



**REPUBLIC OF ALBANIA  
COUNCIL OF MINISTERS**

**CROSS-CUTTING STRATEGY FOR PREVENTION, FIGHT ON CORRUPTION AND  
TRANSPARENT GOVERNANCE,**

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## Chapter 1: Introduction

Three years ago, galloping corruption was established as a system in Albania, the domestic market was predominated by government and high officials' monopolies, direct procurements had become the rule, the World Bank Report reported around 1.4 billion dollars a year from taxes ended up in private accounts of corrupted officials and smugglers, the rule of law suffered extreme shocks, the execution of court decisions took a long time, the rule of law was weak and was going downwards, organized crime had control and power not only on the streets but the customs administration, tax office, police, etc.

Other serious international reports confirmed corruption in Albania to be at the highest global levels, especially in the tax office, customs administration, courts, police, healthcare, etc., and the very low pace of reforms, relations and symbiosis of with the organized crime established corruption as a system in Albania. Under such circumstances, the task force against corruption was established, headed by the country's prime minister, responsible for following the process of deep reforms in the fight against corruption, which are among the most crucial reforms undertaken up to date.

In the framework of this reform, 33% of the central public administration was made redundant, the law on conflicts of interests was amended, the law on the declaration of assets and law on the High Council of Justice as well. The transparency established in the administration's operative expenses resulted in the reduction of these expenses to 2% of the GPD compared to the previous figure of 3%; direct procurements were prohibited, the law on the protection of information on corruption and remuneration with 6% of the benefited value, was approved. The tax and customs administration underwent deep reforms and e-taxes, e-customs and e-procurements were established.

Taxes and tariffs were reduced. Big companies such as ARMO, KESH, and TELECOM were privatized.

Electronic registration of businesses was established.

103 permits and licenses were removed.

A task force against corruption and economic crime was established which has penalized a considerable number of officials.

All these reforms, resulted in a improvement of 0,5 points in the corruption perception index. Three years ago Albania was ranked among the 24 most corrupted countries and now it has left behind 95 countries.

However, corruption remains a serious and widespread problem.

This is why, in order to have further success in the fight against corruption, it is necessary:

- *To rigorously enforce the existing legal framework;*
- *To consolidate all the administrative inspection and judicial institutions;*
- *To continue the reforms on preventing corruption;*

## Chapter 2: Vision, Strategic Priorities and Strategic Goals

### A. Vision

The general vision comprises the progressive and sustainable reduction of corruption, strengthening of the institutions integrity and promotion of values in the governance.

The priority and the scope of the overall vision, is the fight against and progressive and sustainable reduction of corruption through:

- *Reforms for its prevention;*
- *Strengthening the integrity of the institutions and promoting the values of governance;*
- *Comprehensive monitoring of the corruption phenomena; fight against corruption by the civil society and the strengthening of its role;*
- *Administrative punishment for corrupted officials;*

By having as a fundamental vision the restore of the state of law, the Government commits, by requiring hereby the commitment of all the society, with determination, seriousness, engagement, high responsibility in the exercise of power and transparency to eradicate the system of corruption and monopolies, restore the state of law through guaranteeing equality of anyone before the law and its rule to the fullest. For this purpose, along with the deep institutional reforms, the government shall dedicate attention to some of the fundamental areas directly linked with the enhancement of the law implementation degree.

A responsive implementation of the anti-corruption strategy, as part of the National Strategy for Development and Integration (NSDI), is aimed at the progressive and sustainable reduction of corruption, boost of the institutions' integrity and promotion of governance values through the nurture and consolidation of a service-to-citizens mentality in the public administration, an effective and equal law implementation, enhancement of the information transparency, swift and sustainable economic and human development, of the quality, accountability and efficiency of governance.

Efforts in this field shall focus on concrete actions towards reduction of the corruption and a radical change of the governing mentality. A progressive and persistent reduction of the corruption needs a vigorous intervention that would commit all the domestic resources and the international assistance and support.

The Strategy, with its priorities and reforms, shall be based on:

- The general platform of comprehensive and integrated approach on the fight against corruption, with a balanced combination of prevention, investigation, penalization and public participation
- The principle according to which corruptive actions are and should be considered as criminal offences and be dealt with both from the administrative and criminal perspective
- Pursue of the fundamental principles underlying the rule of law and citizens' full equality before the law, good governance, responsibility, organic connection of the prevention with investigation and effective penalization, cooperation and coherence,

transparency and participation, efficient partnership between the public and private sector

- Compliance with the international, regional and domestic standards and best practices in this field.

All the aspects of the strategy should be:

- Guided from determination in observing the law, accountability, cooperation, coherence, transparency, social dialogue and public-private partnership;
- Coordinated with the responsible institutions of the Government and those cooperating with it ;
- Guided by goals that are specific, real, feasible, measurable and based on timelines;
- Accompanied with an action plan containing measures and concrete tools for the implementation of the strategy;
- Preceded by insight analysis of the context, factors with positive and negative impact, as well as real forecasts based on risk assessment;
- Supported by the necessary education, training and awareness to build and consolidate the capacities
- Subject to a threats analysis on a periodical basis;
- Expressed and executed in measurable indicators and obligatory realistic timelines.

## **B. Strategy Priorities. Goals, and Approach**

The main strategy priorities shall be based on some fundamental tools which, as per priorities and objectives, shall be aimed at:

- Undertaking effective, rational, sustainable and long-term impact measures, as well as making available the indispensable resources for their execution;
- Strategic determination of the due legal and institutional tools to ensure efficient disclosure of those individuals suspect of corruption offences and guarantee full accountability of the perpetrators of corruptive actions;
- Identification of the most affected fields and those potentially at risk, as well as the motives of existence and spread of corruption; avoiding of legal ambiguities, contradictions and loopholes, priority-oriented focus and development of a due analytic frame on the collection and examination of the data on corruption occurrences in the public administration and the fields of justice, finance, economy and private sector;
- Complementation of legal and institutional measures with effective campaigns to promote the intolerance toward the phenomenon, to consolidate a close cooperation with the non-governmental organizations and the media, to develop and incorporate the anti-corruption education in the program of the education system;
- Ensuring openness and transparency in the implementation of anti-corruption prevention measures and investigation of corruption offences and those related to the latter, by preserving a fair and steady balance with the indispensable protection of confidential data and the state, banking or business classified information;
- Drafting, update and implementation of sustainable sector action plans, having a long-term approach based on the strategy and in synergy with the respective strategies according to their fields of operation;
- Information and transparency to support and assist the achievement of the outlined priorities and goals.

