

Independent Reporting Mechanism (IRM): Albania Design Report 2018–2020

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Executive Summary: Albania

The commitments in Albania's fourth action plan address public administration reforms that are relevant to the country's ongoing European Union (EU) integration process. Notable activities include creating an open data portal (Commitment 2) and encouraging citizens to use online platforms for reporting corruption (Commitment 4). Civil society was largely absent from the development of the commitments, and its contribution to the final action plan was limited. For the next action plan, Albania should adhere to OGP's Participation and Cocreation standards, and establish a dedicated multi-stakeholder forum for OGP. Albania could also consider including commitments to improve transparency of public procurement and of the judiciary in the next action plan.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Albania joined OGP in 2011. Since then, Albania has implemented three action plans. This report evaluates the design of Albania's fourth action plan.

General overview of action plan

The commitments in Albania's fourth action plan address several public administration reforms that are relevant to the country's EU-integration process. Some open government policy areas that are important to Albania, but not included the action plan, are judicial reform and addressing shortcomings in legislation on access to information.

The development of the fourth action plan was led by the Department of Development and Good Governance under the Prime Minister's Office. Overall, civil society in Albania was not offered the opportunity to propose commitments or prioritize certain policy areas. The absence of a dedicated multistakeholder forum significantly limited the opportunities for civil society to engage in the OGP process and led to a lack of civil-society interest in the fourth action plan.

The four commitments in the action plan are derived from existing strategic documents on good governance and public administration reform. The commitments mainly seek to improve public finance transparency, access to public services, and the regulation of public administration. Notably, Commitment 4 aims to strengthen

Table 1. At a glance

Participating since: 2011
Action plan under review: Fourth
Report type: Design
Number of commitments: 4

Action plan development

Is there a Multi-stakeholder forum: No
Level of public influence: Consult
Acted contrary to OGP process: Yes

Action plan design

Commitments relevant to OGP values: 4 (100%)
Transformative commitments: 0
Potentially starred: 0

Action plan implementation

Starred commitments: N/A
Completed commitments: N/A
Commitments with Major DIOG*: N/A
Commitments with Outstanding DIOG*: N/A

*DIOG: Did it Open Government?



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Albania's anti-corruption bodies, create an online asset-declarations system for public officials, and encourage citizens to use online platforms for reporting corruption.

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle.
2. Open governance to modernize public services and e-governance	This commitment aims to improve access to electronic government services on the e-Albania portal and create a new national open data portal. Moving forward, the government could ensure continuous monitoring of feedback mechanisms and develop and track performance indicators for this commitment	<i>Note: this will be assessed at the end of action plan cycle.</i>
4. Open governance for creating safe communities	This commitment includes a variety of activities to strengthen Albania's corruption prevention mechanisms and institutions. Moving forward, corruption cases could be better tracked, and the relevant data could be made publicly available.	<i>Note: this will be assessed at the end of action plan cycle.</i>

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

1	Adhere to OGP's Participation and Co-Creation Standards
2	Establish a dedicated multistakeholder forum with clear and transparent selection criteria for its members
3	Ensure effective implementation of public consultation legislation
4	Consider including commitments on open contracting and public procurement
5	Consider improving the transparency and integrity of the judiciary

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

Open
Government
Partnership



I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil-society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Albania joined OGP in 2011. This report covers the development and design of Albania's fourth action plan for 2018–2020.

The Independent Reporting Mechanism of OGP has partnered with Elvana Gadeshi, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

II. Open Government Context in Albania

Albania continues to implement reforms under OGP that are important for the country's integration into the European Union. The commitments in the fourth action plan are mostly focused around public administration reform, e-services, technology, and innovation. However, the action plan has not captured critical issues, such as open contracting and judiciary reform.

2.1 Background

Albania has made notable improvements to good governance over the last twenty years, but the country continues to face challenges in introducing sustainable democratic institutions, rule of law, and effective measures against corruption. Since joining OGP in 2011, Albania has implemented three action plans, and has consistently complied with OGP's eligibility criteria encompassing access to information, budget transparency, asset declaration, and citizen engagement.

Access to information

While the right to access public information in Albania is regulated by the Law on the Right to Information, the implementation of this law has revealed shortcomings in its legal framework. As part of Albania's third action plan (2016–2018),¹ more public authorities have adopted transparency programs, but more efforts are needed to promote proactive disclosure of information by public institutions.² In the Global 2016 Open Data Index,³ Albania ranks 47, above several countries in the Western Balkans region. According to the IRM's progress report for Albania's third action plan, despite modest improvements to the open data portal of the Municipality of Tirana, open data in Albania remains underdeveloped.⁴ Also, according to Reports Without Borders, state authorities sometimes deny journalists access to documents of legitimate and essential public interest, especially those related to public contracts, bids, and concessions.⁵

Budget transparency

According to the International Budget Partnership's 2017 Open Budget Survey, the government of Albania publishes seven out of eight key budget documents in a timeframe consistent with international standards, and the legislature and supreme audit institution provide adequate oversight of the budget.⁶ The 2018 budget, the citizens budget,⁷ and the list of public investments under the medium-term budget program have been published, but opportunities for public participation in the budget process remain limited. Albania also ranked 42nd out of 140 countries in the area of budget transparency in the World Economic Forum's 2018 Global Competitiveness Report.⁸

Civic engagement

Civil society in Albania is—in principle—free to participate in all steps of policy making and policy implementation. The legal and institutional framework has increasingly moved toward incorporating civil society into political decision-making processes. However, according to the 2018 Bertelsmann Transformation Index (BTI), weak institutional capacities, the shifting of personnel between politics and NGO positions, and the withdrawal of donor funding have limited civil society engagement in policy making.⁹

The government has proactively built an environment conducive to the development of civil society by establishing the National Council for Civil Society in November 2015.¹⁰ Civil society representatives are also given seats in the National Council for EU Integration, a forum designed to incorporate civil society in the process of Albania's EU integration.¹¹ Albania has also developed a 2019-2023 Road Map with the aim of improving the government's relationship with civil society.¹²

According to the 2018 CSO Sustainability Index for Albania, financial viability continues to be a major weakness for Albanian CSOs, with the vast majority of CSOs depending on foreign funding. While civil society lacks access to multiple sources of funding, the Agency for the Support of Civil Society (ASCS) remains the primary source of domestic funding for CSOs. Public grants are generally awarded in a formally transparent manner, including the use of public calls with clearly-defined selection criteria. However, no information is published on complaints about the competitiveness of selection processes.¹³

According to the European Commission's 2019 Progress Report on Albania, the 2014 Law on Public Consultation is generally in line with European standards on the procedural norms for transparency and public participation in decision making. The public consultation law requires the government to report on how civil society inputs are taken into consideration while drafting legislation. However, there is little evidence of the use and efficiency of the feedback mechanisms.¹⁴ According to a 2018 survey conducted by the Institute for Democracy and Mediation, only 45 percent of surveyed CSOs in Albania agreed that formal consultation procedures met the preconditions for effective involvement in policy making, and only 19 percent agreed that government institutions consistently use consultation procedures when developing policies within their purview. Only 12 percent of surveyed CSOs stated that relevant ministries provide written feedback to consultees on whether their input was incorporated, and only 10 percent stated that relevant ministries accepted the feedback coming from their organization.¹⁵

Freedom of expression and media

The Albanian constitution ensures a wide range of freedoms of assembly, expression, and association. CSOs can register, manage their affairs, and address all matters of public debate without state interference or restrictions. However, the registration process of CSOs remains expensive and time-consuming, with lengthy procedures and lack of specialized judges in the civil society sector. Individuals are free to form and join independent political parties, which also operate and assemble free of state intervention. Albania has a wide range of independent media outlets, which has improved the coverage of political processes, government policies and wrongdoings.¹⁶ The Balkan Investigative Reporting Network (BIRN), a region-wide investigative source, has provided independent information on some high-level cases of political corruption. Fix fare and STOP, two satirical investigative programs by Top Channel and Klan, have also drawn attention to cases of corruption. However, the fact that major media outlets are financed by owners with interest in other businesses complicates the overall quality and independence of media reporting in Albania.¹⁷

Anticorruption

Albania has improved the legislative framework for fighting corruption by adopting amendments to the criminal procedure code¹⁸. A chain of specialized anti-corruption bodies, including a special prosecutor's office, have been established. According to the European Commission, the number of convictions involving junior or middle-ranking officials has increased compared to the previous reporting period.¹⁹ The European Commission has also reported that convictions of high-level officials occurred mostly in the judiciary (judges and prosecutors), while the rate of final convictions for high-ranking officials remains low. In 2016, the National Coordinator against Corruption introduced a monitoring system for corruption cases. However, little progress has been made to set up an interface between the different electronic case management systems of the police, prosecution, and courts, partly due to the lack of sufficient budget.²⁰

The role of the High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest (HIDAACI) in detecting conflicts of interest and checking asset declarations was strengthened with the adoption in 2016 of the Law on whistleblowing and whistleblower protection. In addition, the amended Law on Asset Declarations widens the circle of public officials obliged to declare assets, expanding coverage to the members of the judiciary, high prosecutorial council, and managers of public-limited companies. However, Albania has not yet launched an online asset declaration system.

