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Project Against Corruption in Albania (PACA)



# FINAL NARRATIVE **REPORT**

1 September 2009 - 31 December 2012

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## Project Against Corruption in Albania (PACA)

# FINAL NARRATIVE REPORT

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## ABBREVIATIONS

<b>AASCA</b>	Agency for the Administration of Seized and Confiscated Assets
<b>ACA</b>	Albanian Competition Authority
<b>ACAP</b>	Anti-corruption Action Plan
<b>ACS</b>	Anti-corruption Strategy
<b>AKKP</b>	Agency for Restitution and Compensation of Properties
<b>AKShi</b>	National Agency for an Information Society
<b>ALUIZNI</b>	Agency for Legalization, Urbanization and Integration of Informal Zones and Buildings
<b>AML/CFT</b>	Anti-Money Laundering/Counter-Terrorism Financing
<b>ASP</b>	Albanian State Police
<b>BoA</b>	Bank of Albania
<b>CC</b>	Competition Commission
<b>CoE</b>	Council of Europe
<b>CoM</b>	Council of Ministers
<b>DGPML</b>	Directorate General for Prevention of Money Laundering
<b>DIACA</b>	Department of Internal Administrative Control and Anti-corruption
<b>DNFBPs</b>	Designated Non Financial Businesses and Professions
<b>DPA</b>	Department of Public Administration
<b>ER</b>	Expected Result
<b>EU</b>	European Union
<b>EURALIUS</b>	European Assistance Mission to the Albanian Justice System
<b>FATF</b>	Financial Action Task Force
<b>FSA</b>	Financial Surveillance Authority
<b>GDC</b>	General Directorate of Customs
<b>GDTs</b>	General Directorate of Transport Services
<b>GRECO</b>	Group of States Against Corruption
<b>HCJ</b>	High Council of Justice
<b>HEIs</b>	Higher Education Institutions
<b>HIDAA</b>	High Inspectorate for the Declaration and Audit of Assets
<b>HII</b>	Health Insurance Institute
<b>IDE</b>	Institute for Development of Education
<b>IMWG</b>	Inter-ministerial Working Group responsible for the preparation, drafting and follow-up of the implementation of the Anti-corruption Strategy
<b>IPRO</b>	Immovable Property Registration Office
<b>KNAB</b>	Latvian Bureau for Preventing and Combating Corruption
<b>LPO</b>	Local project Officer
<b>LTA</b>	Long Term Adviser
<b>MoE</b>	Ministry of Education
<b>MoF</b>	Ministry of Finance
<b>MoI</b>	Ministry of Interior
<b>MoJ</b>	Ministry of Justice
<b>MONEYVAL</b>	Council of Europe's Committee of Experts on the Evaluation of Anti money laundering Measures and the Financing of Terrorism
<b>MoU</b>	Memorandum of Understanding
<b>MPWT</b>	Ministry of Public Works and Transportation
<b>NIPE</b>	National Inspectorate for Pre-university Education
<b>OLA</b>	Office of Legal Adviser[s]
<b>OPDAT</b>	US Office of Overseas Prosecutorial Development, Assistance and Training
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>OVI</b>	Objectively Verifiable Indicator
<b>PACA</b>	Project against Corruption in Albania
<b>PEPs</b>	Politically Exposed Persons
<b>PG</b>	Prosecutor General
<b>REds</b>	Regional Education Directorates
<b>SIGMA</b>	Support for Improvement of in Governance and Management
<b>TIPA</b>	Training Institute for Public Administration

# 1 DESCRIPTION

## 1.1 Contact person

Ivan Koedjikov, Head of Action against Crime Department, Information Society and Action against Crime Directorate; Directorate General I - Human Rights and Rule of Law , Council of Europe.

## 1.2 Name of Partners in the Action

Council of Europe and European Union.

## 1.3 Title of the Action

Project against Corruption in Albania (PACA).

## 1.4 Contract number

2009/212-599

## 1.5 Start Date and End Date of the Reporting Period

1 September 2009 – 31 December 2012

## 1.6 Target country:

Albania

## 1.7 Final beneficiaries

The project beneficiaries were:

- Department of Internal Administrative Control and Anti-corruption (DIACA),
- High Inspectorate of Declaration and Audit of Assets (HIDAA);
- Ministry of Education and Science of Albania;
- National Institute for Curricula Development and Teacher Training (now the Institute for Development of Education);
- Ministry of Justice;
- General Prosecutor's Office;
- High Council of Justice;
- School of Magistrates;
- State Police;
- Ministry of Finance – Directorate General for the Prevention of Money Laundering, Agency for the Administration of Seized and Confiscated Assets (AASCA);
- Ministry of Interior – Department for Public Administration (DOPA);
- Training Institute for Public Administration (TIPA).

## 2 EXECUTIVE SUMMARY

The core objective of the joint European Union/Council of Europe Project against Corruption in Albania (PACA) was to contribute to democracy and the rule of law through the prevention and control of corruption. The project was implemented within 40 months (from 1 September 2009 to 31 December 2012) and the total cost of the intervention was 2,130,000,00 Euro.

To address the main concerns with regard to corruption in Albania, the design of the project took into account the Albanian Government Anti-corruption Strategy (2007-2013); the reports of the Council of Europe Group of States against Corruption (GRECO); the reports of the Council of Europe Expert Committee on Money-laundering and Terrorism Financing (MONEYVAL); and the European Partnership commitments for Albania. As a result, the project had a dual approach – it sought to address the priorities identified by the Albanian Government in its policy documents, as well as the concerns formulated in the reports of the relevant international organisations.

Through its interventions, the project addressed the gaps and deficiencies of the existing anti-corruption legislation and policies, enabled improvements of the legal, regulatory and administrative set-up of the key beneficiaries, implemented tailor-made professional training, raised public awareness of corruption and the policies to fight it, and contributed to the prevention of corruption in the education sector.

The project had an outstanding impact on bringing the immunities of elected officials in line with Council of Europe standards and best practice, which involved amending the Constitution of Albania.

More specifically, the project:

- contributed to the preparation of a new Anti-corruption Action Plan and the improvements made to the framework for its implementation, including institutional capacity building;
- produced a wide range of specific policy recommendations based on targeted corruption risk assessments carried out in six different sectors;
- had a major impact on legal reforms, notably in the areas of political party finance and anti-money laundering policy;
- provided extensive assistance to building the capacity of institutions responsible for the detection, investigation, prosecution and adjudication of corruption and economic crime cases, both through written guidelines and intensive training;
- assisted with the incorporation of corruption issues in school curricula and provided important input to new education legislation.

The present report provides a detailed description of the project interventions, assesses the quality of the assistance provided and analyses the project's achievements and its overall impact.

The starting point for the evaluation of quality and impact are the project logical framework and the workplan of activities, which established clear indicators. Given the complexity and variety of the project's fields of intervention, a small number of activities were not suited to measurement by specific indicators; the assessment of their impact is based on the evaluation made by the project team.

The report concludes with recommendations for follow-up action, ranging from improvements in the country's overall anti-corruption policy to specific measures to be undertaken in the different institutions. Last but not least, the report identifies the major challenges the project encountered and the lessons learnt.

## 3 DESCRIPTION OF ACTION

### 3.1 Approach

The activities selected for inclusion in the PACA Workplan were developed from two main sources. The first of these was the priorities identified by the Albanian Government, a notable example being the inclusion of anti-corruption in the education sector as a major component of the project. The second was issues identified and recommendations forwarded by the monitoring mechanisms of the Council of Europe (specifically the Group of States against Corruption - GRECO, and the Council of Europe's Committee of Experts on the Evaluation of Anti-Money Laundering Measures - MONEYVAL) and the European Union (through its regular progress reports on Albania).

### 3.2 Project content

#### 3.2.1 Main project phase (1 September 2009 - 29 February 2012)

The main phase of the project was divided into two main purposes (or objectives), with a number of expected results under each purpose. The expected results and the activities planned to achieve them were as follows.

**Purpose 1: To enhance the implementation of anti-corruption policies and strategies (Anti-corruption Strategy and Action Plan 2007-2013) in line with GRECO and MONEYVAL recommendations and European Partnership commitments**

**Expected Result 1.1: Tools and mechanisms available to ensure the implementation of the anti-corruption strategy and action plan line with GRECO recommendations and good practices**

Expected Result 1.1 was conceived as a strategic overarching objective divided into three parts.

The first of these was research as a source of input into anti-corruption policy: to conduct five risk assessments of selected institutions or areas, in order to determine corruption problems or vulnerabilities to corruption, provide a methodology for conducting such risk assessments to Department of Internal Administrative Control and Anti-corruption - DIACA (Activities 1.1.1-1.1.3), to conduct two public surveys of the anti-corruption situation (Activity 1.1.4), and to review and analyse the results of High Council of Justice/Ministry of Justice inspections of courts to *inter alia* formulate reform recommendations. These activities were a direct means to implement Recommendation iii of the 2002 GRECO First Round Evaluation<sup>1</sup> to '*systematically collect and process in a coherent way data concerning corruption...*', as well as Council of Europe Guiding Principle 18 '*to encourage research on corruption*'.

The second was to provide direct assistance to the Anti-corruption Action Plan: to improve the content of the Action Plan (Activity 1.1.6), *inter alia* by developing policies based on the risk assessments (Activity 1.1.7), and clarify indicators of Action Plan implementation.

The third was to assist the improvement of the mechanism for coordinating implementation of the Action Plan and monitoring its implementation, by providing standardised templates for Action Plan formulation and for reporting on implementation, and providing training to DIACA and ministry contact points (Activities 1.1.9, 1.1.10).

The fourth was to raise public awareness through a yearly conference to monitor progress in implementation of the Anti-corruption Strategy, and to publish international standards, best practices and GRECO evaluation and compliance reports on Albania (Activities 1.1.11-1.1.13).

1 [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round1/GrecoEval1%282002%299\\_Albania\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round1/GrecoEval1%282002%299_Albania_EN.pdf)



## **Expected Result 1.2: Proposals available for more efficient anti-corruption legislation in line with international standards**

This expected result was planned to analyse laws or draft amendments to laws and provide recommendations for changes therein in the following areas:

The regime for immunities of elected officials against criminal prosecution for corruption (Activity 1.2.1). This Activity was intended to assist with the fulfilment of Recommendation xi of the First Round GRECO Evaluation – *'to further consider a reduction in the list of categories of officials covered by immunity and/or to reduce the scope of immunity to a minimum.'*

Regulation and supervision of political party finance and election campaigns (Activity 1.2.2). This Activity was conceived as assistance to implement the recommendations for Albania of the Third Round GRECO Evaluation<sup>2</sup> on Transparency of Financing of Political Parties and Electoral Campaigns.

Criminal liability and incriminations for corruption (Activity 1.2.3). This Activity was expected to assist implementation of the recommendations for Albania of the Third Round GRECO Evaluation on Incriminations.

Regulation of conflicts of interest and declarations of assets of public officials (Activity 1.2.4).

Civil Service Law (Activity 1.2.5).

The compliance of Albanian legislation with the Council of Europe Criminal and Civil Law Conventions on Corruption, Council of Europe Convention on the Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terrorism, and the European Convention on Mutual Assistance in Criminal Matters (Activity 1.2.6).

In addition, Activities 1.1.7-1.1.8 consisted in the provision of a methodology for screening draft or existing legal acts for provisions that might increase the risk of corruption, and providing training to law drafters on its use.

## **Expected Result 1.3: Proposals available to improve legislation and practice and increase the efficiency of the key institutions with regard to the search, seizure and confiscation of proceeds from crime and money laundering and the financing of terrorism**

Expected Result 1.3 envisaged assistance in the following areas:

Review of and recommendations for changes in primary legislation relating to the prevention of anti-money laundering/terrorism financing (the Law on Prevention of Money Laundering and Terrorism Financing, hereinafter 'Anti-money Laundering Law) and (if necessary) on seizure of the proceeds of crime (the Law on Prevention of and Striking at Organised Crime, hereinafter 'Anti-mafia Law') (Activities 1.3.1-1.3.2). These activities were designed to help implementation of the Financial Action Task Force (FATF) Recommendations<sup>3</sup> as identified in the MONEYVAL 4<sup>th</sup> Round Mutual Evaluation Report<sup>4</sup>, and Recommendation ii of the GRECO Second Round Evaluation Report, namely to *"to provide appropriate training to prosecutors ....concerning the use of interim measures and confiscation .....The Albanian authorities should also consider establishing an appropriate apportionment of the burden of proof .....to assist the authorities in identifying corruption proceeds liable to confiscation....."* as well as the Council of Europe Guiding Principle 4<sup>5</sup> – *"to provide appropriate measures for the seizure and deprivation of the proceeds of corruption offences."*

2 [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3%282008%297\\_Albania\\_Two\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3%282008%297_Albania_Two_EN.pdf)

3 <http://www.fatf-gafi.org/topics/fatfrecommendations/documents/internationalstandardsoncombatingmoneylaunderingandthefinancingofterrorismproliferation-thefatfrecommendations.html>

4 [http://www.coe.int/t/dghl/monitoring/moneyval/Evaluations/round4/ALB4\\_MER\\_MONEYVAL%282011%293\\_en.pdf](http://www.coe.int/t/dghl/monitoring/moneyval/Evaluations/round4/ALB4_MER_MONEYVAL%282011%293_en.pdf)

5 <https://wcd.coe.int/ViewDoc.jsp?id=593789&>

Assistance with the development of guidelines and methodologies (and training thereon) for:

- The investigation of economic crime and tracking proceeds of crime through special investigative means (Activity 1.3.3). This activity was planned to assist the implementation of Recommendation i of the GRECO Second Evaluation Report to “develop clear procedures to be used by police officers and prosecutors concerning financial investigations in respect of offenders’ assets... Furthermore, specialisation, resources and training in this area should be increased”.
- The detection of money laundering involving obliged entities (entities that are obliged to report suspicious transactions), including private accountants and auditors (Activity 1.3.4); this was to contribute to the implementation of FATF Recommendations (particularly 16 and 31), and of Recommendation xiii of the GRECO Second Round Evaluation<sup>6</sup> to develop ‘guidelines and training for private accountants and auditors on how to identify signs of corruption and its proceeds as part of their professional activities and to report their findings’.
- Implementation of memoranda of understanding for persons and institutions responsible for reporting suspicious transactions of politically-exposed persons, in order to enable better implementation of the memorandum of understanding between the High Inspectorate for the Declaration and Audit of Assets and the General Department for the Prevention of Money Laundering (Activity 1.3.5). This was expected to contribute to the implementation of Financial Action Task Force (FATF) former Recommendation 6<sup>7</sup> “to detail in sectoral rules as appropriate, the requirements .....on politically exposed persons”.
- International cooperation relating to cross-border confiscation of crime proceeds (Activity 1.3.7).

In addition, training was envisaged for obliged entities on how to develop a risk-based approach and client profiling in order to better detect suspicious transactions (Activity 1.3.6). This activity was expected to contribute to the implementation of FATF former Recommendation 5<sup>8</sup> on the enhancement of AML/CFT implementation, which included providing training to obliged entities to perform Client Due Diligence measures in line with a risk-based approach.

**Expected Result 1.4: Participation of civil society organizations in the promotion and monitoring of the implementation of anticorruption initiatives, and conducting independent periodic and thematic surveys is increased**

Expected Result 1.4 was conceived in order to encourage the engagement of the NGO community in anti-corruption initiatives, and was divided into two parts:

The organisation of events with NGOs to discuss and debate corruption issues and stimulate the generation of reform initiatives (Activity 1.4.1).

Assistance to the creation of a network for coordinating the information exchange and activities in the area of anti-corruption policy (Activity 1.4.2).

**Expected Result 1.5: Human capacities of the of the anti-corruption and law enforcement agencies and the judiciary enhanced to ensure that they efficiently meet their obligations under applicable laws and apply international best practices.**

Expected Result 1.5 was developed with the aim of enhancing the ability of the various agencies involved in fighting corruption in Albania to perform their roles optimally. The following activities were planned:

6 [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round2/GrecoEval2%282004%298\\_Albania\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round2/GrecoEval2%282004%298_Albania_EN.pdf)

7 This recommendation corresponds to Recommendation 12 of the revised FATF Recommendations from 15 February 2012

8 This recommendation corresponds to Recommendation 10 of the revised FATF Recommendations from 15 February 2012

Assist the High Inspectorate for the Declaration and Audit of Assets (HIDAA) through training on administrative investigations on asset declarations and conflict of interest (Activity 1.5.1) and support the organisation of media campaigns on issues relating to prevention and oversight of conflicts of interest (1.5.2).

Support guidelines to improve i) the maintenance, management and/or sharing by HIDAA of public databases, and ii) cooperation of HIDAA with the General Department for the Prevention of Money Laundering (GDPML) and other relevant agencies to ensure efficient exchange of information with their databases in 3 of the following areas: immovable property registration, customs, tax, vehicle registration, Agency for the Legalisation, Urbanisation and Integration of Informal Zones and Buildings (ALUIZNI) (Activity 1.5.3).

Support the School of Magistrates, Police Formation Centre and other relevant training units in the elaboration and implementation of training modules for relevant law enforcement agencies, prosecutors and judges on the investigation of corruption and money laundering and tracking and seizure of proceeds of crime (Activity 1.5.4).

Support School of Magistrates trainers through i) the provision of foreign literature and ii) study visits and trainings on adult training methods.

Training for officials of Agency for the Administration of Seized and Confiscated Assets (ASCA) and other law enforcement officials responsible for seizing and confiscating assets (including customs, tax, prosecutors and judicial police) on i) the investigation of corruption and economic crime offences (including money laundering and terrorism financing) ii) tracking of proceeds of crime, and iii) training of trainers (Activity 1.5.6).

Providing guidelines and training through Training Institute for Public Administration (TIPA) curricula for i) accountants and auditors on identifying signs of corruption and its proceeds, together with relevant professional associations (Activity 1.5.7), and ii) local government officials and trainers on ethics and implementation of the Law on Conflict of Interest.

## **Purpose 2: Contribute to the prevention of corruption in the education sector by improving transparency, accountability and social participation in the education system**

### **Expected Result 2.1: Risk analyses carried out and awareness raised with regard to opportunities of corruption in the education system**

Expected Result 2.1 was conceived as a research basis on which to base appropriate policies to prevent corruption in the education system. It was divided into two key components:

Conducting an assessment to identify corruption risks within the education system (Activity 2.1.1) – including publication and dissemination of the results of the assessment (Activity 2.1.2).

Peer discussion to identify solutions to address the recommendations of the assessment (Activity 2.1.3), together with follow-up to determine the progress made in implementation of the recommendations (Activity 2.1.4).

### **Expected Result 2.2: Mechanisms available to increase integrity and regulate conflicts of interest with regard to the administration of staff in the education system**

Expected Result 2.2 was conceived as more specifically determined assistance, directed at the following three areas:

Assistance to help identify policies to establish criteria and standardised procedures for recruitment, appointment and promotion of teachers and education staff (Activity 2.2.1).

Review of a draft Teachers' Code of Conduct and (as relevant) draft Statute of the Order of Teachers (Activity 2.2.2).

Assistance to the development of policies and legislation (primary and secondary) and guidelines for the licensing, regulation and control of private education institutions including private tutoring (Activity 2.2.3).

### **Expected Result 2.3: Development of anti-corruption education modules for primary and secondary schools**

In addition to the assistance under Expected Results 2.1 and 2.2 targeted at prevention of corruption *within* the education system, Expected Result 2.3 was designed to assist with tools to tackle corruption in general *through* the education system. This was envisaged specifically through the development of anti-corruption modules for inclusion in primary and secondary civics curricula.

#### *3.2.2 Project extension phase (1 March 2012 – 31 December 2012)*

In February 2012 it was agreed to extend the PACA project for an extra ten months, until 31 December 2012. The Purpose of the Extension Workplan was to 'enhance the implementation of the Anti-corruption Strategy for 2007-2013 and Anti-corruption Action Plan for 2011-2013', and was divided into the following six Expected Results.

### **Expected Result 1: Institutions are able to identify corruption-related problems and risks on the basis of PACA Risk Assessment Guide, and institutions develop policies to address previous risk assessment findings and recommendations**

#### **This Expected Result was divided into two parts:**

Provide further assistance to DIACA on how to conduct audits of institutions (risk assessments) by reviewing two existing reports and by training on use of the PACA Risk Assessment Methodology Guide provided during the main phase of the project (Activity 1.1)

Follow-up on the PACA Risk Assessments on Healthcare and Immovable Property, in order to develop policies to implement their recommendations (Activity 1.2).

### **Expected Result 2: Tools are in place for clear recording and reporting of statistics on investigations, prosecutions and court cases of corruption-related cases. Tools provided for streamlining the coordination mechanism for reporting on and monitoring implementation of the fulfilment of the Anti-corruption Strategy is improved**

The main aim of this set of activities was to enable the Albanian authorities to report to the European Commission statistics on criminal proceedings for corruption and other serious economic crime offences, together with information on Albania's track record in individual cases (Activity 2.1). In addition, the provision of assistance to help use existing software tools to improve monitoring implementation of the Anti-corruption Action Plan was envisaged (Activity 2.2).

### **Expected Result 3: Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices; Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices**

This Expected Result was designed to enable further PACA assistance on the implementation of the recommendations of GRECO and MONEYVAL (Activity 3.1), and in addition the recommendations of the European Union through its annual Progress Reports (Activity 3.2). Specifically, actions were envisaged to provide assistance for the following purposes:

To ensure compliance of proposed amendments to the Criminal Code relating to the financing of terrorism with MONEYVAL and FATF recommendations;

To review the Law on Prevention of Money Laundering and Terrorism Financing and Law on Prevention of Terrorism for their compliance with recommendations of the Fourth Round MONEYVAL Mutual Evaluation Report.

To provide recommendations to HIDAA to establish working procedures for the implementation of its Memorandum of Understanding (MoU) with the Immovable Property Office, agreed following PACA assistance during the main phase of the project.

To review the existing MoU on information exchange between HIDAA and the High Council of Justice and provide recommendations for its amendment/updating.

#### **Expected Result 4: Policies which tackle corruption and underpin integrity in the education system are adopted, and tools for tackling corruption through the education system are established**

This Expected Result was envisaged as follow-up to the assistance provided during the main project phase on prevention of corruption within and through the education system. It was divided into two main activities:

Policy advice to implement the recommendations of PACA risk assessments on the education system, including assistance to finalise the Code of Conduct for Teachers (Activity 4.1).

Assistance for the piloting and improvement of the Anti-corruption Curriculum Manual (Activity 4.2).

#### **Expected Result 5: Systems for the submission, processing and follow-up on citizens' complaints concerning corruption are made operational**

The objective of Expected Result 5 was to examine the current legal and institutional framework in place for facilitating and protecting complaints by both citizens and public officials about corruption or other official malpractice – such as hotlines, email complaint links, as well as whistleblower protection – and to make recommendations for reforms where appropriate.

#### **Expected Result 6: Provide recommendations and facilitate discussion of proposals to reform the legal and institutional framework for ensuring access to information**

Expected Result 6 was divided into two parts:

The provision of an assessment of the current legal and institutional framework regulating access to official information.