The corruption-related data and reports, have stressed, along the wide spreading of the phenomenon in the country, the failure to an effective law implementation, resulting in the frail institutionalization of the best practices in the daily operation of the public administration, justice, police or customs.

Such a fact requires consideration of two important approaches in the effort to reduce corruption.

First, it is important to establish a normal situation by creating and consolidating standards and best practices in the public administration and mainly in specific sectors such as education, health, law enforcement bodies and justice. Subsequently, this approach commits a wide range of actions that are aimed at preventing corruption by encouraging the public administration and the society to pursue those practices that promote integrity and operate on universal integrity standards.

The second approach involves the investigation and effective penalization of legal violations in this field and circumvention of the standards and it includes measures to counteract on corruptive deeds, as well as the complementation and consolidation of the institutional frame in function of ensuring an effective investigation and penalization.

Consequently, the fight against corruption would be based on the intertwining of these two core directions, that of prevention and punishment of corruption combined with the public's support towards, education on and consolidation of intolerance on such phenomenon.

Finally, the implementation of the strategy according to the above fundamental directions would require the enhancement and consolidation of cooperation and effective coordination among the respective national and international stakeholders, which consist of the due infrastructure to achieve these priorities.

The fundamental priorities of the strategy, with their respective objectives, shall focus on the following fields.

- I. Prevention, transparency, all-inclusion and education
  1. Strengthening of the political system and of the public operation ethics.
  2. Update and consolidation of procedures.
  3. Sector Reforms (audit, business climate, civil service, public service, education, health, finance, justice, local government, etc.).
  4. Consolidation of transparency and integrity in the public administration.
  5. Approximation of legislation in the fight against corruption.
  6. Persistent information and education campaigns.
  
- II. Corruption Investigation and Penalization
  1. Ensuring efficiency of prosecution and adjudication.
  2. Increase of integrity and resistance on corruption in the system of justice.
  3. Strengthening of administrative tools in the fight against corruption.
  4. Public participation in denouncing corruption.

### III. Consolidation of Cooperation and Domestic and International Coordination

1. Consolidation of mechanisms in the cooperation between the law-enforcement agencies.
2. Consolidation of sustainable mechanisms for the exchange of information on periodical basis.
3. Efficient implementation of regional and international anti-corruption tools.

## Chapter 3: Government Policies

### I. Prevention, Transparency, All-inclusion and Education

#### A. Strengthening of Political System and Public Operation Ethics

The strengthening of the political system and public operation ethics shall be achieved through a series of important interventions that are aimed at the reduction of officials' immunity with regard to corruption-related issues, reformation of the funding system of the political parties and electoral campaigns, reformation of the electoral system and public's confidence restore in the elections, regulation of lobbying and political and administrative decision making activities, and strengthening and revision of the codes of conduct and self-regulatory mechanisms.

The following steps shall be taken for an inclusive public education:

- The Department of Anti-Corruption and Administrative Internal Audit shall translate, publish, and promote a book by Transparency International entitled "TI Anti-Corruption Handbook (ACH): National Integrity System in practice", as well as other informative and educative materials on corruption.
- A wide anti-corruption public awareness campaign.

##### *1. Funding of Political Parties and Electoral Campaigns*

Interventions in this direction are aimed at legal regulation of the regime of individual donations of private origin ensured by political parties from legal and natural persons, in function of enhancing transparency by imposing value limitations and restrictions because of the origin of the donations of public institutions, private enterprises that provide public services, religious or charity bodies.

The increase and guarantee of the transparency of incomes and expenditures requires the establishment of rules and mechanisms that ensure the latter, mandatory disclosure of the donor if exceeding an established limit and periodical publication.

In addition, it is foreseen a periodical disclosure of accounts to an independent control authority (existing or to be established) and sanctions that are effective and proportionate.

##### *2. Reformation of Electoral System and Restoration of Public Confidence in Elections*

The improvement of the legal and institutional electoral system in compliance with international standards shall guarantee an effective exercise of the right to vote for the citizens inside and outside the country, prevention of the removal of citizens from the voters' lists by making the respective mechanisms institutional (civil status register, citizens' identity cards and permanent constituencies).

### 3. *Regulation of Lobbying Activities*

Lack of legal regulation of the lobbying phenomenon shall be regulated through a regulatory frame, which shall guarantee the registration of the professional lobbying organizations, the access, activity declaration, transparency of means and definition of tools and procedures related to this issue in general.

### 4. *Enhancement and Revision of Codes of Conduct and Self-regulatory Mechanisms*

Enhancement of the ethical requests and standards in the public institutions aims their review, extension and efficiency by focusing on:

- Compilation, review, enhancement and applicability of codes of ethics in the public institutions (their extension also in the education and health system, professional orders, experts professional associations of authorized and approved accounting experts, architects etc.);
- Upgrade of mechanisms for the enhancement of ethics and prevention of the conflict of interests being based on the control tools, ensuring efficiency of cooperation with the citizens towards identification and punishment of corruption and perpetrations;
- Promotion of ethics standards in public operation (debates, forums...);
- Increase of efficiency in the administration of ethics standards;
- promotion of codes of ethics in the business sector;
- Implementation of performance measuring and evaluation systems;
- Revision and clarification of the political office and the dividing line with the civil service/administration.

### 5. *Restriction of immunity of senior officials on corruption issues*

Revision of the immunity system, with an eye to restricting the immunity of senior officials due to investigation and/or prosecution on corruption offences.