Scope of the action plan

The fourth action plan includes commitments on open data, public administration reform, access to information, and anti-corruption initiatives. The commitments were designed through a specific methodological framework and address two out of five EU accession priorities for Albania.²¹ However, the action plan does not address other important priorities for EU integration such as justice-sector reform. Justice reform could lead to significant improvements to the areas of open governance, accountability, and rule of law. Additionally, since 2017, Albania has undergone a major justice reform, including the vetting of judges and prosecutors for proficiency, asset verification, and links to organized criminal networks. So far, the vetting has delivered significant results, and has led to the dismissal or resignation of many of the judges and prosecutors.²²

Moving forward, steps can be taken to ensure that the judicial reforms are carried out in a transparent manner and could be considered for inclusion in Albania's future OGP action plans.

¹ "The Open Government Partnership Third Open Government National Action Plan for Albania 2016–2018", Open Government Partnership, 28 September 2016, https://www.opengovpartnership.org/wp-content/uploads/2017/04/Albania_NAP3_ENG.pdf.

² "Commission Staff Working Document: Albania 2018 Report", European Commission, 17 April 2018, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>.

³ "Albania", Global Open Data Index, Open Knowledge Foundation, <https://index.okfn.org/place/al/>

⁴ Gjergji Vurmo, "Independent Reporting Mechanism (IRM): Albania Progress Report", IRM, Open Government Partnership, 2018, https://www.opengovpartnership.org/wp-content/uploads/2018/10/Albania_Mid-Term_Report_2016-2018_EN.pdf.

⁵ "Albania: Preliminary findings of joint freedom of expression mission", Reporters Without Borders, 21 June 2019, <https://rsf.org/en/news/albania-preliminary-findings-joint-freedom-expression-mission>.

⁶ "Open Budget Survey 2017: Albania", International Budget Partnership, <https://www.internationalbudget.org/wp-content/uploads/albania-open-budget-survey-2017-summary.pdf>.

⁷ Citizens budgets present key public finance information to a general audience. They are typically written in accessible language and incorporate visual elements to help non-specialist readers understand the information. For more information, see "Citizens Budgets", International Budget Partnership, <https://www.internationalbudget.org/open-budget-survey/resources-for-governments/citizens-budgets/>.

⁸ Klaus Schwab, World Economic Forum, the Global Competitiveness Report 2018, p 57, <http://www3.weforum.org/docs/GCR2018/05FullReport/TheGlobalCompetitivenessReport2018.pdf>.

⁹ "BTI 2018: Albania Country Report", Transformation Index BTI, <https://www.bti-project.org/en/reports/country-reports/detail/itc/ALB/#management>.

¹⁰ The main mission of this Council is to ensure the institutional cooperation with civil society organizations in favour and in function of the expansion of the democracy.

¹¹ Ibid.

¹² See: Road Map for the Government Policy towards a More Enabling Environment for Civil Society Development 2019-2023, available at [http://www.amshc.gov.al/web/doc/Udherrefyesi-2019-rishikuar-\[EN\].pdf](http://www.amshc.gov.al/web/doc/Udherrefyesi-2019-rishikuar-[EN].pdf)

¹³ "2018 CSO Sustainability Index: Central and Eastern Europe and Eurasia", United States Agency for International Development, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance, September 2019, p. 14, <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-europe-eurasia.pdf>.

¹⁴ "Commission Staff Working Document: Albania 2019 Report", European Commission, 25 September 2019, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf>.

¹⁵ "National Public Administrative Reform Monitor Albania 2017/2018", Institute for Democracy and Mediation, 2018, p. 5, <https://idmalbania.org/national-par-monitor-albania-2017-2018/>.

¹⁶ Ibid.

¹⁷ Idem.

¹⁸ Code of Criminal Procedure of the Republic of Albania was amended by law 35/2017.

¹⁹ Ibid, p. 6.

²⁰ Idem.

²¹ In order to open EU accession talks, Albania must address five key priorities: anticorruption, the fight against organized crime, public administration reform, judicial reform, and human rights.

²² Ibid, p 14.

III. Leadership and Multistakeholder Process

The final commitments in Albania's fourth action plan were derived from existing strategic document, which, according to the government, were developed in consultation with civil society and the public. However, the documentation provided to the IRM by the government does not indicate that there were any opportunities dedicated for stakeholders to shape the action plan's content or propose commitments. While some civil society organizations were invited to contribute to improving Commitment 4, there is no publicly-available documentation of the proposals or comments they might have made.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Albania.

In January 2018, the OGP leadership in Albania shifted from the Minister of State for Innovation and Public Administration (MSIPA) to the Prime Minister's office.¹ Following the June 2017 general elections, a new cabinet took office (September 2017) that dissolved MSIPA, leaving OGP without a coordination authority until the end of 2017. The Department of Development and Good Governance (DD&GG) in the Prime Minister's Office is currently the leading office responsible for Albania's OGP activities. The high-level ministerial contact for OGP is the Deputy Prime Minister.²

Three DD&GG staff are involved in OGP, including action plan coordination and implementation, among other non-OGP related responsibilities. The OGP point of contact from DD&GG coordinated the process for developing the fourth action plan, continues to track the progress of commitments through OGP's lead focal points, and reports to the Deputy Prime Minister on the status of commitments.

DD&GG is also the Technical Secretariat for the Integrated Policy Management Group for Good Governance and Public Administration (IPMG of GG&PA). Established in 2018, IPMG of GG&PA provides a space for dialogue, coordination, implementation, and monitoring of good governance policies.³ IPMG of GG&PA includes representatives from government ministries and agencies, civil society (independently and through the National Council of Civil Society), and international development partners. The Deputy Prime Minister, as Chair of IPMG of GG&PA, was involved in development of the fourth action plan.

3.2 Multistakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Cocreation Standards intended to support participation and cocreation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish participation and cocreation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. Albania **acted contrary** to OGP process for the following reasons:⁴

1. There is no demonstrable proof that a space or multi-stakeholder forum existed for stakeholders to discuss the OGP process during the development of the action plan. IPMG of GG&PA is not an OGP dedicated multistakeholder forum, but rather serves on other, non-OGP related issues.
2. The government did not report back or provide feedback to stakeholders on how their contributions were considered during the creation of the action plan.⁵

Please see Annex I for an overview of Albania performance implementing the Cocreation and Participation Standards throughout the action plan development.

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.⁶ 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 “collaborate.”

Level of public influence		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve	The 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	

Multistakeholder forum

Currently, Albania does not have a dedicated multistakeholder forum for OGP. Previously, OpenAlb forum served as the country’s multistakeholder forum. The OpenAlb forum did not have any formal rules of proceedings, membership, coordination, or reporting. The Institute for Democracy and Mediation (IDM) coordinated OpenAlb until November 2016, after which OpenAlb became inactive. However, this led to equally inactive civil society during the 2016-2018 action plan’s implementation. Being a donor funded mechanism rather than a government initiative, the end of the funding led to a lack of sustainability.

