

# Independent Reporting Mechanism

Results Report:  
Albania 2020–2022

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Open  
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# Executive Summary

*Albania’s fifth action plan resulted in integrity plans at line ministries and a beneficial ownership register. Engagement between government and civil society was limited during co-creation and implementation. However, the creation of an OGP multistakeholder forum places Albania in a better position to engage civil society during the next action plan cycle.*

### Early results

Albania’s fifth action plan had nine commitments comprising four themes: anti-corruption, digital governance, access to justice, and fiscal transparency.

Commitments 1 and 2 achieved marginal early results with the introduction of integrity plans at line ministries and the launch of the Register of Beneficial Owners (RBO) respectively. However, it is too soon to establish if the integrity plans have led to institutional changes around corruption prevention. Meanwhile, in order to enhance transparency, further actions such as verifying data submission and imposing sanctions for non-compliance need to be introduced on the RBO.

### Completion

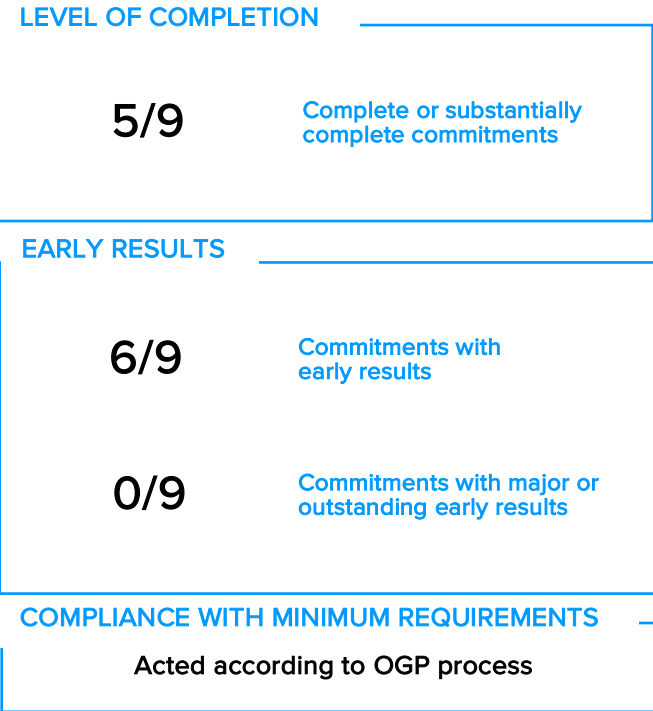
Five of the nine commitments had substantial or full completion. The government’s end-of-term self-assessment report contained little evidence of completion for many commitments. Not all ministries and other relevant stakeholders responded to IRM requests for evidence. IRM Action Plan Review identified Commitment 6 as promising, but the inter-institutional forum to oversee the quality of legal aid and the procedures for providing feedback and complaints was not set up.

### Participation and co-creation

Albania met the minimum requirements under OGP Participation & Co-Creation Standards during implementation.<sup>1</sup> The government published an end-of-term self-assessment report which contains information on commitment implementation status, but provides little supporting evidence. The Multilateral Committee for OGP, which serves as Albania’s multistakeholder forum, was formed in December 2021. The forum met in November 2022 to discuss the co-creation of the new action plan for 2023–2025 as well as review and approve the self-assessment report.<sup>2</sup> This was a welcome development for the collaboration of government and civil society.

The IRM Action Plan Review found Albania as having acted contrary to OGP process during action plan development. As a result, the OGP Criteria & Standards Subcommittee had placed Albania under procedural review in September 2021 for having acted contrary to OGP process for two consecutive action plan cycles (2018–2020 and 2020–2022).<sup>3</sup> The government then failed to deliver a new action plan by the 31 December 2022 deadline, which meant that it had now been found acting contrary to process in three consecutive cycles. In April 2023, the subcommittee announced that it had decided to maintain Albania under procedural review until

## IMPLEMENTATION AT A GLANCE



future IRM assessment finds that minimum requirements are met in the next co-creation process.<sup>4</sup> Failure to do so may result in Albania being rendered an inactive OGP member.

### Implementation in context

As with previous action plans, commitments were supported by international donors, such as the United Nations Development Programme or were linked to specific measures in Albania’s journey towards European Union (EU) accession.

In July 2022, Albania suffered a series of cyber-attacks on various government systems.<sup>5</sup> In response, the National Agency for Information Society temporarily shut down online services and other government websites, including some that were relevant to commitment implementation.

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<sup>1</sup> During the 2020–2022 action plan cycle, the former Participation and Co-creation Standards were in effect. Updated standards were put into effect on 1 January 2022, but apply to action plan cycles submitted after this date. See: “OGP Participation and Co-Creation Standards,” Open Government Partnership, 24 November 2021, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

<sup>2</sup> “Konkluzionet operacionale te mbledhjes së komitetit shumëpalesh mbi partneritetin per qeverisje te hapur,” [Operational Conclusions of the Multilateral Committee Meeting on the Open Government Partnership], OGP Albania, 30 November 2022, [https://ogp.gov.al/uploads/2022/12/II.draft\\_KonkluzioneOperacionale\\_v1\\_30.11.2022.pdf](https://ogp.gov.al/uploads/2022/12/II.draft_KonkluzioneOperacionale_v1_30.11.2022.pdf).

<sup>3</sup> “Albania under review letter (September 2021),” Open Government Partnership, 17 September 2021, <https://www.opengovpartnership.org/documents/albania-under-review-letter-september-2021>.

<sup>4</sup> “Albania – Procedural Review Resolution by C&S Subcommittee (April 2023),” Open Government Partnership, 27 April 2023, <https://www.opengovpartnership.org/documents/albania-procedural-review-resolution-by-cs-subcommittee-april-2023>.

<sup>5</sup> Maggie Miller, Albania weighed invoking NATO’s Article 5 over Iranian cyberattack, Politico, 10 May 2022, <https://www.politico.com/news/2022/10/05/why-albania-chose-not-to-pull-the-nato-trigger-after-cyberattack-00060347>.

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## Section I: Key Observations

Albania's fifth action plan had limited engagement with civil society during both co-creation and implementation. Many commitments had low ambition level as they were largely replicated from existing government strategies without much civil society input. The commitments that saw results were mostly implemented in cooperation with civil society and international organizations.

### **Observation 1: Limited engagement in co-creation diminished incentives for civil society to support action plan implementation.**

During action plan development, the government invited civil society organizations (CSOs) to participate in pre-consultation surveys on the government's pre-selected priority areas. The government then held discussions with invited civil society organizations and international partners on the commitment proposals that, again, had been pre-selected from existing strategies. While this represented a slight improvement in engagement compared to the previous action plan cycle, during which the government did not hold any consultations on the draft commitments, the pre-selection of commitments and limited scope for inputs meant there was still little interest among CSOs to engage in action plan co-creation and implementation. The creation of Albania's first dedicated OGP multistakeholder forum occurred at the end of the action plan cycle and could potentially improve engagement in future cycles.

### **Observation 2: Replicated government strategies without adequate input from civil society made for unambitious commitments.**

Compared to the previous action plan, the commitments in this action plan were more targeted and covered a wider range of policy areas. The plan also included some high priority areas for the government, particularly in relations with Albania's EU accession strategy. This included establishing a beneficial ownership register, introducing ministerial integrity plans, and expanding access to legal aid. However, the government continued to replicate existing government strategies into commitments with little input from civil society. In addition, many commitments included milestones that had already started implementation before the action plan was finalized and resulted in commitments that lacked ambition.

Some commitments will be carried forward in the 2023–2025 action plan, including a commitment to raise awareness among companies about the need to update their data on the beneficial ownership register.

### **Observation 3: Technical and financial support from international partners and/or collaboration with civil society helped commitments deliver better results.**

Financial and technical aid from international partners facilitated the implementation of some commitments. As an EU member candidate, Albania can apply for certain funds to implement reforms that align the country's laws and policies to those of the EU.

The creation of ministerial integrity plans under Commitment 1, for example, received much support from CSOs and international partners. The Centre for Integrity in the Defense Sector of the Kingdom of Norway supported the Ministry of Defense, while the Institute for Democracy and Mediation supported the Ministry of Justice along with six other line ministries. CSOs provided the necessary capacity for line ministries during the initial stages of integrity plans development. The inclusion of civil society in the internal ministerial working group also marked a positive step towards open government. Elsewhere, efforts to expand access to legal aid under Commitment 6 saw the government partnering with the United Nations Development Programme to ensure access to justice for women through the EURALIUS project.<sup>1</sup>

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<sup>1</sup> "Expanding free legal aid services to women and men in Albania," United Nations Development Programme, accessed 15 August 2023, <https://www.undp.org/albania/projects/expanding-free-legal-aid-services-women-and-men-albania-0>.