## **B. Modernization and Consolidation of Procedures**

The modernization of procedures and external relations of the administration shall be a continuous process, initially oriented towards the regulatory licensing reform with the business sector as primary focus, pursued and applied to all the public services in general. Such modernization shall move in parallel with that of the internal relations of the administration by submitting administrative procedures to reformation.

## 1. *Regulatory Licensing Reform*

The regulatory reform of the licensing system is intended towards listing and categorizing the licenses according to the nomenclature, nature, proportional definition of the decision-making hierarchy, increase of internet access and its wide use, institutionalization of the "silent consent" principle" beyond a specific timeline, revision and thorough harmonization of the licensing procedures by simplifying and strengthening standards, definition of clear, transparent and non-discriminatory criteria in the licensing activity, step-up of the control of implementation and functioning of licensed activities, planning and scheduling of the simplification of licensing procedures and criteria and their modernization in compliance with the agenda of the Task Force on the Regulatory Reform.

The establishment of a monitoring mechanism in the anti-corruption perspective of the legal and by-legal initiatives, in order to prevent moves that increase the number of licenses, centralize the decision making process or create room for abuse or corruption.

## 2. *Public Services Reform*

The reform in the public services is overall aimed at the modernization of the state shop by being focused on some essential principles such as one-stop-shop, promotion and enhancement of service standards, computerization of the system, service decentralization, and efficient application through considering the involvement of the service beneficiary.

This reform shall be achieved through a series of measures:

- Listing of all public service procedures and criteria;
- Sensitive decrease of administrative barriers by combining reduction, simplification and standardization with the establishment of "one-stop-shop" service centres;
- Promotion of the standards of the culture of communication, service delivery, orientation, access of template forms...;
- Computerization of the system in stages (central and local level) and increase of the use of e-services;
- Decentralization of public services delivery and the involvement of the private services in the provision of services of public character;
- Partnership extension through the public and private service based on clear and transparent rules underpinned by principles of free market and fair competition;
- Implementation and the monitoring of a honest and fair application of standards and procedures for every business and individual by any public institution;
- Performance and service quality evaluation by putting in place comparative criteria of factual achievement with terms and standards;
- Establishment of the systems of obligatory measuring and performance evaluation of any public service by the beneficiaries and/or partners.
- Establishment of criteria in public services provision guided by projects executed and supported by a budget, which support the achievement of the government projects and by the efficient and transparent administration of public funds;
- Further division of the political functions, regulatory functions and control and service provision services;

- Facilitation and simplification of procedures for permanent public services (power, water, telephone, civil status, social and health services, etc.).

### 3. *Reformation of Administrative Procedures*

Revision of all the administrative reforms shall have as primary goal preventing room for corruption, abuses and excessive bureaucracy and will focus on the revision of the internal rules of procedures, modernization, review, processing and standardization of the internal documents; revision and harmonization of the system of administrative appeal (general and specific) and, obviously, the overall institutionalization and tangible enhancement of transparency of the public administration.

Reformation of administrative procedures is also aimed at:

- The enhancement of the computerization level of all the operations carried out by the public administration at all levels, thus facilitating and simplifying procedures, reducing timelines of their execution, as well as increasing accuracy, quality and swiftness of information and reporting flow;
- Effective and efficient systems of inner control, which are organized according to clear rules and strategic goals, are composed of effective structures and personnel, accompanied with a functional system of appointing responsibilities, division of duties and delegation of competencies;
- Reform of the system of administrative appeals and the establishment of administrative courts.

## C. **Sector Reforms<sup>1</sup>**

Along priorities and goals set in accordance with the respective strategies, the sector reforms shall give special room to the prevention and fight against corruption with specific per-sector interventions, mainly in some primary and sensitive sectors.

### 1. *Strengthening of Internal Audit in Public Sector*

Strengthening of the internal audit in the public sector aims the development of an internal audit system, which is independent, efficient and operating according to the international standards, the consolidation of management and control systems through the revision of the law on internal auditing in the public sector and the approximation with the international standards, the approval and implementation guide on procedures for the financial management audit, revision of the guide of procedures for the internal audit, enhancement of institutional capacities and human resources, introduction with the international auditing practices through the update of knowledge, establishment of certification standards for the admission of audits in the public sector . At the same time, goals include the approval and efficient implementation of the accounting standards, according to the best international

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<sup>1</sup> Clear references for specific aspects of sector reforms not included in this subsection could be found in the respective cross-cut and sector strategies that provide them in a detailed way.

practices, institutionalization of the publication of auditing reports and exchange of findings among internal and external audit structures.

## 2. *Consolidation of Standards in Business Sector*

The improvement of the business climate shall be pursued in parallel with the boost of standards in this sector, in order to serve business better and with effectiveness and protect its interests.

In such respect, the revision of the legal framework on urban planning (spatial planning), on criminal responsibility of the legal persons, on commercial companies by applying the best standards and revising and strengthening sanctions on accounting practitioners shall be accompanied with significant institutional interventions, transforming business registration into an administrative practice through the establishment of the state book of business and further standardizing the relations of the former with the public administration.

The draft and implementation of a plan towards making official the small business, with an eye to concrete mechanisms and measures, such as the use of electronic cash machines, establishment of a mandatory system of receipts, etc.

## 3. *Consolidation of Civil Service*

Upgrade and consolidation of the civil service shall focus on several primary directions, as below:

- Consolidation of the civil servant status and of the guarantees of career system in the public administration;
- Applicability of the civil servant status in the overwhelming part of the public administration;
- Enhancement of professionalism among employees;
- Pursue of transparency and in-merit principle for the recruitments in the public administration;
- Boost of specific conduct rules and of prevention of the conflict of interests in the various public administration structures;
- Functioning of the system of reporting, control/identification and protection by law, according to the contemporary whistle-blowing system;
- Rise of interest in the employment with the public administration (financial treatment, housing...) and attraction of the capacities inside and outside the country;
- Revision of the salaries and wages system by harmonizing it with the performance evaluation, the remuneration according to the working position and scientific qualification;
- Enhancement of management skills, performances and training of the public administration in the field of prevention and fight against corruption;
- Boost of reform in the public administration, oriented towards the evaluation of individual skills, and of the functional reform on the organization of the structure according to the functions;
- Improvement and motivation of the periodic evaluation of public administration employees;

- Training of employees involved with sensitive and problematic sectors and fields (customs, tax offices, procurement, accountancy experts and accountants...) on issues of ethics and anti-corruption;
- Increase of access to and publication of job vacancies/transfers/walkouts in the public administration;
- Strengthening of responsible individual and institutional mechanisms in the human resources management policy.

