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PROJECT AGAINST CORRUPTION IN ALBANIA (PACA)

TECHNICAL PAPER

**GUIDELINES FOR ALBANIAN LINE MINISTRIES ON THE ELABORATION OF
SECTORAL ANTI-CORRUPTION ACTION PLANS**

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January 2010

ECD/03/2010

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1 INTRODUCTION: PURPOSE OF GUIDELINES

This paper provides a brief set of guidelines for line ministries and other responsible persons on how to elaborate specific sectoral anti-corruption Action Plans. Once approved by the Inter-ministerial Working Group, line ministry Action Plan proposals constitute the material from which the national Action Plan is elaborated, and therefore also the basis for the actions actually taken by each line ministry to implement the Action Plan measures which apply to it.

The Action Plan cycle involves three main stages:

- Elaboration of ministry Action Plans (and their incorporation into the national Action Plan)
- Implementation by line ministries of their Action Plans
- Reporting to the Inter-ministerial Working Group/DIACA on implementation of the Action Plans

Corresponding to this cycle, the job of each line ministry anti-corruption contact point is threefold:

- To propose ministry Action Plans as inputs into the national Action Plan
- To ensure/coordinate implementation of the Action Plan measures that are listed for the particular ministry.
- To submit reports to the Inter-ministerial Working Group/DIACA on the implementation by their ministry of the Action Plan.

It follows generally and logically from this cycle that the better formulated are the initial ministry Action Plans, the more likely it is that line ministries will be able to implement them, and the more easier it will be for line ministries to report on implementation. For this reason, these introductory guidelines focus primarily on the need to define objectives and measures clearly, as a precondition for the Action Plan cycle to function.

2 COMPONENTS OF THE ACTION PLAN

The Action Plan table is structured as follows.

NO	OBJECTIVES	MEASURES	RESPONSIBLE/COOPERATING INSTITUTIONS	PERFORMANCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS

The role of each of the components of the Action Plan may be summarised as follows.

- An **objective** is a specific desired outcome defined in the Action Plan.
- To achieve an objective, **measures** (specific policies/policy actions) are defined.
- Measures are implemented within a defined **implementation period** by specified **responsible institutions** and their units using clearly defined **implementation resources**.
- **Reporting** on implementation provides a clear assessment of the achievement of objectives by assessing the implementation of measures – and therefore achievement of objectives - against specific **quantitative or qualitative indicators**.

2.1 Essential Rules for Action Plan formulation

When a line ministry formulates its Action Plan – and whether the components of its Action Plan are or are not derived directly from the priorities listed in the national Anti-corruption Strategy, it is of fundamental importance that the following rules are followed:

- **Objectives must be sufficiently clear** – e.g. not ‘reduce corruption in...’ but e.g. ‘introduce conflict of interest regulations/increase sanctions for corrupt behaviour in order to deter/discourage corrupt behaviour, adopt a code of ethics’.
- **Measures must be specific** – this means that it is easy to deduce from them specific actions to be taken by specific individuals.

- The **implementation period** should be defined as ‘from X to Y’ or ‘every X months’, rather than just stating the year or a deadline.
- Where possible, the **specific unit/s of a line ministry responsible** for a particular action should be stated next to measures.
- **Implementation resources** should be calculated using an impact assessment, and clearly stated in terms of the type of resources involved (personnel, office space, technical equipment etc) and the financial impact.
- **Indicators** should be either
 - i) Quantitative – and therefore measurable (e.g. an 80% reduction in the number of business activities subject which require a license)
 - OR
 - ii) Qualitative but in a way that can be assessed (e.g. ?)
- **Quantitative indicators** can be either target-based (e.g. 80% reduction in the number of business activities subject which require a license) or trend-based (e.g. a reduction in the number of business activities); **qualitative indicators** can only be trend-based.