Organising with NGOs one public event on access to information, with the aim of yielding concrete common policy recommendations for reforms to the access to information regime.

#### **Expected Result 7: Public awareness of corruption issues and government anti-corruption policies raised**

The aim of Expected Result 7 was to assist DIACA and the Inter-ministerial Working Group for Monitoring Implementation of the Anti-corruption Strategy to conduct one activity or campaign to raise public awareness, following DIACA's earlier assistance to the visibility strategy for the Anti-corruption Strategy.

### **3.3 Workplan revisions**

During the implementation of the main phase of the project, the following alterations of the Workplan were approved:

Activity 1.1.4 – Surveys. Following PACA’s initial selection in January 2011 of a proposed service provider to conduct surveys on healthcare and education, DIACA expressed concerns regarding the choice of provider and also the possible timing of surveys in a year when municipal elections were scheduled (May 2011). This activity was therefore not implemented and it was agreed at the November 2011 PACA Steering Committee Meeting that DIACA would provide the project partners with a detailed proposal for the replacement of the activity with assistance to DIACA on the conduct of corruption risk assessments. Although no such proposal was provided, it was subsequently agreed that such assistance would form part of the Workplan for the project extension period.

Activity 1.1.14 – Assistance to the Government’s Anti-corruption Visibility Strategy. Following discussions between the project partners during the summer of 2010, the 2<sup>nd</sup> PACA Steering Committee Meeting in September 2010 approved the addition of a number of activities to assist with increasing the visibility of the Government’s anti-corruption policies. These were in particular the production of three anti-corruption leaflets for public distribution, and the creation of a Council of Ministers anti-corruption website. These activities were included in the Workplan as an additional Activity 1.1.14.

Change in Activity 1.5.1. During the autumn of 2010, PACA was informed by HIDAA that the activities planned under Activity 1.5.1 (training on administrative investigations related to asset declarations and conflict of interest) had effectively already been provided through other donor assistance. It was agreed at the 3<sup>rd</sup> PACA Steering Committee Meeting that this activity would be changed to the organisation of a Study Visit to gain practical experience on how to conduct administrative investigations and share and exchange information with other state institutions and agencies abroad.

### **3.4 Risks and implementation issues**

Concerning general project risks, the main project assumption was that there will be ‘Continuous political will to conduct comprehensive reforms in the anti-corruption field’. Relating to specific activities, this same assumption is elaborated several times, notably for Expected Result 1.1 (‘Political will continues to exist to take effective anti-corruption measures’), Activity 1.1.7 – the development of anti-corruption policies based on PACA risk assessments (‘Political will to incorporate recommendations in relevant anti-corruption policy’), 1.1.9 (‘Political will exists to establish and implement the coordination mechanism [for the Anti-corruption Strategy and Action Plan]’), and 2.1.4 and 2.2.3 – the use of PACA’s education risk assessment and private education assessment to yield policy changes (‘Political will exists to propose and/or approve policy changes’, ‘Political will exists to approve draft legislation/guideline’).

In practice, these assumptions were not entirely fulfilled. With respect to the Anti-corruption Action Plan, it has been impossible to assess the degree of implementation of anti-corruption policy at the end of the project due to the lack of any official reporting on implementation of the 2011-2013 Action Plan. Second, the coordination mechanism for the Strategy and Action Plan, while improved to some extent with project assistance, still remains insufficient to ensure the effective coordination of anti-corruption policy development, implementation and monitoring. PACA did not conduct targeted surveys, following the request for their cancellation forwarded by the main beneficiary. The reason stated by the beneficiary for their cancellation was that their results could have been used for political purposes given that local elections timing overlapped with the timeframe of the surveys timeframe. Moreover, PACA’s assistance to a visibility strategy for anti-corruption policy had not had a visible impact as of the end of the project. While some of PACA’s risk assessment findings have appeared to have some impact, the overall picture of absorption is mixed – in particular in the areas of healthcare and education, and one activity (1.1.5 – to use targeted court inspections to develop reform and training proposals), could not be implemented properly due to a lack of cooperation from the Ministry of Justice.

### 3.5 Collaboration with other projects

PACA made particular efforts to coordinate its activities with other donor projects where overlaps or potential overlaps between project activities were evident, or it was otherwise clear that collaboration would be appropriate. These efforts may be seen in a number of activities, and notably the following:

- SIGMA. PACA met with representatives of SIGMA and GtZ (now GiZ) at a very early stage of the project and agreed that PACA's findings and recommendations on the civil service legal framework would be provided to SIGMA as an input to its own more extensive assistance to civil service reform.
- Euralius. PACA collaborated intensively with the Euralius justice system assistance projects (the European Assistance Mission to the Albanian Justice System - Euralius II) project ended in June 2010 and was followed by the Consolidation of the Albanian Justice System - Euralius III) project from September 2010. From 2010 PACA cooperated with both projects to ensure that its methodology for screening draft laws for corruption risks was integrated into the Law Drafting Manual completed in 2010 with Euralius assistance, and in November 2011 the two projects provided joint training on law drafting and screening. Second, PACA and Euralius III cooperated closely in the provision of assistance to the reform of the immunities of elected officials and judges.
- Organisation for Security and Cooperation in Europe (OSCE). PACA collaborated with the OSCE on two activities. In January 2011 PACA and the OSCE jointly organised and funded a Study Visit for HIDAA at the Latvian Anti-corruption Bureau, and in May-June 2011 the OSCE mediated the distribution of anti-corruption awareness-raising leaflets through projects it financed.
- US Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT). From December 2009 to September 2010 PACA cooperated intensively with OPDAT on the drafting and completion for Albanian prosecutors of a Manual on Investigation of Economic Crime.

In addition to these specific activities, PACA liaised regularly with the above projects and also with the Police Assistance Mission of the European Community to Albania (PAMECA III) during its activities to assist with the drafting of the Anti-corruption Action Plan – both to assist with the 2010 Action Plan in January-February 2010, but in particular through the systematic engagement of all relevant projects in a brainstorming workshop held in December 2010 to elicit input to the new Action Plan for 2011-2013. During the extension phase of the project, PACA's assistance to the generation of statistics on prosecutions of corruption and serious economic crime was conducted in liaison with all relevant assistance projects.



## 4 ASSESSMENT OF THE RESULTS OF THE ACTION

### 4.1 Achievements of the Expected Results (in general)

In general, all of the Expected Results of the project were achieved in terms of the completion of technical assistance itself. Regarding the expected results that concerned the actual impact of technical assistance, the record of achievement is more mixed.

With regard to **Expected Result 1.1** (Tools and mechanisms available to ensure the implementation of the anti-corruption strategy and action plan in line with GRECO recommendations and good practices), PACA provided extensive tools and mechanisms that would enable the Albanian authorities to more effectively ensure the implementation of the Anti-corruption Strategy and Action Plan. Such tools and mechanisms can be found not only in terms of coordination and reporting mechanisms, but also recommendations on and assistance to the substantial content of the Action Plan, where PACA had a radical impact on the drafting of a new three-year Action Plan for 2011-2013, and in addition produced a large number of policy recommendations through the project risk assessments.

However, Activity 1.1.4 (the conduct of surveys of the public on corruption) was not implemented, and Activity 1.1.5 (analysis of High Council of Justice inspections of courts) was implemented on a very limited basis due to the failure of the HCJ or Ministry of Justice to respond to any communication from PACA on the activity.

In addition, the real impact of the activities implemented under Expected Result 1.1 is questionable. While the content of the Anti-corruption Action Plan was improved very significantly as a result of PACA assistance, the mechanism for coordinating its implementation was not. Action Plan formulation and monitoring of implementation is formally coordinated by the Inter-ministerial Working Group. In a number of technical papers PACA highlighted that this Working Group does not have sufficient resources to perform its tasks. Although during the project a Technical Secretariat was established by Prime Ministerial Order, the Secretariat remains an ad hoc occasional gathering of officials from various institutions. At the end of the project the situation regarding reporting on Action Plan implementation was negative.

**Expected Result 1.2** (Proposals available for more efficient anti-corruption legislation in line with international standards) was fully achieved through the provision of a large number of recommendations for changes to existing legislation, most notably on the reform of immunities through constitutional changes, political party financing, the Criminal Code, conflict of interest and asset declaration laws and Civil Service Law. To a very significant extent, this assistance had a direct and positive impact on policy-making, especially in the cases of amendments to political party financing regulations and Constitutional amendments narrowing the scope of immunities of elected officials.

**Expected Result 1.3** (Proposals available to improve legislation and practice and increase the efficiency of the key institutions with regard to the search, seizure and confiscation of proceeds from crime and money laundering and the financing of terrorism), was fully achieved in terms of assistance to legislative amendments provided (primarily to the Anti-money Laundering/ Combating Terrorism Financing legislation), and the provisions of guidelines and training as foreseen under this Expected Result. The Activities also had demonstrable concrete impact in the form of alterations to amendments to the Anti-money Laundering Law and the official endorsement of a manual for prosecutors by the General Prosecutor's Office, and the endorsement/approval of various guidelines by the General Directorate for Prevention of Money Laundering (GDPML).

**Expected Result 1.4** (Participation of civil society organizations in the promotion and monitoring of the implementation of anticorruption initiatives) - while a number of productive events were organised with wide participation of NGOs to discuss corruption and anti-corruption issues, it became clear at an early stage that Activity 1.4.2 - the establishment of an NGO network - was an unrealistic objective in light of the previous efforts to establish such a network in Albania.



Regarding **Expected Result 1.5** (Human capacities of the of the anti-corruption and law enforcement agencies and the judiciary enhanced to ensure that they efficiently meet their obligations under applicable laws and apply international best practices), it can be concluded that it was fully achieved in terms of assistance provided; of particular importance in this respect were the drafting of memoranda of understanding between HIDAA and other key agencies to ensure the exchange of information on the assets of public officials, and a very important training of trainers programme for law enforcement agents and judges on the investigation of corruption and money laundering and on tracking the proceeds of crime. In terms of concrete impact, respectively these two activities led directly to the signing of three memoranda of understanding on information exchange and the endorsement by the School of Magistrates, police and General Prosecutors' Office of the PACA investigation manual that emerged from the training programme.

Concerning **Expected Result 2.1** (Risk analyses carried out and awareness raised with regard to opportunities of corruption in the education system) and Expected Result 2.2 (Mechanisms available to increase integrity and regulate conflicts of interest with regard to the administration of staff in the education system), it should be noted that the implementation of these activities was carried out through two overall risk assessments – one of them on corruption risks and human resources policy in the public education system, and one of them on licensing, regulation and control in the private education system. The Expected Result was fully achieved in terms of the completion of extensive risk assessments, including detailed recommendations for reforms. The impact of the assistance has been reflected through the approval of a Teachers' Code of Ethics, and improvements in provisions regarding the recruitment of teachers in a new Law on Pre-University Education.

**Expected Result 2.3** (Development of anti-corruption education modules for primary and secondary schools) has been fully achieved both in terms of the provision of assistance – with an extensive and inclusive process of drafting and completing a Curriculum Manual on 'Education Against Corruption', and in terms of formal impact, with the Manual distributed to all primary and secondary schools for use in the 2012-2013 school year.

#### **4.2 Achievements as per each Expected Result versus benchmarks up to 28 February 2012 and versus Objectively Verifiable Indicators (OVIs) for the extension period (28 February - 31 December 2012)**

The achievements relating to the project's expected results is assessed below in more details, in terms of the following two sets of indicators:

- i) Objectively-verifiable indicators (OVIs) for each Expected Result – which were also elaborated into more specific OVIs for each activity.
- ii) Additional benchmarks for the main phase of the project (up to February 2012), which were agreed in February 2010. Benchmarks were not included in the Workplan for the Extension Phase, which instead explicitly divided OVIs into 'output' OVIs (essentially, implementation of the activities envisaged) and 'impact' OVIs (indicators of whether the activities led to specific actions by the authorities or had other demonstrable impact).

#### **Expected Result 1.1: Tools and mechanisms available to ensure the implementation of the anti-corruption strategy and action plan in line with GRECO recommendations and good practices**

Expected result 1.1 posited three main objectively verifiable indicators (OVIs), the fulfilment of which is reported below.

*Tools and mechanisms are in place through completion of risk assessments for 6 institutions; templates for reporting on implementation of Action Plan available and staff trained to prepare these reports*

This OVI was fully implemented. Concerning risk assessments, it should be noted that the six risk assessments mentioned include the risk assessments planned under Expected Result 2.1 of the project – namely, a risk assessment of corruption in the education system. For reporting on implementation of the education component, please see the section below on Expected Results 2.1 and 2.2. Under Expected Result 1.1, 5 risk assessments of five other institutions were also envisaged. Five assessments were completed: on the Immovable Property Registration System, the Healthcare System, Complaints against Judges, Allocation of Social Housing, and the Albanian Competition Authority. All of the risk assessments contained detailed findings targeted recommendations, which constitute explicit tools and mechanisms for inclusion in the Anti-corruption Action Plan and/or other sectoral policies. The assessments are therefore a major contribution to better implementation of Recommendation iii of the 2002 GRECO First Round Evaluation to *'systematically collect and process in a coherent way data concerning corruption...'* It should be noted that the risk assessments were preceded by preliminary assessments of the five areas conducted by experts from Albanian NGOs, in order to provide valuable background knowledge for international experts, but also to ensure civil society input into this important exercise. In addition, under Activity 1.1.5 PACA conducted a review of the national system for inspections of courts, which also yielded findings and targeted recommendations. As part of its risk assessment activities, PACA also provided to DIACA a key Risk Assessment Methodology Guide, which outlines how DIACA, other institutions or independent observers can assess conduct and governance risks within institutions. This enables DIACA and other institutions to fulfil Recommendation iii of the 2002 GRECO First Round Evaluation *'to systematically collect and process in a coherent way data concerning corruption, in particular in fields where there are particular corruption problems encountered.'*

Concerning the second part of the OVI, PACA produced a template for Action Plan formulation in early February 2010, which was adjusted slightly in February 2011 (Activity 1.1.9). PACA's initial assistance included clear guidance on how to use the same template for the purpose of reporting on Action Plan fulfilment. On the basis of this assistance, the Inter-ministerial Working Group issued a binding reporting template to line ministries in April 2010 (see Benchmark for Activity 1.1.9). PACA also provided three integrated trainings of line ministry contact points – one in January 2010 and two in June 2010, and eighteen individual meetings with line ministry contact points in January-February 2010 to discuss the content and structure of each ministry action plan. In addition, PACA provided extensive assistance on the structure of the mechanism for coordination of Action Plan formulation and monitoring at the Council of Ministers, in the form of several technical papers and recommendations in 2010 and 2011; these led to changes in the sub-legal framework for Action Plan coordination, and specifically the establishment of a Technical Secretariat to carry out practical coordination tasks. A training was provided to members of the Technical Secretariat in February 2012.

Concerning the individual OVIs for activities relating to this overall OVI, the following bullet points provide information on fulfilment:

- Risk assessments. 4 Risk assessment areas were identified by month 8 as according to the OVI for Activity 1.1.1, and the final area identified by month 13. Preliminary assessments of four risk assessment areas were completed by month 11, and all risk assessments areas were completed by month 16, as per the OVI for Activity 1.1.2. The risk assessments for all five areas were completed by month 22, and the risk assessment methodology provided in month 16, both as per the OVI for Activity 1.1.3. The OVI for Activity 1.1.5 was partially fulfilled through the formulation in July 2010 of recommendations for reforms of the system for inspections of courts.
- Anti-corruption Action Plan Formulation and Implementation Reporting. The Anti-corruption Action Plan was updated – and radically reformulated in 2011 – in line with project recommendations, as per the OVI for 1.1.6. Indicators (in the sense of guidelines for deriving clear indicators, and the presence of clearer indicators in the updated Action Plan) were included/used in the 2011 and 2012 Action Plans, and all 21 of the PACA trainings mentioned above addressed the issue of indicators – as per OVIs for Activity 1.1.8. Templates for formulation and reporting on Action

Plans were provided by the project in 2010 , and were used for the formulation of the 2011-2013 Action Plan, as per the first OVI for Activity 1.1.9. However, as of 31 December 2012 no report had been released on implementation of the 2011 Action Plan, and the project maintained serious doubts about the quality of the interagency coordination mechanism in practice, and in particular the absence of any central structure with permanent staff responsible for anti-corruption policy formulation and monitoring of Action Plan implementation. It may therefore be stated that the second and third OVIs for Activity 1.1.9 were not fulfilled.

#### *Anti-corruption situation surveys available by month 8 and by month 28*

This OVI became irrelevant due to the fact that the relevant activity (1.1.4) was not implemented (see Section 3.3).

#### *Methodology to measure anti-corruption performance available by month 25*

PACA's assistance to the formulation of and reporting on implementation of the Anti-corruption Action Plan was based on the assumption that indicators of anti-corruption performance should be related directly to policies included in the Action Plan. In this sense, PACA's guidelines on Action Plan formulation and reporting, and specifically on how to derive and include in the Action Plan clear indicators to assess the implementation of Action Plan measures, fulfilled this OVI. In addition, under Activity 1.1.3 (completion of risk assessments), PACA also provided a Risk Assessment Methodology Guide, which includes specific guidance on how to assess anti-corruption and governance within institutions through the use of various tools including an institutional questionnaire.

### **4.3 Other activities: publications and visibility strategy**

In addition to assistance with Action Plan and policy formulation and monitoring, PACA also assisted with awareness raising and the development of a Visibility Strategy for the Anti-corruption Strategy. Specifically, as per the Workplan Activities 1.1.12 and 1.1.13, two publications were produced, one compiling relevant international anti-corruption standards, and one compiling all evaluations and compliance reports of GRECO on Albania. These publications were disseminated at all subsequent project events; the OVIs for these two activities were thereby fulfilled.

Concerning the Visibility Strategy, under Activity 1.1.11 a high-level conference was organised in November 2010 to discuss implementation of the Anti-corruption Strategy and Action Plan, thereby fulfilling the OVI for this Activity. Under Activity 1.1.14 (assistance with the development of a Visibility Strategy), three anti-corruption leaflets were produced and disseminated in May-June 2011, fulfilling two of the three OVIs for this activity. The third OVI under this activity – the design of an anti-corruption web portal for the Council of Ministers – was also fulfilled. The project, prepared the website design and trained DIACA staff on how to maintain and update the site. However, it should be noted that the implementation of this Activity was subject to lengthy delays by DIACA, and despite repeated assurances by their representatives at project Steering Committee Meetings that the website would be launched, this had not happened as of 31 December 2012. It should be noted that DIACA had also assured the project that a key recommendation of the project – that individual line ministry reports on their implementation of the Anti-corruption Action Plan are published in addition to the summary report approved for the Inter-ministerial Working Group – would be implemented through publication on the new anti-corruption website. The project therefore ended with serious concerns over whether the website will actually being launched or not.

### **Benchmarks**

For Expected Result 1.1, benchmarks were agreed for five activities, and focused on two main issues – improvements in the structure, content and coordination mechanism for the Anti-corruption Action Plan on the one hand, and on the use of PACA risk assessments to develop sectoral policies to tackle corruption more effectively. The first of these two issues was reflected in the benchmarks for

activities 1.1.6, 1.1.8, 1.1.9 and 1.1.10; in this area, the benchmarks were entirely fulfilled. It should be mentioned, however, that the adoption of templates for reporting by line ministries on their action plans has not been reflected in publication of individual ministry implementation reports, and only one summary report by DIACA – on implementation of the 2010 Action Plan – has been approved since project assistance began. PACA repeatedly expressed reservations about the sufficiency of the summary report and the lack of availability of individual ministry reports. As mentioned above under other activities, as of the end date of the project (31 December 2012), no individual ministry implementation reports had been published.

Month	Activity	Benchmark	Status	Comments
<b>March 2010, January 2011</b>	<b>Activity 1.1.6:</b> Support further development of the Anti-corruption Strategy and its Action Plan (2007-2013) by providing technical support and advice to its monitoring structures (DIACA)	2010 and 2011 Action Plans elaborated, amended and updated taking into account CoE/ PACA comments and recommendations.	Fulfilled	Assistance provided by PACA to line ministries and DIACA in January-February 2010 reflected in a much-improved Action Plan for 2010, taking into account many PACA recommendations. Action Plan for 2011-2013 elaborated with extensive use of PACA assistance, both for structure and content.
<b>October 2011, February 2012</b>	<b>Activity 1.1.7:</b> Assisting DIACA in developing anti-corruption workplans/ policies based on the risk assessments and analyses carried out under Activity 1.1.1, Activity 1.1.2 and Activity 1.1.3	Specific policy proposals/plans approved by relevant beneficiaries on the completion of risk assessments.	Fulfilled to a limited extent	Benchmark regarded as fulfilled for the assessment on Social Housing Allocation, and PACA does not have serious concerns regarding the Albanian Competition Authority; however, the benchmark is not fulfilled significantly for the other three assessments – Complaints Against Judges, Immovable Property Registration, and Healthcare.
<b>January 2011, January 2012</b>	<b>Activity 1.1.8:</b> Support the development of indicators to assess/ measure the implementation of the Anti-corruption Strategy, Action Plan and workplans/ policies developed	Indicators for implementation revised and included in Action Plan for 2011 and Action Plan for 2012	Fulfilled	Improved indicators included in 2011-2013 Action Plan; decision to draft a multi-year Action Plan renders the January 2012 benchmark irrelevant.

Month	Activity	Benchmark	Status	Comments
January 2011	<b>Activity 1.1.9:</b> Assisting DIACA in improving the existing standing interagency coordination mechanism by developing and providing methodologies and standardised templates for public administration institutions on the formulation of anti-corruption action plans (including performance indicators), and reporting on implementation of specific anti-corruption related reforms.	Templates developed, adopted and introduced by the reporting agencies within six months of completion of training events	Fulfilled	Template for formulation used in March 2010 for 2010 AP, adjusted template provided in February 2011 – fulfilled as soon as AP approved.  Binding reporting template issued in April 2010 for reporting by line ministries.
	<b>Activity 1.1.10:</b> Training of the contact points in public administration institutions on the interagency coordination mechanism issues.	Number of trained Contact Points; Number of Institutions that Received Training for their Contact Points; Level of Interagency Coordination	Fulfilled	Training provided to 20 contact points in January 2010, 2 trainings for 25 contact points in June 2010. 18 meetings/trainings in January-February 2010 with contact points from DIACA and all line ministries included in Action Plan.

### **Expected Result 1.2: Proposals available for more efficient anti-corruption legislation in line with international standards**

For Result 1.2, 7 main OVI's were included in the Workplan. These and the individual OVI's elaborated for each activity are reported on below.

#### *Analyses produced for selected areas of anti-corruption regulation*

Under the Expected Result, analyses were produced for five areas: immunities (Activity 1.2.1 - one analysis, one set of recommendations); financing of political parties and election campaigns (Activity 1.2.2 – one analysis with recommendations); incriminations for corruption offences (Activity 1.2.3); conflict of interest and asset declarations (Activity 1.2.4 – two analyses with recommendations for amendments to the two relevant laws); and the Civil Service Law (Activity 1.2.5 – one analysis with recommendations).

