

Independent Reporting Mechanism (IRM): Albania End-of-Term Report 2016-2018

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Overview: Albania

Independent Reporting Mechanism (IRM) End-of-Term Report 2016-2018

Implementation of Albania's third action plan was greatly affected by the dissolution of the Ministry of State for Innovation and Public Administration in September 2017, which served as the main coordinating institution for OGP. More than half of the 17 commitments did not lead to any notable improvement in opening government. To achieve success in the OGP process, the Albanian government needs to establish a genuine dialogue with civil society and build on the achievements of previous action plans.

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. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country.

This report summarizes the results from July 2016 to June 2018 and includes relevant developments up to September 2018.

Initially, the Minister of State for Innovation and Public Administration (MSIPA) was the leading office responsible for Albania's OGP commitments. MSIPA had neither legal power to enforce policy changes on other agencies within the government nor to compel any other state agency to assume and carry out commitments' implementation. Civil society was actively involved during the development of the action plan in the first half of 2016, but it did not participate in the implementation. Following June 2017 general elections, a new cabinet took office (September 2017) which dissolved MSIPA, leaving OGP without a coordination authority until the end of the implementation period. The Government of Albania did not prepare a self-assessment report for the 2016-2018 action plan. The multi-stakeholder forum, OpenAlb, an open platform which included at its highest point 15 organizations and facilitated civil society participation in the development of 2016-2018 action plan, has been inactive since December 2016.

Table 1: At a Glance

	Mid-term	End of term
Number of Commitments	17	17
Level of Completion		
Completed	6	9
Substantial	4	4
Limited	5	4
Not Started	2	0
Number of Commitments with...		
Clear Relevance to OGP Values	8	
Transformative Potential Impact	1	
Substantial or Complete Implementation	10	13
All Three (☺)	1	1
Did It Open Government?		
Major	1	
Outstanding	0	
Moving Forward		
Number of Commitments Carried Over to Next Action Plan	N/A	

Consultation with Civil Society during Implementation

Countries participating in OGP follow a process for consultation during development and implementation of their action plan. After September 2017, the OGP points of contact in the line ministries and other agencies in charge of this action plan’s commitments were no longer in place or had been assigned other portfolios. Thus, institutions responsible for implementation of commitments did not hold any follow-up meetings with civil society or provide any information on how commitments were dealt with. No OGP-related meetings took place during the second year of the action plan implementation (2017/2018). There has not been any other coordination activity of any state authority or of the multi-stakeholder forum OpenAlb.

Table 2: Consultation during Implementation

Regular Multistakeholder Forum	Midterm	End of Term
1. Did a forum exist?	Yes	No
2. Did it meet regularly?	No	No

Table 3: Level of Public Influence during Implementation

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.¹ 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 Influence during Implementation of Action Plan		Midterm	End of Term
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 government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.	✓	
No Consultation	No consultation		✓

About the Assessment

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.¹ One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries. Starred commitments are considered exemplary OGP commitments. 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 judgment 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.²
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Starred commitments can lose their starred status if their completion falls short of substantial or full completion at the end of the action plan implementation period.

In the midterm report, Albania’s action plan contained one starred commitment. At the end of term, based on the changes in the level of completion, Albania’s action plan still contained one starred commitment:

Commitment 9: Implement Whistleblower Protection Law.

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its reporting process. For the full dataset for Albania, see the OGP Explorer at www.opengovpartnership.org/explorer.

About “Did It Open Government?”

To capture changes in government practice, the IRM introduced a new variable “Did It Open Government?” in end-of-term reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment’s implementation.

As written, some OGP commitments are vague and/or not clearly relevant to OGP values but achieve significant policy reforms. In other cases, commitments as written appear relevant and ambitious, but fail to open government as implemented. The “Did It Open Government” variable attempts to capture these subtleties.

The “Did It Open Government?” variable assesses changes in government practice using the following spectrum:

- Worsened: Government openness worsens as a result of the commitment.
- Did not change: No changes in government practice.
- Marginal: Some change, but minor in terms of its effect on level of openness.
- Major: A step forward for government openness in the relevant policy area but remains limited in scope or scale.
- Outstanding: A reform that has transformed “business as usual” in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM end-of-term reports are prepared only a few months after the implementation cycle is completed. The variable focuses on outcomes that can be observed in government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the timeframe of the report.

¹ IRM Procedures Manual, <http://www.opengovpartnership.org/about/about-irm>.

² The International Experts Panel changed this criterion in 2015. For more information, visit <http://www.opengovpartnership.org/node/5919>.

Commitment Implementation

General Overview of Commitments

As part of OGP, countries are required to make commitments in a two-year action plan. The tables below summarize the completion level at the end of term and progress on the “Did It Open Government?” metric. For commitments that were complete at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the ‘Did It Open Government?’ variable. For further details on these commitments, please see the Albania IRM progress report 2017.

Albania’s third OGP action plan includes 17 commitments organized around four main themes: 1 open government to increase access to information; 2 open government for creating safer communities; 3 open government for public service modernization; and 4 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’.

Table 4: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Improve portal for access to information			✓		✓			✓			✓					✓					
2. Budget transparency			✓		✓	✓					✓				✓						
3. Integrated Registry of Citizens’ Housing		✓			Unclear					✓				✓						✓	
4. Public notification and consultation registry		✓			✓	✓		✓			✓					✓					
5. Digital archive		✓			Unclear					✓				✓						✓	
6. Scientific research database				✓	✓			✓				✓								✓	
7. Publish			✓		✓						✓		✓								✓

government legislation online																				
8. Electronic registry of concessions			✓	✓				✓			✓								✓	
9. Implement Whistleblower Protection Law			✓	✓	✓	✓						✓							✓	
10. Provision of electronic services		✓			Unclear					✓									✓	
11. Simplify building permit applications			✓		Unclear						✓								✓	
12. Establish digital counters		✓			Unclear				✓										✓	
13. Service passport standardization			✓		Unclear					✓						✓			✓	
14. Citizen Card			✓	✓						✓						✓			✓	
15. Pilot e-prescription		✓			Unclear					✓					✓				✓	
16. Electronic Monitoring System of Forests			✓		Unclear					✓		✓							✓	
17. Electronic system for professional licensing applications			✓		Unclear					✓						✓			✓	

I. 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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Improve portal for access to information			✓		✓		✓				✓					✓			✓		

Commitment Aim:

In 2014, Albania adopted a new law on the Right to Information. A year later, an online platform (www.pyetshtetin.al) was designed and launched by the Open Society Foundation for Albania (OSFA) and the Commissioner for Freedom of Information and Protection of Personal Data (CFIPPD) to simplify procedures for submitting freedom of information requests. This commitment included proactive publication of transparency programs of authorities, as well as creation of an updated database with the names of officials responsible for handling freedom of information requests and their contact details, with the possibility to track responses to submitted requests.

Status

Midterm: Complete

This commitment was fully implemented within the first year of the action plan due to the support provided by OSFA.

As foreseen by the commitment, the portal <http://pyetshtetin.al> (“Ask the State”) was improved to include tracking of information requests and related complaints from citizens. It incorporated a register of information requests, connected to the register of each state institution at central or local level.¹ The portal also incorporated a register of complaints. Both tools include a search engine.²

The portal includes up-to-date information on the coordinators of access to information and transparency programs of state institutions.

Did It Open Government?

Access to Information: Marginal

The commitment has resulted in some positive changes in improving public access to the number of submitted and processed information requests, as well as the proactive publication of information.

As a result of the new registers, the portal includes statistical data on the number of requests received, the number responded to and the number rejected. In comparison to 2015, the number of requests and/or complaints received through the portal has increased. The majority of complaints (395 out of 560) in 2017 were addressed through the mediation of the Commissioner, for another 66 a decision was issued by the Commissioner, 77 complaints did not fall under the authority of the law, 8 missed the deadline and 14 complaints were incomplete.³ In 2017, civil society organizations (CSOs) submitted 130 complaints out of 560. Officials from the office of the Commissioner⁴ note that in 2018 the number of citizens’ requests has increased significantly and almost equals the number of requests submitted by CSOs, media and other non-state institutions.⁵ However, while the portal provides statistics about information requests, it does not provide information on the content of these requests or any other type of overall analysis.