#### *4. Reformation of Public Procurement System*

The consolidation of the public procurement system as compliant with the European standards eyes a series strategic priorities as regards the regulatory frame, a dramatic and maximum consolidation of the transparency and development of electronic services through spreading the information and communication technology, capacity enhancement of Agency of Public Procurement (APP) and contracting authorities, training institutionalization, empowerment of data exchange systems and promotion of the development of ethics standards.

Key priorities include:

- Development of public procurement sub-legal frame and standard documentation;
- Consolidation and expansion of electronic procurement;
- Establishment and consolidation of Public Procurement Ombudsman;
- Ensure the independent investigation of enquiries;
- Guarantee of maximum transparency of public procurement and development of electronic services;
- Strengthening of the Agency of Public Procurement and Concessions and training of its staff;
- Development and strengthening of the mechanisms of institutional responsibility to identify, prevent and punish corruptive practices;
- Institutionalization of the on-periodical-basis training in all the respective public structures;
- Functioning of data exchange systems with other sectors ("black list");
- Promotion and advancement of the codes of conduct in public procurement and of the minimum obligatory standards for any public procurement contract;
- Development of the follow-up and monitoring of the implementation and service quality of the public procurement services.

#### *5. Reform of Health System*

The overall reformation of the health system shall in particular focus on the reduction and prevention of the widespread corruption this sector is currently affected by. The legal, institutional and operational reforms shall specifically be aimed at reducing corruption in the three types of relations established in this sector (medical staff-patient, health institution – payer and health institution – supplier). The key priority will eye the standardization of the procurement of medicines, medical equipment, investment in the health and hospitalizing

service and contracting of other services. In addition, another strategic priority includes a dramatic reduction of the informal economic activities by the health system operators.

As related to the first priority, the strategic policies to be pursued shall be as below:

- Regulation of the selection of medicines and equipment, along with the definition of basic lists (BL) at the national and regional level, aims the restriction of the influence of the groups of interest and of the discretion of selection commissions; the establishment of specific standard criteria and procedures, which promote a transparent and responsible process, boost of ethics rules in the relations with the commercial and professional associations, placement of evaluation indicators and criteria, institutionalization of monitoring and transparency programmes that are aimed at the identification of the selection and purchases that are quite unusual as compared to the needs, issue of comparative and summarizing data and publication of information in function of increasing transparency, promotion and motivation;
- With regard to the procurement as a process, aims are focused on the capacity building of the management of procurements by ensuring an effective competition, increasing the transparency of the process and publication of audit reports, increase of accountability of the contracting parties and discretion restriction, publication of black and white lists of operators;
- With regard to the distribution, an overall reformation of the storing, inventory and transport mechanisms, of the financial management systems by clearly defining competencies, responsibilities, enhancing promotion and stimuli;
- Consolidation of medicines registration system, of the distribution system in the public health sector and of the control system;
- Institutionalization of drugs labels

The second priority (informal payments and the staff) is aimed at:

- The definition of a clear strategy comprising timelines and a progressive increase of salaries in the health system, by combining the part covered by the state budget with the amount deriving from the resources ensured by the system itself;
- Encouragement of private alternatives and promotion of contracting by the state for the payment of private suppliers, by regulating the conflicts of interests, the obligatory shift of patients towards only the private services, the shift of the demands of supplying operators, etc;
- Development of a performance-based management system and of the system of payment of operators;
- Regulation of the issue of informal payments and institutionalization of the payment of the real cost of services, excluding those for the emergency or a short list;
- Establishment of the direct link with the reimbursement by health insurance, which shall compel individuals to get health-insurance coverage and will increase the respective contribution;
- Transparency in the service order through publication of the order of services provided in any health treatment institution;
- Establishment of payment systems that avoid direct contacts;
- Enhancement of the role of professional orders and community-based committees;
- Progress and consolidation of the health information system on the respective rights and obligations of the healthcare institutions;

- Institutionalization of the public services reporting cards and confrontation of the outcomes with the official statistics;
- Revision of the patients' complaint system;
- Analysis and delivery of the outcomes of 'polls and studies (e.g. life standards study, study on public expenditures, researches on the quantitative distribution of services, demographic and health-related studies, etc.)

## 6. *Reform of Education System*

Reduction of corruption in the educational system shall focus in several priority tracts, as below:

- Regulation of human resources management in the education system (establishment of clear standard criteria and procedures for the competition, appointment, promotion, performance evaluation and encouragement, documentation, transparency and publication)
- Consolidation of the financial system in education: strengthening of central and local monitoring and audit mechanisms, development of auditing techniques in the education institutions, enhancement of the coordination and communication system, increase of the role of the parents community, teachers, students associations and civil society in monitoring the expenditures and outcomes at sector and institutional level, the activity of the auditing authorities and the implementation of recommendations;
- Increase of procurement capacities, improvement of the rules and procedures of the procurement process, focussing on the approximation with international education practices: promotion of advanced consultancy practices in the process of monitoring analysis and evaluation in the field of planning and achievement by institutionalizing along with the internal control systems the external mechanisms of the evaluation of results and the complaint administration mechanisms;
- Clear basis of teacher-student relations – Teaching Code, prevention of the conflict of interests and the definition of the standards of ethics in education;
- Examination of the possibility of establishing the Order of Teacher;
- Guaranteeing of the registration of private teaching activities through the self-declaration of public officials;
- Boost of inspecting the quality of services provided by the public and private higher education operators;
- Establishment of the indexing and categorization system of the higher and secondary education institutions according to their quality and features and values they provide;
- Guaranteeing of the transparency in the delivery of schooling subventions and education budget at all levels;
- Consolidation and applicability of state mature experience in the exams and admission of students at the higher education and advancement of access in education institutions (admission to universities); step-up of the technical and human infrastructure, of the procedures and transparency in function of ensuring quality, efficiency and integrity of the certification of exams, corrections, results and admissions;
- Introduction in the school curricula of information dealing in issues of corruption, operation ethics of the public officials behaviours and attitude of public and non-

- Extended inclusion of the community of pupils and students, as well as of the citizens' community in the transparent policy-making for education.