2.2 Essential Rules for reporting on Action Plan implementation

Following from the structure and rules/guidelines outlined above, reporting should naturally do the following

- Follow the format and order of the Action Plan itself:
 - i) Table format is essential, e.g. the Ministry for Public Works, Transportation and Telecommunications (MPWTT) format for implementation report is good.
 - ii) Where space demands, separate narrative reports or attachments for individual measures should be included, stating clearly to which measure they apply.
- State clearly whether each measure is:
 - i) Fulfilled
 - ii) Partially fulfilled
 - iii) Not commenced
- Support the statement on fulfilment by clearly stating information according to the indicator/s defined in the Action Plan

2.3 Other important issues

In addition to the rules for elaboration and reporting, the following issues are of fundamental importance:

- Sectoral Action Plans are one-year plans. Ideally, line ministries should formulate their anti-corruption policies as longer-term action plans (e.g. 2-3 years) and only place measures in the yearly Action Plan that are planned for implementation during that year.
- **BE REALISTIC.**
 - i) It is important to state limited objectives that can be fulfilled rather than ambitious ones that cannot.
 - ii) Proper formulation of Action Plan according to the rules above will help you to be realistic by demanding clear description of actions required and resources needed.

3 EXAMPLES OF ACTION PLAN OBJECTIVES AND PROPOSED IMPROVEMENTS

To illustrate the application of the rules outlined above for elaboration of Action Plans, this section presents [?] examples of existing Action Plan objectives and suggests improvements. The purpose of these examples is not to suggest or advocate particular policies, but to indicate the way in which objectives, measures and other Action Plan components should be formulated.

3.1 Example 1: MPWTT Objective 1

2009 Action Plan:

No	OBJECTIVES	MEASURES	RESPECTIVE/CO OPERATING INSTITUTIONS	PERFORM ANCE DEADLIN E	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
1.	Chapter 3, Paragraph B, Point 1 Regulatory Licensing Reform	Removal of all the types of licenses by MPWTT, liberalisation of market for the majority and transferring the remaining and indispensable licenses to the National Licensing Centre	MPWTT	Within 2009	Own resources of MPWTT	Number of licenses against the existing ones (for instance 30%) Number/type of licenses passing over to NLC

Suggested improvement:

No	OBJECTIVES	MEASURES	RESPECTIVE/CO OPERATING INSTITUTIONS	PERFORM ANCE DEADLIN E	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
1.	Reduce the scope for corruption by abolishing unnecessary licensing requirements, reforming licensing processes and recourse procedures	<ul style="list-style-type: none"> • Define criteria for the evaluation of the rationale/need for licenses and for determining the optimal issuing authority for licenses • Conduct evaluation to determine which licenses are necessary and which should be abolished, which licenses should be transferred to a different authority, and which licensing processes should be simplified • Abolish licenses determined to be unnecessary • Transfer licenses to the 	MPWTT Licensing Department/Internal Control/ Legal Department??	<p>January-March 2009</p> <p>April-September 2009</p> <p>Nov-Dec 2009</p> <p>Nov-Dec</p>	<p>Human resources: how many officials to conduct evaluations? Etc</p> <p>Financial impact of abolishing/transferring licenses: lost fees, savings from ending unnecessary official activities. Etc</p>	<p>Number/proportion of licenses abolished [QUANTITATIVE]</p> <p>Types/importance of licenses abolished [QUALITATIVE – NOTE: THE TYPES OF LICENSES ABOLISHED/TRANSFERRED MAY BE MORE IMPORTANT THAN THE NUMBER!]</p> <p>Number of licenses transferred to NLC</p> <p>Identities of licenses transferred to NLC</p> <p>Number of licenses transferred to LGUs</p> <p>Identities of licenses transferred to LGUs</p>

No	OBJECTIVES	MEASURES	RESPECTIVE/CO OPERATING INSTITUTIONS	PERFORM ANCE DEADLIN E	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
		<p>National Licensing Centre or Local Government Units based on the conclusions of the evaluation conducted</p> <ul style="list-style-type: none"> • Conduct an evaluation of the effectiveness and integrity of procedures for appealing against licensing decisions • Prepare a specific proposal for reform of appeal procedures 		<p>2009</p> <p>[IS THIS REALISTIC IN SAME YEAR?]</p> <p>[IS THIS REALISTIC IN SAME YEAR?]</p>		<p>Licensing procedures simplified/reformed</p> <p>Changes proposed/implemented for appeal procedures</p>