## Section II: Implementation and Early Results

The following section looks at the two commitments that the IRM identified as having the strongest results from implementation. To assess early results, the IRM referred to commitments or clusters identified as promising in the Action Plan Review as a starting point. After verification of completion evidence, the IRM also took into account commitments or clusters that were not determined as promising but that, as implemented, yielded significant results.

### Commitment 1: Integrity plans

Ministry of Justice (MOJ)

#### Context and objectives

Linked to Albania’s national anti-corruption strategy, the MOJ—in its capacity as the national coordinator against corruption — aimed to assist ministries in developing and implementing integrity plans as well as establishing monitoring and evaluation mechanisms. The commitment had 13 milestones. Milestones 1–8 comprised steps for drafting and approving the integrity plans, while milestones 9–13 comprised steps for monitoring their implementation. The Action Plan Review identified potential challenges around human resources, awareness raising, collaborating with civil society, updating the integrity plans, and incorporating the actions of top executives.<sup>1</sup>

#### Did it open government? Marginal

Eleven ministries (including the MOJ) and 13 of their subordinate institutions adopted their respective integrity plans (milestones 1, 3, 4, 6 and 7).<sup>2</sup> The plans provided assessment on areas such as finance and budget, human resources, control, audit and anticorruption mechanisms, transparency, and documentation. The Institute for Democracy and Mediation (IDM) assisted the MOJ in developing the methodology and guidance in 2020<sup>3</sup> and helped six ministries draft their integrity plans.<sup>4</sup> The Group of States against Corruption (GRECO) reported that only five ministries had appointed coordinators as of April 2022.<sup>5</sup> By December 2022, the MOJ noted that all line ministries had appointed integrity coordinators who are responsible for implementing, monitoring, and updating the plans.<sup>6</sup>

The MOJ organized 10 workshops between June 2021 and May 2022 to strengthen the capacity of staff on anti-corruption in the MOJ, the Anti-Corruption Directorate, the Ministry of Finance and Economy, and the Ministry of Education and Sports (milestones 2 and 5).<sup>7</sup> In June 2021, the MOJ also began publishing a monthly e-bulletin on anti-corruption (milestone 8) which is available in Albanian and English.<sup>8</sup>

Milestones 9–13 were not fully completed. The MOJ developed a methodology for monitoring integrity plans and published the monitoring report of its 2021 integrity plan after consulting civil society organizations (CSOs).<sup>9</sup> They also published a six-month evaluation report on the implementation of its 2022 integrity plan for the period of January–June 2022.<sup>10</sup> Some ministries adopted their plans in March and April 2022 per the anticipated deadline of Q2 2022. Monitoring could not be started as the plans had yet to be implemented. According to an IDM representative, civil society support in the initial stages helped some ministries develop and implement their integrity plans.<sup>11</sup> In July 2022, cyber-attacks on government websites forced the MOJ to republish information and affected consultations with stakeholders. Despite these obstacles, the MOJ published its final monitoring report and shared it with CSOs by email.<sup>12</sup>

IDM identified three main benefits of the integrity plans.<sup>13</sup> First, they helped familiarize public servants with the legal and regulatory frameworks on ethics and integrity. All integrity plans that IDM had assisted in developing include trainings on ethics and integrity, conflict of interest, whistleblowing, declaration of gifts, and external activities. The integrity plan of the Ministry of Defense, which the IDM did not assist with, also envisages future trainings for public officials on similar topics.<sup>14</sup> Second, the development process of the plans raised awareness among public sector employees about the importance of self-assessment and the advantage of using anonymous questionnaires in soliciting feedback to improve internal processes. IDM stressed that the plans are an educational and preventive instrument that rely on the integrity risk

assessment on the existing and potential risks of all work processes in government institutions.<sup>15</sup> Third, the assessment helped improve internal compliance with regulatory and political frameworks on ethics and integrity. GRECO, for instance, noted that several integrity plans include a measure to approve a binding code of ethics for ministerial staff.<sup>16</sup>

Prior to this commitment, there were no comprehensive anticorruption assessments for Albania's central government institutions.<sup>17</sup> By the end of the action plan period, while most ministries were still in their first year of implementation, IDM expects the ministries to continue developing and updating integrity plans in the future.<sup>18</sup> In its 2022 Progress Report on Albania, the European Commission (EC) also commended the inclusion of procurement-related corruption risks in some of the integrity plans.<sup>19</sup>

GRECO noted that the introductions of the integrity plans need to be followed by further measures to ensure adequate implementation and monitoring.<sup>20</sup> The MOJ's periodic report on the implementation of its integrity plan every six months was being followed by the 11 other ministries in addition to annual reporting.<sup>21</sup> Meanwhile, reflecting on their experience in monitoring government performance and fulfilling public rights to information, Partners Albania was more cautious about the potential of the plans to generate practical improvements in anti-corruption measures.<sup>22</sup> Overall, this commitment contributed marginal early results but could increase over time as more ministries implement and regularly monitor their integrity plans.

### Looking ahead

An IDM representative cautioned that genuine commitment, political ownership, focused coordination and monitoring, institutional ownership of risk management, and an open approach towards the public and CSOs are required for the integrity plans to be successful in the long term.<sup>23</sup> The MOJ could cooperate more closely with civil society and the Supreme State Audit (ALSAI) when monitoring integrity plans. Furthermore, the publication of the 2022 monitoring reports could help citizens understand the early implementation and outcomes of integrity plans.

CSOs could be an asset to filling in the gaps in implementation. Following the conclusion of the action plan cycle, IDM alongside the Swedish International Development Cooperation Agency (SIDA) informed responsible institutions that they would offer technical assistance to ALSAI to include the monitoring of integrity plans in their external control and public audit processes.<sup>24</sup> GRECO also underlined the need to address integrity risks among ministers and political advisors,<sup>25</sup> which IDM noted would be covered in the Code of Ethics to be developed as mandate of the integrity plans.<sup>26</sup> Going forward, it would be important for the code to also include political staff in line with the updated rules on ethics in public administration.<sup>27</sup>

## Commitment 2: Beneficial ownership register

Ministry of Finance and Economy (MFE)

### Context and objectives

This commitment was aimed at passing a law and by-laws for a central beneficial ownership register as part of Albania's anti-corruption strategy. By ensuring that beneficial ownership information is accurate, up-to-date, and available to public authorities, the implementation of this commitment would fulfil a recommendation from the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL). The establishment of a beneficial ownership register is also in line with Albania's high-level political commitment to work with the Financial Action Task Force (FATF) and the Committee of Experts on Evaluation of MONEYVAL to strengthen the country's anti-money-laundering regime.<sup>28</sup>

### Did it open government? Marginal

The commitment had four milestones, the first of which was completed in August 2020 following the parliament's approval of the Law on the Register of Beneficial Ownership.<sup>29</sup> It mandates the publication of freely accessible beneficial ownership data which include information such as name, surname, citizenship, and other basic information. Amendments to the Law in 2022 increased the maximum penalties for failure to register from 500,000 ALL to 600,000 ALL

(approximately 5,000 EUR)<sup>30</sup> and the number of entities required to register, and introduced the requirement for simultaneous registration of ultimate beneficial owners.<sup>31</sup>

Milestones 2, 3 and 4 were also completed.<sup>32</sup> The MFE created an inter-institutional subgroup that reviewed laws and international best practices to suggest recommendations for Albania's Register of Beneficial Owners (RBO).<sup>33</sup> On 24 December 2020, The Council of Ministers adopted Decisions No. 1088<sup>34</sup> and No. 1090<sup>35</sup> on the functions of the register and the publication of data as well as the specification of entities that are obligated to register, registration timeframe, responsible actors who should register and update their information, and the rules for electronic communication and data exchange. Along with the RBO Law, these decisions regulate data verification and impose sanctions for non-compliance.

The register was introduced on 1 February 2021 and is available on the National Business Center website [gkb.gov.al](http://gkb.gov.al), which lists the legal obligations for registering and refers to the sanctions prescribed in the law.<sup>36</sup> Upon inspection, the IRM researcher was able to browse the register by reporting entities and status of registration application without having to create an account, provide any identification, and/or paying a fee. In other words, anyone can download a simple excerpt of current registration data and a historical excerpt that contains last date of data registration, name and surname of beneficial owner(s), citizenship, year and month of birth, date of establishment of an individual as a beneficial owner, as well as type (direct/indirect) and percentage of ownership.