#### 7. *Reformation of Budgeting and Expenditures and Revenues Projection System*

In the framework of the reform in the system of budgeting and projection of budget revenues and expenditures, the prevention of corruption eyes several priorities, including the simplification of budget planning and execution through the identification and establishment of clear benchmarks and the institutionalization of the budget mid-term projection (3-year term), guaranteeing of the universality of the budget, maximum limitation of spontaneity, and discretion in budgeting, strengthening of the role of the Assembly through a wider participation and with competency in the discussion, analysis, approval and monitoring of budget implementation, in the establishment of a system that is transparent, responsible and budget-oriented. Additionally, it is aimed the consolidation of the cooperation and transparent consultation with the groups of interest with regard to budgets' drafting, especially on customs due fees that are frequently imposed by business groups or individuals close to the government; enhancement of a periodic information and involvement of the interested stakeholders in various stages of budget projection and execution, consolidation of standardized auditing of revenues and expenditures.

In the framework of the external audit system, it is necessary and one of the aims to clarify the role and responsibilities of the external audit as compared to the concept of internal audit, focussed on the control of the performance of efficient and economic use of public resources, evaluation of the management and procedures system, and recommendations on improvements and gaps in the legal and sub-legal frame.

#### 8. *Enhancement of Performance and Confidence in Customs Administration*

- Bringing customs legislation in line with EU standards, in order to have clear and well-determined rules and procedures in function of the primary mission of the customs to facilitate legal trade
- Consolidation and modernization of procedures to enhance efficiency of the activity, implementation of procedures according to the principles of predictability, sustainability and transparency, sensitive transparency enhancement and publication of all the information regarding the legal, sub-legal, regulatory, procedure and practice framework for all the interested parties; application of up-to-date physical control techniques of risk management; increase of use of the Information Technology in all the border-crossing points of the Republic of Albania and upgrade of the computer system to enable online communication with government agencies;
- Strengthening of the internal audit system and of the ad-posterior audit with special focus on the tight against preferential treatments, favouritisms and other forms of trading public interest with bribery;

- Application of a risk-based and periodic rotation system of the customs personnel;
- Qualitative intensification and institutionalization of training for all those employed in the system;
- Enhancement of management capacities at a level of office, region and all branches of the Customs Directorate General;
- Qualitative increase of an effective cooperation with other state and non-state bodies, such as the tax offices, banks, social insurance and business associations and unions;
- Upgrade and approximation with EU best practices of the customs evaluation, rules of origin, fees, procedures, economic regimes, etc.;
- Increased access and consolidated protection of the rights of taxpayers that may be affected by customs procedures; computerization of the calls-from-public procedure, the introduction of a new structure for the prosecution, investigation and conclusion of a reported case, etc.;
- Improvement and effective implementation of standards of ethics, prevention of the conflict of interests and nepotism;
- Boost of cooperation with the prosecutor's office, the Department of Internal Administrative Audit and Anti-corruption at the Council of Ministers and other bodies specialised in tackling the crime, corruption, evasion and smuggling.

#### 9. *Enhancement of Performance and Confidence in Tax Administration*

- Guided improvement of the tax administration towards a strict law enforcement and not merely towards the realization of the projected revenues;
- MIS introduction and incorporation of all tax offices in the system;
- Introduction of an updated evaluation system and measurement of the employees performance with concrete indicators;
- Revision of all the rules and procedures to make them clearer, simplex and more transparent as regards setting tax dues (especially those pre-paid ones, such as the tax on profit, etc.);
- Consolidation and enhancement of service quality for the taxpayers and improvement of access to services through simplified procedures, transparency enhancement and extension of computerization;
- Beginning of online declaration by taxpayers;
- Transformation of the tax administration into a tax service, by providing free of charge quality, simplicity and swiftness of services to its customers;
- Strengthening of the appeals system and warranty for the protection of taxpayers;
- Boost of internal control;
- Review and improvement of the Code of Conduct of the tax official;
- Review of the geographic location of the tax administration, introduction of functional lines and review of the role of the tax police with the tendency to transform it into a department of criminal investigation;
- Upgrade of the IT system to increase work efficiency in the tax administration and supplementation with new modules;
- Boost of cooperation with business associations;
- Boost of cooperation and exchange of information between the tax systems, customs and state treasury.

## *10. Reform in Transport and Telecommunication Sector*

- The self-regulatory reform in the licensing, testing and standards of vehicles
- Liberalization of the mobile and fix telephony market
- Consolidation of the market self-regulatory mechanisms according to the competition principle

## *11. Reforms in Social Field*

In the framework of the implementation of the strategies on employment and vocational training and on social protection and security, some of the goals and policies to impact the prevention of corruption are as below:

- Computerization of information management in the labour offices, labour inspectorates and social service offices as well as the consolidation of databases for the labour market and the social protection and security;
- The distribution of economic assistance through the third-party mechanism (banking system, mail office);
- Increase of transparency in the distribution of the economic assistance, revision of the criteria and guarantee for lists' publication, acquaintance of the beneficiaries with their rights in the field of providing social services;
- Periodic update of the information related to the economic assistance, disability and social services, as well as of the statistical indicators;
- Strengthening of the cooperation and interaction among the Institute of Social Insurance, labour inspectorates, labour offices and tax administration;
- Enhancement of inspections and application of the possibility of the electronic exchange of data through various systems (property registration, labour inspectorates, tax and customs administration, business registration centre, etc.);