3.2 Example 2: Ministry of Health Objective 1

2009 Action Plan:

NO	OBJECTIVES	MEASURES	RESPECTIVE/C OOOPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
1.	<p>C Sector reforms</p> <p>5 Reform in health system Regulation of promotion in the selection of drugs and equipment aims, along with the determination of the basic lists (LB) at country, level, at regional level, restriction of impact of interest groups and discretion of selection commissions, determination of standard specific procedures and criteria promoting transparency and accountability in the process, strengthening the ethical rules in relations with commercial and professional associations; introduction of evaluation indicators and criteria;</p>	<p>Amendments to the law no 9323, dated 25.11.2004 "On drugs and pharmaceutical service".</p> <p>Draft CMD "On the criteria of granting the authorisation for importing unregistered drugs or donated drugs".</p> <p>Draft decision on the structure and functioning of the Commission for Drugs Prices.</p> <p>With the CMD "On financing the hospital health service from the obligatory schema of health care insurance" coming into effect, there shall be set work groups</p>	<p>Ministry of Health and depending institutions</p>	<p>First four-month period</p>	<p>State budget</p>	<p>Number of procurements conducted and procured electronically in the Ministry by the dependant health institutions</p> <p>Order of Minister and its implementation at dependant institutions</p> <p>Publication and continuous updating of the website with regard to the procurement procedures</p> <p>Number of persons or entities accessing the website of the Ministry of Health</p>

NO	OBJECTIVES	MEASURES	RESPECTIVE/ OPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
	<p>institutionalisation of programs of monitoring transparency aiming at pointing out the extraordinary selections and purchases compared to needs, obtaining comparative and summary data and publication of information for boosting transparency, promotion of motivation.</p>	<p>for drafting the necessary legal acts for implementing this CMD. Procurement of drugs and equipment shall be done by the hospitals which obtain more autonomy with the entry into effect of this CMD.</p> <p>the accomplishment of procurement procedures by electronic networks, extension of this way of procurement not only by Ministry of Health but also the health institutions under its authority. There shall be prepared an Order of Minister whereby to order all the institutions under the authority of Ministry of Health, to make arrangements for the necessary technical facilities for making</p>				

NO	OBJECTIVES	MEASURES	RESPECTIVE/C OOOPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
		possible the accomplishment of the procurement procedures by electronic means.				

Suggested improvements:

NO	OBJECTIVES	MEASURES	RESPECTIVE/C OOOPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
1.	Reform of procedures for the selection of drugs and medical equipment for inclusion among the list of 'essential' ones	Commission independent evaluation of criteria for selection of drugs and medical equipment for inclusion on the list of essential ones, in the light of international standards/recommendations Draft proposals for changes in criteria for selection of drugs and	Ministry of Health [DEPARTMENT/UNITS?] and depending institutions [WHICH ONES?]. [INTERNATIONAL ORGANIZATIONS/DONORS?]	January-March 2009 April-July 2009	State budget. [COST OF EVALUATION?]	Findings of evaluation available Proposals are completed and publicly available

No	OBJECTIVES	MEASURES	RESPECTIVE/C OPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
		<p>medical equipment for inclusion on the list of essential ones</p> <p>Draft and initiate legislative process for amendments to Law no 9323 On Drugs and Pharmaceutical Services, and of subordinate legal acts if necessary, to define clear criteria for the selection of drugs and medical equipment for inclusion among the list of 'essential' ones</p>		September-December 2009		<p>Legislative amendments drafted</p> <p>Legislative amendments formally submitted to Council of Ministers [?]</p>
2.	Establishment of ethical rules to restrict the influence of special interests on decisions of selection commissions	ETC				
3.	Establish proper and publicly					

NO	OBJECTIVES	MEASURES	RESPECTIVE/C OPERATING INSTITUTIONS	PERFORMA NCE DEADLINE	IMPLEMENTATION RESOURCES	MONITORING INDICATORS
	available data on selections and purchases of drugs/medical equipment					
4.	Introduce independent monitoring of selections and purchases of drugs and medical equipment on the basis of clear criteria					