In addition, according to the Commissioner, the central government institutions showed a problematic state of transparency in 2017. Some of the concerns relate to the lack of updated transparency programs, unclear language used in responses or missing attachments in the transparency programs. Therefore, the progress made by the commitment in relation to access to information and the implementation of the Right to Information Law is considered marginal.

Carried Forward?

At the time of writing this report, Albania had not published the next action plan. The IRM researcher recommends that in the future the Albanian government needs to further improve the implementation of the right to information legislation and the functionality of the transparency portal, through complementing the quantitative information with qualitative information about the requests and complaints submitted.

¹ Open Society Foundation for Albania (OSFA), <http://pyetshtetin.al/rregjistri-i-kerkesave/>

² Open Society Foundation for Albania (OSFA), web portal, <http://pyetshtetin.al/rregjistri-i-ankesave/>

³ Annual Report 2017 of the Commissioner for Freedom of Information, http://www.idp.al/wp-content/uploads/2018/02/RAPORTI_VJETOR_2017.pdf

⁴ Amarilda Xhyheri, interview by IRM researcher, 11 December 2018

⁵ Online register at <https://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 (as written)				Potential Impact				Comple tion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Budget transparency			✓		✓	✓					✓				✓				✓		

Commitment Aim:

This commitment aimed to improve transparency and public participation in the process of drafting the state budget. The intention was to increase access to and the amount of budget documents as well as to make it understandable for citizens. These measures came in the framework of EU accession reforms and also in response to findings of the International Budget Partnership, which recommended in its 2015 Open Budget Survey that Albania publish a number of budget documents, including a year-end report and mid-year review, and a “Citizen Budget”.¹

Status

Midterm: Substantial

By the midterm, this commitment was substantially completed. A Citizen Budget for 2016 and 2017 and the list of public investments foreseen by the medium-term budget program (a three-year forecast of the state budget) had been published on time. Gender budgeting (budgets prepared and analyzed from a gender perspective) for the medium-term budgetary program² and regular monitoring reports for each ministry were published on the Ministry of Finance (MoF)'s website on a quarterly basis.³ Yet, the MoF did not involve civil society or other interest groups in the budget design process. Public consultation took place during the parliamentary procedure of budget adoption but not during the budget design.

End of term: Substantial

In 2018, the government continued the implementation of measures related to budget transparency, albeit to a lesser extent. A Citizen Budget for 2018 was published on the MoF website⁴ while seven (out of 11) line ministries and nine independent institutions have published monitoring reports.⁵ By the end of 2018, the MoF published the performance monitoring analyses that show how multiple institutions spent their budget for the first quarter of 2018, which is a step backward compared to the situation at the midterm.⁶

On 26 October 2018 the Minister of Finance announced the adoption of the 2019 draft budget by the Council of Ministers.⁷ The MoF published the 2019 draft budget online in October 2018.⁸ No information on public consultations was published and the IRM researcher could not track any event being carried out about the draft budget with interest groups.

Did It Open Government?

Access to Information: Marginal

Civic Participation: Did Not Change

Government action to increase budget transparency and public participation in its design has been uneven during the reporting period. While for the 2017 state budget the progress was substantial with few deficiencies in the public consultation element, in 2018 the progress has been slower. In fact, no draft budget or other "necessary documents required for budgeting" (as foreseen by the commitment) have been published by the Ministry of Finance in 2018. The draft budget for 2019 was adopted by the government at a session held on 26 October 2018, and the draft budget was subsequently published on the MoF website. Civil society monitoring^{9,10} suggests there is still room to improve the government's performance, particularly in relation to the consultation of the draft budget. Besides, although the actions taken note a positive development for budget transparency in Albania, they are not enough to ensure active participation of citizens.

As a result, the changes brought about by this commitment can be described as marginal to the value of access to information only. This is because the commitment's implementation did not increase public participation in the design phase of the budget for either 2018 or 2019, although it has offered some information that can enhance public understanding and help other stakeholders (e.g. media and business associations) to track budget implementation. Although a few CSOs have been referred to in the action plan as supporting institutions, the MoF has not involved them in the implementation of this commitment.

Carried Forward?

At the time of writing this report, the next action plan has not been published. The IRM researcher recommends that measures are included in the next action plan to ensure that participation and publication of budget documents are legally required. Moreover, the IRM researcher suggests the MoF should introduce proactive measures to encourage participation and meaningfully involve citizens and interest groups in the budget design. The MoF could also invest more efforts in improving the usability of the budget information.

¹ Open Budget Survey 2017 for Albania, International Budget Partnership, <https://www.internationalbudget.org/open-budget-survey/results-by-country/country-info/?country=al>

² "Infographic Gender budgeting for the medium-term budgetary program 2016-2018", Ministry of Finance, <http://www.financa.gov.al/wp-content/uploads/2017/12/infographic-budgeting-AL-1.pdf>

³ Monitoring reports of line ministries for 2017, Ministry of Finance, <http://www.financa.gov.al/raporte-monitorimi-nga-ministririte-e-linjes-2017/>

⁴ "Citizen Budget for 2018", Ministry of Finance, http://www.financa.gov.al/wp-content/uploads/2018/06/Buxheti_2018.pdf

⁵ Reports available on the MoF website, <http://financa.gov.al/raporte-monitorimi-nga-ministririte-e-linjes-2018/>

⁶ Analysis of institutions' performance monitoring, <http://financa.gov.al/monitorimi-4-mujori-i-pare-2018/>

⁷ Press conference by Minister Ahmetaj, <http://oranews.tv/article/buxheti-2019-ahmetaj-rritje-pagash-edhe-perpunonjesit-e-burgjeve-e-diplomatet>

⁸ See <http://financa.gov.al/projektbuxheti-2019/>.

⁹ OSFA Report 2016, <http://www.osfa.al/publikime/fondacioni-prezanton-analizen-e-projektbuxhetit-2016-dhe-monitorimin-e-buxhetimit-te-prioriteteve-te-integrimit-ne-projektbuxhetin-2016>

¹⁰ OSFA Report 2017, <http://www.osfa.al/publikime/fondacioni-prezanton-analizen-e-projektbuxhetit-2017-dhe-monitorimin-e-buxhetimit-te-prioriteteve-te-integrimit-ne-projektbuxhetin-2017>

3. Integrated Registry of Citizens' Housing¹

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: June 2016

End date: 2017

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
3. Integrated Registry of Citizens' Housing		✓			Unclear					✓				✓				✓				

Commitment Aim:

Over the past 25 years, it is estimated that nearly 1.4 million Albanian citizens have emigrated, while internal migration has accompanied this trend especially in the first two decades since the fall of communism in 1990. These migratory movements had not been registered in the civil registry of

Albanian nationals. This commitment aimed to create an integrated registry of citizens' residence in order to have a single accurate and complete database with information about Albanian nationals, including their updated residence. This would be achieved by integrating the Civil Status Registry, which contains all data of citizens (name, birthday, identification number, etc.), and the National Address Registry.

Status

Midterm: Limited

Although they were not clearly stated in the commitment text, the IRM researcher found that the government envisioned three steps to create the integrated housing registry: 1) amend Law No.9270 on the system of addresses; 2) launch the population database process; and 3) pilot the housing registry. The population database 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 had been announced by the Minister of Interior in November 2015.² In September 2016, the Parliament of Albania adopted the Law No.89/2016 "On some amendments to the 'Law No. 9270 dated 29 July 2004 on the system of addresses'".³ In October 2016, the population database process was launched.⁴ In July 2017, Albanian authorities postponed the deadline for citizens in the pilot municipalities of Tirana, Durrës and Elbasan to register their residence to January 2018.⁵ In October 2017, the government representative for this commitment reported that the piloting of the integrated registry was under way.⁶ Albania's progress in the implementation of this commitment at the midterm phase was limited.

