When asked about OGP, participants confirmed that they were not familiar with or had heard of it. Participants were introduced to the Open Government Partnership (2013–2017)—progress, achievements, and Albania's performance in the partnership—and were asked whether they were familiar. After the brief presentation of OGP Albania and the IRM role, again, participants confirmed they did not have any information about OGP in Albania or OGP in general. Participants were very skeptical toward OGP and its possible success in Albania, mostly due to the fact that they do not believe the Albanian government is serious about meeting its commitments.

"We [Albanians] are very good at putting on paper laws and strategies but we forget about them in practice."

"I don't think the government will fulfill even 30 percent of the commitments in practice."

"The government has consulted civil society but what about us, citizens. We are the real civil society, not NGOs."

Participants were not aware of the action plan commitments. However, some of the commitments sounded familiar to half of the group, such as: Citizen's card; Digital archive; Electronic Monitoring System of Forests; Budget transparency; E-prescription; Integrated Registry of Citizens' Housing; E-Albania. Unlike the other focus groups, some participants noted (with surprise) that the judicial reform is not part of the action plan. The majority of the group (unlike the other focus groups) had very high hopes for judicial reform and consider it the backbone of Albania's reforms. In this sense, one of the FG participants argues that "everything else will depend on this reform. The fight against corruption, poverty and everything depends on whether the judiciary will start deliver justice in this country."

The majority of participants do not consider the action plan commitments as reflecting Albania's reality of challenges and concerns. Participants listed the following issues/sectors as the country's most important challenges: unemployment; corruption; nepotism and lack of meritocracy in public administration (at the national government level and also at local level, where the challenges are even more serious); poor quality of social services especially for unemployed people; prevailing informal economy; poverty; poor healthcare services in rural areas; politicization of every state institution; and, local taxes. When asked about the most important challenges and concerns Albania must address and that may find space in the OGP action plan through specific commitments, participants suggested the following specific commitments for the next action plan:

- Improving central public administration's ethics and standards
- Improving public administration at local government level
- Commitments to fight poverty in remote areas
- Proper implementation of public consultations with citizens (and not with members of the ruling parties)
- Judicial reform monitoring
- Commitments to improve agricultural sector (as a vital economy branch for Albania) and services in this sector

Multi-stakeholder forum (Tirana, 27 October 2017)

A assembly with civil society and other representatives was conducted according to a focus group model to gather the views of various stakeholders involved with OGP and those without this experience. Representatives of the following civil society organizations, academia and other stakeholders participated in the focus group discussion:

- A former Government OGP point of contact (Tirana)

- A university professor (Durres)

- Albanian Institute of Public Affairs (Tirana)

- European Movement of Albania (Tirana)

- Institute for Democracy and Mediation (Tirana)

- Mjaft! Movement (Tirana)

- Open Society Foundation Albania (Tirana)

- Partners Albania (Tirana)

Participants at the focus group discussion focused predominantly on the OGP process, institutional mechanisms and experience in order to make OGP action plans and processes more efficient mechanisms that are able to deliver meaningful results, impact and added value to overall development and EU accession reforms in Albania. The feedback of focus group discussions conducted with ordinary citizens was debated. Lastly, the multi-stakeholder focus group served to update IRM findings regarding the implementation of the action plan, while it endorsed the proposals of focus groups with citizens for new commitments in the next action plan.

Participants at the focus group underlined the lack of ambition of the current action plan, with many commitments representing ongoing projects or routine government actions to enact legal obligations or other reforms in the framework of the country's EU accession process (e.g. Implementation of the Law "On protection of whistleblowers"; Budget Transparency; Provision of electronic services). Commitments proposed by civil society organizations were almost entirely dependent on donor funding secured by the respective CSOs (e.g. INFOCIP and Partners Albania) and when such funding was not able to be secured the progress of the commitment was lagging behind (commitments: Creating a database for archiving and publication of research funds and programs in Albania; and Open Standards for Contracting, public contracts to be published in open data format).

The lack of adequate human and financial resources to coordinate the OGP process and action plan was pointed out as the main barrier to a meaningful and broadly known OGP in Albania. Additionally, this is also hampering more active involvement of the civil society in the process, as donors do not consider a priority funding civil society actions in the framework of the OGP Albania. Another factor that influences government institutions to be less attentive to the OGP process and commitments in Albania, according to stakeholders involved in the OGP, is the lack of clarity about and emphasis on the complementarity between OGP and reform processes in the context of EU accession. "EU accession is considered a national objective while the process has not only wide public awareness and support but also much clearer conditionality (sticks and carrots), and, as a consequence, state institutions are not only more rigorous in reporting, but they also ensure broader involvement of civil society and other non-state stakeholders."