## *12. Reforms in the Field of Culture, Tourism and Sports*

- Improvement of the legal and institutional framework regarding sponsorship of various artistic and cultural activities;
- Consolidation of the management of cultural institutions;
- Regulation of functioning of private operators and of the public participation and subsidy;
- Completion of the matriculation and cataloguing of the National Database of the works of cultural;
- Legal regulation of the administration and control of the movement of cultural objects;
- Overseeing and control of illegal market of cultural objects and strengthening of cross-border and international cooperation;
- Transformation of sports clubs into share stock companies;

- Guaranteeing of transparency in the sponsorship of sports activities in order to avoid fiscal evasion;
- Legal review of the use of revenues deriving from the sale of the TV broadcasting right for sports activities and monitoring of such revenues;
- Completion of the legal framework and of regulatory procedures for the boost of investments in tourism and empowerment of the administrative structures to attract funds from donors for the development of tourism;
- Overseeing and monitoring of the copyright, of the rights of interpreting artists and the rights of use of intellectual products;
- Guaranteeing of the rewarding of the intellectual product, based on the professional evaluation;
- Rigorous overseeing of the civil movement of goods that constitute intellectual property in the field of art, culture and science.

### *13. Reform of Property Right*

- Reformation of the immovable property registration system;
- Consolidation and improvement of the law;
- Consolidation and complement of the legal framework;
- Enhancement of the status and treatment of IPRO employees;
- Completion of the immovable property registration system;
- Computerization of the system;
- Transparency and integrity in the implementation of the reform on immovable property restitution and compensation;
- Transparency and integrity in the implementation of the reform on immovable property legalization and their inclusion in the economic and civil circle.

### *14. Decentralisation of public services and fight on corruption at local level*

- Support the preparation of anticorruption plans at local level;
- Transparency increase in local finances management inciting the participation and control of local councils;
- Improvement of quality and procedures of public services through electronic services expansion;
- Increase of public access and participation in decision making through a consultative process;
- Consolidation of urban reform and support to the local government units for the implementation of the territorial legislation;
- Consolidation of immovable property reform;
- Strengthening of control and self-control;
- Transparency and expansion of digitalisation;
- Transparent budgeting process.

## **D. Consolidation of Public Administration Transparency and Integrity**

### *1. Transparency and public information*

- Maximum and proactive transparency of public institutions through free and full access on the data related to the activity of public institutions as the key tool of good governance and fight against corruption;
- Consolidation of public information structures in the public administration (front office / back office);
- Application of rules of procedures in the public institutions with regard to the implementation of the right to information;
- Efficient observance of the media freedom and the free speech;
- Encouragement, consolidation and funding of grants for initiatives aiming the enhancement of transparency and strengthening of "civic and media monitoring" on the institutions and officials.

### *2. Consolidation of Information and Communication Technology*

- Application of the E-Government at the central level of the governance;
- Application of online provision of the most important public services;
- Completion of the digitalized registers of the civil status, immovable property, land and identity cards of the citizens;
- Establishment, operation and interaction of information systems regarding corruption investigation, fiscal statements, court decisions, people's movement, address system, etc;
- The establishment of a national network with websites of Albanian high schools and universities and the undertaking of an online awareness raising campaign for the reporting of corruption cases and its prevention;
- The creation of a youth portal for the education of young people, provision of online services for the education of young people, provision of online services, information on the level of corruption and corruption practices, promotion of prevention initiatives in the fight against corruption, establishment of cooperation between Albanian and foreign youth, promotion of Albania, country's tourism and culture;
- Simplification and standardization of the procedures to provide public services and transparency enhancement through e-applications online;
- Operation and consolidation of the one-stop-shop system for licenses and the trade book.

## **E. Approximation of Legislation on Corruption**

### *1. Ensuring Compatibility of Legal Frame with Council of Europe Criminal and Civil Conventions on Corruption*

- Changes to the Civil Code to adapt to the standards of the EC Civil Convention
  - Introduction of the civil responsibility deriving from corruptive actions

- Changes to the Code of Civil Procedures
  - Admission of the testimonial evidence on corruptive actions
- Revision of the Law "On Commercial Companies"
- Changes to the Labour Code
  - Exemption from disciplinary measures in the cases where suspicions of corruption are not upheld
- Changes to the Law "On Extra-contractual Responsibilities of State Administration Bodies"
  - Establishment of the state administration responsibility as a result of corruptive actions
- Changes to the Law "On Civil Servant Status"
  - Exemption from disciplinary measures in those cases where corruption allegations are not sustained
- Changes to the Code of Criminal Procedure
  - Addition of the application of special investigation techniques with regard to corruption related criminal offences, such as overseen allocations, electronic overseeing or actions of infiltration
- Changes to the Code of Administrative Procedures
  - The responsibility of public administration and its employees on the damage caused to private persons through corruptive actions
- Changes to the Criminal Code. Provision as a criminal offence of:
  - The active corruption of foreign public agents and officials of the public international organization in ensuring a tender in international trade,
  - Conceal and retention of illicit assets,
  - Obstruction of justice, including the obstruction of functioning of judicial institutions of another state,
  - Passive corruption of foreign public agents or officials of the public international organizations ,
  - Accumulation of illicit wealth,
  - Misadministration, embezzlement or illicit profit of assets in the private sector.
  - Admission of freezing, seizure and confiscation of the crime products, with the possibility but not obligation of overthrowing the burden of proof, foreseeing corruption consequences by invalidation of the procurement acts or contracts, lift of barriers that may result from the legislation on bank confidentiality.