On May 2018 the OGP Network was established by the Deputy Prime Minister Office and consisted of 14 OGP focal points appointed in line ministries. The OGP Network, an inter-ministerial coordination mechanism, contributed to the joint development of the action plan and coordinated the designing of commitments through their respective ministries. However, the OGP Network consists entirely of government representatives and is not considered a formal multistakeholder forum according to OGP guidelines.

Participation and engagement throughout action plan development

As mentioned above, DD&GG served as the Technical Secretariat for the IPMG of GG&PA, which coordinated the process for development of the action plan. Between January and May 2018, DD&GG prepared the methodology for developing the fourth action plan. The OGP methodology provided a timeline of key stages and deadlines, as well as the institutional framework for finalizing the action plan. There was no participation of civil society in the design of this methodology. The Government did not conduct awareness raising to secure more grassroots stakeholders in the process. Also, the national OGP website was not active in 2018, and stakeholders were informed about the action plan’s development process via official letters and emails.⁷

On 21 May 2018, DD&GG sent an official letter to relevant line ministries on the appointment of OGP focal points who would be responsible for facilitating the development of the action plan. From 11-12 June 2018, DD&GG submitted the methodology for drafting the action plan. On 25 June 2018, a workshop was held with the participation of OGP Network members. The workshop focused on the steps to be followed to draft the action plan.

The action plan was drafted between late June to late August 2018. This process included drafting the objectives and priorities for the plan, as well as developing the relevant budget and monitoring

documents. There is no publicly-available evidence on participation of civil society during this stage of drafting.

According to the action plan's methodology, September–November 2018 was dedicated for public consultations on the draft plan. However, draft commitments were not published online and according to evidence provided to the IRM researcher, civil society was not consulted for three out of the final four commitments.⁸ The government provided the IRM researcher with background information and attendance lists of various events held in 2018 on topics of anti-corruption and good governance. Although the government claimed helped inform the development of the commitments in the fourth action plan, there is no evidence that the government communicated to the attendees that they were participating as part of an OGP-dedicated consultation. Also, the government did not provide the IRM researcher with evidence that the OGP action plan itself was on the agenda or was discussed at these events.⁹ Additionally, while the government provided the IRM with evidence of soliciting suggestions from the public on possible improvements to the e-Albania portal as evidence consultations on Commitment 2 (which includes milestones dedicated e-Albania), these solicitations were not communicated to the public as part of the OGP action plan development process.¹⁰

On 9 August 2018, the Lead Focal Point of Commitment 4 shared via email the draft version of the action plan and invited representatives of two CSOs (Open Society for Albania [OSFA] and Center for Public Information Issues [INFOCIP]) to provide feedback on it. On 6 September 2018, a workshop was held for CSOs, with the aim of consulting on Commitment 4. In this workshop, OSFA and INFOCIP submitted two proposals to be included in the action plan, specifically related to ensuring access to justice for all through legal empowerment and revision and improvement of the law "on public notification and consultation." These comments provided by CSOs mainly concerned good governance in the justice sector, but the Ministry of Justice did not take these suggestions through to the final action plan.¹¹ The government did not provide feedback to CSOs on how their inputs were considered. The final action plan showed that opinions provided by civil society to improve Commitment 4 were not incorporated. On 21 December 2018, an official letter was sent from the Deputy Prime Minister to focal points informing them about the final version of the action plan.¹²

Interviewed civil society representatives who took part in the development of previous action plans confirmed that the government did not adequately consult them during the development of the fourth plan.¹³ CSOs were not offered an opportunity to propose commitments, and stakeholders stated that the commitments were designed using preexisting government policy documents, not the lessons learned from the development and implementation of the previous plan.¹⁴

Based on interviews with ministry representatives,¹⁵ the final commitments were at least partially informed by long-standing conversations with CSOs active in the particular thematic areas. However, these discussions occurred during the consultation of other strategic documents that were outside the OGP process.¹⁶ According to the government, these thematic consultation processes remain implicitly integrated into the action plan formulation, but their role is largely undocumented. Albania's government—through the lead focal points—had the final say in approving the action plan, which includes four commitments.

Cocreation and participation recommendations throughout development

Following the 2017 central election and restructuring of ministries, there was insufficient handover of OGP responsibilities within the restructured government. For example, there was no document handover or training of new staff on OGP procedures.

In order to improve the cocreation process for the next action plan, the IRM researcher suggests the following actions be taken:

- It is imperative that Albania make every effort to reestablish a dedicated multistakeholder forum for government and civil society stakeholders to discuss and oversee the OGP

process in the country. This could involve revitalizing the OpenAlb forum, which was established in 2016 but became defunct due to loss of funding. The new forum should be developed so that it adheres to OGP's Participation and Cocreation Standards.¹⁷ For example, nongovernmental members of the forum should be selected through a fair and transparent process, and the forum should proactively communicate its decisions, activities, and results to wider government and civil society stakeholders. The multistakeholder forum should accept inputs and representation on the action plan process from any civil society or other stakeholders outside the forum.

- Civil society was not involved in setting the agenda or in the priorities for the development of Albania's fourth action plan. Civil society organizations that had been involved in the cocreation processes of previous action plans were not involved in the process to develop the fourth plan. Moving forward, DD&GG should involve civil society from the very beginning of the cocreation process and ensure that sufficient opportunities are provided to submit proposals and comment on draft commitments. Even though the commitments in the fourth action plan are based on preexisting policy strategies that are known to civil society, it is unclear how the action plan reflected civil society's priorities for the OGP agenda. For future action plans, DD&GG should engage in more consultations that are specifically dedicated to the OGP agenda, even when the draft commitments are taken from existing strategies.
- For the next action plan, the government could engage in more expansive efforts to reach out to civil society throughout the country and not only in the capital city. The government could also ensure a longer timeline and more rounds of feedback in the action plan drafting process. Information on all aspects of the OGP action plan development process¹⁸ should be proactively published on the national OGP website (<http://ogp.gov.al/en>).

¹ Evis Qaja, point of contact to OGP, interview by IRM researcher, July 2019.

² Mr. Sanjay Pradhan, GoA official letter No. 3897 sent to executive director of OGP, dated 27 August 2018.

³ Official letter No. 2470 dated 21 May 2018 with subject: "On the appointment of the Coordinator for the Open Government Partnership"; Official Letter No. 2783, dated 11 June 2018 with subject: "On the delivery of the methodological package for drafting the OGP Action Plan 2018-2020 for Coordinators"; GoA Official Letter No. 3004, dated 22 June 2018 with subject: "On the delivery of the Methodology package for Drafting the OGP Action Plan for Lead Component".

⁴ Acting Contrary to Process - Country did not meet (1) "involve" during the development or "inform" during implementation of the NAP (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

⁵ IRM guidance on minimum threshold to meet "involve" <https://www.opengovpartnership.org/wp-content/uploads/2020/02/IRM-Guidance-Involve.pdf>

⁶ "IAP2's Public Participation Spectrum," IAP2, 2014,

http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

⁷ Official Letter No. 2783, *ibid*; GoA Official Letter No. 3004, *ibid*; Official Letter No. 6003, dated 21 December 2018 with subject: "Sending New Plan of Action 2018-2020 in the framework of the partnership for open governance".

⁸ Ersida Sefa, OSFA Albania, interview by IRM researcher, 23 July 2019; Gerti Shella, Executive Director of INFOCIP, interview by IRM researcher, 4 November 2019.

⁹ These conclusions were corroborated by a thorough review of documents provided to the IRM by the government point of contact during the pre-publication reviewed period of this IRM report.

¹⁰ See <https://www.facebook.com/ealbania/posts/1980947665267775> and https://docs.google.com/forms/d/e/1FAIpQLSe1Gh0hfo_8d043Hpp1HB4I51iAFFxplwuU6wxj00986LgVVPw/viewform?entry.1676994904.

¹¹ Summary report prepared by Ministry of Justice on comments provided by CSOs on draft version of OGP action plan.