#### *Number and quality of legislative proposals produced*

*Number of legislative proposals officially submitted to the Government countersigned by the beneficiary*

Regarding specific legislative proposals formulated and submitted by the project:

- A paragraphed proposal for changes to the Constitution to reform the system of immunities of elected officials, along with changes to the Criminal Procedure Code and Parliamentary Rules of Procedure was provided in September 2011 (Activity 1.2.1); regarding the OVI for this Activity (that relevant recommendations are submitted and included in the revision of the immunities regime by month 25), the Albanian Parliament approved amendments to the Constitution in September 2012 which largely implemented PACA recommendations, although necessary changes to the Criminal Procedure Code had not been initiated as of 31 December 2012. This may be seen as fulfilling the benchmark for this Activity (see below), as well enabling fulfilment of Recommendation xi of the First Round GRECO Evaluation – *'to further consider a reduction in the list of categories of officials covered by immunity and/or to reduce the scope of immunity to a minimum.'*
- Detailed recommendations on reform of regulation of the financing of political parties and election campaigns were provided by the project in June 2010 (Activity 1.2.2) and were almost all used by the authorities in drafting amendments to the Law on Political Parties, passed by Parliament in February 2011. This goes beyond fulfilment of the relevant OVI and benchmark for this activity. This activity contributed fundamentally to the implementation of GRECO recommendations on Transparency of Political Party Financing from its 3<sup>rd</sup> Round Evaluation Report in 2008), and addressed the concerns of the European Commission concerning oversight of political party finances, as identified in the 2009 Progress Report.
- Recommendations were provided in April 2010 for limited alterations to draft amendments to the Criminal Code in order to secure full implementation of GRECO recommendations regarding incriminations for corruption offences (Activity 1.2.3). The amendments were passed in February 2011, fully taking into account the recommendations – thereby again going beyond fulfilment of the relevant OVI and benchmark.
- Recommendations were formulated in July-August 2010 relating to unofficial draft amendments to the Conflict of Interest Law and Asset Declarations Law (Activity 1.2.4). An official draft law was never submitted to PACA for comment, but the project submitted comments on the draft approved by the Council of Ministers in July 2012. While the amendments are in line with PACA recommendations in certain respects, in general they do not address key project recommendations and go against one key recommendation (see benchmark table below). The relevant OVI and benchmark were therefore only partially fulfilled.
- An opinion on the Albanian Civil Service Law, together with the Law on Rules of Ethics in Public Administration, was provided in April 2010 – fulfilling the OVI for this activity (legal opinion to be provided by month 15). In the first example of cooperation with other technical assistance projects, the opinion was provided to SIGMA, which was working with (then) GtZ at the Department of Public Administration on civil service reform, on the understanding that SIGMA would incorporate PACA findings and recommendations into its own recommendations. The activity benchmark – that the Ministry of Interior would include concrete legislative proposals taking into account PACA recommendations – was partly fulfilled through the approval of a Prime Ministerial Order restricting the use of short-term civil service contracts, and the circulation in July 2011 by the Department of Public Administration of a draft proposal for amendments to the Civil Service Law, which took into account several project recommendations. However, as of the end of the project the fate of this draft was still unknown.

*Compliance matrix for legislation available by month 12*

In October 2011 PACA completed a compliance matrix of the compliance of Albanian legislation with the Council of Europe Criminal and Civil Law Conventions on Corruption, Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on



the Financing of Terrorism; European Convention on Mutual Assistance in Criminal Matters, thereby fulfilling the OVI for this activity with a delay of 1-2 months.

#### *5 workshops by month 30*

Under the activities implemented for Expected Result 1.2, PACA organised 5 workshops as envisaged by the Workplan OVIs – 2 for immunities (Activity 1.2.1), 2 for regulation of political party/election campaign finance (Activity 1.2.2), and one workshop on the screening of legislation for corruption risks (Activity 1.2.7) – thereby fulfilling the individual OVIs for these activities

#### *3 training events by month 16*

Under Activity 1.2.4, PACA provided a one-day training to the Central Election Commission on the implementation of its responsibilities of supervision of political party and election campaign financing under the amended Political Parties Law. Although two trainings were envisaged, it was agreed with the CEC to provide a single, large scale training covering all topics and themes foreseen.

#### *Methodology and training provided on analysis of corruption risks in legislation*

Under Activities 1.2.7 and 1.2.8, PACA provided a methodology - tailored to the Albanian legislative process and included as an annex to the existing Law Drafting Manual – for legal drafters to screen draft laws for provisions that might give rise to risks of corruption or increase corruption risks, and also to better draft legislation that will be 'corruption proof'. In November 2011 PACA provided two days of training on the use of the annex, by which the project regards the OVIs for these two activities as fulfilled. The benchmark for this activity also required that the methodology is used in practice, and PACA was unable to obtain information to confirm this.

### **Benchmarks**

Of the 6 benchmarks set for Expected Result 1.2, three were fulfilled entirely. One was almost entirely fulfilled (for Activity 1.2.7), one (Activity 1.2.1 on immunities) was fulfilled to a very significant extent, while one (on conflict of interest and asset declarations, Activity 1.2.4) was implemented only partially.

<b>Month</b>	<b>Activity</b>	<b>Benchmark</b>	<b>Status</b>	<b>Comments</b>
<b>November 2010</b>	<b>Activity 1.2.3:</b> Provide advice on amendments to relevant legislation in order to comply with recommendations of the Third Round GRECO Evaluation concerning criminal liability and incriminations	Within 6 months of submission of legal opinions, Ministry of Justice includes in its proposed legislative changes or policies specific proposals to comply with GRECO recommendations	Fulfilled – April 2010	Proposals in line with GRECO recommendations when opinion was submitted

Month	Activity	Benchmark	Status	Comments
<b>December 2010</b>	<b>Activity 1.2.4:</b> Provide assistance to HIDAA in the development of proposed amendments to legislation on conflicts of interest and declaration and audit of assets	Within 4 months of submission of legal opinions/technical papers, Ministry of Justice reviews and includes proposed amendments on conflicts of interest and declarations and audit, if any, within its proposed legislative changes or policies	Partially fulfilled	Amendments to Conflict of Interest and Asset Declaration Laws passed by Parliament in October 2012. Amendments to conflict of interest law positive, but do not address several key PACA recommendations. Some amendments to Asset Declarations Law are welcome, but most important one widens circle of officials with declaration obligations, contrary to PACA recommendation.
<b>March 2011</b>	<b>Activity 1.2.2:</b> Provide a review of the legal and institutional framework for regulating and supervising the financing of political parties and elected representatives, including recommendations for amendments to the Law on Political Parties, and the Electoral Code as appropriate, <i>inter alia</i> in the light of Third Round GRECO Evaluation recommendations	After the completion of second workshop a specific proposal to amend the existing/draft new legislation or adopts policy position, taking into account CoE/PACA recommendations, is submitted to Government by DIACA	Fulfilled – November 2010	On 24 November 2010 Council of Ministers approved draft amendments, which with changes made at initial Parliamentary committee meeting (to reverse a mistaken deletion made at MoJ) fulfil all GRECO recommendations regarding legislation, and almost all PACA recommendations.



Month	Activity	Benchmark	Status	Comments
<p><b>March 2011</b></p>	<p><b>Activity 1.2.5:</b> Provide a review of the current Civil Service Law and proposed amendments to it</p>	<p>Within 10 months of submission of legal opinions, Ministry of Interior includes concrete legislative proposals among proposed legislative changes or policies taking into account CoE/PACA recommendations</p>	<p>Fulfilled</p>	<p>PACA opinion was provided to SIGMA in April 2010 for incorporation as part of their more general review of civil service legal and institutional framework</p> <p>Sept 2010 Prime Ministerial Order on Temporary Contracts in line with PACA criticism of temporary contract system.</p> <p>A new draft Civil Service Law completed by Department of Public Administration in July 2011 includes provisions that reflect other key PACA recommendations, notably regarding: the extension of the law to cover groups not covered before (such as police, tax and customs authorities); recruitment (introduction of mass recruitments, abolition of the 'three candidate system', devolution of appointment power from the institution to the specific recruiting unit); and clearer ethics and conflict of interest obligations within the Civil Service Law.</p>

Month	Activity	Benchmark	Status	Comments
June 2011	<b>Activity 1.2.8:</b> Provide a methodology for screening proposed or valid legal acts for provisions that create risks of corruption ('corruption proofing') and assistance on the drafting of guidelines or internal instructions to incorporate corruption proofing into the existing legal drafting manual.	Within 7 months of completion of second workshop, Methodology is incorporated into existing legal drafting guidelines and used by the Government bodies or its working groups when drafting legal acts	Mostly fulfilled – November 2011	Addendum to Law Drafting Manual distributed to legal drafting departments for inclusion in Legal Drafting Manual, and training on Addendum provided. PACA was unable to obtain precise information on whether the methodology is being used in practice.
December 2011	<b>Activity 1.2.1:</b> Review the situation and applicable legislation of Albania and provide a comparative analysis of options for addressing the lifting of immunities and privileges of elected officials in cases of corruption allegations in order to yield recommendations to ensure conformity with international standards and GRECO recommendations	After the completion of second workshop/roundtable, Council of Ministers undertakes its policy position with regard to whether it will include legislative changes or policies as concrete steps in resolving the issue of immunities and privileges	Fulfilled – to a significant extent	Albanian Constitution amended in September 2012, abolishing the immunity of MPs from criminal prosecution. However, changes can not have any practical impact until the Criminal Procedure Code is amended to reflect the changes.

**Expected Result 1.3: Proposals available to improve legislation and practice and increase the efficiency of the key institutions with regard to search, seizure and confiscation of proceeds from crime and money laundering and the financing of terrorism**

The fulfilment of the main OVI for Expected Result is reported below.

*Proposal for rules and regulation on criminal assets available by month 12*

This OVI refers to Activity 1.3.1, which was expected to produce proposals for amendments to the Law on Preventing and Striking at Organised Crime and Trafficking through Preventive Measures against Assets (hereinafter the Anti-mafia Law). In the event, PACA concluded that legal amendments to the Law are not necessary and proposed instead a guideline for serious crimes prosecutors on implementation of the law. This guideline was submitted to the General Prosecutors Office in June 2011. However, the benchmark for this activity (the endorsement/adoption of the Guideline) had not taken place as of December 2012.

### *Study on the consistency of AML/CFT legislation available by month 12*

PACA produced two extensive analyses on the consistency of the Law on Prevention of Money Laundering and Terrorism Financing (hereinafter the AML/CFT Law) with other legal requirements (in particular the Anti-mafia Law) and with international requirements in April 2010. In addition, two assessments of draft amendments to the AML/CFT Law were produced – one in September 2010 which led to the withdrawal of the Law from Parliament for reworking, one in January 2011 of the revised draft which concluded it was in compliance with international obligations, and one in April 2012 on newly drafted amendments. These activities together constitute more than adequate fulfilment of both the OVI and the relevant benchmark

### *Number of legislative proposals approved by beneficiaries and submitted to the Government*

As summarised above, the PACA assessment of draft AML/CFT amendments led to important changes in the law reflecting PACA recommendations. The revised versions were submitted by the Government to Parliament and passed in February 2011.

### *Four sets of guidelines available by month 10*

PACA produced or influenced extensive guidelines under Expected Result 1.3, and in particular:

- A Manual on Investigation of Economic Crime for Prosecutors, endorsed by the General Prosecutor in October 2010
- Six guidelines of the General Department for the Prevention of Money Laundering (GDPML) for entities obliged to report suspicious transactions commented on by PACA, and an extra guideline for accountants and auditors provided by PACA (August 2011)
- A training module for the GDPML on the use of risk-based and client profiling techniques by obliged entities was provided in August 2010
- As already covered under the first OVI above, a proposed guideline for the Serious Crimes Prosecution Office for its activities in implementing the Anti-mafia Law.
- A guideline on the management of Politically Exposed Persons provided to the GDPML in January 2012, together with a review of the Memorandum of Cooperation between the High Inspectorate for the Declaration and Audit of Assets (HIDAA) and the GDPML on Politically Exposed Persons.
- Expert opinions on draft amendments to 2 Instructions of the Ministry of Finance concerning the reporting methods and procedures for the obliged entities under AML/CFT legislation.
- A proposed Manual on International Cooperation in Cross-Border Confiscation of Crime Proceeds only submitted to General Prosecutor's Office on 28 February 2012;

It may be concluded that this OVI was adequately fulfilled.

### *At least 8 training courses carried out by month 30*

Concerning training and similar activities, 8 events took place during the main phase of the project that constituted training or had training components:

- Under Activities 1.3.1 and 1.3.2, two workshops with training components were held in March and October 2010 on the Anti-mafia Law and AML/CFT Law. In addition, a major two-day workshop was held in April 2010 with the GDPML and reporting entities to discuss implementation of the AML/CFT Law.
- Under Activity 1.3.3, in July 2010 a study visit of 12 Albanian prosecutors, police officers, tax and customs' officers and GDPML officials was hosted by the Austrian Federal Bureau of Anti-corruption/Federal Ministry of the Interior in Vienna, and covered the main themes of the Manual on Investigation of Economic Crime. In addition, a 1.5 day training on the manual was provided to prosecutors in October 2010.

- Under Activity 1.3.4, two trainings were provided on the detection of money laundering by accountants and auditors, in July and October 2010. Manual on International Cooperation in Cross-Border Confiscation of Crime Proceeds was finalised by PACA on 28 February 2012 and subsequently endorsed by the General Prosecutor’s Office.
- Under Activity 1.3.5, in March a study visit was hosted by the United Kingdom Financial Services Authority on the management of Politically Exposed Persons, and was attended by 6 officials of the DGPML, HIDAA and Bank of Albania plus two commercial bank compliance officers
- Under Activity 1.3.6, in July 2010 a training was provided to 55 participants from government agencies and private entities on the reporting of suspicious transactions, and was attended by officials from PACA prepared and submitted to the FIU a draft training module on the detection of suspicious transactions (STRs) using risk-based and client profiling techniques.
- Under Activity 1.3.7, in February 2012 a study visit for judges, prosecutors and Ministry of Justice Officials on cross-border confiscation was hosted in Rome by the Italian agencies with a role in prevention and investigation of money laundering and economic crime.

Regarding individual OVIs for each Activity under Expected Result 1.3, it follows from the information provided above that all were fulfilled. In addition, the activities implemented contributed directly to or enabled the authorities to implement a range of relevant international recommendations including:

- Recommendation ii of the GRECO Second Evaluation Report *“to provide appropriate training to prosecutors ....concerning the use of interim measures and confiscation .....The Albanian authorities should also consider establishing an appropriate apportionment of the burden of proof .....to assist the authorities in identifying corruption proceeds liable to confiscation.....”*;
- MONEYVAL recommendations relating to the AML/CFT Law and its implementation, concerning a wide range of issues from the obligations of obliged entities to the clarification of sectoral rules for dealing with Politically Exposed Persons;
- Recommendation i of the GRECO Second Evaluation Report to *‘develop clear procedures to be used by police officers and prosecutors concerning financial investigations in respect of offenders’ assets...’*;
- Recommendation xiii of the GRECO Second Round Evaluation to develop *‘guidelines and training for private accountants and auditors on how to identify signs of corruption and its proceeds as part of their professional activities and to report their findings’*.

## Benchmarks

Of the 7 benchmarks established for Expected Result 1.3, six were fulfilled entirely. One was not fulfilled – the endorsement/approval of a guideline for serious crimes prosecutors on implementation of the Anti-mafia Law.

Month	Activity	Benchmark	Status	Comments
November 2010	<b>Activity 1.3.3:</b> Support the development of guidelines (if necessary including rules of ethical conduct) and tailored methodologies for investigations of economic crime (including corruption) and the tracking of the proceeds from crime, by the use of special investigative means (SIMs)	Within 6 months of completion of training/study visit Guidelines are distributed to all prosecutors and judicial police officers and used in practice	Fulfilled– October 2010	Manual endorsed by Prosecutor General and used in training October 2010

Month	Activity	Benchmark	Status	Comments
<b>December 2010</b>	<b>Activity 1.3.4:</b> Support the development of guidelines on the detection of money laundering (including typologies of operations) involving persons and institutions subject to duties to report suspicious transactions, including private accountants and auditors as provided through MONEYVAL recommendations.	Within 5 months of completion of training Guidelines are adopted by Ministry of Finance and used in practice	Fulfilled	7 guidelines endorsed by GDPML Director and published on website.
<b>December 2010</b>	<b>Activity 1.3.6:</b> Provide training to entities with obligations to report suspicious transactions on the detection of suspicious transactions, with particular emphasis on developing a risk-based approach and client profiling techniques in accordance with the DPML Action Plan	Number of entities' representatives trained  Number of suspicious transactions being identified and reported in comparison with 2008 and 2009 years	Fulfilled	55 representatives of relevant authorities trained, July 2010  Number of suspicious transaction reports increased in both 2010 and 2011
<b>February 2011</b>	<b>Activity 1.3.1:</b> Review the new legislation related to money laundering, financing of terrorism seizure and confiscation of proceeds of crime for its internal consistency and functionality in the light of relevant treaty obligations and Albanian judicial practice in the interpretation of search and seizure of crime proceeds and their procedural provisions.	Within 6 months of completion of second workshop, recommendations from legal opinions/ review report are included within proposed legislative changes or policies of relevant line ministries	Not fulfilled	Guideline for Prosecutors had been expected to be approved by General Prosecutor by February 2012, but this did not happen.
<b>April 2011</b>	<b>Activity 1.3.2:</b> Support the drafting of proposals/regulations on basis of MONEYVAL recommendations and reviews conducted under 1.3.1 to improve the new Law on the Prevention of Money Laundering and its implementation as recommended through the suggested MONEYVAL's progress report action plan	Within 3 months of completion of second workshop proposed legislative changes or policies of relevant line ministries include recommendations from legal opinions	Fulfilled: December 2010	Draft amendments to Law completed by Working group in December 2010 and passed by Parliament in February 2011

Month	Activity	Benchmark	Status	Comments
February 2012	<b>Activity 1.3.5:</b> Support the development of guidelines on the implementation of MOUs for persons and institutions subject to duties to report suspicious transactions and those of the Politically Exposed Persons (PEPs) category when conducting financial and economic crime investigations, to enable improved implementation of the Memorandum of Understanding between HIDAA and the FIU and in line with MONEYVAL recommendations.	Within 5 months of completion of training, Guidelines are adopted by Ministry of Finance Directorate for Prevention of Money Laundering (GDPML) and MOUs are implemented using the guidelines	Fulfilled	Guideline on Management of PEPs approved and published on GDPML website
February 2012	<b>Activity 1.3.7:</b> Support the development of guidelines and methodologies for international cooperation relating to cross border confiscation of crime proceeds with regard to specific criminal proceedings	Within 5 months of completion of second workshop, Guidelines are adopted by the beneficiaries and used in specific cases	Fulfilled	Manual on International Cooperation in Cross-Border Confiscation of Crime Proceeds submitted on 28 February 2012 and subsequently endorsed by the General Prosecutor's Office

**Expected Result 1.4: Participation of civil society organizations in the promotion and monitoring of the implementation of anticorruption initiatives, and conducting independent periodic and thematic surveys is increased**

With regard to the civil society component of the project, PACA's approach was not to treat NGOs as a separate project component but to incorporate such organisations and their representatives/staff into every project activity where this was possible. Thus, many activities in which NGO representatives were intensely involved are not recorded under Expected Result 1.4. This concerns in particular the engagement of NGO experts to write preliminary assessments prior to the PACA risk assessments (see Expected Result 1.1 above), as assistants during the conduct of the risk assessments proper, and as participants in all PACA events where appropriate (for example for to discuss reform of political party finance regulation, the reform of immunities and so on).

The OVI's defined for this expected result were the following, and are reported together due to mutual overlaps:

*Local expertise produces recommendations and consultation for at least 3 legal initiatives by month 18*

The events held under this Expected Result yielded a large number of recommendations in many areas – for example a legal challenge to the Anti-mafia Law launched by the Albanian Helsinki Committee at the time of the event held in April 2010, proposals for policy issues that should be included in the Anti-corruption Action Plan (February 2012), and notably specific proposals for amendments to the legal framework regulating access to official information (see reporting on extension phase). However, in the opinion of the project team such fora can not in isolation be expected to yield formal policy proposals without longer-term work being conducted on each issue; indeed, this was the case for access to information.

#### *10 Public debate activities (fora, seminars, workshops and TV debates) held by month 29.*

From March 2010 to February 2012, eight policy fora were held with NGOs to discuss policy issues or raise awareness of particular anti-corruption policy issues, and also to secure feedback for the project on particularly important policy issues. One event – on access to information - was postponed to the extension phase of the project, and is reported accordingly below. The eight mentioned events were the following:

- March 2010: consultative forum on institutions/areas to be selected for corruption risk analysis, consultative forum on corruption and anti-corruption reforms in the education sector;
- April 2010: forum with the Open Society Foundation for NGOs to discuss the Anti-mafia Law and its implementation;
- December 2010: forum with the Open Society Foundation, Agency for the Support of Civil Society and the Ministry of Finance Directorate for the Prevention of Money Laundering (GDPML) to discuss with and raise awareness among NGOs of the legal requirements relating to the non-profit sector concerning prevention of money laundering and terrorism financing;
- June 2011: forum on the role of NGOs in relation to the Anti-corruption Action Plan of the Albanian Government. This forum was used as an opportunity for representatives of the Inter-ministerial Working Group to present the new Anti-corruption Action Plan (which was being finalised at the time), and to discuss the possibilities of NGO monitoring of Action Plan implementation;
- June 2011: forum on Corruption Risk Assessment Methods and PACA Risk Assessments. On the initiative of various NGO representatives, PACA organised this event to present the findings of some of its risk assessments and also to present to NGOs its Risk Assessment Methodology Guide as a tool they can use to assess institutions or policy areas;
- January 2012: forum on PACA findings and recommendations for the Albanian education system;
- February 2012: forum to discuss the content of the 2011-2013 Anti-corruption Action Plan, which was released in November 2011, and to enable NGOs to provide in one forum feedback on the content of the Action Plan and discuss possible coordination of monitoring of implementation of the Action Plan by NGOs.

#### *2 Events to assist the establishment of the NGO coordination mechanism/network held by month 14.*

Under Activity 1.4.2, in March 2010 a forum of NGOs and donor organizations was held to identify options for cooperation/coordination between NGOs involved in the fight against corruption, following the disintegration of the Albanian Coalition against Corruption (ACAC). The main conclusions of the event were that two forms of general coordination should be pursued: a common Code of Ethics/standards for NGOs willing to subscribe to such a Code; and a loose mechanism for information exchange and - where appropriate - joint statements/policy positions on topical issues. It became clear from the event and from numerous discussions with NGOs that the explicit recreation of an NGO anti-corruption network was unrealistic in light of the history of the coalition. In addition, other PACA events were of relevance to this Activity. First, the December 2010 event on AML/CFT highlighted the need for NGOs to subscribe to common standards of transparency and concluded that non-profit organisations should ensure transparency by having their accounts audited and maintaining updated information on their funding and its sources on their websites. Second, the February 2012 event on the Anti-corruption Action Plan was designed to encourage discussion of cooperation between NGOs in monitoring implementation of the Action Plan.