The government self-assessment report disclosed that there are additional data of beneficial owners in the RBO that are only available for certain state authorities and authorized persons.<sup>37</sup> The number and percentage of companies and non-profit entities that registered their beneficial ownership information also saw consistent growth throughout the action plan implementation period. In March 2022, the figures stood at 96% (companies) and 86% (non-profit entities).<sup>38</sup> In December 2022, the figures increased to 97% (companies) and 98.5% (non-profit entities).<sup>39</sup> In June 2023, these figures were reported to be at 40,797 of 41,823 companies (97.5%) and 2,385 of 2,517 non-profit entities (94.8%).<sup>40</sup>

The high percentage of registered companies and non-profit entities demonstrated that the commitment implementation had achieved some early success. However, according to Partners Albania, many data in the register are incomplete, inaccurate, and inconsistent.<sup>41</sup> In addition to higher level of accuracy in the information provided by non-profit entities compared to companies, many company shareholders data were missing, although more detailed information about owners is available on the business register. In its 2023 Peer Review Report on Exchange of Information on Request in Albania, the Organization for Economic Co-operation and Development (OECD) underlined the need for adequate, accurate, and up-to-date RBO data.<sup>42</sup>

Partners Albania also expressed concerns about overly complex procedures for new or remote organizations, duplicate registrations of beneficial owners, and disproportionate effect of the fines if imposed on non-profit entities, which could lead to the shrinking of civic space. The MFE extended the deadline to register beneficial ownership information to 30 June 2022 and decided to pardon or reimburse entities that had not registered by the previous deadline.<sup>43</sup> As such, there is no evidence to assess the effect of the sanctions yet.

Prior to this commitment, Albania did not have a central beneficial ownership register.<sup>44</sup> Only public authorities were permitted to establish which financial institutions held information on a person of interest and request data from them. The EC commented that the RBO has improved access to information of economic actors and implements a key requirement of the EU's anti-money-laundering directive.<sup>45</sup> However, the FATF still lists Albania as a jurisdiction with deficiencies in combatting money laundering and terrorist financing.<sup>46</sup>

While most entities have registered to the RBO, this commitment contributed marginal early results as the RBO data are not necessarily adequate, accurate, and up-to-date. This limits the effect of the register in having substantially improved beneficial ownership transparency and accountability or be used to combat money laundering and terrorist financing.



## Looking ahead

Albania's next action plan for the 2023–2025 period contains a commitment aimed at improving the registration process for beneficial owners on the RBO.<sup>47</sup> Even though Decisions No. 1088 and 1090 set out mechanisms to ensure data accuracy, CSOs have pointed to issues with ensuring data accuracy in practice. To overcome this, authorities could, for example, introduce sanctions that exclude participation in public procurement bids for entities that knowingly provide inaccurate data to the RBO. Furthermore, the government could also prioritize developing procedures for verifying data on the RBO. Experiences of other OGP countries such as Denmark and the Slovak Republic in verifying beneficial ownership data upon submission as well as enabling the public to report suspicious data could be used as references.<sup>48</sup>

<sup>1</sup> "IRM Action Plan Review: Albania 2020–2022," Open Government Partnership, 29 July 2021, <https://www.opengovpartnership.org/documents/albania-action-plan-review-2020-2022>.

<sup>2</sup> Milestones 1–8 indicated that all central government ministries would adopt integrity plans. See examples of the integrity plans:

- "Integrity Plan for the Ministry of Justice 2020–2023," Ministry of Justice, April 2021, [https://www.drejtesia.gov.al/wp-content/uploads/2021/04/2.-Plani-i-Integritetit-p%C3%ABr-Ministrin%C3%ABe-Drejt%C3%ABsis%C3%AB-2020-2023\\_EN.pdf](https://www.drejtesia.gov.al/wp-content/uploads/2021/04/2.-Plani-i-Integritetit-p%C3%ABr-Ministrin%C3%ABe-Drejt%C3%ABsis%C3%AB-2020-2023_EN.pdf).
- "Integrity Plan of the Ministry of Defense," Ministry of Defense, April 2022, <https://www.mod.gov.al/images/dokumente-strategjike/2022/veprim-plan-integriteti-MoD-2022-2025-eng-141022.pdf>.
- "Integrity Plan of the Ministry of Infrastructure and Energy," Ministry of Infrastructure and Energy, 31 March 2023, <https://www.infrastruktura.gov.al/rregullore-5>.
- "Action Plan for Implementing the Integrity Plan of the Ministry of Interior 2022–2024," Ministry of Interior, October 2022, <https://mb.gov.al/wp-content/uploads/2022/10/PLANI-I-VEPRIMIT-T%C3%8B-PLANIT-T%C3%8B-INTEGRITETIT-T%C3%8B-MB-2022-2024-1.pdf>.
- "Urdhër Nr. 225, Datë 27.04.2022 për Miratimin e Planit të Integritetit për Ministrinë e Arsimit dhe Sportit 2022–2025," [Order No. 225, Dated 27.04.2022 for the Approval of the Integrity Plan for the Ministry of Education and Sports 2022–2025], Ministry of Education and Sports, 27 April 2022, <https://arsimi.gov.al/27167-2>.
- "Plani i Integritetit," [Integrity Plan], Ministry of Finance and Economy, November 2021, <https://financa.gov.al/plani-i-integritetit>.
- "Matrica e Planit të Veprimtës," [Action Plan Matrix], Ministry of Tourism and Environment, October 2022, <https://turizmi.gov.al/wp-content/uploads/2022/10/Matrica-e-Planit-te-Integritetit.pdf>.
- "Urdhër Nr. 267, Datë 22.04.2022 për Miratimin e Planit të Integritetit të Ministrisë së Shëndetësisë dhe Mbrojtjes Sociale 2022–2025," [Order No. 267, Dated 22.04.2022 for the Approval of the Integrity Plan of the Ministry of Health and Social Protection 2022–2025], Ministry of Health and Social Protection, 24 April 2022, <https://shendetesia.gov.al/wp-content/uploads/2022/04/urdher-nr.-267-per-miratimin-e-planit-te-integritetit-te-MSHMS-2022-2025.pdf>.
- "Urdhër Nr. 163, Datë 01.04.2022 për Miratimin dhe Zbatimin e Planit të Integritetit për MBZHR-NË 2022–2025," [Order No. 163, Dated 01.04.2022 for the Approval and Implementation of the Integrity Plan of the Ministry of Agriculture and Rural Development 2022–2025], Ministry of Agriculture and Rural Development, 1 April 2022, <https://bujqesia.gov.al/wp-content/uploads/2022/10/Plani-i-Integritetit-dhe-matrica.pdf>.

<sup>3</sup> "Integrity Risk Assessment Methodology for Institutions of Central Government," Ministry of Justice, June 2020, [https://www.drejtesia.gov.al/wp-content/uploads/2021/04/4.-Metodologjia-e-Vler%C3%ABsimit-t%C3%AB-Riskut-t%C3%AB-Integritetit-p%C3%ABr-Institucionet-e-Qeverisjes-Qendrore\\_EN.pdf](https://www.drejtesia.gov.al/wp-content/uploads/2021/04/4.-Metodologjia-e-Vler%C3%ABsimit-t%C3%AB-Riskut-t%C3%AB-Integritetit-p%C3%ABr-Institucionet-e-Qeverisjes-Qendrore_EN.pdf).

<sup>4</sup> According to Rovena Sulstarova (Institute for Democracy and Mediation), email correspondence with IRM researcher, 8 March 2023: the six ministries were the Ministry of Health and Social Protection, the Ministry of Culture, the Ministry of Education and Sports, the Ministry of Tourism and Environment, the Ministry of Infrastructure and Energy, and the Ministry for Europe and Foreign Affairs. IDM also offered technical assistance to 21 municipalities, the High Prosecutorial Council, Commissioner for the Right to Information and Personal Data Protection, the Institute of Public Health, and the administration of the Assembly of Albania in drafting integrity plans. IDM is developing and testing an instrument for civic monitoring of the implementation of integrity plans which it will implement in target institutions after an open call for proposals.

<sup>5</sup> "Fifth Evaluation Round Compliance Report for Albania," Group of States against Corruption, 3 March 2023 <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680aa6125>.

<sup>6</sup> Ministry of Justice, comment provided to IRM during report pre-publication, 2 August 2023.

<sup>7</sup> Ministry of Justice, email correspondence with IRM researcher, 19 December 2022.