¹² *Idem*.

¹³ Ersida Sefa, *ibid*; Auron Pasha, Executive Director of IDRA (Institute for Development and Research Alternatives), interview by IRM researcher, 17 September 2019.

¹⁴ Ersida Sefa, *idem*; Auron Pasha, *idem*; Gerti Shella, *ibid*.

¹⁵ Nevila Repishti, Director of NAIS, interview by IRM researcher, 17 July 2019; Erisa Rodhani, Head of Unit, Ministry of Finance and Economy, interview by IRM Researcher, 17 July 2019; Elda Zenelaj, Director at Anticorruption Unit, Ministry of Justice, interview by IRM Researcher, 18 July 2019; Evis Qaja, point of contact to OGP, interview by IRM researcher, July 2019.

¹⁶ The OGP commitments are based on four preexisting policy documents: i. 2019-2022 Public Finance Management Strategy particularly objective 5 Public Finance Transparency; ii. Digital Agenda 2015-2020 as key activities under the strategic priority "Policy for the development of electronic governance and delivery of interactive public services for citizens and businesses"; iii. National Cross Cutting Strategy for the Public administration reform 2015-2020, and its revised action plan 2018-2020; iv. Albania's Intersectorial Anticorruption strategy 2015-2020.

¹⁷ “OGP Participation and Co-creation Standards”, Open Government Partnership, 2017, <https://bit.ly/2Qv5Fzn>.

¹⁸ The following are examples of the documents that should be included on the website: methodology for drafting the OGP action plan for lead component; list of lead components of the OGP action plan; corresponding documents with government officials and civil society representatives during the consultation process of the draft action plan; final version of 2018-2020 OGP action plan.

IV. Commitments

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

Commitments should be appropriate to each country's/entity's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹ The indicators and method used in the IRM research can be found in the IRM Procedures Manual.² A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
 - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
 - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "Doubling response rates to information requests" is a stronger goal than "publishing a protocol for response.")?

Starred commitments

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/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment’s design should be **verifiable, relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report*.

General Overview of the Commitments

Albania’s fourth action plan includes four commitments:

- Commitment 1: Open Governance to increase government reporting transparency and improve access to information;
- Commitment 2: Open Governance to Modernize Public Services and Governance E-Gov;
- Commitment 3: Open Governance for 'Better Regulation';
- Commitment 4: Open governance for the creation of safe communities.

¹ “Open Government Partnership: Articles of Governance,” OGP, June 2012, updated March 2014 and April 2015, https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf.

² “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

I. Open Government to Increase Transparency in Government Reporting and Improve Accessibility to Information

Language as it appears in the commitment:¹

Main Objective: The policy objective of this activity is to guarantee a public finance system that promotes transparency, accountability, fiscal discipline and efficiency in the management and use of public resources to improve the quality of service delivery and economic development.

Milestones:

- I.1** Establish a comprehensive statistical system covering the needs of budgetary and semi-budgetary entities.
- I.2** Creating standardized information
- I.3** Creating alternative methods for gathering information
- I.4** Integration of Additional Information on the Treasury System (AGFIS)
- I.5** Integration into New Templates for Exchange of Information
- I.6** Compare the results and approve new information
- I.7** Drafting a detailed statement of fiscal risks and inclusion in the budget documentation
- I.8** Monitor public institutions regarding the implementation of FMC requirements
- I.9** Implementation of FMC funds in public sector entities

Start Date: 2014

End Date: 2022

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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. Overall		✓	✓				✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment is linked to Albania's 2014–2020 Public Finance Management (PFM)² and seeks to make the country's public finance system more transparent and efficient. According to an interviewed specialist from the Institute of Statistics (INSTAT), Albania's legal framework on statistical infrastructure is partly in line with the European Statistics Code of Practice, and classifications are in line with EU standards. Albania adopted a five-year program on official statistics

for 2017–2021 in February 2017 but does not yet have a detailed action plan. Also, INSTAT’s budget and staffing are insufficient to fully implement the EU acquis in statistics.³

The Ministry of Finance and Economy (MoFE) facilitates public access to budget data. The has established a “Transparency Portal” on local finances on its website, and publishes a variety of important budget-related documents to its website as well. According to the International Budget Partnership’s 2017 Open Budget Survey,⁴ Albania scored 50 out of 100 possible points on budget transparency (slightly higher than the global average).⁵ Since 2017, the MoFE has prepared and published a Mid-Year Report.⁶ Furthermore, some progress has been made on raising awareness on managerial accountability, piloting external audit manuals in line with international standards, and establishing quality control measures. However, several institutions do not fully implement the public internal financial control (PIFC) legislation, and the rate of implementing internal and external audit recommendations remains low.⁷

This commitment includes a variety of activities that could help INSTAT close some of the gaps between the legislation and statistical practices in the Statistical System of Government Financial Statistics (GFS). This could help build a more transparent and independent statistical system that produces timely and reliable GFS data. It could also help bring Albania in line with EU standards, like the EU’s European System of National and Regional Accounts (ESA 2010).⁸ The commitment is relevant to the OGP value of access to information by seeking to improve transparency of government statistics in the implementation of internal control systems and the effective management of public funds. The milestones are verifiable. For example, one can check whether a statistical system has been established, additional information on the Treasury System has been integrated, and if detailed statement of fiscal risks has been drafted.

According to a 2017 Public Administration Reform (PAR) report, there is need to improve transparency and comprehensiveness of budget reporting and scrutiny in Albania.⁹ This commitment could help build a more transparent and independent statistical system that produces timely and reliable GFS data. It could also help bring Albania in line with EU standards, like the EU’s European System of National and Regional Accounts (ESA 2010).¹⁰ During the ongoing monitoring of the Financial Management and Control (FMC) staff on the evaluation of internal control systems for 2018, it is noted that institutions have already created the necessary conditions for effective control with all its constituent elements, but there are some problems in the FMC system. These include the risk management process, lack of accurate documenting of the work-flow processes, and lack of written procedures concerning the reporting form within institution and subordinate units.¹¹ Milestones 1.7–1.9, if fully implemented, could contribute to improving the performance in the implementation of an internal FMC system. However, given the lack of detailed performance indicators for the milestones, the commitment’s overall potential impact is considered minor.

Next steps

The improvement of government statistics, the implementation of internal control systems, and the effective management of public funds could provide an important foundation for greater accountability. For effective implementation of this commitment, the IRM researcher recommends that the MoFE makes information on institutional innovations and lessons learned available on Albania’s OGP website. Moving beyond the current action plan, the IRM researcher recommends the following:

- Publish open data about the government statistics on Albania’s OGP website through an “open data” window;
- Publish information about the performance of financial internal control systems, including public institutions’ financial data;
- Provide formal opportunities for the public to engage in the budget process in order to develop a more structured citizen engagement budget; and
- Provide actions and tools to measure the citizen’s satisfactory on the public service delivery.

¹ For the complete text of this commitment, see: “The Open Government Partnership Fourth Open Government National Action Plan for Albania 2018–2020”, Open Government Partnership, 10 January 2019,

https://www.opengovpartnership.org/wp-content/uploads/2019/01/Albania_Action-Plan_2018-2020_EN.pdf.

² “Albania Public Finance Management Strategy 2014–2020”, Republic of Albania Ministry of Finance, December 2014,

https://financa.gov.al/wp-content/uploads/2017/09/Albanian_PFM_strategy_2014-2020-1.pdf.

² Vjollca Simoni, specialist at Institute of Statistics (INSTAT), interview by IRM researcher, 17 July 2019.

⁴ “Open Budget Survey 2017”, International Budget Partnership, January 2018, <https://www.internationalbudget.org/wp-content/uploads/open-budget-survey-2017-report-english.pdf>.

⁵ “Open Budget Survey 2017: Albania”, International Budget Partnership, <https://www.internationalbudget.org/wp-content/uploads/albania-open-budget-survey-2017-summary.pdf>.

⁶ See: <https://financa.gov.al/raporti-i-mes-vitit-mpi-zbatimin-e-buxhetit-2018/>.