**Expected Result 1.5: Human capacities of the of the anti-corruption and law enforcement agencies and the judiciary enhanced to ensure that they efficiently meet their obligations under applicable laws and apply international best practices.**

Expected Result 1.5 was focused strongly on training of officials from institutions with responsibilities for preventing, detecting and tackling corruption. The most important training activity under the Expected Result by far was the provision of training to potential trainers from the police, prosecution and judges on the investigation, prosecution and adjudication of corruption and economic crime cases and the tracking of criminal assets (Activity 1.5.4). The OVIs for the Expected Result are reported as follows.

*Number of persons trained*

In total, around 210 officials received training:

- Under Activity 1.5.1, 5 inspectors from HIDAA took part in a Study Visit at the Latvian Bureau for Preventing and Combating Corruption in January 2011.
- Under Activity 1.5.2, 6 members of staff from HIDAA received training in December 2010 on conducting media campaigns, to accompany a Manual produced by PACA on the same subject.
- Under key Activity 1.5.4, 45 police, prosecutors and judges were trained in three sessions during 2011.
- Under Activity 1.5.6, in June 2010 three trainings on the management of seized and confiscated assets were provided. One training was provided to 16 officials of the Agency for Administration of Seized and Confiscated Assets (AASCA), and two other trainings were provided to a total of 31 officials from Joint Investigative Units (JIUs).
- Under Activity 1.5.7, a training workshop on guidelines for accountants and auditors on the identification of signs of corruption was provided in July 2011 to approximately 20 members of professional associations of accountants and auditors plus HIDAA officials.
- Under Activity 1.5.8, 5 trainings of most than 90 local public officials on ethics and conflict of interest were provided - thereby surpassing the requirement of the OVI (3 trainings).

*Physical existence of training plans*

Project activities under Expected Result 1.5 yielded concrete training documents and plans in 4 areas:

- Under Activity 1.5.4, the components of the PACA training documents were included in the training modules of the School of Magistrates (for judges) and prosecutors for use starting in 2012. Training program and set of training materials ('Training Manual for Law Enforcement Agencies, Prosecutor and Judges') were completed by month 28;
- Under Activity 1.5.6, training modules were provided to AASCA and the joint investigative units (JIUs) in July 2010;
- Activity 1.5.7: Guidelines on training of private accountants and auditors were completed in August 2011 and incorporated into curricula of the Training Institute for Public Administration (TIPA) for use on request of the relevant professional associations;
- Activity 1.5.8: the ethics training module used for local public officials was incorporated directly into TIPA curricula for future use.

*Number of trainers trained*

Under Activity 1.5.4, after the first two trainings of 40 police, prosecutors and judges, the 9 best were selected for further training at a third session in Strasbourg, following which they provided training to their peers (one for 20 police officers, one for 14 prosecutors) supervised by PACA.



### Level of satisfaction with the training offered

All training materials were incorporated into relevant training curricula, or commitment was made from trained beneficiaries to use them. The most important component of Expected Result 1.5 in terms of training by far was Activity 1.5.4, the objective of which was to leave behind a high-quality core of certified trainers. The evaluation scores given by participants for the first training (March 2011) was 4.9 out of a highest possible score of 5, and 4.7 for the second training in April 2011. From the information presented above, it follows that all individual OVIs for each activity were fulfilled.

It should be noted that the activities implemented contributed to the implementation of international recommendations as follows. In particular, Activities 1.5.4 and 1.5.6 contributed directly to enabling the implementation of:

- Recommendation iv) of the GRECO First Round Evaluation – *‘that specialised education and training of police, prosecutors and judicial police on corruption (in particular its typologies and the international dimension) and its links to connected crime be arranged’;*
- Recommendation i) of the GRECO Second Evaluation Report to *‘develop clear procedures to be used by police officers and prosecutors concerning financial investigations in respect of offenders’ assets... Furthermore, specialisation, resources and training in this area should be increased.’*

#### 4.4 Other activities: Memoranda of Understanding on Information Exchange

In addition to the activities covered above, the second most important activity under Expected Result 1.5 was Activity 1.5.3, under which PACA drafted Memoranda of Understanding on information exchange between HIDAA and three key agencies that may hold information on the assets of public officials – i) the Immovable Property Registration Office (IPRO), ii) Agency for the Legalisation, Urbanisation and Integration of Informal Zones and Buildings (ALUIZNI), and iii) the General Department for Transport Services (GDTS, the vehicle registration authority). In all three cases, PACA’s assistance led to the signing of MoUs – in December 2011 for ALUIZNI, and in May 2012 for the IPRO and GDTS.

#### Benchmarks

Regarding benchmarks for Expected Result 1.5, all were fulfilled with one partial but important exception. Under Activity 1.5.4, while PACA training module components have been explicitly included in the training plans and modules of the School of Magistrates and of prosecutors, PACA was unable to obtain clear information on whether the Albanian State Police had done the same.

Month	Activity	Benchmark	Status	Comments
January 2011	<b>Activity 1.5.6:</b> Provide training (including training of trainers) for HIDAA inspectors, ASCA officials and other relevant law enforcement officials (including customs and tax officials, prosecutors and judicial police) with responsibilities for seizing/confiscating assets, with regard to investigation of corruption and economic crime offences money laundering/ terrorism financing offences, and tracking proceeds from crime	Within 4 months of completion of training, Training Module is incorporated into TIPA curricula and used	Fulfilled	PACA informed by TIPA that modules are part of TIPA curricula for ASCAA trainings  Law enforcement training module included in School of Magistrates training curricula as part of Activity 1.5.4.

Month	Activity	Benchmark	Status	Comments
<b>March 2011</b>	<b>Activity 1.5.1:</b> Support the elaboration and implementation of training plans (and training materials) on Conflict of Interests and Auditing for HIDAA inspectors and other relevant officers and by training the core group of local trainers.	Within 4 months of completion of training Modules are approved and incorporated into TIPA curricula	N/A	Activity cancelled and replaced by Study Visit, held in January 2011
<b>August 2011</b>	<b>Activity 1.5.7:</b> Provide guidelines and training for private accountants and auditors on how to identify signs of corruption and its proceeds and report such findings, as part of their professional activities through TIPA curricula and training development programme based on agreement between TIPA and relevant professional associations	Within 4 months of completion of training Guidelines are approved, incorporated into TIPA curricula and used in practice	Fulfilled	
<b>September 2011</b>	<b>Activity 1.5.3:</b> Support HIDAA on elaboration of guidelines which will lead to improvement in the maintenance, management and/or sharing of public databases and enhanced cooperation with the FIU and other relevant agencies and/or databases (including international as appropriate) in 3 areas	Within 6 months of completion of working groups, Guidelines are adopted by the relevant agencies and applied in practice	Fulfilled	Memorandum of Understanding between HIDAA and ALUIZNI signed in December 2011. MoUs between HIDAA and IPRO and between HIDAA and the General Department for Transport Services signed 3 May 2012
<b>September 2011</b>	<b>Activity 1.5.8:</b> Provide training to local government officials on ethics and implementation of the Law on Conflict of Interest through TIPA curricula and train the trainer's development programme	Within 3 months of completion of training, Training Manual/Module incorporated into TIPA curricula	Fulfilled	Training modules used for the five trainings conducted in April 2010 were adopted as part of TIPA curricula immediately following trainings.

Month	Activity	Benchmark	Status	Comments
February 2012	<b>Activity 1.5.4:</b> Support the School of Magistrates (SoM), Police Formation Centre (PFC) and other relevant training units in elaboration and implementation of training plans (both in terms of training methods and content) for the law enforcement agencies (including Ministry of Interior Internal Control Service), prosecutors, judges on the investigation of corruption and money laundering and tracking proceeds from crime.	By end of project Training manuals/ modules are adopted for use in future trainings and draft calendar of trainings is prepared	Two-thirds fulfilled	Topics of PACA training are included as activities to be conducted in the (three year) 2012 -2015 Continuous Training Program, and trainings on these topics will be provided each year by the PACA-trained experts Mr Admir Belishta (judge) and Mr Arben Kraja (prosecutor). Training materials consist of the manual and modules provided by the project (PACA). State Police did not provide any information on their training plans.

**Expected Result 2.1: Risk analyses carried out and awareness raised with regard to opportunities of corruption in the education system, and**

**Expected Result 2.2: Mechanisms available to increase integrity and regulate conflicts of interest with regard to the administration of staff in the education system**

Expected Results 2.1 and 2.2 are reported together here due to the fact they were closely intertwined. In particular, the main body of expert analysis provided took the form of two risk assessments: a 'Risk Assessment Of The Albanian Education System (Incorporating Analysis Of The System For The Recruitment, Appointment And Promotion Of Education Teaching Staff In The Compulsory Education System)' (hereinafter the 'main risk assessment') and an 'Assessment Of The Licensing, Regulation And Inspection Of Private Educational Institutions Within Albania' (hereinafter the 'private education assessment'). It should be noted that significant changes in the implementation schedule for this Expected Result occurred. On the one hand, it unexpectedly became necessary in April 2010 to withdraw from the intention to hire experts from UNESCO for Expected Results 2.1 and 2.2, which led to delays in the conduct of the two assessments (the length of these delays is difficult to state precisely as the two assessments covered issues in the Workplan that had different OVI deadlines). On the other hand, assistance on Expected Result 2.3 was brought forward and commenced earlier than expected.

The OVIs for Expected Results 2.1 and 2.2 were fulfilled as follows:

*Results of risk analyses available by month 12*

*Assessment report on recruitment, appointments and promotion by month 10*

The 'main' risk assessment was finalised in April 2011 (month 20), and covered also the OVI relating to the assessment on recruitment, appointments and promotion. In view of the circumstances described above the date for the individual OVI (finalisation of risk assessment report) for Activity 2.1.1 had been changed to month 20, but the general OVI for Expected Result 2.1 remained the same.

Fulfilment of the relevant OVI for Activity 2.1.4 – inclusion by the Ministry of policy recommendations within its own policies by month 30 – was only fulfilled to a limited extent – as is underlined by the record on benchmark fulfilment (see below).

*Publication and dissemination of results by month 22*

In June 2011 (month 22) an NGO forum was held on the results of PACA risk assessments, at which the findings of both education assessments were also presented. Following feedback from the Ministry of Education and Science on the two assessments and mutual discussions through the second half of 2011, a larger stakeholder event was held in January 2012 on the PACA findings and recommendations and Ministry policy reforms. The relevant OVIs for Activities 2.1.2 and 2.2.1 (holding two workshops) were therefore fulfilled.

*Recommendations for improvement available by month 28*

Both of the PACA risk assessments included detailed recommendations, and these were therefore available in months 20 and 22 respectively, ahead of this OVI.

*Follow up report on risks available by month 35*

In February 2012 PACA produced a 'Final Assessment of Use of PACA Recommendations for the Albanian Education System', which provided a breakdown of the degree to which PACA recommendations both from the main risk assessment and the private education risk assessment had been implemented or taken into account by the Ministry of Education/Albanian Government. The OVI for this activity was therefore fulfilled.

*Review of draft Code of Conduct and disciplinary framework for teachers available by month 20*

PACA provided a review of a draft Teachers' Code of Conduct and the framework for its implementation/enforcement in month 13, well ahead of the envisaged OVI deadline. The review recommended radical changes in the philosophy and content of the Code. Following a long delay, the Ministry of Education and Science moved to finalise the Code along the lines of PACA recommendations during the extension phase of the project (see below).

*Policy options for human resources management by month 20*

This issue, again, constituted part of the main risk assessment, and the OVI was therefore fulfilled as the assessment was completed in month 20.

*Legal opinion on legislation/draft legislation and guidelines for quality control and regulating private tutoring available by month 24*

The issue of licensing, accreditation, regulation and control of private education institutions was covered in the private education risk assessment, which was completed in June 2011 (month 22), two months ahead of the schedule envisaged by the individual OVI for Activity 2.2.3. This issue was also pursued further during the extension phase of the project, with assistance on the establishment of a system of inspections for higher education institutions (see below).

**Expected Result 2.3: Development of anti-corruption education modules for primary and secondary schools**

The main OVIs for this Expected Result were the following:

*Anti-corruption training modules available by month 15  
 Modules tested in at least 4 schools by month 29*

The relevant activities was initiated more quickly than originally envisaged under the Workplan OVI's. A framework of concepts for the inclusion of corruption issues in school curricula was completed in June 2010, and an intensive process of teacher engagement took place from September-December 2010 to generate proposed lessons and components for classroom use. This included an opportunity for teachers to test draft lessons over a three-month period before providing feedback. During 2011 the material generated was used to complete the text of a draft Manual, and the Manual was finalised and printed in 2012 and circulated to all schools following a training on its use. PACA regards the OVI's as fulfilled for this Activity, although follow-up will be necessary to ensure that schools are using the Manual in practice.

### **Benchmarks for Expected Results 2.1-2.3**

Concerning benchmarks for the education component of the PACA project, those for Expected Result 2.3 (curriculum manual) were fulfilled. In addition, the benchmark for Activity 2.2.2 (approval of a Code of Conduct) was also fulfilled, although only in November 2012. For the other benchmarks – which relate to the use of PACA recommendations from its two risk assessments, the record on implementation is mixed. Concerning the main risk assessment (to which benchmarks for activities 2.1.4 and 2.2.1 relate), while the new Law on Pre-University Education (drafted during the main phase of the project and later passed during 2012) introduced definite improvements in processes for recruitment and hiring of teachers and principals. PACA only judged one of the 15 recommendations – regarding teachers' salaries - of the main risk assessment to have been fully implemented. Concerning the private education assessment (benchmark 2.2.3), the implementation record at the end of the main phase of the project was weaker, and the final assessment judged that 'major issues remain in need of policy steps, in particular to ensure that procedures for accreditation, licensing and inspection are absolutely clear, and that private education institutions meet their legal and societal obligations, including through effective inspection and enforcement.'

<b>Month</b>	<b>Activity</b>	<b>Benchmark</b>	<b>Status</b>	<b>Comments</b>
<b>January 2011</b>	<b>Activity 2.3.1:</b> Developing a framework of anti-corruption terms, governance and ethics concepts to be included to the existing civic values education programmes	Ministry of Education approves the Framework within 2 months of submission of report	Fulfilled	Institute for Development of Education agreed with framework in September 2010.
<b>October 2011</b>	<b>Activity 2.2.1:</b> Identification of policy options for introducing criteria and standardised procedures for the recruitment, appointments and promotion of teachers and other educational staff	Within 6 months of completion of workshops Ministry of Education includes a specific policy option within its proposed legislative changes or policies	Partially fulfilled	Law on Pre-University Education an important step forward, although issues of concern remain
<b>October 2011</b>	<b>Activity 2.2.2:</b> Providing a review of the draft Code of Conduct for Teachers and as relevant the draft Order of Teachers in the education sector and assessment on disciplinary measures for educational staff.	Within 6 months of completion of workshops, the Draft Code of Conduct (and Order of Teachers as relevant) adopted by Ministry of Education and Science (MoES)	Fulfilled	Code of Conduct approved and distributed to schools in November 2012

Month	Activity	Benchmark	Status	Comments
February 2012	<b>Activity 2.1.4:</b> Peer discussion on identification of recommended actions and possible solutions for policy makers based on the results of the analysis and assessment report	Policy recommendations included by Ministry of Education within its proposed legislative changes or policies	Fulfilled to a limited extent	Main risk assessment: of 15 recommendations: 1 implemented completely, 2 to a significant extent, 2 partially, 2 to a limited extent, 3 not implemented, implementation of 1 recommendation unclear. 4 other recommendations: PACA satisfied with Ministry response or recommendation not crucial.
February 2012	<b>Activity 2.2.3:</b> Elaboration of preventive anti-corruption legislation/ secondary legislation and guidelines for licensing, regulating and controlling private education institutions including private tutoring	Within 6 months of submission of legal opinions Ministry of Education and Science includes specific policies based on legal opinions within its proposed legislative changes or policies	Fulfilled to a very limited extent	Private education assessment: of 12 recommendations, 2 partially implemented, Ministry committed in general to implementation of 8, 2 recommendations not implemented.
February 2012	<b>Activity 2.3.3:</b> Piloting the use of the anti-corruption education module/s	Modules are piloted in 2012 school year	Fulfilled	Final version of Manual distributed to schools by Institution for Development of Education in September 2012.

#### 4.5 Project extension phase (1 March 2012 – 31 December 2012)

**Purpose: To enhance the implementation of the Anti-corruption Strategy for 2007-2013 and Anti-corruption Action Plan for 2011-2013**

**Expected Result 1: Institutions are able to identify corruption-related problems and risks on the basis of PACA Risk Assessment Guide, and institutions develop policies to address previous risk assessment findings and recommendations**

This Expected Result consists of two separate parts: assistance to DIACA to help it conduct high-quality assessments of the institutions it audits (first two OVIs), and assistance to the implementation of selected findings of the risk assessments conducted during the main phase of the project (the second two OVIs).

*Assessment completed  
Workshops/trainings held*

Concerning the first part, the first OVI was fulfilled in October 2012, with an assessment of one DIACA inspection report. Due to time constraints, no workshops or trainings were held; instead, and on DIACA's request, PACA provided a recommended template for DIACA reports, and specifically

institutional audit reports with the objective of identifying corruption and other governance vulnerabilities within institutions. PACA therefore regards the OVIs as fulfilled.

- PACA participates in working group/s tasked to reform the anti-corruption policy in areas where risk assessments were implemented;
- Concrete policy proposals prepared by relevant state institutions for the implementation of risk assessment recommendations;

Regarding the implementation of risk assessment recommendations, the Workplan envisage assistance to i) the Ministry of Health and ii) the Ministry of Justice, specifically to help with the drafting of sub-legal acts the new Law on Immovable Property Registration. For the health sector, an analysis of the regulations on pricing and access to health services was provided, which will enable the authorities to design sub-legal acts on the implementation of the new Health Insurance legislation in such a way as to maximise the transparency of regulations and minimise corruption risks. Concerning immovable property registration, assistance to 3 important sub-legal acts was provided, and in addition PACA provided comments on a draft Code of Ethics for the Immovable Property Registration Office, which was still in the process of finalisation as of December 2012. The first OVI was implemented in the sense of meetings being held between PACA and the counterparts (3 with Ministry of Health, 3 with IPRO/Ministry of Justice Legal Department); the second one was not implemented in the case of the healthcare assistance, since the analysis was only completed in October 2012; in the case of property registration, it was implemented in the sense that sub-legal acts were approved.

**Expected Result 2: Tools are in place for clear recording and reporting of statistics on investigations, prosecutions and court cases of corruption-related cases. Tools provided for streamlining the coordination mechanism for reporting on and monitoring implementation of the fulfilment of the Anti-corruption Strategy is improved**

**For this Expected Result, the following OVIs were agreed:**

**Output:**

*Assessment is completed*

*Recommendations for statistical reporting system are completed*

*Event to disseminate recommendations is held*

*Trainings are provided*

*Assessment of suitability of software tools is completed*

**Impact:**

*Statistical reporting system is officially approved/adopted*

*Reporting on statistics for 2010 is completed*

Concerning the first activity, all OVIs were fulfilled, and in July 2012 the Ministry of Justice submitted to the European Commission integrated statistics on criminal proceedings for corruption and serious economic crime cases from 2009 to 2012, together with information on the track record of individual cases. PACA expressed concerns only regarding the way in which 'track record' cases were selected, as these did not include cases that were clearly of major importance.

It should be noted that the second main activity under this Expected Result was cancelled when it became clear that the use of existing software for Action Plan monitoring would require the contracting of a software provider to adapt the software, which would be contrary to the rules governing the use of project funds.



**Expected Result 3: Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices; Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices**

The following OVIs were established for this Expected Result:

**Output:**

*Review of Criminal Code compliance completed (March 2012)*  
*Review of laws on Prevention of Money Laundering and Terrorism Financing and on Prevention of Terrorism completed (May 2012)*  
*Working meetings held*  
*Recommendations for procedures to implement Memorandum of Understanding are completed*  
*Review of MoU between (High Inspectorate of Declaration and Audit of Assets (HIDAA) and High Council of Justice (HCJ) is completed*

**Impact:**

*Legislative proposals of Ministry of Finance, Ministry of Justice and Council of Ministers prepared and take into account PACA recommendations*  
*Procedures for implementation of MoU are established and functioning*  
*Revised MoU between HIDAA and High Council of Justice is signed*  
*Concrete requests for information submitted by HIDAA*  
*Concrete responses from counterpart (IPRO and HCJ) are provided according to MoUs*

PACA has provided a number of expert opinions on draft legislation in the area of Anti-Money Laundering/Combating Financing of Terrorism (AML/CFT) – this includes comments on the draft amendments to the AML/CFT law (April 2012), comments on the amendments to the Criminal Code with regard to financing of terrorism (February 2012) and comments to the draft Law on Measures against Terrorism Financing (September 2012). All these expert opinions/policy advice papers helped authorities to address concerns as expressed in MONEYVAL 4<sup>th</sup> Round Mutual Evaluation Report. The follow up review of these pieces of legislation shall facilitate the process of abolishing the Step (i) of the MONAYVAL Compliance Enhancing Procedures which Albania has been undergoing since September 2010.

Regarding assistance to memoranda of understanding and their implementation, PACA provided a detailed set of recommendations for the implementation of the MoU between HIDAA and IPRO in September 2012. HIDAA representatives assured the project in November 2012 that these recommendations (which concerned the criteria for selecting property zones for scrutiny of public officials' assets) would be used, but the project has no further information on whether this has happened. In addition, PACA drafted a proposed MoU between HIDAA and the High Council of Justice, which the HCJ approved in November 2012. Therefore, PACA regards all the OVIs for this part of the Activity as fulfilled, with the exception of the last two impact indicators; for these, the project had not received information regarding the HIDAA-IPRO MoU, and the HIDAA-HCJ MoU has not been officially signed as of the project end date although PACA fully expected this to happen given the HCJ's approval of the MoU.



**Expected Result 4: Policies which tackle corruption and underpin integrity in the education system are adopted, and tools for tackling corruption through the education system are established**

This Expected Result included the following OVIs:

**Output:**

*Recommendations on Code of Conduct are completed*  
*Proposed inspection manual/s drafted*  
*Meetings/events held*  
*Final version of curriculum manual is submitted*

**Impact:**

*Code of Conduct is approved*  
*Inspection manuals are approved*  
*Curriculum manual is formally adopted/endorsed by the Ministry of Education*

Regarding assistance to the Code of Conduct, a working group of relevant stakeholders was formed in March 2012. Led by the Institute for Development of Education (IDE), it produced a new draft of the Teachers' Code of Ethics, taking into account PACA recommendations produced during the main phase of the project. Following final comments by PACA, the Code was completed in July 2012 and approved by the Minister of Education in November 2012 – thereby fulfilling the first output and impact OVIs.