End of term: Limited

The deadline for registering addresses in the pilot municipalities was postponed to 30 January 2018.⁷ The Electricity Power Distribution Operator, a public company which was involved in the project "One citizen, one address", invited citizens to update their residence in the portal <http://oshee.al/perditesim/>. The process of registering citizens' addresses was extended to the national level. In October 2018, the Ministry of Interior, General Directorate of the Civil Registry, proposed a six-month amnesty for citizens who had failed to report their residence in the civil registry.⁸

Based on law on identification and registering of addresses of Albanian citizens residing outside the territory of Albania,⁹ the Council of Minister Decision No. 405, dated 4 July 2018, elaborated the rules and requirements for reporting the residence abroad.¹⁰ By the time of writing this report (October 2018) the online portal for registering the addresses has not been launched on the Ministry of Interior's website.

Following the piloting phase in three municipalities, progress on the implementation of this commitment at the national level is unclear as there is no publicly available official information from responsible institutions on the state of completion. Additionally, it is unclear whether the unification of the two registers – the National Address Registry and the Civil Status Registry – is complete.¹¹

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

The commitment was not relevant to any OGP values as it entailed the registration of citizens but did not foresee any disclosure of information or citizen participation in decision making. As implemented, the commitment did not lead to any changes that would be relevant to opening government.

Carried Forward?

At the time of writing this report, Albania's fourth OGP action plan was not published and therefore it is unclear whether this commitment will be continued.

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 Ministry of Interior, <http://www.punetebrendshme.gov.al/al/newsroom/fjalime/prezantohet-projekti-i-regjistrimit-te-adresave-dhe-shtetasve-popullimi&page=2>, accessed September 2018.

³ Law 89/2016, http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/185-2016.pdf

⁴ Minister of Interior’s statement on 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>

⁵ Deadline postponed for registering residence, <http://www.panorama.com.al/adresat-e-reja-kaos-ne-zyrat-e-gjendjes-civile-nga-sot-nis-vendosja-e-gjobave/>

⁶ Loran Sevi, Ministry of Interior, interview by IRM researcher, October 2017.

⁷ “Deadline for registering of the address, postponed to 30 January 2018”, <http://www.spektrum.al/afati-per-regjistrimin-e-adresave-deri-me-30-janarit-2018/>

⁸ Scan TV “6 month amnesty for citizens who have not registered their right address”, October 2018, https://www.youtube.com/watch?v=QfP8A_yq2_U

⁹ Law No. 14/2016 dated 18 February 2016, http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/37-2016.pdf

¹⁰ Council of Minister Decision No. 405 dated 4 July 2018,

<http://www.qbz.gov.al/Botime/Akteindividuale/janar%202018/Fletore%20101/VKM%20nr.%20405,%20date%204.7.2018.pdf>

¹¹ National Agency for Information Society (NAIS) 2017 report states that the National civil registry is operational, page 36, <http://akshi.gov.al/wp-content/uploads/2018/04/raporti-vjetor-2017-AKSHI.pdf>

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4. Public notification and consultation registry			✓		✓	✓	✓			✓					✓				✓		

Commitment Aim:

Following the Law "On public notification and consultation" from 2014, a portal for public consultation on draft legislation (www.konsultimipublik.gov.al) was created in 2015, but was not fully functional before the adoption of this commitment. In this context, interlinking this public consultation tool with the e-Albania.al portal was seen as an opportunity to increase its exposure.

This in turn would improve public access to information on draft legislation at different stages before it reaches Parliament and citizens' follow-up of decision making.

Status

Midterm: Complete

The registry for public notification and consultation www.konsultimipublik.gov.al was updated and integrated with the e-Albania portal (both portals already existed prior to the commitment). The new, integrated 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.

The interlink with e-Albania serves as a user registration and identification for the consultation portal. No registration is required to access the acts under public consultation procedure at www.konsultimipublik.gov.al. However, registration is compulsory through e-Albania.al in order to comment on the acts under consultation. Please see the IRM 2017 midterm report for more details.¹

This commitment was completed by midterm, with the establishment of an electronic registry for public notification and consultation through the integration of www.konsultimipublik.gov.al and [e-Albania](http://e-Albania.al).

Did It Open Government?

Access to Information: Marginal

Civic Participation: Did Not Change

Although implementation of this commitment was carried out on time, its results did not deliver significant changes in government practice on public consultations, with limited progress on access to information. In 2018, the government continued to update the portal with new draft acts for public consultations. Specifically, another 42 such acts were published between late 2017 and October 2018. This brings the number of draft legislations for consultations with citizens to 59, which is a major increase, compared to only 15 draft acts reported by IRM in 2017.

While publishing the draft laws on this integrated portal improves access to information to a certain extent, the parliament's website (<http://www.parlament.al/Projektligje/IndexList>) offers a much more complete database of draft acts which are used by interest groups to familiarize themselves and prepare their position during consultations at parliamentary procedures. However, that database does not offer user-friendly features such as submitting and publishing online the comments, opinions and recommendations on the draft legislative acts, as is the case with konsultimipublik.gov.al portal. On the other hand, the portal establishes good practice of publishing draft laws and strategies in the preparatory phase and prior to parliamentary adoption procedures. However, the low engagement of the public, citizens and interest groups with the portal suggests that it has not significantly improved the quality or extent of information being disclosed. Hence the commitment has led to marginal improvements in access to information.

Regarding civic participation, no feedback (comments) from citizens or experts was received through the new portal on any of the draft laws or strategies which were put out for public consultation during 2017 and 2018. The few participants of focus groups (representatives of local CSOs) organized by the IRM researcher suggested that the main reasons for limited feedback on draft laws were the condition to register with e-Albania and a lack of public awareness of the portal. According to National Agency for Information Society (AKSHI), login via e-Albania was necessary to assure that all comments came from real people and not fake accounts.²

Although the portal created some opportunity for influencing lawmaking, the barriers (such as registering with E-Albania) limited the usability of such spaces. Therefore, the commitment's implementation did not bring any changes to civic participation.

Carried Forward?

By the time of writing this report, Albania had not published a new action plan. This report echoes the recommendations of the 2017 progress report. The portal www.konsultimipublik.gov.al remains an important online public consultation opportunity, which would be useful if it were more broadly promoted through a public campaign with the use of traditional media. According to the AKSHI, the Agency has suggested the Prime Minister's Office to ask the ministries to publish all legal consultative initiatives on the portal and require ministries to conduct notification campaigns for using the public consultation portal. It all suggested the PMOs to publish its own draft legislation on social media/websites and invite citizens during their public statements to comment on draft laws and decisions that it publishes.³

To improve the public consultation framework, the government should undertake a bigger effort by developing statutory procedures governing public engagement in policymaking. When publishing draft legislation, the government should provide adequate timeframes for consultations, establish clear rules to guide consultation, and provide feedback on citizens' input.

¹ IRM Albania Progress Report 2016-2017, https://www.opengovpartnership.org/sites/default/files/Albania_Mid-Term_2016-2018_EN_for-pub-comm.pdf

² The IRM received this information from the National Agency for Information Society (AKSHI) in Albania during the pre-publication period of this report.

³ Ibid

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Digital archive		✓			Unclear					✓			✓	✓			✓				

Commitment Aim:

This commitment built on the work around the “Digital Agenda” approved by the government in 2015. As the Central Technical Archive of Construction (the institution in charge of collecting and managing documents of technical construction) lacked a digitalized database, the commitment sought to develop a digital archive as a technology-based asset for access, convertible and comparable with similar European archives. The expected results were improvements in the effectiveness of public services. In particular, the digitalized database would reduce costs and delays for citizens seeking to obtain documentation at the Central Technical Archive of Construction (by increasing the scale of electronic forms), and construction companies would be able to more easily apply for a building permit.

Status

Midterm: Limited

At the time of preparing the IRM progress report (August – October 2017) the Government of Albania was going through a restructuring process and dissolved the Ministry of Urban Development. The IRM researcher's interviews with former staff of the Ministry 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.¹ Therefore the progress report 2017 found that the completion of this commitment was limited and behind schedule. The IRM researcher could only trace a Council of Ministers Decision No. 365, dated 26 April 2017 "On the establishment of the state database Digital Archive of the Central Technical Archive of Construction."