⁷ “Commission Staff Working Document: Albania 2018 Report”, European Commission, 17 April 2018,

<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>.

⁸ “About ESA 2010”, Eurostat, European Commission, <https://ec.europa.eu/eurostat/web/esa-2010>.

⁹ “The Principles of Public Administration: Albania”, SIGMA, OECD, European Commission, November 2017,

<http://www.sigmaweb.org/publications/Monitoring-Report-2017-Albania.pdf>.

¹⁰ Ibid.

¹¹ Data collected from the questionnaire fulfilled by the Ministry of Finance and Economy staff. This refers to the 2018 assessment report on the functioning of the FMC system in the public institutions.

2. Open Governance to Modernize Public Services and E-Gov

Language as it appears in the commitment:¹

Main objective: The policy goal of this activity is the development of electronic governance and the provision of interactive public services for citizens and businesses.

Milestones:

2.1.1 Developing the information section on the Open Government Partnership (OGP)

2.1.2 Development of the "Open Data" section for transparency on the activity of public institutions

2.1.3 Identification and collection of data in the appropriate format from the public administration institutions

2.1.4 Integration of data into the portal

2.2.1 Implementing new electronic services on the e-Albania portal

2.2.2 Data Exposures to the Government Interaction Platform

Start Date: 2018

End Date: 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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. Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment is tied to Albania's Digital Agenda 2015–2020² and aims to further develop e-services for citizens and businesses in Albania. Currently, 591 out of 1,600 total government services are available electronically on the e-Albania portal.³ Line ministries and subordinated agencies have prioritized certain services to be digitized based on those that were most frequently used and/or sought by users, according to a National Agency of Information Society (NAIS)'s surveys.⁴ However, there are still important public services that require citizens to visit government offices in person, which can be time-consuming and costly, particularly for citizens living in remote parts of the country.⁵ Therefore, an essential element in the e-governance framework in Albania is that all administrative documents (such as certificates, attestations, or testimonies) have the same legal value, whether obtained online or in person. Since the legitimation of the electronic seal in September 2017,⁶ the e-Albania portal makes important legal documents available regardless of the opening hours of public offices.

The Government of Albania does not currently maintain a national open data portal.⁷ Based on law no. 119/2014 "On the Right to Information", government agencies will make certain categories of information publicly available on their websites. This information will be identified by all the public entities that are going to publish their specific data on the portal.

To address these issues, this commitment proposes to develop a national open data portal, which will be included on a dedicated OGP website. It also calls for making new e-services available on the e-Albania portal. This commitment is relevant to OGP values of access to information and technology and innovation for transparency and accountability. It includes activities that are verifiable. Currently, there are 33 electronic documents offered on the portal, some of which are now offered only electronically.⁸ According to the Director of E-Gov Relations with Institutions at National Agency on Information Society (NAIS), the implementation of this commitment will make 100 new e-services available on the portal.⁹

Overall, this commitment could improve the accessibility of information about public services, improve the level of public awareness about public service delivery procedures, and help reduce waiting times for citizens at public agencies' offices.¹⁰ According to the Director of E-Gov Relations with Institutions at NAIS, the number of certificates that will be issued at the registrar counters will be decreased threefold, saving citizens 50,000,000 ALL overall, as well as providing online tax certifications will save businesses an estimated 91,000 hours in queues and avoiding other bureaucratic actions that would bring additional costs to the business.¹¹ Additionally, the reduction of waiting times at public agencies' offices and the need for citizens to produce hardcopy documents could help lower corruption risks in bureaucracy.

The benefits of creating the national open data government portal are diverse and will range from improved efficiency of public administrations to economic growth in the private sector. Based on Albanian legislation,¹² the data will be prepared in advance in easily-understandable, accessible formats, and it will be made publicly available on the website. The commitment also calls for the establishment of a dedicated OGP website with official information on the OGP process in Albania.¹³ This could improve access to information on the OGP process in Albania. Such a website did not exist at the time of drafting the current action plan.

Next steps

The open data and e-service platforms are important mechanisms to improve services delivery and increase access to information. For effective implementation of the commitment, the IRM researcher recommends the following actions be taken:

- The government and interested stakeholders could carry out a public awareness-raising campaign for the new open data portal;
- The government could ensure continuous monitoring of the feedback mechanism to make data more understandable for the general public; and
- The government could define a set of implementation, outcome, and impact-oriented performance indicators to track the effectiveness of implementing this commitment. Such indicators could include:
 - An increased the number of unique yearly and monthly visitors to the new OGP website;
 - An increased number of public (citizens, business community) that use the open data platform.

¹ For the complete text of this commitment, see: "The Open Government Partnership Fourth Open Government National Action Plan for Albania 2018–2020", Open Government Partnership, 10 January 2019, https://www.opengovpartnership.org/wp-content/uploads/2019/01/Albania_Action-Plan_2018-2020_EN.pdf.

² "Cross-cutting Strategy 'Digital Agenda of Albania' 2015–2020", Republic of Albania, Council of Ministers, Ministry of Innovation and Public Administration, http://akshi.gov.al/wp-content/uploads/2018/03/Digital_Agenda_Strategy_2015_-_2020.pdf.

³ "Home", e-Albania, <https://e-albania.al/>.

⁴ Nevila Repishti, Director of National Agency for Information Society (NAIS), interview by IRM researcher, 17 July 2019; Emiliano Lule, representative of blind community, interview by IRM researcher, 22 July 2019; Nekië Hoxha, representative of Youth Group, interview by IRM researcher, 22 July 2019.

⁵ Questionnaire fulfilled by National Agency for Information Society (NAIS) staff, July 2019.

⁶ Decision of the Council of Ministers no. 495, dated 13 September 2017, "On the adoption of the rules for the benefit of electronic public services".

⁷ Evis Qaja, point of contact to OGP, interview by IRM researcher, July 2019.

⁸ Nevila Repishti, *ibid*;

⁹ Marseda Prifti, Director of E-Gov relations with institutions for NAIS, interview by IRM researcher, 17 July 2019.

¹⁰ Nevila Repishti, *ibid*.

¹¹ Marseda Prifti, *ibid*.

¹² Law no. 119/2014, "On the Right to information".

¹³ Evis Qaja, *ibid*.

3. Open Governance for “Better Regulation”

Language as it appears in the commitment:¹

Main objective: The policy objective of this activity is the development of a public administration that provides high quality services to citizens and businesses in a transparent, effective and efficient manner, through the use of modern technologies and innovative services, and complies with European integration requirements through impartial, professional and accountable civil servants, part of the efficient structures. A transparent policy-making, inclusive, policy-making system that ensures alignment with the acquis

Milestones:

- 3.1** Drafting a methodology for the preparation of strategic documents (strategies, programs, action plans, policy documents, etc.).
- 3.2** Drafting a legal package for the functionality of the IPSIS system
- 3.3** Improve the capacity of the Department of Development and Good Governance & line ministries in terms of monitoring policies / strategies / action plans / development programs, in accordance with IPSIS & AFMIS methodologies
- 3.4** Review of the Legal Basis and Regulatory Framework for the Functioning of IPMGs and / or SWGs to Address Challenges in Government Structures and Change of Functions
- 3.5** Preparation of standard tools (tool kit) for the functioning of IPMG for Good Governance & Operational Guidance / Progress IPMG (reviewing the regulatory framework for the functioning of IPMG for Good Governance)
- 3.6** The systematic functioning of the Policy Group's Policy Group and the establishment of a policy-making network with policy units in line ministries
- 3.7** Preparation of Operational Guidelines for line ministries for carrying out the public consultation process and functioning of the public consultation of e-register.
- 3.8** Training / Capacity Building for Responsible Staff in Line Ministries for the Use of Public Consultation e-Platform
- 3.9** Regular monitoring of the implementation of the public consultation process
- 3.10** Establish rules that make the implementation of the Impact Assessment process mandatory
- 3.11** Strengthening capacities, through various employee training (RIA Network) in line ministries and the Prime Minister's Office, in order to improve the process of regulatory impact assessment
- 3.12** Improve the planning process of drafting legal acts by defining the general terms and conditions of the PPAP drafting process

Start Date: 2018

End Date: 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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. Overall		✓	✓	✓			✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to improve Albania's public administration so that it provides quality services to citizens and businesses in a transparent manner. It also aims to ensure that Albania's public administration complies with EU integration requirements by ensuring that civil servants are impartial, professional, and accountable.