Second, the Curriculum Manual was printed in September, following its official endorsement by the Ministry of Education and Science, and was distributed by the IDE to all Regional Education Directorates for provision to all primary and secondary schools in Albania. The last output and impact OVIs were therefore all fulfilled.

Third, the extension phase involved extensive assistance to the establishment of an inspections system for higher education institutions (HEIs). PACA provided three detailed contributions, comprising recommendations for the structure and functioning of the inspections system, and then detailed recommendations for the content of inspection manuals for HEIs. However, on the basis of the information provided during a final stakeholder event held in December 2012, the contours of the inspections system being established do not conform to PACA recommendations, which advocate a system based not just on detecting violations of legal provisions but more broadly on quality assurance. The output and impact OVIs for this activity were therefore not fulfilled, although PACA believes there is a good understanding within the Ministry of PACA's position and that the project findings may be used in reforms to give the Public Agency for Accreditation of Higher Education a clearer inspection (quality assurance) role and ensure its coordination with the new higher education inspection body.

**Expected Result 5: Systems for the submission, processing and follow-up on citizens' complaints concerning corruption are made operational**

The following OVIs were established for this Expected Result:

**Output:**

*Review/assessment completed*  
*Recommendations submitted*

**Impact:**

*System for citizens' complaints operational and PACA recommendations taken into account in policy documents/proposals for amendments to the legal and/or sub-legal framework*

Only the output OVI was implemented for this Result, with the submission to DIACA in September 2012 of an analysis of the current system for facilitating and processing complaints about corruption and malpractice in public administration, and for protecting public officials who make complaints (whistleblowers) from retaliation. The assessment forwarded basic criticisms of the current legal framework and broad recommendations for reform. However, the project had not received any feedback on the assessment by the end of December 2012.

**Expected Result 6: Provide recommendations and facilitate discussion of proposals to reform the legal and institutional framework for ensuring access to information**

This Expected Result established the following OVIs:

**Output:**

*Assessment completed  
Working meetings  
Event held*

**Impact:**

*Legal amendments prepared by the Government and PACA recommendations are taken into account in proposed legal amendments and/or other policies of the government*

The activities to achieve this Expected Result consisted of cooperation with the Open Society Foundation for Albania (OSFA) on assessment of the current Law on Access of Official Documents and recommendations for its amendments. Following 2 working meetings with representatives of OSFA in March 2012, in April 2012 PACA provided an assessment of comments and recommendations on the Law that had already been formulated by OSFA in 2007, and during the same month PACA held its final NGO forum, postponed from the main phase of the project, together with OSFA. The output OVIs for this Expected Result were therefore fulfilled. Concerning impact OVIs, representatives of the Albanian Government stated at the event that the Government is committed to amending the current Law in line with the recommendations forwarded. However, no action had been taken as of 31 December 2012, meaning that this OVI was not fulfilled.

## 5 OVERALL ASSESSMENT OF THE ACTION

In terms of strategic assistance to policy research and coordination, PACA provided the Albanian authorities with extensive policy documents and tools/mechanisms that were sufficient to enable them to improve the prevention and suppression of corruption. Overall, project assistance, *inter alia*, resulted in:

- Completion of risk assessments in six areas and provision of recommendations aimed at strengthening prevention of corruption;
- formulation, and monitoring implementation of, a radically improved Anti-corruption Action Plan;
- improvements in the overall anti-corruption legal framework including here constitutional changes that abolished the immunities for elected officials;
- improvements in implementing the existing legislation (i.e. 'Anti-mafia' and AML/CFT legislation);
- analysis of the current legal and institutional framework to facilitate and regulate complaints about corruption and malpractice of public officials and to protect officials who notify such malpractice;
- capacity building of relevant institutions through provision of specialised trainings to police, prosecutors and judges concerning prosecution and investigation of economic crime and tracking of proceeds;
- provision of recommendations and format/template tables to report on statistics on criminal proceedings and on the track record of individual cases of corruption, organised crime and money laundering;
- provision of the recommendations concerning the education system that has provided the Ministry of Education and Science with a considerable source of knowledge based on international expertise, upon which they shall base the reform policies both in the area of public education (including human resource management) and also in the regulation and oversight of private education.

However, in two main respects concerns are in place over the absorption/use of PACA assistance:

First, serious doubts remain over the overall coordination and monitoring of anti-corruption policy. Although PACA provided extensive assistance concerning not only the structure of the Anti-corruption Action Plan (for example the clarification of indicators of implementation of Action Plan measures) in order to make the coordination task more simple, but also the structure of the coordination mechanism at the Council of Ministers. The situation as of 31 December 2012 was that no report on implementation of the 2011-2013 Action Plan had yet been released. This is compounded by the lack of sufficient transparency in publication of previous implementation reports, which were limited to brief overviews/summaries that do not facilitate real accountability of line ministries for anti-corruption policy implementation. Moreover, that the planned anti-corruption website of the Council of Ministers was still not functional at the end of the project implementation period.

Second, the extent to which specific PACA recommendations for sectoral policies from its risk assessments and other expert policy contributions were taken into account is – at least at this point in time – questionable in some aspects. In certain areas (i.e. immovable property registration and its digitalisation) real progress has been visible. However, doubts are justified in a number of fields of PACA intervention. These include, in particular, the areas of healthcare and education policies and the practical implementation of information exchange between HIDAA and other institutions. In addition, the willingness of the authorities to subject institutions to independent research on corruption – and surveys of users in particular – appear doubtful in light of the failure to conduct surveys as envisaged in the PACA Workplan.

In terms of the two overall purposes of the project, the following OVI's were agreed, and are reported as such here:

**Purpose 1 (To enhance the implementation of anti-corruption policies and strategies (Anti-corruption Strategy and Action Plan 2007-2013) in line with GRECO and MONEYVAL recommendations and European Partnership commitments):**

*Progress in fulfilment of GRECO and MONEYVAL recommendations*

Major progress was made in the fulfilment of GRECO and MONEYVAL recommendations. PACA's assistance to legislation resulted directly in – or contributed directly to - the implementation of a number of such recommendations, notably through amendments to the Political Parties Law (and templates for the Central Election Commission), Criminal Code, Constitution (to restrict immunities), the AML/CFT Law and the Law on Measures against Terrorism Financing. A large number of other activities contributed directly to enable the implementation of other recommendations of both GRECO and MONEYVAL evaluations, as detailed through this report.

*DIACA's capacity to develop, coordinate and supervise anti-corruption policy enhanced*

DIACA's role in the development, coordination and supervision of anti-corruption policy consists in practice of the engagement of one of its members of staff in the Technical Secretariat to the Inter-ministerial Working Group for Monitoring the Implementation of the Anti-corruption Strategy – although in practice this member of staff carries the main workload of coordination. PACA contributed to the development of the skills of this member of staff concerning the structuring of Action Plan measures and indicators and their monitoring, and to an improvement in the overall coordination mechanism by recommending a clearer mandate for the Technical Secretariat. However, the concerns expressed earlier in this report remain over the lack of a proper coordination mechanism remain.

*Increased implementation of the anti-corruption strategy and action plan*

While PACA contributed clearly to a radical improvement in the 2011 – 2013 Anti-corruption Action Plan itself, unfortunately it is impossible to assess the extent to which Action Plan implementation improved. This is partly due to the absence of any proper reporting on implementation of the Action Plan prior to 2010, but mainly due to the fact that no report has been released on implementation of the 2011-2013 Action Plan since its approval in November 2011.

*Legislative proposals or other policy measures agreed with project beneficiaries*

As detailed in this report, a number of very important legislative proposals were drafted as a result of, or with the influence of, PACA assistance. This includes the laws mentioned above but also the Law on Pre-University Education, Teachers' Code of Conduct, adoption of a methodology for screening draft laws for corruption risks, memoranda of understanding on information exchange between HIDAA and four other key institutions, an anti-corruption Curriculum Manual for schools, the initiation of the creation of an inspections system for higher education institutions, guidelines of many different types (from an investigation manual for prosecutors to guidelines for accountants and auditors, and training tools and trained trainers in a number of different institutions).

*Increased prevention measures, reporting, investigation, prosecution and adjudication of corruption and related money laundering offences*

In terms of criminal prosecutions, the available data, provided by the Ministry of Justice do not show any clear trend since 2009. For example, the number of convictions at first instance and at appeal courts for the demanding or solicitation of a bribe by a public official remains broadly similar over time (at around 25). More worrying has been the continuing lack of even a single investigation between 2009-2012 of judges, prosecutors or other officials of the justice system for acceptance of solicitation of a bribe. However, these statistics cannot meaningfully be linked to project assistance over such a short time period. On the contrary, it may be hoped that PACA's assistance in a number

of areas – particularly on the restriction of immunities including of judges, training to the police, prosecution and law enforcement – may be expected to have an impact on such statistics in the future, in the absence of undue interference in investigations and prosecutions.

In the other main area of detection – the oversight by the General Department for the Prevention of Money Laundering – in both 2010 and 2011 the number of suspicious transaction reports filed to the GDPML rose significantly – in particular by 85% from 2010 to 2011, and according to the GDPML the quality of such reporting is incomparably higher than it was previously. This occurred in the period in which PACA was assisting intensively with guidelines and training to improve the capacity of obliged reporting entities to identify such transactions and file reports.

#### *Increased seizure and confiscation of corruption proceeds*

The quantity of funds seized by the State Police on the basis of the criminal act of money laundering has fluctuated since 2009, which was the year of the most funds seized from the years 2009-2011. Moreover, these statistics include funds seized for any predicate act under the AML/CFT law, and may not include any proceeds of corruption at all.

#### **Purpose 2 (Contribute to the prevention of corruption in the education sector by improving transparency, accountability and social participation in the education system):**

##### *New policy framework available for preventing corruption in the education sector*

PACA's risk assessments (the main risk assessment and private education risk assessment) provided the authorities with the basis for a new policy framework for prevention of corruption in the education sector. However, the assistance provided has only translated into actual policies to a limited extent, as detailed by this report.

##### *Risks of corruption in the education sector reduced by the end of the project*

In light of the limited changes in policy, the impact of project assistance on the levels of corruption risk in the education sector cannot be said to have been large at the date of the end of the project; it may be stated that recruitment of teaching staff may be less vulnerable to political interference as a result of provisions in the new Law on Pre-University Education. Beyond this, however, political will for reform does exist within the Ministry of Education, on the basis of which PACA recommendations may be pursued beyond the life of the project.

Last, but not least, PACA deliverables concerning the anti-corruption in education sector were compiled, and publication entitled '*Underpinning Integrity in the Albanian Education System: Compilation of PACA Outputs*' was produced. The publication collates PACA assistance concerning corruption risk assessments in education sector; assessment of system of inspections of Higher Education Institutions; and assistance provided with regard to teachers' code of conduct. The publication summarises the main and most important recommendations in these areas. It is expected to be further used by the authorities in pursuing further reforms, thus also ensuring sustainability of PACA inputs beyond the lifetime of the project.

## 6 CONCLUSIONS

### 6.1 Situation in the sector when the project was launched versus now – concrete changes/reforms supported through project actions

Corruption cannot easily be measured, and least of all in broad terms of 'the level of corruption in a country'. During the lifetime of the project Albania appears to have seen a marked worsening of its ranking in the Transparency International Corruption Perceptions Index (CPI) – from 85<sup>th</sup> in 2009 to 113<sup>th</sup> in 2012 (a fall from 95 only a year before). However, it is not clear what this result means; Albania's actual score in 2011 was 3.1, and in 2012 3.3 as the scoring system changed from a scale of 0-10 (up to 2011) to 0-100 (from 2012). More important, the project does not regard such indices as useful as an accurate indicator of the situation in a country, for a number of methodological reasons that are elaborated *inter alia* in PACA's own Risk Assessment Methodology Guide. Rather, assessments of levels of corruption must be sector or institution specific, and based on well-selected research methods. In this sense, the project does not dispose of any such research that would reliably compare levels of corruption in any particular sector or institution at the beginning and end of the project. Last but not least, even if it did, this would not necessarily demonstrate any effect (whether positive or negative) of project activities, due to time lags between actions and impact, and various other reasons.

For this reason, at the point of the end of the project the only sound criterion for assessing project impact is the existence of policies that have been pursued by the Government of Albania as a result of, or helped by, project assistance. As Section 4 shows, the project has had a very significant impact on anti-corruption policies in Albania, both in a global sense (improvement in the overall policy framework), but also in a number of specific areas.

### 6.2 Major challenges

The policy success stories of the project are, in the main, ones involving changes in written policies, such as the Anti-corruption Action Plan, legislation (i.e. constitutional changes concerning the immunities) or other normative acts (such as sub-legal acts, Code of Ethics, Prime Minister's Orders etc). The main question that remains with such achievements is the extent to which they are being or will be implemented in practice, and proper implementation remains a major challenge for the Government of Albania. One example to illustrate this may be found in the amendments to the Law on Political Parties passed by Albania with assistance from the project, together with templates and guidelines approved by the Central Electoral Commission for reporting by political parties and their auditors. As in any other country, the implementation of these provisions represents a much bigger challenge than approving them on paper.

Second, in the further development and implementation of anti-corruption policy depends on the establishment and consolidation of a coordination mechanism that involves full-time staff or at least enough staff with time allocated explicitly to the task of anti-corruption policy coordination and monitoring. The current situation, in which the task of coordination is entrusted to a Technical Secretariat that is in fact only an group that is composed of staff that already have full-time commitments and that meets *ad hoc*, is not sufficient for this task.

Third, in several areas PACA assistance has only been absorbed/used to a limited extent, if at all. The main areas in which this is the case are the healthcare and education sectors, and a major challenge will be to ensure proper follow-up on PACA's risk assessment findings for these areas.

### 6.3 Lessons learnt

The PACA project was based on a log-frame and Workplan that contained activities covering a wide number of areas, in each of which a substantial number of activities were planned. The strong impression of the project team was that it would be worth considering cutting the number of activities in such a project, in order to be able to focus adequately on those of key importance. For example, concerning Expected Results 3 and 5, this could mean specifically focusing and providing more resources to Activities 1.5.3 (MoUs between HIDAA and other institutions and their implementation) and 1.5.4 (training of trainers in the police, prosecution and judiciary), and perhaps cutting some other activities. Similarly, a smaller number of risk assessments could enable the project team to focus resources on follow-up more effectively.

A strong impression from the PACA assistance is that it is vital to estimate realistically the time needed to conduct activities optimally. For example, the risk assessments of the education system were provided to the highest standard, partly due to the extremely excellent academic level of the consultants and their level of commitment. Anything less than such a level of ability and commitment could have had a substantial impact on the quality of assistance, given the burdens on the project team and tight deadlines.

These considerations also raise a further important point. This is that, where project activities are extensive, there is a need for more project personnel, even where the expert input is provided by external short-term consultants. This is not only due to the increased work of coordination, but crucially due to the substantial on-going work that activities provide to permanent staff. The most obvious example of this is following up systematically on the work of risk assessments.

One other important lesson for the authorities concerns the Anti-corruption Strategy and Action Plan itself. While the elaboration of such policy documents is widely regarded as best practice internationally, the record on implementation of anti-corruption action plans is patchy at best. While this may involve problems of political will, it may also reflect a more basic issue of capacity and prioritisation. In particular, the idea that the 'more comprehensive the better' may not be unequivocally true. The failure of reporting on implementation of the 2011-2013 Action Plan in Albania could, from this point of view, raise the question of whether it would be more sensible to cut down the Action Plan to a few key priorities in order to enable focused implementation.

### 6.4 Evaluation

The evaluation of the project was carried out as foreseen by the Description of Action – i.e. two months before the project was scheduled to finish. At that moment it was unknown whether the extension would be granted, therefore the evaluation took into account the project implementation up to 28 February 2012. The evaluation was carried out by two independent experts, with the objective to "provide an assessment of the overall progress of the project during its implementation against the project's expected results and its activities (as set out in the project document) its impact and its added-value." Specifically, the evaluators were tasked to look at the following parameters: impact; external factors that have influenced the achievement of the project's objectives; project design; the project in the context of programmes or projects of other donors and organisations.

The final evaluation report, released in February 2012, drew the following **conclusions**:

- *PACA has been delivered according to the Workplan; the quality of project management by the team in Albania has been very high, as has been the technical quality of outputs (technical papers, events, trainings).*
- *To judge the impact of any technical assistance project prior to its closure, or even in its immediate aftermath is difficult. The evaluators consider that at this point in time, impact has been greatest on the issue of immunities; while impact is less certain on other outcomes. Potentially, the risk*



*assessments produced in the framework of PACA; the Anti-corruption Strategy and Action Plans; and the trainings stand a good chance of surviving beyond the lifetime of the project.*

- *PACA has been credited by many local stakeholders as having facilitated intra-government and inter-institutional discussions that would not have taken place without outside pressure. This finding provides an argument for the provision/engagement in future technical assistance efforts in Albania.*
- *PACA has also contributed to the improvement of the legal framework in the areas of corruption and money-laundering, both at the level of legislation and at the level of guidance for implementing new legislation.*
- *PACA has, in its risk assessments, either produced original research on sectors prone to corruption, or consolidated, for the first time, existing information into single documents that could serve as baselines for the measurement of progress of specific interventions.*
- *In order to increase the potential for impact and sustainability of outputs, the evaluators recommend a no-cost extension of the project until the end of 2012, which would work on monitoring and coordination of the Anti-corruption Strategy and Action Plan; and on the dissemination of the results of the risk assessments in the various line ministries and institutions, as well as on exploring the parameters that need to be in place to ensure that training is being taken forward by the trainers trained under the programme as well as the institutions in charge of offering training.*
- *Taking PACA as a starting point, but relevant beyond the project, a number of questions regarding the project design should be discussed that have a bearing on future technical assistance efforts. First, at the project level, the impact seems to be weakest where outputs were one-off, individual activities -- arguing against a large number of activities with many stakeholders in favour of more in-depth, sustained engagement with a few key institutions on a more focused set of outputs. Second, PACA serves as an excellent example to consider the usefulness of technical assistance interventions against the background of drifting (at best) political will to implement reform. Third, PACA also provides an opportunity for discussion on the cooperation between the European Commission and the Council of Europe, at HQs and at country-level (between the EUD and the CoE office), and what type of back-up and political support can and should be provided to a technical assistance project working on a subject in a politically sensitive area.*

## 7 VISIBILITY

Through its entire implementation period, the project paid special attention to visibility of its actions. Project news, events, and outputs/deliveries (e.g. expert opinions on legislative and other draft regulations and policy advice papers) are reported on a section of the Council of Europe Economic Crime Cooperation website ([www.coe.int/corruption](http://www.coe.int/corruption)) and the section which is exclusively dedicated to the PACA project ([www.coe.int/paca](http://www.coe.int/paca)).

In addition, PACA regularly produced and disseminated quarterly newsletters with relevant information on the project, its activities and other relevant news. A number of project publications were disseminated throughout the country, such as:

- a compilation of all GRECO evaluations and compliance reports ("Albania in GRECO");
- a compilation of relevant CoE and EU anti-corruption and anti-money laundering treaties and their protocols;
- a compilation of European standards and instruments in the fight against economic crime, corruption and money laundering;
- a Guidebook on Corruption and Financial Crimes Investigation (jointly drafted and published in Albanian and in English with the US Department of Justice Office of Overseas Prosecutorial Development Assistance and Training);
- Addendum to the Legal Drafting Manual ('corruption proofing' methodology);
- Training Manual for Law Enforcement Agencies, Prosecutors and Judges;
- 'Education against Corruption' – manual distributed to 300 primary schools in Albania;
- Compilation of PACA deliverables concerning anti-corruption in education 'Underpinning Integrity in the Albanian Education System: Compilation of PACA Outputs';

As part of PACA's assistance for an anti-corruption visibility strategy for Albania, the project designed, produced and disseminated three sets of approximately 15,000 copies each (45,000 in total) of three leaflets ('*Zero Tolerance to Corruption*', '*Say No to Corruption*' and '*Public Officials at Citizens' Service*') aimed at raising public awareness and interest in anti-corruption policies and mechanisms, with the objective of stimulating support for the government's anti-corruption efforts and increasing civic resistance to corruption.

However, a key package of assistance – design and development of the Government anti-corruption website was less successful story. Despite completion of the technical assistance by PACA, the launching of the website, originally planned for 2011, has been repeatedly postponed by the main beneficiary - DIACA. As noted in the previous sections of this report, the final launching of the website has not taken place by 31 December 2012.

Last but not least, the project ensured the visibility of the EU's contribution at all stages of its activities. All reporting, printing materials and information used and disseminated acknowledge that actions as such have been carried out "with funding from the European Union", and display in an appropriate way the European Union logo.

## 8 RECOMMENDATIONS FOR FUTURE ACTIONS

### 8.1 Recommendations for follow up actions that would build up on PACA achievements

Based on the implementation and impact of the project and challenges remaining as related above, PACA considers that the following actions by the authorities are of key importance:

#### 8.1.1 Overall policy framework and coordination

- Proper research on specific sectors and institutions should be conducted as a proper basis for targeted anti-corruption policy, and specifically:
  - i) to conduct highly-targeted risk assessments of aspects or processes within institutions – for example of the process for determining the inclusion of medicines on the list of medicines that qualify for reimbursement from the Health Insurance budget;
  - ii) to conduct targeted surveys or citizen experience with key public services, implemented by independent professional survey providers;
- The Anti-corruption Action Plan should be reviewed in order to:
  - i) ensure that it remains the key policy document of the Government, while reflecting any action plans submitted to the European Commission;
  - ii) delete any remaining objectives and measures that are not relevant;
  - iii) either scale the Action Plan down to priorities that are *most important*, or alter the timing of Action Plan measures so that they can be realistically implemented.
- To achieve proper institutional coverage of anti-corruption policy:
  - i) Ensure that the High State Audit in particular is engaged and incorporated into the national anti-corruption policy framework.
- To ensure proper coordination of the Anti-corruption Strategy and Action Plan:
  - i) transform DIACA into an anti-corruption bureau whose focus is not on conducting inspections of suspected legal violations, but policy development, coordination and monitoring;
  - ii) encourage independent monitoring by NGOs of the quality and implementation of anti corruption policies.

#### 8.1.2 General anti-corruption mechanisms

- Complete public service reform in order to provide the basis for a merit-based and motivated civil service - as a fundamental necessary condition for preventing corruption.
- Complete the necessary reforms - in particular amendments to the Criminal Procedure Code - to ensure that elected officials (as well as judges) can be prosecuted effectively for corruption and other misconduct in office.
- Implement reforms to ensure that proper systems are in place to facilitate, process and act on complaints about corruption and other wrongdoing within public institutions, and to protect public officials from reprisals for making such public interest disclosures.