End of term: Limited

During the second year of implementation, limited progress was noted.

The National Agency for Information Society (NAIS)' annual report for 2017 reported the digital archive of the Central Technical Archive of Construction as one of the databases it had serviced in 2017, although the website of the Central Technical Archive of Construction has no information on the Digital Archive.²

The IRM researcher traced in 2018 the "Centralized multifunctional system of construction permits" at e-Albania portal³ which responds to one of the objectives outlined in this commitment: 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. This e-service includes an interoperability option thus linking online all 61 municipalities in Albania and the respective state institutions in charge of different steps in the process of issuing construction permits.

However, the e-Permit service at e-Albania portal has been available and used by interested parties since 1 September 2016. Until the end of 2017 this system was used 40,000 times and had registered more than 12,000 applications for different services (e-Permit offers 19 different types of applications).⁴ Additionally, the e-Permit does not entail a digital archive as described in this commitment nor does it create opportunities for publication of technological and infrastructural services. Although a representative from the Central Technical Archive of Construction interviewed by the IRM researcher suggested that it might be the same,⁵ it is unclear whether the e-Permit is linked with the Digital Archive as described in this commitment.

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

The very limited implementation of this commitment has not led to any changes in opening up government.

Carried Forward?

At the time of writing this report, Albania has not published a new OGP action plan. Given the lack of OGP relevance of this commitment as described, the IRM researcher suggests that it could be taken up in the next action plan if it ensures open access for the public to the Central Technical Archive of Construction digitalized database, rather than just access through the request of an interested party.

¹ For more information please refer to the IRM Albania Progress Report 2016-2017. Interviews were conducted in September 2017.

² Central Technical Archive of Construction, <http://www.aqtn.gov.al/index.php>

³ e-Permit – Application for construction permits, https://e-albania.al/eAlbaniaServices/UseService.aspx?service_code=6093

⁴ NAIS 2017 report, page 61, <http://akshi.gov.al/wp-content/uploads/2018/04/raporti-vjetor-2017-AKSHI.pdf>
⁵ Central Technical Archive of Construction official, interview by IRM researcher, 30 October 2018.

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: December 2017

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion		Midterm		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Scientific research database				✓	✓		✓			✓		✓		✓			✓				

Commitment Aim:

This commitment aimed to foster a culture of evidence-based policies by engaging research resources and sharing research deliverables on a unique website. It expected to achieve its objective through the completion of two steps: the first was to develop, adopt, and promote open standards for science; the second was to establish legislation to enable a one-stop search portal for scientific data and publications, and subsequently to create the portal.

Status

Midterm: Not Started

This commitment was not started at the midterm. Based on the Law “On higher education and scientific research” and the Council of Ministers Decision¹ “On the establishment, composition and functioning of the National Agency of Scientific Research and Innovation” from August 2016, 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. The new agency faced serious challenges in terms of human resources and infrastructure, thus making it difficult to perform its duties.²

While the Institute for Democracy and Mediation (IDM) is listed as a supporting institution, it had no involvement in this commitment.

End of term: Limited

The Ministry of Education, Youth and Sports has reported making progress in setting up the regulatory framework for the quality assessment of scientific research with the approval of the Decision of the Council of Ministers (DCM) no. 165, dated 21 March 2018.³ This decision explains the methodology for assessing the scientific research activities of the core units of higher education institutions and defining the evaluation criteria. However, in order for this procedure to be implemented, it must be complemented by two measures envisaged in the DCM: determining the algorithmic pointing system and setting up the Albanian Scientific Research Information System (ACRIS) to serve as a national database.⁴

The Ministry also reported setting up of a platform for the Digital University Library (ulibrary.rash.al) as part of the University Pact. As of early 2019, the Platform offers access to students and staff of public higher education institutions to research work of other such education institutions. Steps are also being taken to create a digitized dissertation database that will establish anti-plagiarism software to implement DCM no. 777, dated 26 December 2018, 'On anti-plagiarism of dissertations for the acquisition of scientific degrees'.^{5,6}

Did It Open Government?

Access to Information: Did Not Change

This commitment’s implementation was limited so no change can be attributed to it in terms of access to information.

Carried Forward?

At the time of writing this report, the next action plan was not available. If this issue were to be prioritized in future action plans, the Ministry of Education and NASRI could act on adopting the legal and policy documents for open science in accordance with the European Commission 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, a commitment in this area would need to entail involvement of relevant institutions, such as universities, think tanks, and associations of business who conduct research, among others.

¹ Council of Ministers, <http://www.kryeministria.al/al/newsroom/vkm/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-31-gusht-2016>

² IRM Albania Progress Report 2016-2017, page 53, https://www.opengovpartnership.org/sites/default/files/Albania_Mid-Term_2016-2018_EN_for-pub-comm.pdf

³ DCM available at the Government’s portal <http://www.l.kryeministria.al/newsroom/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-21-mars-2018/>

⁴ Information provided by the Ministry of Education, youth and sports during the pre-publication commenting period (July 2019).

⁵ DCM available at Government’s portal <http://www.l.kryeministria.al/newsroom/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-26-dhjetor-2018/>

⁶ Information provided by the Ministry of Education, youth and sports during the pre-publication commenting period (July 2019).

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Publish government legislation online			✓		✓						✓			✓						✓	

Commitment Aim:

This commitment aimed to improve access to central and local government legislation. At the municipal level, while access to legislation was provided as legally required, local government legislation was often not publicly available in municipalities, in part because many local governments did not have official websites. In particular, municipalities in the main urban centers and developed areas of the country regularly published their acts on their website or through other means. However, medium-sized or small municipalities failed to do so. At the central level, the system of providing government legislation was also fragmented and inefficient, although national legislation and bylaws adopted by the government should be published in the Official Gazette and electronically on the portal <http://www.qbz.gov.al>.

On the suggestion of the CSO INFOCIP, the Government of Albania committed to publish central and local government legislation online, in open data format and for free. The commitment consisted of two steps. First, for the central government, bylaws and other legal acts adopted by institutions would be published on the websites of each ministry. Second, for local governments, the commitment offered the portal vendime.al as an online platform and as a possible reporting mechanism.

Status

Midterm: Limited

This commitment had limited progress at the midterm. The Minister of State for Local Issues (MSLI), the leading institution, was not aware of its responsibilities regarding this commitment. The Center for Public Information Issues (known as INFOCIP in Albanian)¹ listed as supporting institution, acted in fact 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.

INFOCIP reported that vendime.al had expanded the number of municipalities which publish their decisions in this portal. The IRM midterm report 2016-2017 noted a modest number of users of vendime.al.²

End of term: Substantial

No progress was noted in 2018 regarding the first milestone of this commitment, the publication of central legislation on the official websites of the line ministries, free of charge. Government ministries' websites have a section titled "legislation," containing information about the basic legal and sub-legal acts regulating the sectors of their authority, however, not all of them are complete. Namely, there is a lack of updated information on adopted bylaws such as ministers' orders, decisions, or regulations.

However, the second milestone, on publishing online all local governments' acts in all municipalities across the country on vendime.al, was fully implemented.³ INFOCIP reported that all 61 municipalities published online legislation adopted by the municipality. In 2016, the portal published acts from only 12 municipalities; in 2017 this number increased to 41 municipalities. During 2018, thanks to UNDP's STAR project's support, INFOCIP included all 61 municipalities.⁴

Did It Open Government?

Access to Information: Major

Although the government did not publish central legislation on the official websites, publishing online all local governments' acts in all municipalities across the country on vendime.al represents a major achievement. Indeed, public access to municipal legislation had long been a problematic issue. Therefore, the portal offered an adequate response to such need and the preliminary results of the website's usage are encouraging. CSOs, especially in smaller and underdeveloped municipalities, find the portal particularly useful for their work.⁵

Vendime.al hosts 20,662 municipal council decisions (MCDs), corresponding to 61 municipalities. Since the launch in 2013, there have been a total of 142,785 unique visitors. The number of unique visitors has increased from around 11,000 in 2013 to 81,000 in 2018. By November 2018, there were almost 10 million (9,884,833) hits in the unified platform to see/download MCDs and a total of 3,370,495 pages browsed by different users. These data have respectively increased from 60,000 hits and 241,000 pages in 2013 to nearly 4 million hits and 1.5 million pages in 2018. Also, INFOCIP representatives suggested that the number of beneficiaries of the information published was expected to continue increasing significantly.⁶

Carried Forward?