Currently, the Government of Albania produces various central planning documents and monitoring reports, but not all of them are available publicly, and different standards are used during their preparation. Furthermore, Albania does not have any systematic process for carrying out proper analyses of the impact of new policies and laws. Improvements to the quality of policy making and analysis are important, for example, ensuring that the 2014 Law on Public Notification and Consultation is fully implemented and introducing the Regulatory Impact Assessment (RIA) into all ministries.² In June 2017, the Prime Minister approved a methodology for piloting the RIA in selected ministries, but there is no plan to fully institutionalize RIA within the current policy-making system after the pilots. Also, despite the adoption of a new law on public consultation and the creation of an electronic platform in 2016, consultation with external stakeholders on new policies are often not integrated into the overall policy-making process.³

This commitment includes activities that aim to improve public consultations, including the public consultation platform www.konsultimipublik.gov.al, and is thus relevant to the OGP value of civic participation. Also, the publication of policy and regulatory framework preparation, implementation, and monitoring are relevant to access to information.

If fully implemented, this commitment could help ensure unified standards, approaches and tools when preparing reports and strategic documents and reviewing legal frameworks. It could also strengthen the capacities of the government officials in carrying out public consultations (Milestones 3.1–3.8). Proper public consultation process and publication with regard to policy and regulatory framework preparation, implementation, and monitoring could be ensured through Milestone 3.9, though this milestone does not describe how the monitoring will take place. Implementation of Milestones 3.10–3.12 could ensure the systematic process or methodology for carrying out proper analyses of the impacts of new policies and laws. While better strategic documents could create the basic preconditions for public consultations, their implementation will provide a clearer understanding on their impact on improving the quality of services for citizens and businesses. The lack of detail in the action plan for the activities makes it difficult to assess their potential impact beyond minor.

Next steps

Moving forward, when publishing draft legislation or action plans for public consultations, the government could provide adequate timeframes, establish clear rules, and provide feedback on citizens' input. The Law on Notifications and Public Consultations could also be amended to cover administrative acts (i.e., sub-legal acts).

¹ For the complete text of this commitment, see: “The Open Government Partnership Fourth Open Government National Action Plan for Albania 2018–2020”, Open Government Partnership, 10 January 2019,

https://www.opengovpartnership.org/wp-content/uploads/2019/01/Albania_Action-Plan_2018-2020_EN.pdf.

² “The Principles of Public Administration: Albania”, SIGMA, OECD, European Commission, November 2017,

<http://www.sigmaweb.org/publications/Monitoring-Report-2017-Albania.pdf>.

³ Idem.

4. Open governance for creating safe communities

Milestones:¹

The policy goal of this activity is to control and denunciation the corrupt practices in public institutions by the Anti-Corruption Task Force.

- 4.1.1** Establish control groups
- 4.1.2** Draft a calendar / control plan
- 4.1.3** Conduct audits in public institutions
- 4.1.4** Finding / compiling the audit report
- 4.1.5** Proposed measures

The policy goal of this activity is to increase the transparency of the National Coordinator against Corruption in monitoring the implementation of the Cross-Sectoral Anti-Corruption Strategy.

- 4.2.1** Online CAC communications on TF CA control cases
- 4.2.2** Publication and Accessibility of publikut dhe grupeve të interesuara për gjetjet e kontrolleve të kryera

The purpose of the policy of this activity is to encourage citizens to use mechanisms for denouncing and preventing corruption

- 4.3.1** Periodic reporting of ADB² on platform denunciations

The policy goal of this activity is to improve the treatment of denunciations against corruption.

- 4.4.1** Improved handling of denunciations against corruption

The policy goal of this activity is to strengthen anti-corruption prevention mechanisms.

- 4.5.1** Completion of the procurement procedure and signature of the software development contract
- 4.5.2** Completion of procurement procedure and signing contract for hardware infrastructure
- 4.5.3** Software design
- 4.5.4** System development and infrastructure building
- 4.5.5** Implementation, virtualization / termination of the operating system, installing

Start Date: 2018

End Date: 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	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. Overall		✓	✓		✓	✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment aims to strengthen Albania’s anticorruption institutions and mechanisms by:

- increasing the effectiveness of Albania’s two main anticorruption bodies, the Anticorruption Task Force and the High Inspectorate of Declaration and Audit of Assets and Conflicts of Interests (HDAACI),
- increasing the transparency of the National Coordinator on Anticorruption (NCA),
- monitoring the implementation of the Cross-Sectoral Anticorruption Strategy,³
- encouraging citizens to use mechanisms for denouncing corruption, such as the www.shqiperiaqeduam.al platform and improve the handling of these denunciations.

The HIDAACI is the main body responsible for collecting asset declarations and identifying conflicts of interest, whereas the Anticorruption Task Force is an administrative body that handles and investigates denunciations of corruption. The Task Force, as part of its inspections, provides the NCA with proposals for improving legislation or addressing corrupt practices.

The role of the HIDAACI in detecting conflicts of interest and checking asset declarations was strengthened with the adoption of the Law on Whistleblowing and whistleblower protection in 2016. In addition, HIDAACI plays an important role in the implementation of the Law on the transitional reevaluation process. However, according to European Commission’s 2018 Report on Albania, HIDAACI’s administrative, technical, and financial capacity needs to be further strengthened to cope with asset declaration checks.⁴ Furthermore, at the time this action plan was submitted, Albania had not yet launched an online asset declaration system.

This commitment proposes a variety of activities that make it relevant to the OGP value of public accountability, because the activities aim to improve the handling of citizen denunciations of corruption. It is also relevant to access to information due to the proposed publishing of information on corruption cases with audio-visual tools, and creating an online asset declaration system, among others. The commitment’s milestones are verifiable.

Establishing the control groups, producing inspection reports, and making the reports public could improve the anticorruption framework in Albania, though these activities are not by themselves enough to punish reported corruption cases. The control groups could help NCA to collect, analyze, monitor, and track records of corruption cases. At the time of drafting the action plan, public officials submitted asset declarations manually to HIDAACI. By establishing an online asset declaration system, Albania is taking an important step towards strengthening the auditing and verification mechanism of private interests of

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officials. Asset declarations can be verified faster, more efficiently and more transparently. Therefore, the commitment could have a moderate potential impact overall.

Next steps

For effective implementation of the commitment, the IRM suggests the following:

- Ensure that the corruptive case tracking system data in public institutions to be public (taking into account necessary data protection and confidentiality).
- Reactivate the preexisting web-based system of harmonized statistics and track records of corruption cases named www.act-albania.al. The use of this system could help the NCA collect corruption data through the standard application forms, analysis, monitoring, and tracking records of corruption cases in public institutions, in order to improve the quality of NCA office's reporting.
- The government could carry out a public awareness campaign regarding the functioning of the online asset declaration system.
- Publish information with reports' content, generated from the online asset declaration system, by publishing them on the new open data portal (under Commitment 2).

¹ For the complete text of this commitment, see: "The Open Government Partnership Fourth Open Government National Action Plan for Albania 2018–2020", Open Government Partnership, 10 January 2019, https://www.opengovpartnership.org/wp-content/uploads/2019/01/Albania_Action-Plan_2018-2020_EN.pdf.

² Agency for Dialogue and Co-Government (Agiensia per Dialog dhe Bashkeqeverisje)

³ "Passport of Indicators: Inter-sectoral strategy against corruption (Albania)", ARS, http://www.drejtesia.gov.al/wp-content/uploads/2018/10/passport_indicators.pdf.

⁴ "Commission Staff Working Document: Albania 2018 Report", European Commission, 17 April 2018, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>.