<sup>8</sup> "Albania End-of-Term Self-Assessment Report 2020–2022," Open Government Partnership, 5 December 2022, <https://www.opengovpartnership.org/documents/albania-end-of-term-self-assessment-report-2020-2022>, 68; "E-Buletin," [E-Bulletin], Ministry of Justice, accessed August 2023, <https://drejtesia.gov.al/e-buletin>.

<sup>9</sup> "Raport Monitorimi Zbatimi i Planit të Integritetit të Ministrisë së Drejtësisë 2021," [Monitoring Report Implementation of the Integrity Plan of the Ministry of Justice], Ministry of Justice, May 2022, [https://www.drejtesia.gov.al/wp-content/uploads/2022/05/Raport-Monitorimi-PI-MD\\_2021.pdf](https://www.drejtesia.gov.al/wp-content/uploads/2022/05/Raport-Monitorimi-PI-MD_2021.pdf).

<sup>10</sup> “Raport Monitorimi Zbatimi i Planit të Integritetit të Ministrisë së Drejtësisë Janar–Qershor 2022,” [Monitoring Report Implementation of the Integrity Plan of the Ministry of Justice January–June 2022], Ministry of Justice, October 2022, [https://www.drejtesia.gov.al/wp-content/uploads/2022/10/Raport-Monitorimi\\_-PI-MD\\_6M-1-2022.pdf](https://www.drejtesia.gov.al/wp-content/uploads/2022/10/Raport-Monitorimi_-PI-MD_6M-1-2022.pdf).

<sup>11</sup> Sulstarova, email correspondence.

<sup>12</sup> Rovena Pregja (Ministry of Justice), interview by IRM researcher, 7 December 2022.

<sup>13</sup> Sulstarova, email correspondence.

<sup>14</sup> “Fifth Evaluation Round Compliance Report for Albania,” Group of States against Corruption.

<sup>15</sup> Institute for Democracy and Mediation, comment provided to IRM during report pre-publication, 27 July 2023.

<sup>16</sup> “Fifth Evaluation Round Compliance Report for Albania,” Group of States against Corruption.

<sup>17</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.

<sup>18</sup> Sulstarova, email correspondence.

<sup>19</sup> “Albania Report 2022,” European Commission, 12 October 2022, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-10/Albania%20Report%202022.pdf>, 62.

<sup>20</sup> “Fifth Evaluation Round Compliance Report for Albania,” Group of States against Corruption.

<sup>21</sup> Institute for Democracy and Mediation, comment provided to IRM during report pre-publication. See examples:

- “Raport Monitorimi Zbatimi i Planit të Integritetit të Ministrisë së Arsimit dhe Sportit 2022,” [Monitoring Report Implementation of the Integrity Plan of the Ministry of Education and Sports 2022], Ministry of Education and Sports, March 2023, <https://arsimi.gov.al/wp-content/uploads/2023/03/Raport-Monitorimi-i-Planit-t%C3%AB-Integritetit-t%C3%AB-MAS.pdf>.
- “Raport Monitorimi i Zbatimi të Planit të Integritetit të Ministrisë së Infrastrukturës dhe Energjisë për Vitin 2022,” [Monitoring Report Implementation of the Integrity Plan of the Ministry of Infrastructure and Energy 2022], Ministry of Infrastructure and Energy, February 2022, <https://www.infrastruktura.gov.al/wp-content/uploads/2023/02/Raport-i-monitorimit-2022.pdf>.
- “Raport Monitorimi/Zbatimi i Planit të Integritetit, Ministria e Mbrojtjes 2022,” [Integrity Plan Monitoring/Implementation Report, Ministry of Defense 2022], Ministry of Defense, 1 February 2023, <https://www.mod.gov.al/images/dokumente-strategjike/2023/raporti-monitorimi-zbatimi-plani-integritetit-MoD-010223.pdf>.
- “Raport Monitorimi Zbatimi i Planit të Integritetit të Ministrisë së Bujqësisë dhe Zhvillimit Rural 2022,” [Monitoring Report Implementation of the Integrity Plan of the Ministry of Agriculture and Rural Development 2022], March 2023, Ministry of Agriculture and Rural Development, <https://bujqesia.gov.al/wp-content/uploads/2023/03/Raport-Monitorimi.pdf>.

<sup>22</sup> Julijana Hoxha (Partners Albania), email correspondence with IRM researcher, 16 March 2023.

<sup>23</sup> Sulstarova, email correspondence.

<sup>24</sup> Institute for Democracy and Mediation, comment.

<sup>25</sup> “Fifth Evaluation Round Compliance Report for Albania,” Group of States against Corruption.

<sup>26</sup> Institute for Democracy and Mediation, comment.

<sup>27</sup> Institute for Democracy and Mediation, comment.

<sup>28</sup> “Jurisdictions under increased monitoring, 23 October 2020,” Financial Action Task Force, 23 October 2020, <http://www.fatfgafi.org/publications/high-risk-and-other-monitored-jurisdictions/documents/increased-monitoring-october-2020.html>.

<sup>29</sup> “Law No. 112/2020 on the Register of Beneficial Owners,” Official Gazette No. 149, 13 August 2020.

<sup>30</sup> This financial sanction is lower compared to other countries, implying it may have a greater effect on the compliance of smaller businesses than larger ones. See: “Law No. 6/2022 on the Amendments to the Law on the Register of Beneficial Owners,” Official Gazette No. 25, 15 February 2022; “Designing sanctions and their enforcement for beneficial ownership disclosure,” Open Ownership, 28 April 2022, <https://www.openownership.org/en/publications/designing-sanctions-and-their-enforcement-for-beneficial-ownership-disclosure/types-of-sanctions-in-beneficial-ownership-disclosure-regimes>.

<sup>31</sup> “Amendments to the Law on Beneficial Owners Registry,” KPMG, February 2022, <https://home.kpmg/al/en/home/insights/2022/02/amendments-to-the-law-on-beneficial-owners-registry.html>.

<sup>32</sup> “Albania Action Plan 2020–2022,” Open Government Partnership, 30 December 2020, <https://www.opengovpartnership.org/documents/albania-action-plan-2020-2022>; “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.

<sup>33</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.

<sup>34</sup> See: “Vendim Nr. 1088, Datë 24.12.2020,” [Decision No. 1088, Dated 24 December 2020], Council of Ministers, 24 December 2020, <https://ccidr.al/wp-content/uploads/Vendim-1088-Procedurat-e-regjistrimit-te-pronararit-perfitues.pdf>; “Vendim Nr. 273, Datë 12.05.2021,” [Decision No. 273, Dated 12 May 2021], Council of Ministers, 12 May 2021, <https://www.tatime.gov.al/shkarko.php?id=10323>; “Vendim Nr. 328, Datë 01.05.2021,” [Decision No. 328, Dated 1 May 2021], State Election Commissioner, 1 May 2021, [https://kqz.gov.al/wp-content/uploads/Akte-komisioneri/2021/05/Vendim-328-date-01.05.2021-Shqyrtim-Rezultati-i-Prokurorise-per\\_Artur-Baku-01.05.2021.pdf](https://kqz.gov.al/wp-content/uploads/Akte-komisioneri/2021/05/Vendim-328-date-01.05.2021-Shqyrtim-Rezultati-i-Prokurorise-per_Artur-Baku-01.05.2021.pdf).

<sup>35</sup> “Vendim Nr. 1090, Datë 24.12.2020,” [Decision No. 1090, Dated 24 December 2020], Council of Ministers, 24 December 2020, <https://qkb.gov.al/media/38113/vendim-2020-12-24-1090.pdf>.

<sup>36</sup> “Krijimi dhe administrimi i Regjistrimit të Pronarëve Përfitues,” [Creation and administration of the Register for Beneficial Owners], National Business Center, accessed 15 August 2023, <https://qkb.gov.al/informacion-mbi-proceduren/regjistrimi-pronar%C3%ABve-p%C3%ABrfitues/regjistrimi-fillistar-t%C3%AB-pronararit-p%C3%ABrfitues>.

<sup>37</sup> According to “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership: authorized persons are “persons authorized to represent the reporting entity only in the data registered in the register for the entity they represent”. Competent state authorities are General Directorate for the Prevention of Money Laundering,

the Bank of Albania, the General Directorate of Taxes, the Financial Supervision Authority, the General Directorate of State Police, the Prosecution, and the Special Structure against Corruption and Organized Crime (SPAK).

<sup>38</sup> “Albania Report 2022,” European Commission, 49.

<sup>39</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 75.

<sup>40</sup> National Business Center, comment provided to IRM during report pre-publication, 2 August 2023.

<sup>41</sup> Juljana Hoxha, email correspondence.