- Engage technical assistance to HIDAA to focus on the *practical* implementation of memoranda of cooperation on information exchange between HIDAA and other institution, and more generally to assist with well-targeted and effective audits of declarations of assets and interests by public officials.
- Provide technical assistance to the police, prosecution and judiciary to improve mechanisms to prevent corruption within these institutions – particularly in the case of judges, following the restriction of judicial immunities. In view of the perceived scale of the problem among judges and other law enforcement bodies, consideration should be given to radical solutions such as integrity testing and/or the use of agents provocateurs.
- Ensure that the Central Election Commission improves its implementation of its obligations to supervise political party finances, for example through a full verification of the audit reports of the main political parties following the next Parliamentary elections.

#### 8.1.3 *Sector-specific Policies*

- Complete the digitalisation of the Land Register in all respects (i.e. both historical records and new inputs), and full publication of the register online.
- Ensure the passage of an appropriate sub-legal framework for the implementation of the new Law on Compulsory Health Insurance (in force from 1 March 2013).
- Establish and develop the new system for inspections of higher education institutions in line with PACA recommendations.

## 9 ANNEXES

**Annex 1** – Project Workplan (September 2009 - February 2012 and February 2012- December 2012)

**Annex 2** – List of Technical Papers

**Annex 3** – Inventory List and Act of Acceptance

**Name of the contact person for the Action:** Ivan Koedjikov

**Signature:**



**Location:** Strasbourg

**Date report due:** 30 June 2013

**Date report sent:** 12 June 2013

## ANNEX 1

### PROJECT WORKPLAN (September 2009 – February 2012)

Reference: IPA 2008

Title of the action:	<b>Project against Corruption in Albania (PACA)</b>
Location(s) of the action:	<b>Albania</b>
Name of the Implementing Agency	<b>Council of Europe</b>
Project's Duration	<b>40 months (1 September 2009-31 December 2012)</b>

#### Abbreviations

<b>ASCA</b>	Agency for Administering Seized and Confiscated Assets
<b>ACS</b>	Anti-corruption Strategy
<b>ACAP</b>	Anti-corruption Action Plan
<b>AML/CFT</b>	Anti-Money Laundering and Counter Financing of Terrorism
<b>CoE</b>	Council of Europe
<b>CoM</b>	Council of Ministers
<b>DPA</b>	Department of Public Administration
<b>DGPML</b>	Directorate General for Prevention of Money Laundering
<b>DIACA</b>	Department of Internal Administrative Control and Anti-corruption
<b>EC</b>	European Commission
<b>EU</b>	European Union
<b>FIU</b>	Financial Intelligence Unit
<b>GRECO</b>	The Council of Europe's Group of States against Corruption
<b>HIDAA</b>	High Inspectorate of Declaration of Assets
<b>HCJ</b>	High Council of Justice
<b>LTA</b>	Long Term Adviser
<b>LPO</b>	Local project Officer
<b>MoJ</b>	Ministry of Justice
<b>MoI</b>	Ministry of Interior
<b>MoE</b>	Ministry of Education
<b>MoF</b>	Ministry of Finance
<b>MoU</b>	Memorandum of Understanding
<b>MONEYVAL</b>	The Council of Europe's Committee of Experts on the Evaluation of Anti-money laundering Measures and the Financing of Terrorism.
<b>OLA</b>	Office of Legal Adviser[s]
<b>PEPs</b>	Politically Exposed Persons
<b>PG</b>	Prosecutor General
<b>PACA</b>	Project against Corruption in Albania
<b>PMU</b>	Project Management Unit
<b>SIMs</b>	Special Investigative Means
<b>TIPA</b>	Training Institute for Public Administration
<b>TL</b>	Team Leader

Overall objective	Objectively verifiable indicators (OVIs)	Means of verification	Risks and Assumptions
<p><b>To contribute to democracy and the rule of law through the prevention and control of corruption</b></p>	<ul style="list-style-type: none"> <li>Anti-corruption Strategy (2007-2013) implemented as foreseen by the Action Plans</li> <li>legislation and by-laws reformed in line with project's inputs</li> </ul>	<p>GRECO and MONEYVAL compliance reports EU Progress reports</p>	<p>Continuous political will to conduct comprehensive reforms in the anti-corruption field</p>
<p><b>Purpose 1</b></p>	<p><b>Objectively verifiable indicators (OVIs)</b></p>	<p><b>Means of verification</b></p>	<p><b>Risks and Assumptions</b></p>
<p><b>To enhance the implementation of anti-corruption policies and strategies (Anti-corruption Strategy and Action Plan 2007-2013) in line with GRECO and MONEYVAL recommendations and European Partnership commitments</b></p>	<ul style="list-style-type: none"> <li>Progress in fulfilment of GRECO and MONEYVAL recommendations</li> <li>DIACA's capacity to develop, coordinate and supervise anti-corruption policy enhanced</li> <li>Increased implementation of the anti-corruption strategy and action plan</li> <li>Legislative proposals or other policy measures agreed with project beneficiaries</li> <li>Increased prevention measures, reporting, investigation, prosecution and adjudication of corruption and related money laundering offences</li> <li>Increased seizure and confiscation of corruption proceeds</li> <li>List of the project staff available, contracts signed by month 3;</li> <li>Physical presence of the equipped project office;</li> <li>Availability of the inception report by month 3</li> </ul>	<p>Official statistics EU Progress reports GRECO and MONEYVAL evaluation and compliance reports</p>	<p>The anti-corruption strategy and action plan is the key anti-corruption policy document of the Government Political will continues to exist to take effective anti-corruption measures Coordination/avoidance of duplication of activities with other international assistance projects is assured</p>
<p><b>Inception phase (3 months)</b></p>	<ul style="list-style-type: none"> <li>List of the project staff available, contracts signed by month 3;</li> <li>Physical presence of the equipped project office;</li> <li>Availability of the inception report by month 3</li> </ul>	<p>Inception report; Monthly reports</p>	<p>Commitment of the national authorities towards the results of the project continues to exist; Office space is available.</p>
<p><b>Activities</b></p>	<p><b>OVIs</b></p>	<p><b>Means of verification</b></p>	<p><b>Risks and Assumptions</b></p>
<p>0.1. Recruitment of project team and setting up of Project Management Unit (Tirana and Strasbourg): Team Leader (consultant); Long Term Adviser (consultant) Local Project officer (secretariat) Project Manager/Coordinator (Secretariat)</p>	<p><b>Status</b></p> <p>Completed</p>	<p>Project Inception Report</p>	<p>Highly qualified staff are available</p>
<p>0.2. Setting up the project office</p>	<ul style="list-style-type: none"> <li>Allocation of Office from DIACA</li> <li>Furnished and IT Equipped Office</li> </ul>	<p>Project Inception report</p>	<p>Albanian Government put at project's disposal appropriate office space</p>
<p>0.3. Produce and submit inception report</p>	<ul style="list-style-type: none"> <li>Final Draft of Inception Report available by end of Inception Phase</li> <li>Final Draft of Workplan and Calendar of Activities available by the end of Inception Phase</li> <li>Inception Report containing Workplan and Calendar of activities adopted within two weeks of Start up Conference</li> </ul>	<p>n/a</p>	<p>n/a</p>



0.4	Organise a start-up conference and adopt the Project's Workplan	<ul style="list-style-type: none"> <li>Start up Conference/Event</li> <li>Adopted Workplan</li> <li>Adopted Calendar</li> </ul>	Completed	Project Inception report	CoE, Albanian Government and EUD agree on concept of the event
0.5	Establish a pool of national and international short-term consultants for engagement in project activities	<ul style="list-style-type: none"> <li>Established lists of International Experts</li> <li>Established list of National Experts</li> </ul>	Completed	Project deliverables (documents, reports, technical papers)	EU visibility guidelines fully applied
0.6	Introduce tools and items that will ensure project's and organisation's visibility (EC/CoE)	<ul style="list-style-type: none"> <li>Production of visibility items to be used throughout the project's implementation: <ul style="list-style-type: none"> <li>Project's stationary</li> <li>Press releases and Activity</li> <li>Project's quarterly newsletter</li> <li>CoE Project's website</li> <li>CoE-Tirana Information Office website link and publications on project deliveries</li> <li>DIACA website link and publications on project's deliveries</li> </ul> </li> </ul>	Completed	Progress reports	n/a
<b>Result 1.1</b>		<b>Objectively verifiable indicators (OVIs)</b>		<b>Means of verification</b>	<b>Risks and Assumptions</b>
<b>Tools and mechanisms available to ensure the implementation of the anti-corruption strategy and action plan in line with GRECO recommendations and good practices</b>		<ul style="list-style-type: none"> <li>Tools and mechanisms are in place through completion of risk assessments for 6 institutions; templates for reporting on implementation of Action Plan available and staff trained to prepare these reports;</li> <li>Anti-corruption situation surveys available by month 8 and by month 28</li> <li>Methodology to measure a/c performance available by month 25</li> </ul>		Project reports GRECO evaluation reports	The anti-corruption strategy and action plan is the key anti-corruption policy document of the Government Political will continues to exist to take effective anti-corruption measures Management and staff of the key institutions are receptive to new ideas and best practices and ready to apply them in practice
<b>Activities</b>		<b>OVI(s)</b>	<b>Status</b>	<b>Means of verification</b>	<b>Risks and Assumptions</b>
1.1.1	Identify sectors/areas prone to corruption and to provide a methodology for the Department of Internal Administrative Control and Anti-corruption (DIACA)	<ul style="list-style-type: none"> <li>Risk assessment areas identified by month 8</li> </ul>	Completed	Progress reports	Authorities agree on priority Areas and support the risk assessment process
1.1.2	Conduct preliminary assessment (following the identification of the institutions under 1.1.1) by civil society organizations and experts of sectors and institutions identified for anti-corruption risk analysis, including identification of sources of information for risk assessments and analyses	<ul style="list-style-type: none"> <li>Preliminary assessment completed by month 12</li> </ul>	Completed	Progress reports Technical papers	Targeted institutions provide all necessary information (including documentation) needed for completion of the preliminary risk assessment reports

1.1.3	Conduct risk assessments and analyses of the institutions and sectors identified, and provide risk assessment methodology to DIACA	<ul style="list-style-type: none"> <li>Risk assessments completed by month 25</li> <li>Risk assessment methodology completed by month 16</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> </ul>	Progress reports and final report Technical papers	Targeted institutions provide all necessary information (including documentation) needed for completion of the risk assessment reports
1.1.4	Undertake two surveys of the anti-corruption situation in Albania as a tool for the Government to determine the impact of the strategy and action plan as well as future actions	<ul style="list-style-type: none"> <li>Surveys completed by month 25</li> </ul>	Under preparation	Survey reports	Authorities provide the necessary cooperation to ensure that surveys can be conducted effectively
1.1.5	Review and analysis of results of High Council of Justice and Ministry of Justice thematic inspection of Albanian courts in order to identify priority areas for training and, as appropriate, recommendations for other legislative or institutional reforms	<ul style="list-style-type: none"> <li>Training areas identified and recommendations for further reforms completed by month 19</li> </ul>	Completed	Progress reports Technical Paper	High Council of Justice is willing to actively cooperate, including through provision of information on inspection results
1.1.6	Support the further development of the Anti-corruption Strategy and its Action Plan (2007-2013) and the monitoring of their implementation through bench-marking and reporting tools	<ul style="list-style-type: none"> <li>Action Plans completed in line with project's recommendations by month 20</li> </ul>	Completed	Progress reports Government decisions/conclusions concerning the Action Plan GRECO and EU reports	Political will to revise the action Plan and human resources of line ministries available to complete this task
1.1.7	Assisting DIACA in developing anti-corruption workplans/policies based on the risk assessments and analyses carried out under Activity 1.1.1, Activity 1.1.2 and Activity 1.1.3	<ul style="list-style-type: none"> <li>Risk assessment recommendations incorporated into relevant sector policies by month 30</li> </ul>	Completed	Progress reports and/or final report	Political will to incorporate the recommendations into relevant anti-corruption policy assessments.
1.1.8	Support the development of indicators to assess/measure the implementation of the Anti-corruption Strategy, Action Plan and workplans/policies	<ul style="list-style-type: none"> <li>Indicators available to assess and measure implementation of Action Plans</li> <li>Relevant indicators are included in the 2011 and 2012 Action Plans</li> <li>4 training events on the use of indicators</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> <li>Completed</li> </ul>	Progress reports and/or final report Technical papers Government decisions approving Action Plans	<p>Indicators for implementation revised and included in Action Plan for 2011 and Action Plan for 2012</p> <p><b>Timeline:</b> January 2011 January 2012</p>

1.1.9	Assisting DIACA in improving the existing standing interagency coordination mechanism by developing and providing methodologies and standardised templates for public administration institutions on the formulation of anti-corruption action plans (including performance indicators), and reporting on implementation of specific anti-corruption related reforms.	<ul style="list-style-type: none"> <li>Templates for formulation of and reporting on Action Plans available by month 9.</li> <li>Reporting templates used for reporting on implementation of 2011 Action Plan</li> <li>Quality of functioning of interagency coordination mechanism</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> <li>Completed</li> </ul>	Progress reports Technical papers Government decision on establishing co-ordination mechanism	Political will exists to establish and implement the co-ordination mechanism	Templates developed, adopted and introduced by the reporting agencies within six months of completion of training events  <b>Timeline:</b> January 2011
1.1.10	Training of the contact points in public administration institutions on the interagency coordination mechanism issues.	<ul style="list-style-type: none"> <li>5 training events by month 25</li> <li>All contact points from institutions with Action Plan obligations trained by month 25</li> </ul>	Completed	Progress reports	Contact points available and taking active part in these trainings	Number of trained Contact Points; Number of Institutions that Received Training for their Contact Points; Level of Interagency Coordination  <b>Timeline:</b> December 2011
1.1.11	Organise a yearly conference to monitor the progress in the implementation of the Anti-corruption Strategy and Action Plan	<ul style="list-style-type: none"> <li>Conference organised by month 15</li> </ul>	Completed	Progress reports Media reports on the event EU Progress reports	Political will exists to review progress made in implementing the A/C Strategy and Action Plan	
1.1.12	Increase awareness of international standards and best practices by publishing and disseminating relevant Council of Europe documents in Albanian language	<ul style="list-style-type: none"> <li>Compilation of international standards compiled and completed by month 10</li> <li>Compilation disseminated at project events</li> </ul>	Completed	Compilation Progress reports	n/a	
1.1.13	Publicize and disseminate all GRECO evaluations and compliance report findings in order to raise awareness of the public and of institutions responsible for implementation of GRECO recommendations	<ul style="list-style-type: none"> <li>Compilation 'Albania in GRECO' compiled and completed by month 7</li> <li>Compilation disseminated at project events</li> </ul>	Completed	Compilation Progress reports and final report	n/a	
1.1.14	Assist DIACA with the development of a Visibility Strategy for the Anti-corruption Strategy	<ul style="list-style-type: none"> <li>Production of 3 leaflets by month 19</li> <li>Dissemination of leaflets</li> <li>Design of an anti-corruption website portal for the Council of Ministers by month 22</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> <li>Completed</li> </ul>	Leaflets Progress reports	Active participation by DIACA representatives and provision of necessary information	

Result 1.2 Proposals available for more efficient anti-corruption legislation in line with international standards	Objectively verifiable indicators (OVIs)	Means of verification	Risks and Assumptions
<p><b>Activities</b></p> <p>1.2.1 Review the situation and applicable legislation of Albania and provide a comparative analysis of options for addressing the lifting of immunities and privileges of elected officials in cases of corruption allegations in order to yield recommendations to ensure conformity with international standards and GRECO recommendations.</p>	<p><b>OVI(s)</b></p> <ul style="list-style-type: none"> <li>▪ 2 workshops</li> <li>▪ Relevant recommendations submitted and included in revision of immunities regime by month 25;</li> </ul>	<p><b>Status</b></p> <p>Completed</p>	<p><b>Means of verification</b></p> <p>Project progress and final report Government decisions EU Progress reports</p> <p><b>Risks and Assumptions</b></p> <p>Legislative proposals are adopted by Government and Parliament</p>
<p>1.2.2 Provide a review of the legal and institutional framework for regulating and supervising the financing of political parties and elected representatives, including recommendations for amendments to the Law on Political Parties, and the Electoral Code as appropriate, <i>inter alia</i> in the light of Third Round GRECO Evaluation recommendations, as well as training to the future oversight body for political party finances</p>	<ul style="list-style-type: none"> <li>▪ 2 workshops</li> <li>▪ Relevant recommendations submitted and included in draft amendments to the Law on Political Parties by month 15</li> <li>▪ CEC template for audits of political party election campaign finance reports available by month 22</li> <li>▪ 2 trainings of CEC staff on training of political parties and independent auditors and on verification of audits of political party accounts, by month 22</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	<p><b>Means of verification</b></p> <p>Texts of the draft legislation CEC audit template Project progress and final report GRECO reports/EU Progress reports</p> <p><b>Risks and Assumptions</b></p> <p>Political will to reform the immunities regime</p> <p>Political will to amend the Law on Political Parties CEC ready and willing to cooperate on completion of audit template and participate in trainings</p> <p>After the completion of second workshop a specific proposal to amend the existing/draft new legislation or adopts policy position, taking into account CoE/PACA recommendations, is submitted to Government</p> <p><b>Timeline:</b> December 2011</p> <p><b>Timeline:</b> March 2011</p>
<p>1.2.3 Provide advice on amendments to relevant legislation in order to comply with recommendations of the Third Round GRECO Evaluation concerning criminal liability and incriminations</p>	<ul style="list-style-type: none"> <li>▪ Relevant recommendations submitted and included in the draft legislation by month 15;</li> </ul>	<p>Completed</p>	<p><b>Means of verification</b></p> <p>Texts of the draft legislation Project progress and final report GRECO reports/EU Progress reports</p> <p><b>Risks and Assumptions</b></p> <p>Political will to amend the relevant legislation in accordance with the 3<sup>rd</sup> Round GRECO evaluation recommendations</p> <p>Within 6 months of submission of legal opinions, Ministry of Justice includes in its proposed legislative changes or policies specific proposals to comply with GRECO recommendations</p> <p><b>Timeline:</b> November 2010</p>

1.2.4	Provide assistance to HIDAA in the development of proposed amendments to legislation on conflicts of interest and declaration and audit of assets	<ul style="list-style-type: none"> <li>Relevant recommendations submitted and included in the draft Law or draft amendments on Conflict of Interests,</li> </ul>	Completed	Texts of the draft legislation Project progress and final report GRECO reports/EU Progress reports	Political will to amend the legal framework governing conflicts of Interest and asset declarations	Within 4 months of submission of legal opinions/technical papers, Ministry of Justice reviews and includes proposed amendments to legislation on conflicts of interest and declarations and audit within its proposed legislative changes or policies <b>Timeline:</b> December 2010
1.2.5	Provide a review of the current Civil Service Law and proposed amendments to it	<ul style="list-style-type: none"> <li>Legal opinion provided by month 15</li> </ul>	Completed	Project progress and final report	Political will to amend and implement the Civil Service Law	Within 10 months of submission of legal opinions, Ministry of Interior includes concrete legislative proposals among proposed legislative changes or policies taking into account CoE/PACA recommendations <b>Timeline:</b> March 2011
1.2.6	Elaboration of a 'compliance matrix' for domestic legislation against the relevant international legal instruments signed and ratified by Albania: the Council of Europe Criminal and Civil Law Conventions, Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism; European Convention on Mutual Assistance in Criminal Matters	<ul style="list-style-type: none"> <li>Compliance matrix completed by month 15</li> </ul>	Completed	Compliance matrix report, Project progress and final report	Relevant institutions make available information necessary for completion of the matrix	
1.2.7	Provide a methodology for screening proposed or valid legal acts for provisions that create risks of corruption ('corruption proofing') and assistance on the drafting of guidelines or internal instructions to incorporate corruption proofing into the existing legal drafting manual.	<ul style="list-style-type: none"> <li>1 workshop by month 8</li> <li>Corruption proofing methodology available by month 12</li> </ul>	Completed	Project progress and final report	Political will to introduce the corruption proofing methodology into legal drafting procedures	Within 7 months of completion of second workshop, Methodology is incorporated into existing legal drafting guidelines and used by the Government bodies or its working groups when drafting legal acts <b>Timeline:</b> June 2011
1.2.8	Provide training on corruption proofing for officials in institutions of public administration responsible for drafting legal acts	<ul style="list-style-type: none"> <li>3 trainings completed by month 28</li> </ul>	Completed	Project progress and final report	Political will to introduce the corruption proofing methodology into legal drafting procedures	

Result 1.3 Proposals available to improve legislation and practice and increase the efficiency of the key institutions with regard to the search, seizure and confiscation of proceeds from crime and money laundering and the financing of terrorism	Objectively verifiable indicators (OVIs)	Means of verification	Risks and Assumptions
<b>Activities</b> 1.3.1 Review the new legislation related to money laundering, financing of terrorism and seizure and confiscation of proceeds of crime for its internal consistency and functionality in the light of relevant treaty obligations and Albanian judicial practice	<b>OVI(s)</b> <ul style="list-style-type: none"> <li>▪ 2 Technical Papers/legal opinions by month 17</li> <li>▪ 2 Workshops by month 14;</li> <li>▪ Legal amendments or other recommended policy changes proposed/approved by month 20</li> </ul>	<b>Means of verification</b> Texts of the draft legislation Government decisions Progress reports and final report	<b>Risks and Assumptions</b> Legislative proposals and regulations are proposed by relevant ministry and adopted by Government
1.3.2 Support the drafting of proposals/regulations on basis of MONEVAL recommendations and reviews conducted under 1.3.1 to improve the new Law on the Prevention of Money Laundering and its implementation as recommended through the suggested MONEVALs progress reports action plan.	<b>Status</b> <ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	<b>Means of verification</b> Project technical papers Progress reports and final report	<b>Risks and Assumptions</b> Political will to introduce the project's recommendations when reviewing these laws
1.3.3 Support the development of guidelines (if necessary including rules of ethical conduct) and tailored methodologies for investigations of economic crime (including corruption) and the tracking of the proceeds from crime, by the use of special investigative means (SIMs)	<b>Status</b> <ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	<b>Means of verification</b> Project technical papers Progress reports and final report	<b>Risks and Assumptions</b> Political will to introduce the project's recommendations when reviewing the AML/CFT law
1.3.4 Support the development of guidelines on the detection of money laundering (including typologies of operations) involving persons and institutions subject to duties to report suspicious transactions, including private accountants and auditors as provided through MONEVAL recommendations.	<b>Status</b> <ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	<b>Means of verification</b> Guidelines Progress reports and final report	<b>Risks and Assumptions</b> Political will to adopt the guidelines