At the time of writing this report, Albania has not published a new action plan. The follow-up step to this commitment, as recommended by the IRM researcher, could be to unify all ministries' websites

with a separate “legislation” section. The same could apply for other state agencies at the central government level.

¹ INFOCIP, <http://www.infocip.org/en/>

² IRM Albania Progress Report 2016-2017, page 56.

³ Gert Shella, Director of INFOCIP, interview by IRM researcher, 31 October 2018.

⁴ Report on the implementation of the right to information by municipalities in Albania (September 2018), page 19, <http://www.infocip.org/al/wp-content/uploads/2018/09/Monitorimi-INFOCIP-2018-E-DREJTA-E-INFORMIMITNE-61BASHKI.pdf>

⁵ Testimonials (in Albanian) of civil society activists on the usefulness of the Vendime.al portal, https://www.facebook.com/story.php?story_fbid=2160148487377249&id=302120716513378&refid=52&_tn=C-R

⁶ Gert Shella, Director of INFOCIP, interview by IRM researcher, 31 October 2018.

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 (as written)				Potential Impact				Completion		Midterm		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Electronic registry of concessions			✓		✓			✓					✓						✓		

Commitment Aim:

This commitment aimed to improve access to information and public oversight of public procurement, by establishing an electronic Registry of Concessions and Public Private Partnerships (Concessionaire Register). The register was intended to gather data on all concession and PPP contracts in Albania and produce a publicly accessible database.

Status

Midterm: Limited

The Registry of Concessions and PPPs was launched at the end of 2016 by the Concession Treatment Agency.¹ No consultations with civil society, media, or other interest groups were carried out on the implementation of this OGP commitment. As of writing the midterm report, not all contracts had been published on the registry and the provided information was not in open data format. Consequently, the registry did not offer more transparency on the granted concessions. Various media outlets and civil society groups, such as Open Data Albania, had raised concerns over the lack of information on concessions and PPPs.²

End of term: Substantial

Over the past year, the Concession Treatment Agency created a database which contained 235 concessions as of October 2018.³ In 2017 only 15 concession contracts were available on the portal. More than 90 percent of the entries on the electronic registry include information about concessions and their contracts, and the other 10 percent include information about amendments to the existing contracts for concessions. The vast majority of published concessions are those which have been contracted prior to 2013, while about 20 percent of them date between 2014 and 2018.

The electronic registry includes data on the date of signing of the concession, type of contract, invested amount, tariff, length (in years), operation area (sector), price, location, and brief description, and signatory parties (private and state actors). Attached to each entry, the signed contract of the concession is also published. The registry includes separate reports (data presented in charts) offering disaggregated data about signed concessions according to sectors,⁴ year of signing,⁵ contracting authority,⁶ private sector operators (to whom concession was awarded),⁷ invested amount,⁸ and a price versus investment comparison.⁹ However, the information presented is not in open data format as envisioned by the action plan.

Did It Open Government?

Access to Information: Marginal

Although publishing information on more than 200 concessions represents a major development, little is known to the public and interested stakeholders (e.g. media, civil society) about the total value of concessions and their performance annually – e.g. taxes paid, profits, public benefit and so on. The same happens with PPPs: how much Albanians are to pay in PPPs, or through which procedure they were awarded. The World Bank underlined the above, in April 2018, and several other concerns related to PPPs in Albania, urging the government to strengthen their transparency, integrity of procedures, corruption risks, how they are assessed, and management of their implementation, including their monitoring and other issues of concern.¹⁰ The International Monetary Fund also raised serious concerns regarding PPPs in Albania earlier that year, advising the government to act carefully with its program of one billion EUR.¹¹

Although the media can use the data published in the electronic registry, effective monitoring would require the portal to have more useful and up-to-date data published by state actors on PPPs and concessions. As a conclusion, the partial implementation of this commitment, due to lack of open data format of the information published, has marginally improved access to information.

Carried Forward?

At the time of writing this report, the government had not published a new action plan. The IRM researcher recommends for the government to carry out consultations with civil society, media and other interest groups to improve the current registry. The following recommendations could be considered too:

1. Increase the quality of datasets for each concession and PPP in open data format in accordance with Open Contracting Data Standard (OCDS);
2. Link the registry to the Public Procurement Commission's complaint process;

3. Strengthen the e-procurement performance and compliance monitoring system and provide for public reporting and monitoring of performance;
4. 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 defence procurement;
5. 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.

¹ Registry of Concessions and PPPs, http://www.atrako.gov.al/?page_id=112

² Gazeta Shekulli, 20 July 2017, <http://open.data.al/sq/lajme/lajm/lang/sq/id/1953/titull/Pesekoncesionetefshehtateqeverisegjatekoheshezgjedhjeve/Pese-koncesionet-e-fshehta-te-qeverise-gjate-kohes-se-zgjedhjeve>

³ Registry of Concessions/PPP, http://www.atrako.gov.al/?page_id=112.

⁴ Chart for Contracts based on field of activity, http://www.atrako.gov.al/?page_id=638

⁵ Chart for Contracts annually, http://www.atrako.gov.al/?page_id=640

⁶ Chart for contracts according to contractual authorities, http://www.atrako.gov.al/?page_id=642

⁷ Chart for contracts according to contracted private partner, http://www.atrako.gov.al/?page_id=644

⁸ Chart for contracts according to monetary value, http://www.atrako.gov.al/?page_id=646

⁹ Chart for contracts based on the ratio investment's monetary value versus price, http://www.atrako.gov.al/?page_id=648

¹⁰ Oranews TV, "World Bank – What are the PPPs' risks?", April 2018, <http://www.oranews.tv/article/banka-boterore-tregon-kush-jane-rreziket-qe-mund-te-vijine-nga-ppp>

¹¹ Jens Reinke, Head of IMF office in Tirana, interview for Top-Channel TV, March 2018 "IMF: Stop concessions. Stop unsolicited proposals by private sector", <http://www.javanews.al/fmn-qeveria-te-pezulloje-perkohesisht-koncesionet-stop-propozimeve-te-pakerkuara-nga-privatet/>

✪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: 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 (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?
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	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
✦ 9. Implement Whistleblower Protection Law			✓		✓	✓	✓					✓				✓			✓		

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Commitment Aim:

This commitment aimed to increase the number of reports on cases of corruption in public authorities, and to protect whistleblowers. To achieve this goal, the commitment foresaw four activities: adopt bylaws to ensure implementation of the law, consult with stakeholders, improve capacities of the oversight institution (the High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest, HIDAACI), and raise public awareness of whistleblowing. These activities were meant to create the necessary environment and institutional mechanisms for the effective implementation of the law in terms of prevention and tackling of corruption cases.

Status

Midterm: Complete

The commitment was completed by the midterm. A local CSO, Partners Albania for Change and Development (Partners Albania), played a major role in the implementation of this commitment through a project supported by the Netherlands Embassy in Tirana.¹ For instance, the bylaws were drafted and adopted after holding public consultations organized by Partners Albania in September 2016 in five different locations, with 240 participants.^{2, 3} Public consultation events were coordinated with HIDAACI, the National Anti-Corruption Coordinator and the Commissioner for the Right to Information and Protection of Personal Data.

Regarding capacity building, Partners Albania and HIDAACI carried out a series of trainings. The annual 2016 HIDAACI report stated that curricula for a series of train-the-trainer events were prepared in 2016.⁴ Partners Albania experts conducted trainings for HIDAACI staff in 2017. A train-the-trainer was conducted at the Albanian School of Public Administration (ASPA).⁵ In 2017 Partners Albania carried out two trainings with approximately 80 employees from relevant units of central and local government institutions.