<sup>42</sup> “Global Forum on Transparency and Exchange of Information for Tax Purposes: Albania 2023 (Second Round),” Organisation for Economic Co-operation and Development, 28 March 2023, <https://doi.org/10.1787/0fd61657-en>.

<sup>43</sup> “New Amendments to the Law 112/2020 on the Registry of Beneficial Owners,” Bogalaw Journal, updated 27 June 2022, <https://bogalawjournal.com/new-amendments-to-the-law-112-2020-on-the-registry-of-beneficial-owners>.

<sup>44</sup> “IRM Action Plan Review: Albania 2020–2022,” Open Government Partnership, 8.

<sup>45</sup> “Albania Report 2022,” European Commission, 55.

<sup>46</sup> “Jurisdictions under increased monitoring, 23 June 2023,” Financial Action Task Force, 23 June 2023, <https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/Increased-monitoring-june-2023.html#Albania>.

<sup>47</sup> “Albania 2023–2025 National Action Plan,” Open Government Partnership, 5 April 2023, <https://www.opengovpartnership.org/documents/albania-action-plan-2023-2025>.

<sup>48</sup> Tymon Kiepe, “Verification of beneficial ownership data,” Open Ownership, 7 May 2020, <https://www.openownership.org/en/publications/verification-of-beneficial-ownership-data/verification-at-the-point-of-submission>.

## Section III. Participation and Co-Creation

*Albania acted contrary to OGP process during the co-creation of the action plan. Civil society participation was low throughout the action plan cycle. Albania showed progress towards meeting OGP standards during implementation as it established a multistakeholder forum which could improve engagement with civil society to develop the next action plan.*

The National Coordinator in the Prime Minister’s Office oversees Albania’s participation in OGP. It is responsible for coordination with both government and civil society stakeholders as well as communication Albania’s progress on open government to the public and OGP community.

In co-creating the fifth action plan, the government invited civil society organizations (CSOs) to participate in pre-consultation surveys on four priority areas that were pre-determined by the government.<sup>1</sup> By this stage, the government had already chosen commitments and the surveys posed questions aimed at gathering support for those choices as well as generic questions about open government. For instance, the Ministry of Justice delivered a questionnaire on ministerial integrity plans that asked for additional suggestions on the issue, which later became Commitment 1. The pre-selection lowered civil society’s interest in the action plan because it was not clear how their involvement would add value to it. Two civil society proposals were rejected, while other commitments were informed by long-standing conversations between ministries and specific CSOs they were working with outside of the co-creation process. In the future, engaging CSOs early in the process may help shift the focus to specific results based on a balance between the priorities of government and civil society.

Following a legislative election, Albania did not have a high-level political lead for OGP between April 2021 and September 2022, after which the Government appointed the Minister of State for Standards and Services as the new high level OGP lead and reappointed the same government point of contact. However, this did not change the level of engagement between government and civil society as there were no regular consultations over the progress of action plan implementation. Many civil society stakeholders interviewed by the IRM researcher confirmed that the government did not engage them in the OGP process.<sup>2</sup> One stakeholder noted that while there was consultation on the self-assessment report, it was held in a tight deadline with only one week to provide feedback on 15–22 November 2022.<sup>3</sup>

In October 2021, a ministerial order established a 16-member multistakeholder forum named the Multilateral Committee for OGP. It comprises 10 representatives from the Council of Ministers and six civil society stakeholders.<sup>4</sup> IRM was unable to find information about the composition of the committee at the end of the implementation period. The deputy prime minister was initially expected to co-chair the forum with a civil society counterpart, but internal restructuring within the government led to the Minister of State for Service Standards assuming the role instead.<sup>5</sup> The committee met on 11 November 2022 for the first time to discuss rules of procedure and the fifth action plan development.<sup>6</sup> On 15 November 2022, the Prime Minister’s Office met with the National Council of Civil Society to present the OGP initiative and encourage civil society participation in the co-creation of the 2023–2025 action plan.<sup>7</sup> On 30 November 2022, the forum held a second meeting to discuss the self-assessment report.<sup>8</sup> Civil society representatives were present in both multistakeholder forum meetings.<sup>9</sup>

The establishment of the multistakeholder forum helped Albania to comply with the minimum requirements of OGP process and opened the possibility for stronger cooperation between government and civil society. Reactions to the forum’s early interactions were mixed among civil society representatives. Some felt it was an improvement, but others found the interactions were still limited and inadequate.<sup>10</sup>

### Compliance with the minimum requirements

IRM assesses whether member countries met the minimum requirements under OGP Participation and Co-Creation Standards for the purposes of procedural review. According to the Albania Action Plan Review, Albania **did not** act according to OGP process during action plan co-

creation.<sup>11</sup> During implementation, countries are required to maintain an OGP repository and provide the public with information on implementation of the action plan. The repository must be online, updated at least once during the action plan cycle, and contain evidence of development and implementation of the action plan. Based on these requirements, Albania **acted according to** OGP process during the action plan implementation period.<sup>12</sup>

## Key

- Green= Meets standard
- Yellow= In progress (steps have been taken, but standard is not met)
- Red= No evidence of action

Acted according to OGP process during the implementation period?	
The government maintained the OGP repository that is online on <a href="http://ogp.gov.al">ogp.gov.al</a> and updated it at least once during the action plan cycle. It contains information on the development of the action plan, but no evidence of implementation. The government also published a self-assessment report on the repository, <sup>13</sup> but it does not contain evidence of commitment delivery.	Yellow
The government provided the public with some information on the action plan during the implementation period through the publication of a self-assessment report. On 30 November 2022, the government presented the report to the newly formed multistakeholder forum.	Yellow

<sup>11</sup> “IRM Action Plan Review: Albania 2020–2022,” Open Government Partnership, 29 July 2021, <https://www.opengovpartnership.org/documents/albania-action-plan-review-2020-2022>.

<sup>12</sup> Notes on IRM interview and correspondence with civil society stakeholders:

- Two stakeholders said they were involved in the co-creation of the upcoming action plan: Rovena Sulstarova (Institute for Democracy and Mediation), email correspondence with IRM researcher, 8 March 2023; Eda Nocka (Qendra ALTRI), email correspondence with IRM researcher, 13 March 2023.
- A stakeholder said their involvement was limited: Juljana Hoxha (Partners Albania), email correspondence with IRM researcher, 16 March 2023.
- A stakeholder said they were not involved in the OGP process: Geri Shella (Center for Public Information Issues – INFOCIP), email correspondence with IRM researcher, 9 November 2022.
- IRM reached out to other stakeholders but did not receive any response, including Co-PLAN Institute for Habitat Development, Roma Active, Institute for Development, Research, and Alternatives (IDRA), ICC Albania, Child Rights Centre Albania (CRCA), European Movement Albania (EM-AL), Cooperation and Development Institute (CDI), and Albania Helsinki Committee. Emails sent to Open Society Foundation (OSF) Albania and National Democratic Institute (NDI) were not delivered due to server error.

<sup>13</sup> Institute for Democracy and Mediation, comment provided to IRM during report pre-publication, 27 July 2023.

<sup>14</sup> “Urdher Nr. 145, Datë 20.12.2021 per Ngritjen dhe Funkcionimin e Komitetit Shumëpalësh mbi Partneritetin për Qeverisjen të Hapur,” [Prime Minister’s Order No. 145 Dated 20 December 2021 on the Establishment and Functioning of the Multilateral Committee for Open Government Partnership], OGP Albania, 20 December 2021, [https://ogp.gov.al/uploads/2022/12/UKM\\_Nr\\_145\\_Dt\\_20\\_12\\_2021.pdf](https://ogp.gov.al/uploads/2022/12/UKM_Nr_145_Dt_20_12_2021.pdf).

<sup>15</sup> Emerlinda Pema (Ministry of State for Standards and Services), interview by IRM researcher, 22 December 2022; “Urdher Nr. 177, Datë 28.10.2022 per Disa Ndryshime ne Urdhrin Nr. 145, Datë 20.12.2021, te Kryeministrit Ngritjen dhe Funkcionimin e Komitetit Shumëpalësh mbi Partneritetin për Qeverisjen të Hapur,” [Prime Minister’s Order No. 177 Dated 28 October 2022 on Changes to Order No. 145 Dated 20 December 2021 on the Establishment and Functioning of the Multilateral Committee for Open Government Partnership], OGP Albania, 28 October 2022, [https://ogp.gov.al/uploads/2022/12/UKM\\_Nr\\_177\\_Dt\\_28\\_1\\_2022.pdf](https://ogp.gov.al/uploads/2022/12/UKM_Nr_177_Dt_28_1_2022.pdf).