V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity, and 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM Recommendations

Adhere to OGP's Participation and Cocreation Standards

The IRM reiterates a recommendation from the IRM Progress Report for Albania's previous action plan (2016–2018) that the government should adhere to OGP's Participation & Cocreation Standards when developing action plans. In the spirit of OGP, the participating governments should strive to co-create and implement action plans with the public and civil society through a participatory process. As described in Section III of this report, the public and civil society was not provided opportunities to set the agenda during the development of Albania's fourth action plan. While the final commitments were derived from existing government strategies that were developed in consultation with civil society, their inclusion in the OGP action plan was not the result of dedicated consultations, and the degree to which the final commitments reflect civil society priorities is unclear.

For the next action plan, the Department of Development and Good Governance (DD&GG) should involve civil society from the very beginning of the cocreation process and ensure that sufficient opportunities are provided to submit proposals and comment on draft commitments. Also, DD&GG should engage in more consultations that are specifically dedicated to the OGP agenda, even when the draft commitments are taken from existing strategies. The government should also publish progress updates on the implementation of the action plan, including meeting minutes, overview of public contributions, and commitment outcomes.

Establish a dedicated multistakeholder forum with clear and transparent selection criteria for its members

Albania's fourth action plan was developed without the presence of a dedicated multistakeholder forum (MSF) for nongovernment stakeholders to submit proposals and provide feedback on the action plan. The absence of the multistakeholder forum significantly limited the opportunities for civil society to engage in the cocreation process and led to a general loss of interest among nongovernmental stakeholders in the OGP process. In addition, OGP's Participation and Cocreation Standards require participating governments to have an MSF in place to oversee the OGP process in the country, and Albania is currently acting contrary to OGP process by not having one in place.¹ The government could consider reengaging the nongovernment members of the currently defunct OpenAlb forum to create a new joint structure to design and monitor future action plans.

To ensure open engagement, the DD&GG also needs to establish an online platform and publish timely information about the multistakeholder forum, including the rules of proceedings, forum membership, and consultation events. Finally, the IRM recommends that Albania's multistakeholder forum adheres to OGP's Participation & Cocreation Standards, including the requirement that the government or forum provides reasoned response to stakeholder proposals and feedback.

Consider reaching out to more local-level organizations

For the next action plan cycle, the IRM recommends that that government of Albania consider involving local, community-based organizations. Involving more local-level stakeholders could help introduce compelling open government innovations in the areas of

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access to information, transparency in public procurement for services, and monitoring of local budget expenditures.

Ensure effective implementation of public consultation legislation

This recommendation is carried forward from one of the recommendations from the IRM's assessment of Albania's 2016–2018 action plan. While the 2016–2018 action plan included a commitment to interlink the portal for consultations on draft legislation www.konsultimipublik.gov.al with the e-Albania portal, public use of the platform remains limited. Furthermore, although Commitment 3 in the current action plan aims to develop guidelines and train ministry staff on carrying out public consultations and using the platform, it is unclear how these activities will lead to an increase in public use or better consultations.

For the next action plan, the government could prioritize the implementation of the Law on Notification and Public Consultations, which imposes considerable obligations regarding publication of draft legislation and organizing consultation. The government could institutionalize the practice to consult on draft bylaws, provide adequate timeframes for consultations, establish clear rules to guide consultation, and provide feedback on citizens' input. Also, for the portal to be more successful, the IRM reiterates the recommendation to more broadly promote the portal among citizens, including launching a public awareness raising campaign using traditional and social media.

Consider including commitments on open contracting and public procurement

Under Commitment 8 from the previous action plan, the Concession Treatment Agency created a publicly available electronic registry which contains information on over 200 concessions and public-private partnerships (PPPs).² However, as noted in the IRM End-of-Term Report, the data on PPPs is not available in open data format, and there is no information on how much the public pays in PPPs, or through which procedure they were awarded.³

Given the ongoing need for transparency around PPPs and concessions, the IRM reiterates one of the recommendations from its assessment of the 2016–2018 action plan.⁴ Namely, Albania could consider including commitments that aim to better harmonize national legislation with EU public procurement rules, including EU recommendations on a contract registry for all public contracts. In addition, the government could consider:

- Increasing the quality of datasets for each concession and PPP and ensure the data is published in open data format in accordance with Open Contracting Data Standard (OCDS);
- Linking the registry to the Public Procurement Commission's complaint process;
- Strengthening the e-procurement performance and compliance monitoring system and provide for public reporting and monitoring of performance;
- Continuing to improve the legal framework regulating the registry to address civil society concerns over the usability of registry's information and the extent of information provided at the portal. Such amendments could include aspects related to format of information (in open data) and type of information (e.g., revenues, collected tax).

Consider improving the implementation of the Law on the Right to Information

The Law on the Right to Information regulates citizens' right to access public information. However, there are weaknesses in the law's implementation, such as its lack of specific exemptions and weak appeals mechanism. Public institutions do not systematically implement the recommendations of oversight bodies such as those of the Ombudsman. Under Commitment 1 from the 2016–2018 action plan, Albania improved the

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http://pyetshtetin.al database to include tracking of information requests and incorporate a register of information requests connected to the register of each state institution at central or local level. However, the portal does not provide information on the content of these requests or any other type of overall analysis.⁵

While an increasing number of public authorities have adopted transparency programs, public institutions could make more effort to proactively disclose information of public interest. Furthermore, access to information on procurement contracts, audits, and salaries of officials could be strengthened. Important steps in the future could also include improving awareness within public bodies on how to properly implement the law, meeting with stakeholders to examine changes to the law, and eliminating categories of restricted information.

Consider improving the transparency and integrity of the judiciary

Albania’s judiciary has traditionally experienced high levels of corruption, allegations of political interference, and low levels of public trust.⁶ In a 2018, the Balkan Investigative Reporting Network (BIRN) found generally low levels of transparency among most of the 38 Albanian courts that it monitored.⁷ Since 2017, Albania has undergone a thorough vetting process for judges and prosecutors as part of its EU accession process. The vetting aims to dismiss members of the judiciary with unjustifiable wealth and assets, members who are corrupt, with links to criminal suspects, and members whose professional records raise serious concerns.⁸ The vetting process has already led to the dismissal of nearly one-fifth of the judges and prosecutors who have been vetted, including judges on the Supreme Court.⁹

For Albania’s next action plan, the IRM recommends considering commitments that improve transparency and integrity of the country’s judiciary. For example, future commitments could focus on improving transparency in the appointment of judges and assignments of cases. Other future commitments could target the publication of information on sanctions against judges and disclosure of the results of monitoring and evaluation of judicial reforms.

Table 5.1: Five Key Recommendations

1	Adhere to OGP’s Participation and Co-Creation Standards
2	Establish a dedicated multi-stakeholder forum with clear and transparent selection criteria for its members
3	Ensure effective implementation of public consultation legislation
4	Consider including commitments on open contracting and public procurement
5	Consider improving the transparency and integrity of the judiciary

5.2 Response to Previous IRM Key Recommendations

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Responded to?	Integrated into Current Action Plan?
1	Ensure renewed leadership and successful transfer of institutional knowledge on OGP	×	×
2	Adhere to the OGP Participation and Co-creation Standards	×	×
3	Focus on more ambitious, OGP-relevant commitments on open contracting in line with EU accession framework	×	×

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4	Ensure effective implementation of public consultation legislation	×	×
5	Prioritize public officials' asset disclosure and public accessibility of the land register	×	✓

Of the five recommendations from the previous action plan (2016–2018), the Government of Albania (GoA) integrated one in the current plan. OGP in Albania has new leadership, represented by the Deputy Prime Minister as well as a new point of contact. A new OGP institutional framework was established with a comprehensive and sustainable approach to OGP. However, there was a clear lack of transfer of institutional knowledge of OGP-related matters within the restructured government.

The action plan includes a commitment addressing public officials' asset disclosures. However, public accessibility of the land register action is not included in this action plan.