In the wake of the September 2017 reshuffling of government agencies and the unclear status of OGP institutional structures, including in which state institution the national OGP coordinator is, participants strongly suggested that the Government ensure stability of the institutional structures in charge of the OGP process and cycle as a

whole. This will serve also to raise the profile of OGP not only in the eyes of the public, but most importantly among state institutions, civil society, donors and other participating or potential stakeholders.

However, participants agreed that the above concerns over the role of government institutions in charge of or involved in the OGP do not justify the lack of interest among CSOs to actively participate in action plan implementation and monitoring. Donor organizations must be more proactive and support civil society actions related to OGP.

Lastly, the focus group participants endorsed proposals for the new action plan coming from citizens at the three focus group discussions organized by the IRM researchers. Some of the most important citizens' proposals, which may have transformative impacts according to CSO representatives participating in the multi-stakeholder forum, include issues relating to:

- Anti-corruption

- Quality of education, public schools' infrastructure, and pupils' transport

- Youth and employment in the peripheral areas of urban centers

- Fighting violence against women; promoting women in decision making

- The agricultural sector and services in this sector

- Construction building standards and safety

- Environmental protection in industrial cities

- Fight against use of drugs/alcohol among youngsters

- Improving road and food safety standards

- Improving public administration's ethics and standards (meritocracy, fighting nepotism); public services; tax transparency

- Improving the business environment, enabling foreign direct investments, and fighting poverty

- Judicial reform/monitoring

- Opportunities for enhanced social and cultural activities for youth

- Proper implementation of public consultations with citizens (and not with members of the ruling parties)

- Public awareness and informing about OGP

- Strengthening tolerance and fighting discrimination

Additionally, some participants suggested continuous actions are needed to improve the application of the freedom of information and access to information. A Mjaft! representative reported that some institutions especially at local level take a different approach when an FoI request is submitted by citizens as compared to CSOs' FoI requests. Additionally, some central government agencies are sometimes unclear whether or not the FoI relates to their field of responsibility.

Another participant proposed a commitment to publish online at one single portal all central government and oversight institutions' periodic (quarterly) and annual reports.

This will also enable a centralized database of all governmental reporting and a unified methodology of reporting based on benchmarks and indicators.

Lastly, stakeholders participating in this focus group strongly advised for more diversity of institutions and sectors involved as responsible institutions (e.g. parliament, judiciary etc.) and more ambitious commitments responding to citizens' priorities and also to challenges in the framework of major rule of law reforms—judiciary, anti-corruption and impunity, etc.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Hazel Feigenblatt
- Mary Francoli
- Brendan Halloran
- Hille Hinsberg
- Anuradha Joshi
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Ernesto Velasco

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

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[1] IRM Procedures Manual, V.3 : https://www.opengovpartnership.org/documents/irm-procedures-manual

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.[1] When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for Albania
Example:

Criteria	2011	Current	Change	Explanation
Budget Transparency[2]	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information[3]	4	4	No change	4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration[4]	4	4	No change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Citizen Engagement (Raw score)	4 (7.35)[5]	4 (7.63)[6]	No change	*EIU Citizen Engagement Index* raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5
Total / Possible (Percent)	16/16 (100%)	16/16 (100%)	No change	75% of possible points to be eligible

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[1] For more information, see http://www.opengovpartnership.org/how-it-works/eligibility-criteria.

[2] For more information, see Table 1 in http://internationalbudget.org/what-we-do/open-budget-survey/. For up-to-date assessments, see http://www.obstracker.org/.

[3] The two databases used are Constitutional Provisions at http://www.right2info.org/constitutional-protections and Laws and draft laws at http://www.right2info.org/access-to-information-laws.

[4] Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), http://bit.ly/19nDEfK; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in Government at a Glance 2009, (OECD, 2009), http://bit.ly/13vGtqS; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), http://bit.ly/1clokyf. For more recent information, see http://publicofficialsfinancialdisclosure.worldbank.org. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at http://bit.ly/1EjLJ4Y.

[5] "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), http://bit.ly/eLC1rE.

[6] "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), http://bit.ly/18kEzCt.