1.3.5	Support the development of guidelines on the implementation of MOUs for persons and institutions subject to duties to report suspicious transactions and those of the Politically Exposed Persons (PEPs) category when conducting financial and economic crime investigations, to enable improved implementation of the Memorandum of Understanding between HIDAA and the FIU and in line with MONEYVAL recommendations.	<ul style="list-style-type: none"> <li>▪ 1 Study Visit by month 19;</li> <li>▪ 1 training by month 24;</li> <li>▪ Guideline/MOU available by month 30</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Guidelines/Project technical paper Progress reports and final report	Political will to adopt the guidelines	Within 5 months of completion of training, Guidelines are adopted by Ministry of Finance Directorate for Prevention of Money Laundering and MOUs are implemented using the guidelines  <b>Timeline:</b> February 2012
1.3.6	Provide training to entities with obligations to report suspicious transactions on the detection of suspicious transactions, with particular emphasis on developing a risk-based approach and client profiling techniques in accordance with the DPML Action Plan.	<ul style="list-style-type: none"> <li>▪ 1 Training by month 10</li> <li>▪ 1 Training module by month 12</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Progress reports Training module document	Staff of the relevant agencies available and actively participate at the training	Number of entities' representatives trained Number of Suspicious transactions being identified and reported in comparison with 2008 and 2009 years.  <b>Timeline:</b> December 2010
1.3.7	Support the development of guidelines and methodologies for international cooperation relating to cross border confiscation of crime proceeds with regard to specific criminal proceedings.	<ul style="list-style-type: none"> <li>▪ 2 workshops by month 25;</li> <li>▪ 1 Study visit by month 22;</li> <li>▪ Guidelines available by month 30</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Project progress and final report Guidelines/Project technical paper	Political will to adopt the guidelines	Within 5 months of completion of second workshop, Guidelines are adopted by the beneficiaries and used in specific cases  <b>Timeline:</b> February 2012
<b>Result 1.4</b>		<b>Objectively verifiable indicators (OVIs)</b>		<b>Means of verification</b>	<b>Risks and Assumptions</b>	
<b>Participation in the promotion and monitoring of the implementation of anticorruption initiatives, and conducting independent periodic and thematic surveys is increased</b>		<ul style="list-style-type: none"> <li>▪ Local expertise produces recommendations and consultation for at least 3 legal initiatives by month 18th</li> <li>▪ 10 Public debate activities (fora, seminars, workshops and TV debates) held by month 29.</li> <li>▪ 2 Events to assist the establishment of the NGO coordination mechanism/network held by month 14.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Progress reports and final report</li> <li>▪ Press coverage</li> <li>▪ Calendar of events</li> </ul>	Progress reports remain committed to participate and monitor anti-corruption reforms		
<b>Activities</b>		<b>OVI(s)</b>	<b>Status</b>	<b>Means of verification</b>	<b>Risks and Assumptions</b>	<b>Benchmarks</b>
1.4.1	Provide recommendations and facilitate public consultations and debates organized with NGOs on anti-corruption reforms aimed at supporting legal and institutional anticorruption initiatives	<ul style="list-style-type: none"> <li>▪ 10 public debates organised by month 29</li> <li>▪ Recommendations/conclusions from events</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Progress report Technical papers/recommendations	Civil society organisations are committed to participate and debate anti-corruption related topics	



1.4.2	Assist in the establishment of a mechanism (network) for coordinating information exchange and activities for NGOs active in the area of anti-corruption policy	<ul style="list-style-type: none"> <li>2 events to support the establishment of the mechanism (network) for NGOs coordination on monitoring the anti-corruption initiatives held by month 20</li> </ul>	Completed	Progress report	Civil society organisations are committed to establish the network
<b>Result 1.5</b>	<b>Human capacities of the of the anti-corruption and law enforcement agencies and the judiciary enhanced to ensure that they efficiently meet their obligations under applicable laws and apply international best practices.</b>	<b>Objectively verifiable indicators (OVIs)</b> <ul style="list-style-type: none"> <li>Number of persons trained</li> <li>Physical existence of training plans</li> <li>Number of trainers trained</li> <li>Level of satisfaction with the training offered</li> </ul>	<b>Means of verification</b> <ul style="list-style-type: none"> <li>List of trainers</li> <li>List of training participants</li> <li>Training assessments forms filled in</li> <li>Progress reports</li> </ul>	<b>Risks and Assumptions</b> <p>Staff of key agencies available and ready to follow training</p> <p>Management of the key institutions co-operates on the development of training plans</p>	
<b>Activities</b>	<b>OVI(s)</b>	<b>Status</b>	<b>Means of verification</b>	<b>Risks and Assumptions</b>	<b>Benchmarks</b>
1.5.1	Train HIDAA staff to better conduct administrative investigations on asset declarations and conflict of interest	<ul style="list-style-type: none"> <li>Study visit for HIDAA staff organised by month 17</li> </ul>	Completed	Progress reports List of participants	<p>Within 4 months of completion of training Modules are approved and incorporated into TIPA curricula</p> <p><b>Timeline:</b> March 2011</p>
1.5.2	Support HIDAA's Public relations Department in organising media campaigns with regard to issues of preventing and controlling conflict of Interests	<ul style="list-style-type: none"> <li>One training event and manual on media campaign published by month 20</li> </ul>	Completed	Progress reports Manual	Manual is used in preparing media campaigns
1.5.3	Support HIDAA on elaboration of guidelines which will lead to improvement in the maintenance, management and/or sharing of public databases and enhanced cooperation with the FIU and other relevant agencies and/or databases (including international as appropriate) in 3 areas (Components) selected from the following and other relevant areas: 1. Immovable Property database 2. Customs database 3. Tax database 4. Vehicle registration database 5. Database of ALUIZNI (Agency for Legalisation, Urbanisation and Integration of Informal Zones and Buildings)	<ul style="list-style-type: none"> <li>3 Working Groups by month 21</li> <li>Draft Guidelines on at least 3 selected Components by month 23</li> <li>Guideline available by month 25</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> <li>Completed</li> </ul>	<p>Guidelines Progress reports and/or final report</p>	<p>Staff of HIDAA and other relevant agencies committed to development of guidelines</p> <p>Within 6 months of completion of working groups, Guidelines are adopted by the relevant agencies and applied in practice</p> <p><b>Timeline:</b> September 2011</p>

1.5.4	Support the School of Magistrates (SoM), Police Formation Centre (PFC) and other relevant training units in elaboration and implementation of training plans (both in terms of training methods and content) for the law enforcement agencies (including Ministry of Interior Internal Control Service), prosecutors, judges on the following subject matter areas: 1. Investigation of Corruption; 2. Investigation of Money Laundering; 3. Tracking Proceeds from Crime--Search and Seizure of Crime Proceeds aspects and International cooperation on these matters.	<ul style="list-style-type: none"> <li>▪ 6 training events held by month 28</li> <li>▪ Training program and set of training materials completed by month 28</li> <li>▪ Training materials adopted by School of Magistrates by month 30</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Progress reports List of trainers/participants Manual	Selected trainees fully committed and actively participate in each event.	By end of project Training manuals/modules are adopted for use in future trainings and draft calendar of trainings is prepared  <b>Timeline:</b> February 2012
1.5.5	Support the provision of foreign literature, of exchange of information and experiences on pedagogical adult training skills for the School of Magistrate's trainers through organisation of Study Visits and Training events of analogous institutions in Europe	<ul style="list-style-type: none"> <li>▪ 1 study visit organised by month 25</li> </ul>	Completed <sup>2</sup>	Progress report List of participants	SoM trainers available and take part in the study visit.	
1.5.6	Provide training for ASCA officials and other relevant law enforcement officials (including customs and tax officials, prosecutors and judicial police) with responsibilities for seizing/confiscating assets, with regard to i) investigations of corruption and economic crime offences, ii) investigation of money laundering and terrorism financing offences, and iii) tracking proceeds from crime; and iv) training trainers	<ul style="list-style-type: none"> <li>▪ 2 training modules developed by month 13</li> <li>▪ 3 training events organised by month 13</li> </ul>	<ul style="list-style-type: none"> <li>▪ Completed</li> <li>▪ Completed</li> </ul>	Progress report List of participants Training modules	ASCA and other law enforcement staff ready and willing to participate in trainings .	Within 4 months of completion of training, Training Module is incorporated into TIPA curricula and used  <b>Timeline:</b> January 2011

1.5.7	Provide guidelines and training for private accountants and auditors on how to identify signs of corruption and its proceeds and report such findings, as part of their professional activities through TIPA curricula and training development programme based on agreement between TIPA and relevant professional associations	<ul style="list-style-type: none"> <li>Guidelines available by month 19</li> <li>1 training held by month 20</li> <li>Guidelines are approved and incorporated in TIPA curricula and used in practice</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> <li>Completed</li> </ul>	Guidelines Progress reports	Private accountants and auditors and their regulatory bodies are willing to participate in training.	Within 4 months of completion of training Guidelines are approved, incorporated into TIPA curricula and used in practice  <b>Timeline:</b> August 2011
1.5.8	Provide training to local government officials on ethics and implementation of the Law on Conflict of Interest through TIPA curricula and train the trainer's development programme	<ul style="list-style-type: none"> <li>3 training events held by month 21</li> <li>3 training events held by month 22</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> </ul>	Progress report List of participants Training modules	Local officials available and actively participate in the trainings.	Within 3 months of completion of training, Training Manual/Module incorporated into TIPA curricula  <b>Timeline:</b> September 2011
<b>Purpose 2</b>						
<b>Contribute to the prevention of corruption in the education sector by improving transparency, accountability and social participation in the education system</b>						
<b>Result 2.1</b>						
<b>Risk analyses carried out and awareness raised with regard to opportunities of corruption in the education system</b>						
<b>Activities</b>						
2.1.1	Conduct risk analysis to identify corruption risks within the education system, including but not limited to the following areas: governance and financing; personnel policy including status, recruitment, promotion, evaluation and regulation of conduct; procurement/evaluation of textbooks; the education process (admissions, teaching, tests and exams, marking/grading, private tutoring); mechanisms of redress (including complaints mechanisms)	<ul style="list-style-type: none"> <li>Risk assessment report finalised and available by month 20</li> </ul>	Completed	Project progress and final reports, risk assessment report	Authorities (Ministry of Education and other relevant educational authorities/ staff) cooperate/provide information needed to conduct risk assessment	
<b>Objectively verifiable indicators (OVIs)</b>						
<b>Means of verification</b>						
<b>Risks and assumptions</b>						
The authorities are willing to apply in practice the tools introduced/proposed						
The results of the risk analyses are accepted and the methodology is applied in the future						
<b>Means of verification</b>						
<b>Status</b>						
Follow up report on risks available by month 35						
<b>Risks and assumptions</b>						
Authorities (Ministry of Education and other relevant educational authorities/ staff) cooperate/provide information needed to conduct risk assessment						

2.1.2	Publication and dissemination to public and raising of awareness on the results of analyses and assessment report	<ul style="list-style-type: none"> <li>Risk assessment report available by month 20</li> <li>2 public events held by month 25</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> <li>Completed</li> </ul>	Progress reports	Political will to have the risk assessment report published	
2.1.3	Peer discussion on identification of recommended actions and possible solutions for policy makers based on the results of the analysis and assessment report	<ul style="list-style-type: none"> <li>1 technical workshop held by month 25</li> <li>Minutes of workshop and terms of policy changes/review agreed by month 26</li> </ul>	Completed	Progress reports	Authorities (Ministry of Education) are willing to discuss and agree policy changes	
2.1.4	Evaluation/follow up on the risk assessment issues as identified at the initial report in order to determine progress made (prior to the end of project).	<ul style="list-style-type: none"> <li>Policy recommendations included by Ministry of Education within its proposed legislative changes or policies by month 30</li> </ul>	Partially completed	Project final report	Political will exists to propose and/or approve policy changes	Policy recommendations included by Ministry of Education within its proposed legislative changes or policies <b>Timeline:</b> February 2012
<b>Result 2.2</b> <b>Mechanisms available to increase integrity and regulate conflicts of interest with regard to the administration of staff in the education system</b>		<b>Objectively verifiable indicators (OVIs)</b>		<b>Means of verification</b>	<b>Risks and assumptions</b>	
		<ul style="list-style-type: none"> <li>Assessment report on recruitment, appointments and promotion by month 10</li> <li>Review of draft Code of Conduct and disciplinary framework for teachers available by month 20</li> <li>Policy options for human resources management by month 20</li> <li>Legal opinion on legislation/draft legislation and guidelines for quality control and regulating private tutoring available by month 24</li> </ul>		<p>Texts of the assessment report and code of conduct</p> <p>Texts of policy options</p> <p>Text of legislative drafts</p> <p>Progress reports</p>	<p>The authorities are willing to follow-up on measures and policy options.</p> <p>Legislative proposals will be adopted by Government and Parliament</p>	
<b>Activities</b>		<b>OVI(s)</b>	<b>Status</b>	<b>Means of verification</b>	<b>Risks and assumptions</b>	<b>Benchmarks</b>
2.2.1	Identification of policy options for introducing criteria and standardised procedures for the recruitment, appointments and promotion of teachers and other educational staff	<ul style="list-style-type: none"> <li>Policy paper available by month 20</li> <li>2 workshops</li> <li>Working group meetings</li> </ul>	Completed	Text of policy paper Progress reports	Authorities provide information necessary to conduct policy review	<p>Within 6 months of completion of workshops Ministry of Education includes a specific policy option within its proposed legislative changes or policies</p> <p><b>Timeline:</b> October 2011</p>
2.2.2	Providing a review of the draft Code of Conduct for Teachers and as relevant the draft Statute of the Order of Teachers, and assessment on disciplinary measures for educational staff.	<ul style="list-style-type: none"> <li>Review of draft Code of Conduct and disciplinary framework available by month 20</li> </ul>	Completed	Text of review of Code of Conduct and disciplinary framework	Political will exists to approve Code of Conduct and Statute of Order of Teachers	<p>Within 6 months of completion of workshops, the Draft Code of Conduct (and Order of Teachers as relevant) adopted by Ministry of Education</p> <p><b>Timeline:</b> October 2011</p>

2.2.3	Elaboration of preventive anti-corruption legislation/secondary legislation and guidelines for licensing, regulating and controlling private education institutions including private tutoring	<ul style="list-style-type: none"> <li>Legal opinion on legislation and guidelines for licensing, regulating and controlling private education institutions available by month 24</li> <li>Working group meetings held</li> </ul>	Completed	Text of legal opinion Text of draft legislation/guidelines Progress reports	Political will exists to approve draft legislation/guidelines	Within 6 months of submission of legal opinions Ministry of Education includes specific policies based on legal opinions within its proposed legislative changes or policies <b>Timeline:</b> February 2012
<b>Result 2.3 Development of anti-corruption education modules for primary and secondary schools</b>						
<b>Activities</b>						
2.3.1	Developing a framework of anti-corruption terms, governance and ethics concepts to be included to the existing civic values education programmes	<ul style="list-style-type: none"> <li>Outline framework approved by month 12</li> </ul>	Completed	Text of framework Progress reports	Authorities are willing and committed to development of anti-corruption components in curricula	Ministry of Education approves the framework within 2 months of submission of report <b>Timeline:</b> January 2011
2.3.2	Developing modules of anti-corruption education for inclusion in civics education at primary and secondary schools study programmes	<ul style="list-style-type: none"> <li>Anti-corruption education modules/lessons available by month 15</li> <li>2 workshops held by month 15</li> <li>Manual on anti-corruption education available by month 21</li> </ul>	Completed	Modules/lessons available Progress reports	Authorities and teachers are willing and committed to development of anti-corruption components in curricula	Authorities and teachers are willing and committed to development of anti-corruption components in curricula <b>Benchmark:</b> Modules are piloted in 2012 school year <b>Timeline:</b> February 2012
2.3.3	Piloting the use of the anti-corruption education module/s	<ul style="list-style-type: none"> <li>Manual approved by Institute for Development of Education and/or Ministry of Education</li> </ul>	Completed	Progress reports	Authorities and teachers are willing and committed to development of anti-corruption components in curricula	Authorities and teachers are willing and committed to development of anti-corruption components in curricula <b>Benchmark:</b> Modules are piloted in 2012 school year <b>Timeline:</b> February 2012

- 1 The technical assistance by PACA was completed, however by 31 December 2012 DIACA has not launched the web.
- 2 Following the agreement of the Steering Committee this activity was reduced to purchase of a literature for School of Magistrates.

## Workplan of Activities (for Extension Period) 1 March 2012 – 31 December 2012

Reference: IPA 2008

Title of the action:	<b>Project against Corruption in Albania (PACA)</b>
Location(s) of the action:	<b>Albania</b>
Name of the Implementing Agency	<b>Council of Europe</b>
Duration	<b>40 months (including 10 months of extension)</b>

<b>OVERALL OBJECTIVE: TO CONTRIBUTE TO DEMOCRACY AND THE RULE OF LAW THROUGH THE PREVENTION AND CONTROL OF CORRUPTION</b>			
<b>Purpose: To enhance the implementation of the Anti-corruption Strategy for 2007-2013 and Anti-corruption Action Plan for 2011-2013</b>			
<b>Expected Result 1</b>	<b>Objectively verifiable Indicators (OVIs)</b>	<b>Means of Verification</b>	<b>Risks and Assumptions</b>
<b>Institutions are able to identify corruption-related problems and risks on the basis of PACA Risk Assessment Guide, and institutions develop policies to address previous risk assessment findings and recommendations;</b>	<p><b>Output:</b></p> <p>Assessment completed</p> <p>Workshops/trainings held</p> <p>PACA participates in working group/s tasked to reform the anti-corruption policy in areas where risk assessments were implemented</p> <p>Concrete policy proposals prepared by relevant state institutions for the implementation of risk assessment recommendations</p>	<p>Monthly/progress reports</p> <p>Project deliverables (technical papers)</p> <p>Government/ministry policy decisions</p> <p>GRECO reports</p>	<p>Existing audit reports on institutional corruption risks are made available</p> <p>DIACA is committed to improving audit/assessment of institutional corruption risks</p> <p>Political will of Ministry of Justice exists to establish sub-legal framework regulating immovable property registration</p> <p>Ministry of Health is committed to implementation of selected PACA recommendations</p>
<b>Activities</b>	<b>Actions</b>	<b>Timeframe</b>	<b>Status</b>
1.1 Assessment of existing institutional risk assessment/s conducted by DIACA and training on risk assessment methodology	<p>Provide an assessment (technical paper) of up to two existing assessment/s by DIACA of the vulnerability of institutions to corruption</p> <p>Provide up to two workshops/trainings on risk assessment methods</p>	<p>June 2012</p> <p>October 2012</p>	Completed
1.2 Follow up as necessary with risk assessment beneficiaries to develop anti-corruption workplans/policies based on the risk assessments conducted previously	<p>Support Ministry of Health implement selected recommendations of PACA risk assessments</p> <p>Provide recommendations (in the form of a technical paper) to the Ministry of Justice on the drafting of sub-legal acts regulating the registration of immovable property, following the approval of the Law on Registration of Immovable Property.</p>	April-December 2012	Completed
		October 2012	

Expected Result 2	Objectively verifiable Indicators (OVIs)	Means of Verification	Risks and Assumptions
<p><b>Tools are in place for clear recording and reporting of statistics on investigations, prosecutions and court cases of corruption-related cases. Tools provided for streamlining the coordination mechanism for reporting on and monitoring implementation of the fulfilment of the Anti-corruption Strategy is improved;.</b></p>	<p><b>Output:</b> Assessment is completed Recommendations for statistical reporting system are completed Event to disseminate recommendations is held Trainings are provided Assessment of suitability of software tools is completed</p> <p><b>Impact:</b> Statistical reporting system is officially approved/adopted Reporting on statistics for 2010 is completed</p>	<p>Monthly/progress reports Project deliverables (technical papers, events, trainings) Policy decisions and documents approved by government/ counterparts EU Progress Reports</p>	<p>Beneficiaries (Ministry of Justice, General Prosecutor's Office and State Police) are committed to cooperation and willing to share statistical information</p>
<p><b>Activities</b></p>	<p><b>Actions</b></p>	<p><b>Timeframe</b></p>	<p><b>Status</b></p>
<p>2.1 Provision of advice, guidelines and templates for the gathering, collating and recording statistics and other information on corruption and corruption-related cases.</p>	<p>Provide assessment (technical paper) of the existing system for gathering, collating and recording statistics and other information on corruption and corruption-related cases, from initial detection/notification to final judgment, taking into account findings and recommendations of the United Nations Office on Drugs and Crime (UNODC) 'Development of monitoring instruments for judicial and law enforcement institutions in the Western Balkans' Project and other technical assistance outputs on crime statistics.</p> <p>Provide (as technical paper) specific recommendations for statistical reporting system, including templates and modes of cooperation (e.g. memoranda of understanding).</p> <p>Meeting/event to disseminate proposed reporting system to beneficiaries and discuss it.</p> <p>Provide up to two trainings to the Ministry of Justice and/or General Prosecutor's Office on reporting on track record of individual cases of corruption.</p>	<p>May 2012  September 2012  April-November 2012  December 2012</p>	<p>Completed  Completed  Completed  Partially completed</p>



Expected Result 3	Objectively verifiable Indicators (OVIs)	Means of Verification	Risks and Assumptions
<p><b>Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices; Improve legislation and its implementation in line with GRECO, MONEYVAL and European Union recommendations and good practices;</b></p>	<p><b>Output:</b> Review of Criminal Code compliance completed (March 2012) Review of laws on Prevention of Money Laundering and Terrorism Financing and on Prevention of Terrorism completed (May 2012) Working meetings held Recommendations for procedures to implement Memorandum of Understanding are completed Review of MoU between (High Inspectorate of Declaration and Audit of Assets (HIDAA) and High Council of Justice (HCJ) is completed</p> <p><b>Impact:</b> Legislative proposals of Ministry of Finance, Ministry of Justice and Council of Ministers prepared and take into account PACA recommendations Procedures for implementation of MoU are established and functioning Revised MoU between HIDAA and HCJ is signed Concrete requests for information submitted by HIDAA Concrete responses from counterpart (IPRO and HCJ) are provided according to MoUs</p>	<p>Monthly/progress reports Project deliverables (technical papers) MONEYVAL reports Decisions of HIDAA, Immovable Property Registration Office (IPRO) and HCJ on MoUs and on specific information requests</p>	<p>Beneficiaries (Ministry of Finance, Ministry of Justice) are committed to amending relevant laws HIDAA, IPRO and HCJ are committed to effective cooperation and exchange of information</p>
<p><b>Activities</b></p>	<p><b>Actions</b></p>	<p><b>Timeframe</b></p>	<p><b>Status</b></p>
<p>3.1. Activity/ies to be designed, including legislative assistance to the General Department for the Prevention of Money Laundering and Ministry of Justice on implementation of MONEYVAL and GRECO recommendations (including international cooperation/mutual legal assistance on corruption-related offences and asset recovery)</p>	<p>Provide a review (technical paper) of the compliance of proposed amendments to the Criminal Code relating to the financing of terrorism with MONEYVAL and FATF recommendations, with specific recommendations (proposed legislative paragraphs) for changes in the amendments.  Provide a review (technical paper) of the Law on Prevention of Money Laundering and Terrorism Financing, and of Law on Prevention of Terrorism, for their compliance with recommendations of the Fourth Round MONEYVAL Report.</p>	<p>March 2012  April-May 2012</p>	<p>Completed  Completed</p>
<p>3.2. Review and improve legislative/regulatory and institutional frameworks addressing recommendations and issues highlighted in the European Union Progress Reports on Albania.</p>	<p>Provide recommendations (as technical paper) to the High Inspectorate for the Declaration and Audit of Assets (HIDAA) to establish working procedures for the implementation of the Memorandum of Understanding (MoU) with the Immovable Property Office  Provide a review (technical paper) of the existing MoU on information exchange between HIDAA and the High Council of Justice and recommendations for its amendment/updating</p>	<p>April-December 2012  June 2012</p>	<p>Completed  Completed</p>