Regarding awareness-raising, 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.⁶ An informative television spot was broadcasted on social and traditional media.⁷

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Marginal

Public Accountability: Did Not Change

In 2017 Albania established 163 units responsible for the protection of whistleblowers in public institutions and another 446 in the private sector. HIDAACI reported that another 140 institutions failed to comply on time with this requirement. Although state institutions and other stakeholders have been mostly focused on the legal and institutional infrastructure for implementing the legal requirements, 2017 marked the first results of the implementation of the whistleblower protection legislations. Namely, eight cases of reports in state institutions have been administered by HIDAACI in 2017, which shows marginal changes in government practice for civic participation in reporting wrongdoings in institutions that are subject to this law.

Despite the importance of this commitment in creating a formal framework to strengthen the fight against corruption and other malpractices, its implementation has not yet resulted in observable changes for increased public access to information on reported cases or changed practices of public accountability.

Carried Forward?

At the time of writing this report, Albania had not published a new action plan. Given the importance of the whistleblower protection law in the fight against corruption, the government needs to continue awareness-raising and training activities for the implementation of the law. Given the first positive results in terms of the legal and institutional set up, the next steps could focus on the monitoring.

¹ Review of the project dossier enabled by Partners Albania. Besides funding from the Netherlands Embassy, the NGO had an agreement with the Commissioner for the Right to Information and Protection of Personal Data.

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 dated 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” (23 September 2016); HIDAACI Regulation on the administrative investigation of the whistleblower’s request for protection from vengeance” (September 2016); HIDAACI internal Regulation on the administrative investigation of the whistleblower case and protection of confidentiality (September 2016); 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” (September 2016).

³ Partners Albania, <http://partnersalbania.org/News/konsultime-mbi-aktet-nenligjore-per-zbatimin-e-ligjit-per-sinjalizimin-dhe-mbrojtjen-e-sinjalizuesve/>; also Partners Albania Facebook page, https://www.facebook.com/permalink.php?story_fbid=10154488726133955&id=46227243954

⁴ HIDAACI 2016 Report, page 12, www.hidaa.gov.al/raportet/Raporti%20Vjetor%202016-%20ILDKPKI.docx

⁵ 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.

⁶ HIDAACI official, interview by IRM researcher, September 2017.

⁷ Television spot, <https://youtu.be/HzHMUqdQF0s>

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
10. Provision of electronic services		✓			Unclear					✓						✓			✓			

Commitment Aim:

The National Agency for Information Society (NAIS) committed to build an electronic forms management system (e-forms) to help public institutions, citizens and businesses reduce the amount of paperwork and the time needed to provide or to obtain administrative services. The commitment promises to reach at least 390 electronic services.

Status

Midterm: Complete

At the midterm, 36 services of the Ministry of Foreign Affairs (MFA) had been digitalized and were available on the e-Albania portal¹ and on the MFA website under Online Consular Services.² However, some of these services were available only for Albanian migrants residing in Germany and Italy.³

The websites of all Albanian diplomatic and consular missions abroad had been standardized⁴ and included links to e-consular services.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 By the end of 2016, the target set out by the action plan of 390 services digitalized had been reached.⁷

Did It Open Government?

Access to Information: Marginal

In September 2018, the e-Albania portal offered 1,348 services and numbered more than 2 million visits per month, while its services have been used approximately 460,000 times per month. The number of registered users continues to increase, with just over half a million users in June 2018. For the year 2017, NAIS reported that the largest part of registered users and use of services came from the capital Tirana (81 percent), and only 19 percent of visits to the portal came from the rest of the country. Given the information regarding the increasing number of visits to the portal, marginal positive changes can be reported on the improved access to information on public services (how to use them or how to benefit from services).

Carried Forward?

At the time of writing this report, Albania has not published its new action plan. Given its potential impact to improve transparency on public services, the IRM researcher recommends continuing expansion of e-services on the e-Albania portal in terms of number of services provided online, and to more clearly connect this commitment with an objective of public information disclosure.

¹ Minister of Foreign Affairs website, <http://punetejashtme.gov.al/sherbimet-konsullore-online/>

² “SHKO-Sherbime Konsullore Online” (in Albanian), <http://www.punetejashtme.gov.al/al/sherbime/sherbimet-konsullore-online>

³ IRM Albania Progress Report 2016-2017, <https://www.opengovpartnership.org/documents/albania-progress-report-2016-2018-public-comment>

⁴ Albanian diplomatic and consular mission, <http://www.punetejashtme.gov.al/al/perfaqesite-diplomatike/perfaqesite-shqiptare-ne-bote> and <http://www.ambasadat.gov.al>

⁵ E-consular services of the Albanian Embassy in Italy, <http://www.ambasadat.gov.al/italy/sq/sherbime-te-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 <http://akshi.gov.al/images/raporti%20vjetor%202016.pdf>; <https://e-albania.al/esherbimet.aspx>

II. 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 revoke 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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
II. Simplify building permit applications			✓		Unclear						✓					✓		✓				

Commitment Aim:

Until early 2016, building permits were only provided "offline." This commitment aimed to implement electronic communication between the National Territorial Planning Agency (NTPA)

registry and the electronic records of other public institutions, to simplify the management of building permits. This multifunctional centralized system would 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 would also adapt the registry in accordance with the latest legal changes. This would be the first time a centralized system for building permits is introduced in Albania, and it would fully translate the permit application to an online platform.

Status

Midterm: Complete

The National Agency for Information Society (NAIS) and the NTPA reported this project as completed.¹ The NTPA shared instructions on how to use the system with interested parties.² In March 2017, NAIS reported that the system offered a digitalized process involving all institutions in charge of processing a construction permit application. It had been accessed 25,000 times by citizens and businesses, and had 1,155 users from state institutions (civil servants) from September to December 2016, according to NAIS.³

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

While this commitment had a positive effect on simplifying procedures for businesses applying for building permits, it did not result in any changes relevant to the OGP values of access to information, civic participation or public accountability.

Carried Forward?

This commitment is fully complete and the IRM researcher recommends that it is not taken forward, as it is not clearly relevant to OGP values.

¹ National Territorial Development Agency, "NAIS and NTPA project completed", 19 October 2016, <http://www.azht.gov.al/all/newsroom/lajme/lejet-e-ndertimit-online-sherbimi-e-leje>

² National Territorial Development Agency, 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>

³ Inter-sectoral strategy of public administration reform 2015-2020, annual monitoring report 2016, March 2017, page 41, <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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
12. Establish digital counters	✓				Unclear				✓							✓	✓				

Commitment Aim:

This commitment aimed to set up digital counters (or kiosks) in public spaces throughout the country, to provide easier access to the internet to all citizens. By visiting these digital counters, citizens would also be able to access public information through e-Albania, the e-government portal, 24/7. Through electronic delivery, NAIS intended to improve the availability of public services, and reduce the time and public administration costs. By logging in, citizens would be able to make payments, obtain information about public services, and print certificates, etc.

Status

Midterm: Complete

The distribution of digital counters to enable citizens' access to e-Albania services was announced in December 2015. The 2016 annual NAIS report and the e-Albania portal announced that 15 digital counters were distributed to 10 municipalities. This process was accompanied by some informational events on how to use the digital counters and other advantages offered through them.¹

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

This commitment has no OGP relevance as written, and as implemented it did not result in any changes relevant to the OGP values of access to information, civic participation or public accountability.

Carried Forward?

At the time of writing this report, Albania had not published its new action plan. The IRM researcher recommends that this commitment not be carried forward as it is not clearly relevant to OGP values.

¹ IRM Progress Report for Albania 2016-2017.

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)

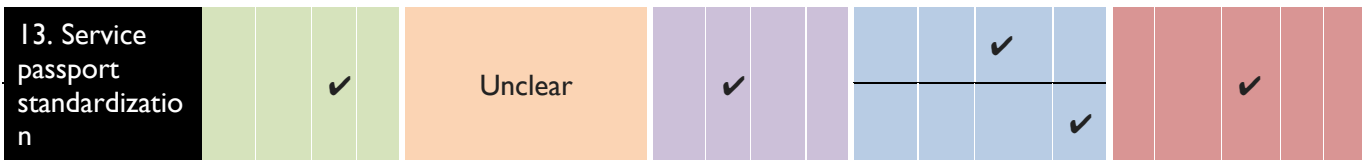
Supporting institution(s): Minister of State for Innovation and Public Administration and all line ministries

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding



Commitment Aim:

This commitment built on public service reform and aimed to continue the standardization of 700 service passports (information cards) to provide simple, unified information on all public services, by institution. Each service would have its own passport which would include information such as name of institution, name of service, description, necessary documentation, document delivered, validity of the document, beneficiaries of the service, time to receive it, fee, and complaints system. The Agency for the Delivery of Integrated Services Albania (ADISA) is responsible for the preparation and standardization of the service passports.