Albania did not meet OGP's Participation and Co-creation Standards during the development of the action plan. Civil society had few opportunities to provide comments on commitment proposals or to submit their own proposals during the development process. Also, the government did not provide reasoned response to civil society on how decisions were made to include the final commitments in the action plan.¹⁰

The action plan's commitments were derived from existing strategic documents.¹¹ The point of contact to OGP in the Albanian government informed the IRM researcher that the criteria for prioritizing the commitments were related to: a) strategic importance; b) compliance with the National Strategy for Development and Integration (2015–2020); c) national sectoral and cross-sectorial strategies; and d) available financial resources for implementation.

¹ "OGP Participation & Co-Creation Standards", Open Government Partnership, 2017, https://www.opengovpartnership.org/wp-content/uploads/2019/07/OGP_Participation-Cocreation-Standards20170207.pdf.

² "IRM Albania End of Term Report 2016-2018", IRM, Open Government Partnership, September 2019, p. 28, https://www.opengovpartnership.org/wp-content/uploads/2019/09/Albania_End-of-Term_Report_2016-2018_EN.pdf.

³ Ibid.

⁴ "IRM Albania Progress Report 2016-2017", IRM, Open Government Partnership, October 2018, p. 82, https://www.opengovpartnership.org/wp-content/uploads/2018/10/Albania_Mid-Term_Report_2016-2018_EN.pdf.

⁵ Ibid.

⁶ Dr. Sinisa Milatovic, "Survey on Access to Justice in Albania", United Nations Development Program, https://www.al.undp.org/content/dam/albania/docs/FINAL_DRAFT_SURVEY_EN.pdf.

⁷ "Monitoring Report on Courts Transparency in Albania", Balkan Investigative Reporting Network, 2018, <https://birn.eu.com/wp-content/uploads/2018/10/COURT-MONITORING-REPORT.pdf>.

⁸ "Commission Staff Working Document: Albania 2019 Report", European Commission, 29 May 2019, p. 15, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf>.

⁹ "Albania high court judge fired for income inconsistencies", ABC News, 26 July 2019, <https://abcnews.go.com/International/wireStory/albania-high-court-judge-fired-income-inconsistencies-64585031>.

¹⁰ Ersida Sefa, OSFA Albania, interview by IRM researcher, 23 July 2019; Auron Pasha, Executive Director of IDRA (Institute for Development and Research Alternatives), interview by IRM researcher, 17 September 2019; Blendi Dibra, Deputy Chairman of the National Civil Society Council, interview by IRM researcher, 23 July 2019.

¹¹ Evis Qaja, point of contact to OGP, interview by IRM researcher, July 2019.

VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from nongovernmental stakeholders. The IRM researcher did not use the opportunity of Albania OGP repository (or online tracker), because this doesn't exist. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

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

Interviews and stakeholder input

Because few civil society organizations were directly consulted during the development of the fourth action plan, the IRM researcher contacted organizations that were involved in Albania's previous action plans, such as the Institute for Development and Research Alternatives (IDRA), Open Society Foundation Albania (OSFA), and the Albanian Institute of Science (AIS). The IRM researcher interviewed the first two organizations but was unable to interview a representative of AIS.

On 5 July 2019, an introductory meeting with OGP Albania representatives was held at the Prime Minister Office. The meeting focused on the steps to be followed in order to conduct interviews, prepare a schedule for meetings,² and complete data collection process. The attendees were:³

- Evis Qaja Director, Department of Development and Good Governance (DD&GG),
- Entela Erebara, Cabinet of Deputy Prime Minister,
- Alpina Qirjazi Coordinator, DD&GG, and
- Sofia Kalashi Coordinator, DD&GG.

The following are the persons contacted during in-person and telephone interviews:

- Evis Qaja—point of contact to OGP, representative of DD&GG at Prime Minister Office, 10 July 2019, 17 July 2019, 18 July 2019;
- Alpina Qirjazi—OGP Coordinator, representative of DD&GG at Prime Minister Office, 10 July 2019 and 17 July 2019 at Prime Minister Office;

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- Marseda Prifti—Director of E-Gov relations with institutions, National Agency of Information Society (NAIS), 17 July 2019 at the Prime Minister Office;
- Nevila Repishti—Director, NAIS, 17 July 2019 at the Prime Minister Office;
- Polana Lenja—Specialist Ministry of Finance and Economy, 17 July 2019 at the Prime Minister Office;
- Erisa Rodhani—Head of Unit, Ministry of Finance and Economy, 17 July 2019 at the Prime Minister Office;
- Anisa Kume—Head of Unit, Ministry of Finance and Economy, 17 July 2019 at the Prime Minister Office;
- Nefrida Cocka—Specialist, Ministry of Finance and Economy, 17 July 2019 at the Prime Minister Office;
- Vjollca Simoni—Specialist, INSTAT, 17 July 2019 at the Prime Minister Office;
- Elona Servani—Director of Department, INSTAT, 17 July 2019 at the Prime Minister Office;
- Elton Alike—Specialist, INSTAT, 17 July 2019 at the Prime Minister Office;
- Erisa Proko—Head of Cabinet, High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest (HIDAACI), 18 July 2019 at the Prime Minister Office;
- Elda Zenelaj—Director at Anticorruption Unit, Ministry of Justice, 18 July 2019 at the Prime Minister Office;
- Ersida Stefa—Specialist, OSFA, 23 July 2019 at the OSFA Office;
- Mimoza Corbashi—Specialist of Agency for the Support of Civil Society (ASCS), 31 July 2019 at the ASCS office;
- Emiliano Lule—Representative of blind community, 22 July 2019 at the NAIS office;
- Neki Hoxha—Representative of youth group, 22 July 2019 at the NAIS office;
- Telephone interview with Blendi Dibra—Deputy Chairman, National Council for Civil Society, 23 July 2019;
- Auron Pasha—Executive Director, Institute for Development and Research Alternatives (IDRA), 17 September 2019;
- Telephone interview with Erdita Dojko—Former specialist at Albanian Disabilities Rights Foundation (ADRF), September 2019;
- Telephone interview with Anest Halili—Specialist, Penta NGO, September 2019;
- Telephone interview with representative of a local NGO who preferred to remain anonymous, September 2019;
- Telephone interview with Gerti Shella—Executive Director of INFOCIP, 4 November 2019.

The IRM researcher sent a questionnaire on the process of designing the action plan to the OGP point of contact at DD&GG Technical Secretariat. The IRM researcher also sent a follow-up questionnaire to the focal points at two ministries and other institutions responsible for designing the commitments (i.e., MoFE, MoJ, INSTAT, NAIS, HIDAACI, DD&GG).

The IRM researcher also conducted a focus-group discussion with two participants on 12 July 2019 at the NAIS office in Tirana. The participants represented different ICT projects in Albania and disability and youth groups. Both confirmed that they were part of the consultation process for the Digital Agenda 2015–2020 but not at the dedicated OGP consultation process related to Commitment 2.

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About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M’Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

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

¹ “IRM Procedures Manual, V.3”, IRM, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

² The meetings calendar was drafted and agreed by both IRM researcher and the point of contact to OGP.

³ There is evidence (attendance signatures) of all meetings conducted by the IRM researcher.

Annex I. Overview of Albania performance throughout action plan development

Key

Green: Meets standard

Yellow: In progress (steps have been taken to meet this standard, but standard is not met)

Red: No evidence of action

Multi-stakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process	Red
1b. Regularity: The forum meets at least every quarter, in person or remotely	Red
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.	Red
1d. Mandate public: Information on the forum's remit, membership and governance structure is available on the OGP website/page.	Red
2a. Multi-stakeholder: The forum includes both governmental and non-government representatives	Red
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives	Red
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.	Red
2d. High-level government representation: The forum includes high-level representatives with decision making authority from government	Red
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum	Red
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events	Red
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders	Red

Key

Green: Meets standard

Yellow: In progress (steps have been taken to meet this standard, but standard is not met)

Red: No evidence of action

Action Plan Development	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.	Yellow
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Red
4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process.	Red
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Green
4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Red
5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g links to databases, evidence of meetings, publications)	Yellow

Editorial note: If a country “meets” the six standards in bold, the IRM will recognize the country’s process as a Starred Process.