Expected Result 4	Objectively verifiable Indicators (OVIs)	Means of Verification	Risks and Assumptions
<p><b>Policies which tackle corruption and underpin integrity in the education system are adopted, and tools for tackling corruption through the education system are established</b></p>	<p><b>Output:</b> Recommendations on Code of Conduct are completed Proposed inspection manual/s drafted Meetings/events held Final version of curriculum manual is submitted</p> <p><b>Impact:</b> Code of Conduct is approved Inspection manuals are approved Curriculum manual is formally adopted/endorsed by the Ministry of Education</p> <p><b>Actions</b></p>	<p>Monthly/progress reports Project deliverables (technical papers, proposed inspection manuals, curriculum Manual)  Decisions of Ministry of Education and Science</p>	<p>Ministry of Education and Science (MoES) is committed to approval of Code of Conduct and establishment of functioning inspection procedures</p>
<p><b>Activities</b></p> <p>4.1 Policy advice to follow up with actions to implement recommendations of PACA Education System/Human Resources Risk Assessment and Assessment of Regulation of Private Education Institutions, including assistance to finalise the Code of Conduct for Teachers</p>	<p><b>Actions</b></p> <p>Meeting with Institute for Development of Education and Ministry of Education and Science to discuss existing draft Code of Conduct in the light of PACA recommendations Provision of specific (paragraphed) recommendations for amendments to the draft Code of Conduct for Teachers. Public event to disseminate Code of Conduct to teachers and other stakeholders Workshop meeting/event with officials (Ministry of Education and Science, National Inspectorate for Pre-University Education and inspection bodies/working groups for higher education) to determine needs for the elaboration of rules and procedures for processes of inspections of private education institutions. Provision of proposed inspections manuals for the National Inspectorate of Pre-University Education, and Ministry working groups for inspection of higher education institutions.</p>	<p><b>Timeframe</b></p> <p>April 2012  June 2012  October 2012  May 2012  November 2012</p>	<p><b>Status</b></p> <p>Completed  Completed  Completed Completed  Completed</p>
<p>4.2 Piloting and improving 'Education Against Corruption' curriculum manual</p>	<p>Workshop to disseminate and provide training on 'Education Against Corruption' pilot curriculum manual  Workshop following piloting of manual in order to receive and process feedback of teachers on pilot manual  Update, print and provide to MoES final version of the Manual</p>	<p>April 2012  October 2012  December 2012</p>	<p>Completed  Completed  Completed</p>

Expected Result 5	Objectively verifiable Indicators (OVIs)	Means of Verification	Risks and Assumptions
<p><b>Systems for the submission, processing and follow-up on citizens' complaints concerning corruption are made operational</b></p>	<p><b>Output:</b> Review/assessment completed Recommendations submitted</p> <p><b>Impact:</b> System for citizens' complaints operational and PACA recommendations taken into account in policy documents/proposals for amendments to the legal and/or sub-legal framework</p>	<p>Monthly/progress reports</p> <p>Project deliverables (technical papers)</p> <p>Policy decisions of relevant stakeholders/beneficiaries</p>	<p>Government of Albania and relevant beneficiaries are committed to improving complaints procedures</p>
<p><b>Activities</b></p>	<p><b>Actions</b></p>	<p><b>Timeframe</b></p>	<p><b>Status</b></p>
<p>5.1 Assessment of the current legal framework (including the Law on Cooperation of the Public in the Fight Against Corruption) and practical mechanisms for facilitating complaints and denunciations concerning corruption or other misconduct of public officials/servants</p>	<p>Provide a review/assessment (technical paper) of current legal and sub-legal framework regulating the submission and processing of citizen complaints against corruption and misconduct of public servants, including the Administrative Procedure Code and Law on Cooperation of the Public in the Fight Against Corruption</p> <p>Provision of specific recommendations for amendments to the legal and sub-legal framework</p>	<p>May 2012</p> <p>October 2012</p>	<p>Completed</p> <p>Completed</p>
<p><b>Expected Result 6</b></p> <p><b>Provide recommendations and facilitate discussion of proposals to reform the legal and institutional framework for ensuring access to information</b></p>	<p><b>Output:</b> Assessment completed Working meetings Event held</p> <p><b>Impact:</b> Legal amendments prepared by the Government and PACA recommendations are taken into account in proposed legal amendments and/or other policies of the government</p> <p><b>Actions</b></p>	<p>Monthly/progress reports</p> <p>Project deliverables (technical papers)</p> <p>Policy decisions of relevant beneficiaries</p>	<p><b>Risks and Assumptions</b></p>
<p><b>Activities</b></p>	<p>Provide an assessment (as technical paper) of the current legal and institutional framework regulating public access to information</p> <p>Organise and hold public event on Access to Information</p>	<p>April 2012</p> <p>March-May 2012</p> <p>June 2012</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>
<p>6.1 Provide assessment of current legal and institutional framework regulating access to information</p> <p>6.2 One public event on Access to Information, yielding concrete policy recommendations by NGOs</p>			

Expected Result 7	Objectively verifiable Indicators (OVIs)	Means of Verification	Risks and Assumptions
<b>Public awareness of corruption issues and government anti-corruption policies raised</b> <b>Activities</b>		<b>Monthly/progress reports</b>	
7.1 Provide assistance to DIACA/Inter-ministerial Working Group in order to conduct one activity/campaign to actively raise public awareness	<b>Actions</b> Select method to be used to raise public awareness Organise and conduct public awareness-raising campaign	<b>Timeframe</b> March-May 2012 June-November 2012	<b>Status</b> Not completed <sup>1</sup>

1 This activity was discussed at the last Steering Committee held in November 2012 where PACA presented its proposal, however, no feedback was received from main beneficiary.

## ANNEX 2

### LIST OF PACA TECHNICAL PAPERS

Date/Year: 2010	Title	Prepared by: Expert/ Consultant or CoE Staff
January 2010	Technical Paper on line ministry reporting on implementation of the 2009 Anti-corruption Action Plan and proposed measures for 2010	Quentin Reed
January 2010	Technical Paper: Guidelines for the Albanian line ministries on the elaboration of the sectorial Anti-corruption Action Plans	Quentin Reed
April 2010	Technical Paper: Qualitative and quantitative indicators to assess/measure the implementation of Anti-corruption Strategy (ACS), the Action Plan (AP) and line ministries' Action Plans & Practical guidance to the coordinating institution and the ministries	John Heck
April 2010	Technical Paper: Review of the Albanian Laws on the Status of a Civil Servant and on Rules of Ethics in Public Administration from the perspective of their efficacy in boosting/preserving the integrity of civil servants and preventing corruption	Eralda (Met-Hasani) Çani
April 2010	Technical Paper: Opinion on the Albanian legal and institutional framework for regulating the financing of political parties and electoral campaigns	Quentin Reed
May 2010	Technical Paper: Comparative analysis between the provisions on forfeiture in the Albanian Criminal Code and the new Albanian Anti-Mafia Law provisions on civil forfeiture, and their applicability with regard to offences of money laundering and the financing of terrorism	Alan Bacarese
May 2010	Technical Paper: Review of the consistency of the Albanian Legislation in respect of the Confiscation of Criminally Derived Assets in the light of Albania's International and Human Rights Obligations	Alan Bacarese
May 2010	Technical Paper: Methodology for corruption screening of legal acts and draft legal acts for Albanian legal drafters	Cristina Cojocar
May 2010	Technical Paper: Annex to the Law Drafting Manual: Methodology on avoiding corruption risks in draft legislation of Albania	Cristina Cojocar
May 2010	Technical Paper : compliance of the relevant Albanian legislation with recommendations of 3rd round GRECO evaluation concerning criminal liability and incriminations	Bostjan Penko
June 2010	Technical Paper: Comments on selected ministries in 2010 Action Plan	Quentin Reed
June 2010	Technical Paper : Recommendations for integrations of anti-corruption education principles into general education curriculum of Albania	Daiva Penkauskienė, Melinda Mula
June 2010	Technical Paper: Enhancing the implementation of the Albanian Law "For the Prevention of Money Laundering and Financing of Terrorism"	Gent Ibrahim
June 2010	Technical Paper : Recommendations for amendments to the political parties law	Quentin Reed
June 2010	Technical Paper : Reporting on implementation of the 2009 Anti-corruption Action Plan	Quentin Reed
June 2010	Technical Paper : The 2010 Anti-corruption Action Plan, recommendations for next steps and further assistance	Quentin Reed
July 2010	Technical Paper : Thematic inspection of courts in Albania and their potential as an anti-corruption instrument	Ylli Manjani
July 2010	Technical Paper : Findings from discussions with AASCA and an abstract review of the Law on preventing and striking at organised crime and trafficking through preventive measures against assets	Jeremy Rawlins
July 2010	Technical Paper : Opinion on the Law 'on the declaration and audit of assets, financial obligations of the elected officials and certain public officials' of the republic of Albania and proposed amendments	Gent Ibrahim
July 2010	Technical Paper : Opinion on the Law 'on the prevention of conflict of interest in the exercise of public functions' and proposed amendments	Quentin Reed
July 2010	Technical Paper: Preliminary analysis on Albanian health system financing and corruption	Maranaj Marku
July 2010	Technical Paper : Corruption risks in the allocation of public housing in Albania	Dritan Shutina
July 2010	Technical Paper : Preliminary study on risks of corruption in the Albanian system for registration of immovable property	Sonila Jazaj
July 2010	Technical Paper: Preliminary study- corruption risks in the process of administrative complaints against judges in Albania	Ylli Manjani
August 2010	Technical Paper : Review of draft guidelines on money laundering typologies	Mark van Thiel
August 2010	Technical Paper : Corruption in the Albanian education system	Pellumb Karameta

October 2010	Technical Paper: Assessment of the Albanian anti – money laundering regime and an opinion on the proposed amendments to Law no. 9917, date 19.05.2008 “on the prevention of money laundering and terrorism financing”	PACA Project Team
October 2010	Technical Paper: Summary and conclusions following the meeting between PACA team and High Inspectorate for the Declaration and Audit of Assets on amendments to/comments on the conflict of interest and asset declarations laws	PACA Project Team
October 2010	Matrix of Compliance of Albanian Legislation with CoE Conventions	Tilman Hoppe
October 2010	Technical Paper: Comments on the PACA draft corruption risk assessment methodology	Mark Philip
October 2010	Technical Paper:corruption risk assessment methodology guide: comments and suggested changes	Quentin Reed, Mark Philip
November 2010	Technical Paper: Comments on amendments to the political parties law approved by the Council of Ministers on 24 November 2010	Quentin Reed
November 2010	Technical Paper: From institutions to policy areas: suggestions for revising the structure of the Albanian Anti-corruption Action Plan	Quentin Reed
November 2010	Technical Paper: Background and guidelines for drafting the Action Plan for 2011-2013	Quentin Reed
December 2010	Technical Paper: The Mechanism for Coordination and Monitoring Implementation of the Albanian Anti-corruption Strategy: Assessment and Proposed Next Steps	Quentin Reed

<b>Date/Year: 2011</b>	<b>Title</b>	<b>Prepared by: Expert/ Consultant or CoE Staff</b>
January 2011	Assessment of the revised proposed amendments to the law on prevention of money laundering and terrorism financing	Gent Ibrahim
January 2011	The Mechanism for Coordination and Monitoring Implementation of the Albanian Anti-corruption Strategy: Assessment and Proposed Next Steps	Quentin Reed
February 2011	Albanian Judicial Practice in the Interpretation and Implementation of Seizure of Crime Proceeds under the Anti-Mafia Law	Pedro Perreira, Gent Ibrahim
April 2011	Immunities in Council of Europe member states: Legislative, executive and judicial office holders	Tilman Hoppe
April 2011	Opinion on the draft regulation on the functioning of the inter-ministerial working group for preparation, drafting and follow-up of implementation of the anti-corruption strategy	Quentin Reed
April 2011	Proposed final version of addendum to Albanian Law Drafting Manual: “Corruption Proofing: Using Good Law Drafting to Avoid Creating Corruption Risks in Draft Legislation”	Cristina Cojocar, Quentin Reed
April 2011	Opinion on provisions to ensure transparency of party funding in Albania and recommendations for future monitoring by the central electoral commission	Lipphold Freiherr von Bredow
September 2011	Recommendations for the future regulation of immunities of elected officials in Albania	PACA Project Team
December 2011	Expert opinion on the draft amendments to “Instruction no. 20 of the Ministry of Finance of Albania concerning the reporting methods and procedures of the obliged persons and entities under the Law on Prevention of Money Laundering and Terrorist Financing” and “Instruction no. 21 of the Ministry of Finance of Albania on reporting methods and procedures of designated nonfinancial professions”	Herbert Zammit LaFerla

<b>Date/Year: 2012</b>	<b>Title</b>	<b>Prepared by: Expert/ Consultant or CoE Staff</b>
January 2012	Proposed guidance on Politically Exposed Persons (PEPs) for Directorate general for Prevention of Money Laundering.	Bob Upton
February 2012	Expert opinion on the draft “Law on some addenda and amendments to the Law No. 7895 dated 27.01.1995 ‘Criminal Code of the Republic of Albania’ as amended” in light of its compliance with Special Recommendation II of the Financial Action Task Force.	Lajos Korona
April 2012	Access to information in Albania: the current legal/institutional framework and recommendations for reform.	Quentin Reed
April 2012	Expert opinion on the draft amendments to the law 9917 on the prevention of “Money-laundering and Financing of Terrorism” of 19 May 2008 as last amended through law 10391 on 3 March 2011.	Zammit Herbert Laferla
June 2012	Comments and recommendations on the draft Teachers’ code of ethics.	John Anderson
June 2012	Assessment of provisional system of inspections of higher education institutions and recommendations for the future inspection system.	Professor Ian Smith and Tom Hamilton
June 2012	Facilitating and protecting complaints of alleged official corruption and malpractice in Albania: the current system and recommendations for improvements.	Quentin Reed

July 2012	Assessment and recommendations concerning draft amendments to the law on higher education regulating inspections of higher education institutions, and sub-legal acts to implement the law.	Professor Ian Smith and Tom Hamilton
July 2012	Technical Paper Comments on draft amendments to conflict of interest and asset declarations laws passed by the Council of Ministers in July 2012.	Quentin Reed
July 2012	Opinion and comments on draft code of ethics for the immovable property registration office.	Katherine Kelm
August 2012	Technical Paper: An analysis of the current framework for ensuring the exchange of information between the High Council of Justice and the High Inspectorate for the declaration and audit of assets.	Gent Ibrahim
September 2012	Expert opinion on the draft "Law on some amendments and changes to the Law No. 9258 dated 15.07.2004 on measures against Financing of Terrorism" in light of its compliance with the former Special Recommendation III and the new recommendation 6 of the Financial Action Task Force.	Lajos Korona
September 2012	Opinion on criteria and methodology that should be used by the High Inspectorate of declaration and audit of assets (HIDAA) to implement the cooperation agreement between HIDAA and the immovable property registrations office (IPRO).	Katherine Kelm
September 2012	Recommendations for the content of manuals for the Inspection of Higher Education Institutions	Professor Ian Smith and Tom Hamilton
October 2012	Comments on draft Council of Ministers decision on the State Education Inspectorate	Professor Ian Smith and Tom Hamilton
October 2012	Comments on Inspection report of the Department for internal administrative control and anti-corruption on the National Medicines Control Centre	Quentin Reed
October 2012	Implications for corruption control of laws and regulations governing health insurance in Albania	Frank Feeley
December 2012	Proposed template for reports of the department for internal administrative control and anti-corruption (DIACA)	Quentin Reed



## INVENTORY LIST AND ACT OF ACCEPTANCE

Funded  
by the European Union



EUROPEAN UNION



COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

Implemented  
by the Council of Europe

**Project against Corruption in Albania (PACA)**

Quote: PACA-1917-KT/LL/al-Dec2012

**Reference: Transfer of ownership of material value from the Organisation to the Beneficiary in accordance with the Contribution Agreement 2009/212-599 signed between the Council of Europe and the European Union.**

1. The Council of Europe, within the framework of the Project against Corruption in Albania (PACA), as the implementing organisation and contracting party of the Contribution Agreement 2009/212-599 has been in possession of the material values such as equipment as listed and described in the enclosed list during the implementation of the project from September 2009 to December 2012.
2. The purchase value of the equipment amounts up to €10,294.58.
3. In accordance with Article 7, para. 7.3 of the Annex II - General Conditions of the Contribution Agreement 2009/212-599, it is required that any property or material value paid for by the Contracting Authority shall be transferred to the local authorities or to the final recipient of the Action by the end of the Action.
4. The material values (equipment), as described in the enclosed Act of Acceptance, including the list of content and quantity, has been transferred on 21 December 2012 from the Council of Europe, represented by Mr Konstantin Troussevitch, Head of Department of External Presence, Financial Management and Joint Programme Support of the Office of the Director General of Programmes, to the Council of Ministers of Albania, represented by Mr Arben Shkodra, Director of General Directorate of Finance, Human Resources and Services.
5. Subsequent to this transfer of material values (equipment), the Council of Ministers of Albania as the sole beneficiary institution and final recipient of the Action obtains full ownership and responsibility concerning all equipment described in the enclosed list.

Done in three copies in Strasbourg (France) and Tirana (Albania)

Granted,

Signature:  Date 20.12.12

Name: Konstantin Troussevitch

Accepted,

Signature:  Date: 9.01.2013

Name: Arben Shkodra

In presence of Mr Olsi Dekovi,  
Deputy Head to the Council of Europe Office in  
Tirana

Signature:  Date 9.01.2013

## Act of Acceptance of Material Values

TACIS 2006/120-157

Project: Project against Corruption in Albania (PACA)

- i) The Council of Europe represented by Mr Konstantin Troussevitch, Head of Department of External Presence, Financial Management and Joint Programme Support of the Office of the Director General of Programmes transfers the listed material values (equipment) purchased and kept under possession and use during the implementation of PACA project (September 2009-December 2012) to the Council of Ministers of Albania which is represented by: Mr Arben Shkodra, Director of General Directorate of Finance, Human Resources and Services.
- ii) The undersigned parties agree and accept the transfer of the listed material values which consist of equipment as done in accordance with Article 7, para 7.3 of Annex II of the Contribution Agreement 2009/212-599.
- iii) According to this Act of Acceptance, the Council of Europe transfers immediately to the Council of Ministers of Albania the material values (equipment) of its purchased value up to the amount of € 10,294.58 (ten thousand two hundred ninety four Euros and fifty eight cents).
- iv) Subsequent to the immediate transfer of the listed material values consisting of office equipment, according to this Act of Acceptance and Agreement, the Council of Ministers of Albania becomes its sole owner.
- v) Transfer of material values consisting of equipment is done by means of counter-signing this Act of Acceptance by authorized representative of the Council of Europe and the Council of Ministers of Albania and in the presence of the representative of the Council of Europe office in Albania Mr Olsi Dekovi.

Inventory #	Item (Model/Description)	Quantity	Supplier	Date of Purchase	Price in Euro	Remarks
1	Laptop Dell XPS M 1330	PD 9750	CoE	05.02. 2010	1237,86	
2	Laptop Dell XPS M 1330	PD 9751	CoE	05.02. 2010	1237,86	
3	Laptop Dell XPS M 1330	PD 9752	CoE	05.02. 2010	1237,86	
4	Mobile phone devices Nokia Model 2600c-2	1	Kallfa	29.12. 2009	66	
5	Mobile phone devices Nokia Model 2600c-2	1	Kallfa	29.12. 2009	66	
6	Xerox Printer, Phaser 4510. Black and White	1	Kallfa	29.12. 2009	1318	
7	Ricoh Printer, GelSprinter GX 3050N PCL6	1	Kallfa	29.12. 2009	172	
8	Scanner HP Scanjet G2710	1	Kallfa	29.12. 2009	81	
9	Photocopy machine Ricoh Aticio MP2000	1	Kallfa	29.12. 2009	1926	
10	Telephone Siemens euroset 5005	1	Kallfa	29.12. 2009	30.33	
11	Telephone Siemens euroset 5005	1	Kallfa	29.12. 2009	30.33	
12	Telephone Siemens euroset 5005	1	Kallfa	29.12. 2009	30.33	
13	Desk + Desk File Cabinet	1+1	Kallfa	29.12. 2009	172.3	
14	Desk + Desk File Cabinet	1+1	Kallfa	29.12. 2009	172,3	
15	Desk + Desk File Cabinet	1+1	Kallfa	29.12. 2009	172.3	

16	Meeting Table	1	Kallfa	29.12.2009	213	
17	Desk Chair	1	Kallfa	29.12.2009	100,33	
18	Desk Chair	1	Kallfa	29.12.2009	100,33	
19	Desk Chair	1	Kallfa	29.12.2009	100,33	
20	Chair	1	Kallfa	29.12.2009	55,66	
21	Chair	1	Kallfa	29.12.2009	55,66	
22	Chair	1	Kallfa	29.12.2009	55,66	
23	File Cabinet	1	Kallfa	29.12.2009	182	
24	Bookshelf	1	Kallfa	29.12.2009	426	
25	Desk Lamp	1	Kallfa	29.12.2009	20,33	
26	Desk Lamp	1	Kallfa	29.12.2009	20,33	Light bulb broken needs replacement
27	Desk Lamp	1	Kallfa	29.12.2009	20,33	Light bulb broken needs replacement
28	Water Cooler	1	Kallfa	29.12.2009	81	On lease
29	Coffee Machine	1	Kallfa	29.12.2009	142	On lease
30	Wardrobe	1	Kallfa	29.12.2009	30	
31	Calculator	1	Kallfa	29.12.2009	255	Items –part of stationary. The price indicated corresponds to the initial costs of the stationary.
32	Safe Box	1	Kallfa	29.12.2009		
33	Desk Tray	1	Kallfa	29.12.2009		
34	Desk Tray	1	Kallfa	29.12.2009		
35	Desk Tray	1	Kallfa	29.12.2009		
36	Computer wires and network installation works		Kallfa	29.12.2009	101	
37	Floor Carpet	1	Kallfa	29.12.2009	223	
38	Heater (Electric)	1	Kallfa	29.12.2009	71	
39	White board	1	Kallfa	29.12.2009	91	
	TOTAL				10,294.58	

On behalf of the Council of Europe:

Konstantin Troussevitch

Signed:



Date:

20.12.12

On behalf of the Council of Ministers:

Arben Shkodra

Accepted: material values in accordance with the description in the table above

Signed:

Date:

9.01.2013

Both parties have signed three copies of the transfer of ownership Agreement and the corresponding Act of Acceptance. The transfer of material values (equipment) was made in the presence of Mr Olsi Dekovi Deputy Head to the Council of Europe Office in Tirana.

Signature:

Date:

9.01.2013