<sup>16</sup> “Takimi i komitetit shumë-palësh mbi partneritetin për qeverisjen e hapur, Ajgenda,” [Meeting agenda of Multilateral Committee for Open Government Partnership] OGP Albania, 11 November 2021, <https://ogp.gov.al/uploads/2022/12/Ajgenda.pdf>.

<sup>17</sup> Minutes of the meeting is available in Albanian. See: “Mbledhje e Këshillit Kombëtar për Shoqërinë Civile,” [Meeting of the National Council for Civil Society], OGP Albania, 15 November 2022 [https://ogp.gov.al/uploads/2022/12/KKSHC\\_15112022.pdf](https://ogp.gov.al/uploads/2022/12/KKSHC_15112022.pdf).

<sup>18</sup> Pema, interview; “Takimi i komitetit shumë-palësh mbi partneritetin për qeverisjen e hapur, Ajgenda,” [Meeting agenda of Multilateral Committee for Open Government Partnership], OGP Albania, 30 November 2021, <https://ogp.gov.al/uploads/2022/12/Ajgenda%20Mbledhjes%20Komiteti%20OGP%2030.11.2022%20Shqip.pdf>.

<sup>9</sup> Emerlinda Pema (Ministry of State for Standards and Services), email correspondence with IRM researcher, 30 May 2023.

<sup>10</sup> Juljana Hoxha, email correspondence; Nocka, email correspondence; Sulstarova, email correspondence.

<sup>11</sup> “IRM Action Plan Review: Albania 2020–2022,” Open Government Partnership.

<sup>12</sup> Please note that future IRM assessment will focus on compliance with the updated OGP Co-Creation and Participation Standards that came into effect on 1 January 2022. See: “OGP Participation and Co-Creation Standards,” Open Government Partnership, 24 November 2021, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards>.

<sup>13</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 5 December 2022, <https://www.opengovpartnership.org/documents/albania-end-of-term-self-assessment-report-2020-2022>.

## Section IV. Methodology and IRM Indicators

This report supports members’ accountability and learning through assessment of (i) the level of completion for commitments’ implementation, (ii) early results for commitments with a high level of completion identified as promising or that yielded significant results through implementation, and (iii) participation and co-creation practices throughout the action plan cycle. The IRM commenced the research process after the first year of implementation of the action plan with the development of a research plan, preliminary desk research, and verification of evidence provided in the country’s OGP repository.<sup>1</sup>

In 2022, OGP launched a consultation process to co-create a new strategy for 2023–2028.<sup>2</sup> The IRM will revisit its products, process, and indicators once the strategy co-creation is complete. Until then, Results Reports continue to assess the same indicators as previous IRM reports:

### Completion

The IRM assesses the level of completion for each commitment in the action plan, including commitments clustered in the Action Plan Review.<sup>3</sup> The level of completion for all commitments is assessed as one of the following:

- *No evidence available*
- *Not started*
- *Limited*
- *Substantial*
- *Complete*

### Did It Open Government?

The IRM assesses changes to government practices that are relevant to OGP values, as defined in the OGP Articles of Governance, under the “Did it open government?” indicator.<sup>4</sup> To assess evidence of early results, the IRM refers to commitments or clusters identified as promising in the Action Plan Review as a starting point. The IRM also takes into account commitments or clusters with a high level of completion that may not have been determined as “promising” but that, as implemented, yielded significant results. For commitments that are clustered, the assessment of “Did it open government?” is conducted at the cluster level, rather than the individual commitment level. Commitments or clusters without sufficient evidence of early results at the time of assessment are designated as “no early results to report yet.” For commitments or clusters with evidence of early results, the IRM assesses “Did it open government?” as one of the following:

- *Marginal:* Some change, but minor in terms of its effect on level of openness
- *Major:* A step forward for government openness in the relevant policy area but remains limited in scope or scale
- *Outstanding:* A reform that has transformed “business as usual” in the relevant policy area by opening government

This report was prepared by the IRM in collaboration with Liljana Cvetanoska and was reviewed by IRM external experts Ernesto Velasco Sánchez and Brendan Halloran. The IRM methodology, quality of IRM products, and review process are overseen by the IRM’s International Experts Panel (IEP). The current IEP membership includes:

- Snjezana Bokulic
- Cesar Cruz-Rubio
- Mary Francoli
- Maha Jweied
- Rocio Moreno Lopez

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual<sup>5</sup> and in Albania’s Action Plan Review 2020–2022. For more information, refer to the “IRM Overview” section of the OGP website.<sup>6</sup> A glossary on IRM and OGP terms is available on the OGP website.<sup>7</sup>

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<sup>1</sup> See: “Repository,” OGP Albania, accessed 30 January 2023, <https://ogp.gov.al/en/faqe/plani-kombetar-i-veprimit-2022-2024>.

<sup>2</sup> See: “Creating OGP’s future together: Strategic Planning 2023–2028,” Open Government Partnership, accessed 19 June 2023, <https://www.opengovpartnership.org/creating-ogps-future-together>.

<sup>3</sup> The IRM clusters commitments that share a common policy objective during the Action Plan Review process. In these instances, the IRM assesses “potential for results” and “Did it open government?” at the cluster level. The level of completion is assessed at the commitment level. For more information on how the IRM clusters commitments, see Section IV on Methodology and IRM Indicators of the Action Plan Review.

<sup>4</sup> See: “Open Government Partnership Articles of Governance,” Open Government Partnership, 17 June 2019, [https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP\\_Articles-of-Governance\\_2019.pdf](https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP_Articles-of-Governance_2019.pdf).

<sup>5</sup> “IRM Procedures Manual,” Open Government Partnership, 16 September 2017, <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

<sup>6</sup> “IRM Overview,” Open Government Partnership, accessed 19 June 2023, <https://www.opengovpartnership.org/irm-guidance-overview>.

<sup>7</sup> “OGP Glossary,” Open Government Partnership, accessed 19 June 2023, <https://www.opengovpartnership.org/glossary>.



# Annex I. Commitment Data<sup>1</sup>

Commitment 1: Integrity plans	
<ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Substantial</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Completion:</b> Substantial</li> <li>• <b>Did it open government?</b> Marginal</li> </ul>
This commitment is assessed in Section II.	
Commitment 2: Beneficial ownership register	
<ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Substantial</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Completion:</b> Complete</li> <li>• <b>Did it open government?</b> Marginal</li> </ul>
This commitment is assessed in Section II.	
Commitment 3: Provision of interactive electronic public services	
<ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Modest</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Completion:</b> Complete</li> <li>• <b>Did it open government?</b> Marginal</li> </ul>
<p>Under this commitment, the National Agency of Information Society (NAIS) aimed to expand the services offered on the e-Albania portal. The 2018–2020 IRM Transitional Results Report stated that e-Albania offered 1,086 public services by February 2021. Milestone 1 aimed to make 95% of all public service applications digitally available. According to the European Commission (EC), this target was achieved by June 2022 with 1,217 services available online.<sup>2</sup> By December 2022, this figure had increased to 1,227 electronic services.<sup>3</sup></p> <p>Milestone 2 focused on promoting the services available on e-Albania. The government self-assessment report states there are 205 videos, 30 infographics, and 40 explanatory materials<sup>4</sup>. NAIS provided the IRM with evidence of its social media materials promoting the services on Facebook, Instagram, Twitter, and YouTube during the action plan cycle.<sup>5</sup> A statistics report which outlines information such as the number of users, list of available services, and download count of relevant documents is published monthly on the portal. For example, the December 2022 report disclosed that a total of 2,202,709 services had been delivered via the portal by that point.<sup>6</sup></p> <p>This commitment continued and built upon the expansion of public services on the e-Albania portal that started before this action plan cycle. Previously, citizens and businesses could apply for public services exclusively through the portal and public administration employees were required to provide all associated documents. NAIS had also set up a dedicated e-Signed Documents Circulation System for exchanging documents in electronic form and bearing an electronic signature. All governmental data and documents could be used and reused within the administration—relieving citizens of the burden of collecting them physically at state counters.</p> <p>Beginning in March 2022, citizens no longer need to go in-person to state counters to obtain final documents of public services. When applications are submitted through e-Albania, documents will be provided as an e-sealed document or sent to user’s “My Documents” folder</p>	



automatically with an electronic signature.<sup>7</sup>

On 1 May 2022, the government decided on short notice to significantly reduce the number of state counters delivering national administrative services throughout the country. The EC reported that the quick change raised questions over the quality and accessibility of services for citizens with limited digital skills—noting the need for a user-oriented administration.<sup>8</sup> Some businesses also reported technical difficulties with submitting mandatory documents.<sup>9</sup>

The upgrades made to the e-Albania portal have afforded citizens and businesses with better access to public services and could potentially reduce corruption in service delivery over the long term as it simplifies bureaucracy. However, more effort—particularly at the local level—is needed to ensure a smooth transition amid the decision to close state counters. Given that a portion of the work that went into supporting this reform had been done in prior action plans, the IRM assessed this commitment as having marginal impact towards government openness.