Status

Midterm: Substantial

At the end of 2016, the number of institutions standardizing service passports reached 18 (from 10 institutions at the beginning of the implementation period in July 2016) and 481 service passports had been standardized.¹ In October 2017, ADISA reported to the IRM researcher that 548 service passports had been developed by 20 state institutions. 475 of them (from 13 institutions) had already been standardized by the end of the reporting period in June 2017. ADISA was working to standardize another 42 service passports which have been developed for seven state institutions.²

End of term: Complete

During 2018 ADISA fully met its objective of standardizing 700 service passports, for 35 public institutions, which almost doubles the number of institutions (20) reported in 2017.³ Additionally, ADISA has created a mobile app for easier access to public services on e-Albania by citizens.⁴

Did It Open Government?

Access to Information: Marginal

Although the information contained in the service passports is limited and should be an integral part of e-services, ADISA considered they enhanced access to information and transparency regarding the services provided (e.g. required document, tariffs etc.). As implemented, the commitment helped to facilitate the use of e-services by providing standardized information about e-services (basic guidance on how to use certain public services) through e-Albania, digital counters and the ADISA Mobile App. However, as the information is not new and could be found through other channels prior to the commitment, the contribution of service passports to increasing public access to information on government provided services and their quality was marginal.

Carried Forward?

At the time of writing this report, Albania has not prepared a new action plan. The IRM researcher recommends that the commitment, if included in the next action plan, is more clearly oriented to enhancing access to public information.

¹ Inter-sectorial strategy of public administration reform 2015-2020, 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>

² Anisa Gjika, ADISA Director, interview by IRM researcher, October 2017.

³ A service passport is a brief document with basic information about a public service, for instance, http://www.adisa.gov.al/wp-content/uploads/2019/02/AL022015_AKDC.pdf. All service passports can be consulted at <http://www.adisa.gov.al/kartela-informative/>

⁴ ADISA mobile app, Play store, <https://play.google.com/store/apps/details?id=com.kleo.xhindoli>; and App store, <https://itunes.apple.com/us/app/adisa-mobile-app/id1313723696?mt=8>

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 (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
14. Citizen Card				✓	✓					✓					✓	✓			✓		

Commitment Aim:

This commitment aimed to create a “citizen card” to ensure transparency on standards for public service delivery and increase performance of public services, as well as providing an alternative means to fight corruption. According to the Agency for the Delivery of Integrated Services Albania (ADISA), a citizen’s card represents a legal obligation for providing quality e-services, and also a pre-condition and necessary “infrastructure” on which basis ADISA can measure efficiency and quality of public e-services. Additionally, the commitment foresees in detail what information the new citizen’s card should include to guide users through e-services, such as agency, point of access, and how to use the service, etc.

Status

Midterm: Substantial

ADISA reported that the development of the citizen’s card had started prior to the commitment in 2015 and continued through 2016. During the commitment’s implementation period, ADISA developed the following elements of the citizen’s card: information on corruption and transparency, speed of the service, execution of the service, and continuous improvement and performance.¹

In December 2016, ADISA reported to the IRM researcher that the draft citizen’s card had been submitted to 18 institutions, In May 2017 ADISA and the Minister of State for Innovation and Public Administration (MSIPA) carried out a consultation with higher education institutions 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 to agree on the measures they should undertake for delivering on the citizen’s card obligation.²

End of term: Complete

During 2018 the government continued consultations on the citizen’s card with state institutions³ and also with the public.⁴ A draft citizen card was published on the governmental portal for public consultations, but it had not received any feedback from the public.⁵ The citizen’s card was approved by the Council of Ministers through Decision No. 623 dated 26 October 2018.⁶

Did It Open Government?

Access to Information: Marginal

The information provided on the citizen’s card is the information that would guide users through e-services, such as agency, point of access, and how to use the service, etc.⁷ The card, adopted in October 2018, is useful to improve understanding of and accessibility to public e-services, including citizens’ rights and obligations (although this information can also be accessed by other means such as telephone, websites of institutions, website of the Commissioner for the right to information, and the Ombudsman, etc.). Therefore, the contribution of this commitment to access to information was marginal.

Carried Forward?

At the time of writing this report, Albania had not published its new action plan. It is recommended to develop content and expand the use of the citizen's card through the OGP agenda as long as it offers new information useful to citizens.

¹ Anisa Gjika, ADISA Director, interview by IRM researcher, October 2017.

² Information provided by ADISA, email communication with IRM researcher, October 2017.

³ ADISA official, interview by IRM researcher, June 2018.

⁴ Deputy Prime Minister Senida Mesi inviting youth groups for public consultations, <https://www.facebook.com/senidamesi.al/photos/a.1831004317221721/2138893386432811/?type=3&theater>

⁵ The public consultation portal, <https://konsultimipublik.gov.al/Konsultime/Detaje/88>

⁶ Council of Ministers through Decision No. 623 dated 26 October 2018 published on Official gazette no 155 date 2 November 2018, http://www.qbz.gov.al/Botime/fletore_zyrtare/2018/PDF-2018/155-2018.pdf

⁷ Explanation on citizen's card on ADISA Review, page 44, http://www.adisa.gov.al/wp-content/uploads/2018/07/Revista_ADISA.pdf

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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
15. Pilot e-prescription		✓			Unclear					✓				✓				✓				

Commitment Aim:

The objective of this commitment was to replace paper medical prescriptions with electronic prescriptions nationwide. Prior to the commitment, medical prescriptions had only been recorded on paper and processing the volume of paper prescriptions was difficult to manage. The Ministry of Health, after successfully piloting the electronic prescription system in the district of Durrës, committed to extending this system across Albania. The intended result of this system, as described in the action plan, was manifold. The government intended 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, and increase the level of compliance of drugs given to patients.

Status

Midterm: Limited

The e-prescription system was launched in Tirana in March 2017.¹ Earlier, in January 2017, 317 healthcare personnel had been trained on the use of e-prescription. The application is serviced through the e-Albania portal;² it is explained through a number of assisting materials (videos) and interlinked with citizens' health cards.

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.³

End of term: Limited

This commitment made progress between October 2017 and October 2018. The system is online and functional⁴ and according to the representative of the Public Health Fund, is being used by nearly 1,500 doctors in public health institutions.⁵

However, the e-prescription is not fully implemented at the national level. Out of 12 regions, in nine of them the system is being used according to Ministry of Health officials (October 2018) – Tirana, Durres, Fier, Shkodra, Elbasan, Korca, Vlore, Berat and Dibra. Furthermore, the IRM researcher established that e-prescription is not used in the health institutions of all municipalities in these nine regions. While acknowledging this fact, the Ministry of Health is focusing on the regional health institutions with the objective to cover all 12 regions by the end of 2018. According to the Ministry, all the prescriptions for the reimbursement drugs are prescribed via the e-prescription system. This includes 413 health care centers, 1600 primary health care physicians, and 13 hospitals.⁶

An investigative report by the media based on information coming from the State Supreme Audit suggested that the e-prescription is not functioning in an adequate way due to poor internet connection.⁷ Alfred Leskaj (Inspector of the Supreme Audit) reported that health institutions in nearly 69 percent of the present coverage of the e-prescription system still continue to prescribe medicines in writing and are unable to use the system due to low internet connection.

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

This commitment did not contribute to any changes in government practice on access to information, citizen participation or public accountability, despite the expected improvements as regards the quality of service for citizens.

Carried Forward?

At the time of writing of this report, Albania had not published its next action plan. If a commitment regarding medical prescription is included in the next action plan, it should clearly focus on advancing OGP values.