## *2. Implementation of Obligations from the United Nations Convention Against Corruption*

Drafting and execution of the plan and schedule of the due initiatives and measures for the approximation with the standards of the UN Convention against Corruption

## *3. Improvement of Law Codes to avoid identified problems and fill gaps in function of a predictable judicial deliberation*

## **F. Public Awareness and Sustainable Participation**

- Rigorous implementation of the legal, institutional and regulatory framework to report corruption (special corruption hotlines)
- Establishment and consolidation of the reporting experience
- Legal and anti-corruption awareness raising of the citizens, in particular, of the young generation
- Initiation and support of efforts by the civil society, universities and lawyer's communities to a mass legal awareness raising of all social strata
- Funding from the state budget of the media and civil society initiatives on monitoring the operation of institutions, as well as of the initiatives and projects related to the prevention of corruption and boost of transparency (as independent polls on corruption perception, studies and analysis of the dynamics of the phenomenon and/or the impact of anti-corruption efforts, projects related to the enhancement of transparency, etc.)
- Incorporation of legal awareness in the education system
- Follow-up awareness raising campaign to fight corruption
- Proactive and continuous education, awareness raising to increase public support in the fight against corruption (publications, campaigns, polls, opinions, public debates, monitoring by the civil society)
- Contracting research and analytical services in the field of corruption with the specialised NPOs
- Promotion of reports by independent organizations

## **II. CORRUPTION INVESTIGATION AND PENALIZATION**

### **A. Consolidation of Investigation and Efficient Prosecution, Acceleration of Prosecution and Trial**

#### *1. Investigation Consolidation*

The effective implementation and improvement of the mechanisms and tools for the investigation of the corruption acts, the increase of the control and self-control of the police structures according to risk-assessment criteria and methodology indicators that leave room for corruption, increase of digitalization, consolidation of the use of information technology, strengthening of capacities and resources to an effective use of special investigation techniques, consolidation of the procedures and standards for the recruitment, transfer, training, qualification, ethic and professional standards and the financial motivation of police officers (especially of the investigation structures), the establishment of professional criteria, boost of cooperation mechanisms with the prosecution bodies and with the other law enforcement agencies in general.

#### *2. Efficiency of Prosecution*

The consolidation of the investigation system and the significant increase of swiftness and efficiency of prosecution shall focus on the improvement of the mechanisms and procedures in function of raising efficiency of criminal prosecution, increase of prosecutors'

independence, restructuring and boost of capacities in the prosecution system, revision and application of the code of conduct of prosecutors, consolidation of relations between the Prosecutor's Office and the judiciary police, deep and sustainable reformation of police structures the establishment of case-administration system according to the best standards, the establishment and guarantee of applicability of the rule of assigning cases by lot, guaranteeing of periodical statistics of the criminal prosecution progress, review of the mechanisms that ensure transparency and relations with the public.

## **B. Raise of Integrity and Resistance to Corruption in the Judiciary**

Some of the highest concern problems in the justice system are related to the poor transparency of criminal and civil trials, which has led to a low degree of confidence by the public in the judiciary; lack of transparency and non-objective procedures in the appointment of judges and prosecutors; gaps in their status, including the independence and special protection to be ensured for judges; infrastructural shortcomings in courts, prosecutors' offices, prisons, pre-detention rooms, etc.; lack of a status and low salaries of the administrative staff of the courts; dissatisfying extent of the execution of court deliberations.

The main priority in this system is the increase of the public confidence in the justice through the establishment of a judiciary that is independent, transparent, accountable, and efficient.

### *1. The Justice System*

- Empowerment of self-control and administration of the justice system
  - Analysis, assessment and improvement of the legislation and structures on the functioning of justice, in order to clearly define competencies on the internal judiciary control and the duties of the inspectorates
  - Strengthening of inspectorates and support with the due legal grounds for the performance measurement and evaluation of judges
  - Ensuring publication of reports issued by the inspectorates
- Standardization of the judiciary file (civil and criminal)
- Consolidation of the judges professional skills evaluation system
- Establishment of objective and transparent criteria and review of the procedures of judges appointment
- Professional enhancement of judges
- Definition of the judiciary administration status
- Encouragement of creating other alternative ways of adjudication, such as arbitration and mediation
- Training and qualification of the group of mediators who are going to deal with mediation of criminal, civil, family and administrative cases.
- Establishment and consolidation of administrative court
- Enhancement of transparency and public access in courts, and boost of the good administration of justice
- Transposition of anti-corruption standards of EU, UN, EC, OECD related to the regime of immunities

- International judiciary cooperation with the purpose of exchanging international experience in the fight against corruption with the European Union countries. In this context, the continuous training of judges and prosecutors for the introduction to new forms of international judiciary cooperation.
- The establishment of a separate office for contacts with European judiciary networks, such as EUROJUST, EUROPEAN JUDICIAL NETWORK (EJN) and OLAF –European Office Against Fraud – with the purpose of exchanging international judiciary experience in the fight against organized crime and corruption.
- Drafting of an action plan on the publication of court decisions
- Full publication of court decisions
- Improvement of the judiciary infrastructure and of the infrastructure of prisons and pre-trial detention institutions in function of the transparency of the control, supervision and communication with public and the institutions out of the prison
- Increase of computerization of the case administration system in the first instance and appeals courts
- Application of a new scheduling system in function of reducing the time of the examination of cases
- Generation of accurate statistics
- Automatic generation of performance reports of any courts and cases that are pending or underway
- Performance of a feasibility study and undertake of legal and institutional measures on the responsibility of magistrates towards third parties
- Development of an IT system in the judiciary containing e-justice, an integrated information system on the fight against crime, cases management, prisons and pre-trial centres
- Compilation of a feasibility study and recommendation on necessary legal and institutional measures in function of reducing timelines of court hearings and reduction of the number of unsettled cases
- Establishment and functioning of a separate unit to deal with the archive of electronic documents in the judicial sector (electronic documents shall imply texts, video and audio materials, in a digital form), which will serve to the interested public in the framework of improving the infrastructure for a direct electronic communication
- Establishment of the necessary infrastructure (premises) for the organization of video conferences, as well as the training of the respective persons
- Intensive cooperation among justice institutions in function of the fight on corruption