According to NAIS, the reforms to the e-Albania portal over numerous action plans has improved access to public services for citizens and business and that the e-Signed Documents Circulation System has led to reduced bureaucracy and waiting times for citizens to receive official documents.<sup>10</sup>

**Commitment 4: Expansion and increased accessibility of the Open Data Portal**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Unclear</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Completion:</b> Limited</li> <li>• <b>Did it open government?</b> No early results to report yet</li> </ul> |
|---|---|

Continuing efforts from the previous action plan, this commitment was aimed at increasing the number of datasets available on the open data portal and promote its use.

The government self-assessment report states 101 datasets were added to the portal by the first half of 2021 and 53 more were added by September 2022.<sup>11</sup> Upon verifying this claim, the IRM found the portal only had 85 datasets overall in March 2023.<sup>12</sup> Not all public institutions publish data on the portal even though this was an indicator in the commitment.<sup>13</sup> The IRM researcher was unable to contact relevant non-government stakeholders for input regarding the utility of these datasets.

The government self-assessment report states that 81.9% of respondents expressed satisfaction in the 2021 online survey.<sup>14</sup> However, this was not in itself an awareness raising activity as expected under milestone 2. The report further states that promotional activities were introduced in 2022 with academia, researchers, and businesses, and that trainings were offered for public administration.<sup>15</sup> However, no evidence was available to verify this information. Therefore, the IRM cannot determine that there have been early results from the publication of datasets or the awareness raising. In their assessment, the EC emphasizes the need of promoting better links between academia, industry, and government stakeholders in the fields of open data and access<sup>16</sup>.

**Commitment 5: Improving the quality of public service delivery at integrated service centers and service counters**

<ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Unclear</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Completion:</b> Substantial</li> <li>• <b>Did it open government?</b> No early results to report yet</li> </ul>
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This commitment aimed to improve the quality of public service delivery by the Agency for the Delivery of Integrated Services Albania (ADISA) especially for marginalized and vulnerable groups. For context, a nationwide survey by the Institute for Development Research and Alternatives (IDRA) prior to commitment implementation found that accessibility of public services had increased from 42% in 2016 to 65% in 2020.<sup>17</sup>

The government has provided evidence to the IRM of general citizen satisfaction surveys at local ADISA centers as well as of waiting times at the centers and on the telephone (milestones 1 and 2).<sup>18</sup> The government provided evidence of two stakeholder meetings which were the same meetings as those conducted during the co-creation process in the development of the commitment, while the government self-assessment states that other focus group meetings were conducted.<sup>19</sup> A 2021 poll on trust in government by the United Nations Development Programme (UNDP) showed that more citizens visited ADISA service centers in 2021 (36.9%) than in 2020 (29.4%) as well as an increased satisfaction level from 73% in 2020 to 76.9% in 2021.<sup>20</sup> Throughout the action plan cycle, ADISA reported they provided assistance for 354,080 citizens to access public services.

Before the switch to online services in May 2022, citizens could apply for services on e-Albania at ADISA integrated service centers. However, the EC noted there were issues with service delivery amid rapid digitalization while citizens at the local level remained with limited access.<sup>21</sup> The Commission underlined additional resources are needed to reduce barriers—such as digital literacy gaps and accessibility features, especially for marginalized and vulnerable populations.<sup>22</sup> As such, it is unclear if the aim of this commitment was achieved.

**Commitment 6: Access to legal aid**

<ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Substantial</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Completion:</b> Limited</li> <li>• <b>Did it open government?</b> Marginal</li> </ul>
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This commitment sought to implement Law No. 111/2017 on Legal Aid Guaranteed by the State by delivering legal aid and mediation services, particularly targeting vulnerable and marginalized groups.

According to the government self-assessment report, milestones 1-3 were completed.<sup>23</sup> The primary and secondary legal aid systems are fully operational, but lack of baseline information makes it difficult to assess any improvements. The government partnered with the UNDP to ensure access to justice for women by way of the Consolidation of the Justice System in Albania (EURALIUS) project.<sup>24</sup> Prime Minister’s Order No. 59, dated 25 March 2019 had already established a directorate for free legal aid,<sup>25</sup> whereas the inter-institutional forum (milestone 4) was not established as planned. This forum would have worked towards ensuring the quality of legal aid and put in place procedures for redress mechanisms—which is difficult given the discrepancies in legal aid data due to lack of common standards and processes.<sup>26</sup>

Albanian legislation on legal aid is largely compliant with the EU standards, although access to free legal aid remains inconsistent in practice.<sup>27</sup> Qendra ALTRI specified four challenges that hamper quality of legal aid.<sup>28</sup> First, there is lack of financing for CSOs from the state budget, which means licensed organizations often seek support from donors. Second, despite the



presence of legal aid offices in 14 cities, citizens from remote areas face barriers to access them due to lack of awareness and inability to afford travel costs. In 2023, the MOJ planned to open six new legal aid offices in Tropoja, Mat, Pukë, Kurbin, Kavajë, and Përmet.<sup>29</sup> Third, extensive documentation requirements affect the satisfaction level of those seeking free legal aid. Fourth, below market rate remuneration for providing free legal aid dissuades more experienced lawyers and therefore affect the quality of services provided.

In relation to financing CSOs, the Ministry of Justice indicated that while law No.111/2017 allows non-profit organizations providing primary legal aid to receive funding from the state budget after a competitive and transparent selection process, the process of financing in 2021 and 2022 resulted without winners.<sup>30</sup> Also, the rules for the selection of authorized non-profit organizations that benefit from funding from the state budget and the method of their financing are defined in a 2019 Decision of the Council of Ministers.

The cooperation between the MOJ and the National Chamber of Mediators improved through awareness raising campaigns regarding mediation. However, the trainings of mediators and the creation of a national electronic database of mediators were not completed.<sup>31</sup>

**Commitment 7: Fully functional Ministry of Justice website**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Modest</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Completion:</b> Limited</li> <li>• <b>Did it open government?</b> Marginal</li> </ul> |
|--|---|

This commitment aimed to revamp the website of the Ministry of Justice to increase access to information on its activities and strengthen cooperation among its subordinate institutions.

The government self-assessment report claims that all seven milestones were completed but offers no supporting evidence.<sup>32</sup> An MOJ official confirmed that the regulation for the organization and functioning of the MOJ was approved by the Prime Minister on 30 March 2022 (milestone 6).<sup>33</sup> Upon comparing the MOJ website from 2023 and before the action plan cycle in 2019, the only difference is a new ‘Legislation’ menu item.<sup>34</sup>

The MOJ provided the IRM with a list of changes undertaken for its website to create opportunities for public participation and interested parties in the public consultation process.<sup>35</sup> Some of these changes did not represent any shift from ongoing practices that predate the action plan, while others showed evidence of new information being published during the cycle—which indicate a marginal improvement in regard to public access to information.

**Commitment 8: Budget transparency**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Unclear</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Completion:</b> Substantial</li> <li>• <b>Did it open government?</b> Marginal</li> </ul> |
|---|---|

This commitment was aimed at increasing budget transparency by ensuring the provision of timely statistics, improved fiscal risk management, publication of biannual and annual budget execution reports, and involving the public in budgetary processes.

The Ministry of Finance and Economy (MFE) published the 2021 annual budget execution report (milestone 3),<sup>36</sup> annexes detailing fiscal risks for the 2021 and 2022 fiscal years (milestone 2), and the mid-term reports for the years in the action plan cycle (milestone 4).<sup>37</sup> The government also published a 2020 budget hearing calendar (milestone 5).<sup>38</sup> Albania’s Institute



of Statistics provided the IRM with evidence of compiled government national accounts for 2021-2023 (milestone 1).<sup>39</sup> The EC has noted that there is still significant improvement needed to achieve full compliance with European System of Accounts, although there has been progress.<sup>40</sup>

According to the MFE, all budget execution reports are published in accordance with the definitions in the Organic Budget Law and other by-laws in accordance with the recommendations of international experts.<sup>41</sup> The MFE considers the timeliness of these reports to be sufficient,<sup>42</sup> however, the EC noted that more efforts are needed to ensure timely publication of those reports.<sup>43</sup> Overall, this commitment represented a marginal step in improving fiscal transparency.