¹ Ministry of Health, link to e-prescription system, <http://www.shendetesia.gov.al/al/newsroom/lajme/receta-elektronike-beqaj-vijon-normalisht-zbatimi-ne-4-ditet-e-para-te-tirane>

² Link to e-prescription application,

http://apps.fsdksh.com.al:7777/PublicIdm;/PublicIdmApp=cs4cJY_ICDeXHVPF3IM0WScNP5eYqULi2ENcfxnHaw6kRltz0Nta!1784821236

³ IRM Albania Progress Report 2016/17, https://www.opengovpartnership.org/sites/default/files/Albania_Mid-Term_2016-2018_EN_for-pub-comm.pdf

⁴ Link to e-prescription application,

http://apps.fsdksh.com.al:7777/PublicIdm;/PublicIdmApp=os_gOeZL5BzKJRh9F5NP8oDS0Q8A9T-MI_vmE925G0M_JHyTzWFM!-70656013

⁵ Public Health Fund official, interview by IRM researcher, September 2018.

⁶ The IRM received the following information from the Ministry of Health and Social Protection during the pre-publication period of this report on 3 July 2019.

⁷ Top Channel TV, “The electronic prescription does not work, KLSH finds a number of problems”, July 2018, <http://top-channel.tv/2018/07/31/receta-elektronike-sfunktionon-klsh-konstaton-nje-sere-problemesh/>

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:

1. Establish an integrated system for monitoring of forests to prevent illegal cutting of forests;
2. Real-time detection of fires that may occur in the points to be covered by the system;
3. 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.
4. Improving quality of service for the prevention of violations of forest cutting.
5. Real time information exchange with other structures responsible for monitoring and prosecution of the perpetrators of actions against legitimate.
6. 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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
16. Electronic Monitoring System of Forests			✓		Unclear					✓			✓					✓				

Commitment Aim:

This commitment aimed 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. With the establishment of this system, the government meant to reduce costs of inspections, as described in the action plan. 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.

Status

Midterm: Not Started

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. By the midterm, the former Ministry of Environment had been integrated into the Ministry of Tourism and there was no information regarding the point of contact for this commitment.

End of term: Complete

The Ministry of Finance has included the electronic monitoring system of forests in its investments plan for the period 2018 – 2020.¹ According to the Ministry of Tourism and Environment, there are now 28 observation points in the counties of Dibra, Elbasan, Korca, Vlora, Shkodra, Lezha, Tirana and Durres. The monitoring offices at the State Inspectorate of Environment, Forestry, Waters and Tourism (SIEFWT) are open 24/7 and they report cases of illegal cutting of forests to the police. The cameras are located in areas with high risk for illegal logging and illegal timber transportation from forests to urban centers and can also detect in real-time forest fires.

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

The forestry monitoring system has helped the authorities to track the real-time transport of timber and has enabled the automatic mapping of the geographic coordinates of illegal logging.² While the electronic system has been useful for the Ministry of Environment to monitor illegal logging, this commitment did not open any opportunities for public engagement in the monitoring. Nor has it led to disclosure of more government held information on illegal logging or management of forests in general.

Carried Forward?

At the time of writing this report, Albania had not published a new action plan and it is not clear if this commitment will be taken forward. The government could make a commitment in this area by introducing measures to make the data on forest management public (e.g. publish results of online monitoring system); involve civil society and promote civic participation during the system's design, implementation, monitoring, and evaluation (e.g. by asking citizens to contribute to the system with data on the situation of forests, fires detected, illegal logging, etc.); and enhance public accountability by establishing a publicly available online reporting system and sanctions. Future commitments in this area could be designed with close reference to the Third Environmental Performance Review of Albania, as suggested by the United Nations Economic Commission for Europe.³

¹ Ministry of Finance plan 2018-2020, https://financa.gov.al/wp-content/uploads/2017/11/Lista_e_Investimet_Publike_2018-2020.xlsx

² Information provided by the Ministry of tourism and environment during the pre-publication period of public comment (July 2019).

³ Third Environmental Performance Review of Albania, UNECE, September 2018, https://www.unece.org/fileadmin/DAM/env/epr/epr_studies/ECE.CEP.183_Eng.pdf

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 gateway 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 (as written)				Potential Impact				Completion		Midterm End of Term		Did It Open Government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding	
17. Electronic system for professional licensing applications			✓		Unclear					✓					✓			✓				

Commitment Aim:

Prior to adopting this commitment, the Ministry of Urban Development did not have software to manage applications for professional licensing of individuals and legal entities that operate in the field of study design and supervision of commissioning of construction works; the dossiers of applications

were processed on paper. The main objective of this commitment was to improve transparency regarding the possible providers of such construction-related services, an important measure to improve the quality of construction works and for improving construction safety. This commitment outlined three activities: to develop an online service for professional licensing applications through e-Albania, to provide real time information on the status of applications for professional licensing, and to improve the Ministry's capacity for monitoring.

Status

Midterm: Substantial

The Council of Ministers Decision No. 943 (dated 28 December 2016) laid 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.¹ It became possible to submit applications for an individual license through the e-Albania portal² and by June 2017, all applications could be submitted online.³ However, no information was provided to the IRM researcher regarding real-time information to verify the status of submitted applications or regarding the improved capacity for monitoring. Therefore, completion was coded as substantial.⁴

End of term: Substantial

The IRM researcher monitored various state institutions over the course of 2018⁵ in relation to the implementation of the last actions under this commitment - real time information provided on submitted applications, and improved capacity for monitoring. As a result, it was noted that the Public Procurement Commissioner carried out controls based on the Council of Ministers Decision on professional licensing, upon request and/or following complaints of different parties involved in construction public works and tendering procedures. In at least two cases the Commissioner adopted a decision.⁶ However, there is no publicly available information about what was done to ensure exchange of information in real time, and to improve monitoring capacity. Therefore, the implementation cannot be considered complete.

Did It Open Government?

Access to Information: Did Not Change

Civic Participation: Did Not Change

Public Accountability: Did Not Change

This commitment had no OGP relevance and as implemented did not lead to changing government practice in relation to OGP values.

Carried Forward?

At the time of writing this report, Albania's fourth OGP action plan was not available and thus it was not clear if this commitment was carried forward. Any commitment regarding oversight of construction-related service providers should seek to enhance transparency and create the conditions for increased public accountability.

¹ Council of Ministers Decision No. 943, http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/262-2016.pdf

² The E-Albania portal, <https://e-albania.al/sherbimi.aspx?kodi=11138>

³ 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/>

⁴ IRM Albania Progress Report 2016/2017, <https://www.opengovpartnership.org/commitment/17-integrated-electronic-system-professional-licensing-of-individuals-and-legal-entities>

⁵ The institutions monitored include the Ministry of Urban Development, the Ministry of Tourism and the Ministry of Infrastructure and Energy.

⁶ Public Procurement Commissioner, Decision 131/2018 of 13 March 2018,

http://www.kpp.gov.al/ppadv/DF_DocumentViewer.aspx?id=f1f9ec3f-33ff-449b-9717-595dbefed3e3; and Decision 658/2018 of 4 October 2018, http://www.kpp.gov.al/ppadv/DF_DocumentViewer.aspx?id=46881f3f-23a1-4d8a-9081-8b3e735cfb07

Methodological Note

The end-of-term report is based on desk research and interviews with governmental and nongovernmental stakeholders. The IRM report builds on the findings of the government's self-assessment report; other assessments of progress put out by civil society, the private sector, or international organizations; and the previous IRM progress report.

For the preparation of this report the IRM researcher carried out continuous monitoring of commitments' implementation throughout the implementation period, desk research and analysis of secondary sources (e.g. media and other various reports, datasets and other analytical sources), and interviews with stakeholders. In the absence of a government self-assessment report and in view of the lack of official OGP points of contact in the responsible institutions since 2017 until the end of 2018, the IRM researcher conducted additional rounds of interviews with civil servants and/or government officials in various state agencies and with other potentially informed stakeholders to map the progress made.

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, to empower citizens, to fight corruption, and to harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and to improve accountability.