## 2. *Reformation and Consolidation of Bailiff System*

- Restructuring and strengthening of the bailiff system
  - Development and application of unified practises and improvement of the legislation to execute court decisions on average EU levels;
  - Unification of the bailiff administration process;

- Consideration of the possibility to turn the bailiff service into an independent entity, with the due authority and independence to enhance the effectiveness of executing court decisions;
- Licensing of private operators in this field;
- Development and application of an initial and follow-up training programme for bailiffs (mid-term);
- Establishment of a digital intranet for all the bailiff service system (mid-term);
- Execution with responsibility of court decisions
- Restructuring and capacity building in the prosecution institution
- Reformation of the notary system

### **C. Strengthening of Administrative Tool in Fighting Corruption**

The priorities and goals related to the prevention of the conflict of interest at all levels of public decision making, the consolidation of control and audit systems, consolidation of the system of reporting, identification and protection by law, according to the “whistle-blowing” model, are important administrative orientations and mechanisms that assist investigation and adjudication of corruption-related cases.

Empowerment of administrative means shall aim the establishment of a legal, institutional and awareness system that, along with the criminal aspect, shall promote tools of administrative and civil accountability because of corruptive actions.

The consolidation of administrative tools shall also aim a more effective cooperation and interaction between the public administration bodies and specialized prosecution bodies.

### **D. Public Participation in Reporting Corruption**

In this respect, focus lays on:

- Strengthening and encouragement of public participation in reporting corruption cases not only in the public but also in the private sector;
- Guaranteeing an efficient public orientation toward reporting corruption through the due infrastructure, observing the responsibility and authority hierarchy, responsible administration of silences, council information, periodical publication and transparency
- Streaming of energies, efforts and information through a well-structured net, which is efficient and operational, that guarantees a swift and efficient treatment of silence and involvement of all the responsible stakeholders.

### **III. CONSOLIDATION OF DOMESTIC AND INTERNATIONAL COORDINATION**

#### **A. Consolidation of Cooperation Tools among Law-enforcement Agencies**

The consolidation of mechanisms and tools and of the close cooperation between the law-enforcement agencies constitutes an issue of particular importance in the effective prevention of and achievement of results in the fight against corruption.

In sensitive fields that require expertise (aspects of the economic crime and money laundering), focus is directed to the strengthening of the cooperation mechanisms of the administration bodies with the police and prosecution bodies and provision of the appropriate expertise in specific and risk-sensitive fields.

#### **B. Consolidation of Sustainable Mechanisms for Periodic Information Exchange**

The information exchange, not only between law-enforcement agencies, but also between any other state body playing a role and having responsibilities in the prevention of and fight against corruption is aimed at:

- Exchange of information not as part of the common legal and institutional responsibility and obligation, but on functional, proactive and more frequent basis;
- Increase of application and consolidation of the information technology systems to enhance efficiency of cooperation and information exchange;
- Compilation, processing and publication in periodical journals of consolidated statistics related to corruption in all the respective state institutions in periodical bulletins.

#### **C. Effective Application of Regional and International Anti-corruption Tools**

- The presence and active role in the international initiatives and commitments related to the fight against corruption
- Extension of cooperation with the international partners and those of assistance projects related to the fight against corruption
- Promotion of anti-corruption best practices and of the efforts of the Albanian authorities in this field on a periodical basis through reports, publications and proactive role of the embassies

## **Chapter 4: Accountability, Monitoring and Evaluating Analysis**

The implementation of this strategy shall be based on indicators and criteria of accountability, monitoring and standard evaluations according to the Integrated Planning System, with focus on:

- Monitoring according to indicators identified in the framework of the Ministerial Monitoring Plan, developed within the frame of the Integrated Planning System;
- Indicators measurable by results and in compliance with the strategic priorities and aims;
- Respective responsibilities at the institutional and inter-institutional level;
- Frequency, mechanisms and forms of reporting;
- Periodical publication of results;
- Modalities of participation and consultation with interested stakeholders;
- Revision of specific aspects of the strategy.
- Strengthening and consolidation of a network of civil society organizations for a continuous monitoring of corruption. For this purpose, the Government shall finance these organizations and their activities by fully respecting their independence.

Implementation of the strategy by the responsible and collaborative stakeholders is based in the Action Plan that shall be compiled and updated on an annual basis, according to the attached template.

The Inter-ministerial Group (IG) which coordinated the drafting of the Strategy shall coordinate the work on overseeing/monitoring and reporting on the implementation of the Strategy. As a rule, reports are done on annual basis, but the inter-ministerial group may also prepare interim reports.

Following the implementation of the Strategy, as well as the dynamic of the spread of corruption, the Inter-ministerial Group elaborates recommendations and develops draft amendments to the Strategy every year.

## ACTION PLAN (Template)

No	GOALS	MEASURES	RESPONSIBLE/ COOPERATING INSTITUTIONS	TIMELINES	IMPLEMENTATION RESOURCES <sup>2</sup>	MONITORING INDICATORS <sup>3</sup>
1.	Goals, as described in the Strategy by giving a clear reference to the Chapter, Title and Subtitle, where they are listed	Briefly describe measures envisaged for reaching the objectives in the coming year (PIM Annex)	Ministry / Agency, respective directorates		Own resources, contributions from other partners	
2.						
3.						
4.						

<sup>2</sup>Human and financial resources, the need for assistance/expertise, cooperation with other actors/factors (business, civil society, support from international partners) etc. It is necessary to project in the budget the specific directions and the forecast budgeting of the needs for financial assistance and support for items not foreseen in draft budgets.

<sup>3</sup> The responsible and collaborating institutions should set out concrete objectives and priorities in concrete plans, by identifying the most used indicators for the monitoring of the implementation and periodical progress reporting. The monitoring indicators in the context of this strategy are specific and the monitoring and pursue per institutions and at a general level are carried out in accordance with such indicators. The anti-corruption monitoring indicators should be accurate, specific, concrete, measurable, quantitative and qualitative.