### Commitment 9: Transparency of revenue

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• <b>Verifiable:</b> Yes</li> <li>• <b>Does it have an open government lens?</b> Yes</li> <li>• <b>Potential for results:</b> Unclear</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Completion:</b> No evidence available</li> <li>• <b>Did it open government?</b> No early results to report yet</li> </ul> |
|---|---|

This commitment sought to ensure compliance of government accounting with the International Public Sector Accounting Standards (IPSAS) and improve asset management by publishing a public sector asset registry.

The government self-assessment report identifies gaps in relevant national legislation. In response, the MFE developed legal acts, accounting standards, accounting instructions, and a business process review.<sup>44</sup> Furthermore, the report states that all central government institutions were implementing assets inventories by way of the Albanian Government Financial Information System, and that the MFE identified materials for developing guidelines and impairment policies, which it plans to draft in cooperation with the World Bank. However, it is unclear if the MFE drafted an inventory methodology.

The IRM was unable to verify the completion of any milestones, as the government self-assessment report had no links to primary sources or other evidence of implementation.<sup>45</sup> The MFE or CSOs involved in this commitment implementation did not provide any further input.

#### <sup>1</sup> Editorial notes:

1. For commitments that are clustered, the assessment of potential for results and “Did it open government?” is conducted at the cluster level, rather than the individual commitment level.
2. Commitments’ short titles may have been edited for brevity. For the complete text of commitments, please see: “Albania Action Plan 2020–2022,” Open Government Partnership, 30 December 2020, <https://www.opengovpartnership.org/documents/albania-action-plan-2020-2022>.
3. For more information on the assessment of the commitments’ design, see: “IRM Action Plan Review: Albania 2020–2022,” Open Government Partnership, 29 July 2021, <https://www.opengovpartnership.org/documents/albania-action-plan-review-2020-2022>.

<sup>2</sup> “Albania Report 2022,” European Commission, 12 October 2022, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-10/Albania%20Report%202022.pdf>, 75.

<sup>3</sup> “Statistics, December 2022,” e-Albania, accessed January 2023, <https://e-albania.al/Pages/Statistics/statistika.pdf>.

<sup>4</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 5 December 2022, <https://www.opengovpartnership.org/documents/albania-end-of-term-self-assessment-report-2020-2022>, 94–95.

<sup>5</sup> National Agency of Information Society, comment provided to IRM during report pre-publication, 7 August 2023. See: “e-Albania - Facebook,” e-Albania, accessed August 2023, <https://www.facebook.com/ealbania>; “e-Albania - Instagram,” e-Albania, accessed August 2023, <https://instagram.com/ealbaniaofficial>; “e-Albania - YouTube,” E-Albania, accessed August 2023, <https://www.youtube.com/@EAlbania-EAlbania>; “e-Albania - Twitter,” e-Albania, accessed August 2023, [https://twitter.com/e\\_albania](https://twitter.com/e_albania).

<sup>6</sup> “Statistics, December 2022,” e-Albania, accessed January 2023.

<sup>7</sup> National Agency of Information Society, comment provided to IRM during report pre-publication, 2 August 2023.

<sup>8</sup> “Albania Report 2022,” European Commission.

<sup>9</sup> “Albania Report 2022,” European Commission.

- <sup>10</sup> National Agency of Information Society, comment provided to IRM during report pre-publication, 2 August 2023.
- <sup>11</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 45.
- <sup>12</sup> “Open Data Albania,” Government of Albania, accessed 7 February 2023, <https://opendata.gov.al>.
- <sup>13</sup> “Albania Action Plan 2020–2022,” Open Government Partnership, 28.
- <sup>14</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.
- <sup>15</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.
- <sup>16</sup> “Albania Report 2022,” European Commission, 97.
- <sup>17</sup> “Citizen-centric service delivery model for Albania: Final assessment,” IDRA Research & Consulting, 25 November 2020, <https://www.adisa.gov.al/wp-content/uploads/2021/06/Final-Assesment-Final-Report.pdf>.
- <sup>18</sup> Ministry of State for Standards and Services, evidence provided to IRM during report pre-publication, 24 August 2023;
- <sup>19</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 124–125.
- <sup>20</sup> “Report of the annual public opinion poll in Albania 'Trust in Governance 2021', 9th edition,” United Nations Development Programme, 19 September 2022, <https://www.undp.org/albania/publications/report-annual-public-opinion-poll-albania-trust-governance-2021-9th-edition>.
- <sup>21</sup> “Albania Report 2022,” European Commission, 11.
- <sup>22</sup> “Albania Report 2022,” European Commission, 37.
- <sup>23</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership.
- <sup>24</sup> See: “Expanding free legal aid services to women and men in Albania,” United Nations Development Programme, accessed August 2023, <https://www.undp.org/albania/projects/expanding-free-legal-aid-services-women-and-men-albania-0>.
- <sup>25</sup> “Urdhër nr. 59, datë 25.03.2019 “Për miratimin e strukturës dhe të organikës së drejtorisë së ndihmës juridike falas,” [Order No. 59, Dated 25 March 2019 on the approval of the structure and organization of the free legal aid directorate], Ministry of Justice, 25 March 2019, <https://www.drejtesia.gov.al/wp-content/uploads/2019/04/Urdher-nr.59-date-25.03.2019-Per-miratimin-e-struktures-dhe-te-organikes-se-Drejtorse-se-Ndihmes-Juridike-Falas.pdf>.
- <sup>26</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 141.
- <sup>27</sup> See: “Roadmap to the EU: Advancing procedural rights in Albania,” Fair Trials, December 2020, <https://www.fairtrials.org/app/uploads/2021/11/Roadmap-to-the-EU-Advancing-procedural-rights-in-Albania.pdf>, 7.
- <sup>28</sup> Eda Nocka (Qendra ALTRI), email correspondence with IRM researcher, 13 March 2023.
- <sup>29</sup> Ministry of Justice, comment provided to IRM during report pre-publication, 2 August 2023.
- <sup>30</sup> Ministry of Justice, comment provided to IRM during public comment period, 3 October 2023.
- <sup>31</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 125.
- <sup>32</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 124–125.
- <sup>33</sup> Elona Hoxha (Ministry of Justice), written correspondence with IRM researcher, 2 May 2023. For the order, see: “Urdhër Nr. 116, Datë 30.03.2022 për Miratimin e Rregullores për Organizimin dhe Funksionimin e Ministrisë së Drejtësisë,” [Order No. 116, Dated 30 March 2022 on the Approval of the Regulation on the Organization and Functions of the Ministry of Justice], Ministry of Justice, 30 March 2022, <https://www.drejtesia.gov.al/wp-content/uploads/2022/04/Rregullorja-e-MD-s%C3%AB.pdf>.
- <sup>34</sup> See: “Ministry of Justice (Web archive 27 November 2019),” Ministry of Justice, accessed August 2023, <https://web.archive.org/web/20191127092835/http://www.drejtesia.gov.al> in comparison to “Ministry of Justice,” Ministry of Justice, accessed August 2023, <https://www.drejtesia.gov.al>.
- <sup>35</sup> Ministry of Justice, comment.
- <sup>36</sup> “Paketa e projektligjit te buxhetit faktik 2021,” [Package of the actual budget 2021], Ministry of Finance and Economy, accessed August 2023, <https://financa.gov.al/paketa-e-projektligjit-te-buxhetit-faktik-2021/>
- <sup>37</sup> “Buxheti në vite,” [Annual budget], Ministry of Finance and Economy, accessed August 2023, <https://financa.gov.al/buxheti-ne-vite>.
- <sup>38</sup> Ministry of State for Standards and Services, evidence provided to IRM during report pre-publication, 24 August 2023; See: “Year 2020,” Ministry of Finance and Economy, accessed August 2023, <https://financa.gov.al/viti-2020-4/>.
- <sup>39</sup> Institute of Statistics, evidence provided to IRM during report pre-publication, 24 August 2023.
- <sup>40</sup> “Albania Report 2022,” European Commission, 65.
- <sup>41</sup> Ministry of Finance and Economy, comment provided to IRM during report pre-publication, 2 August 2023.
- <sup>42</sup> Ministry of Finance and Economy, comment provided to IRM during public comment period, 3 October 2023.
- <sup>43</sup> “Albania Report 2022,” European Commission, 15.
- <sup>44</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 170.
- <sup>45</sup> “Albania End-of-Term Self-Assessment Report 2020–2022,” Open Government Partnership, 170.