

# U4 Expert Answer



## Albania: overview of corruption and anti-corruption

### Query

**Please provide an overview of corruption situation in Albania, including Albania commitments and steps to combat corruption, the role of the parliament and the national auditing authority, the question of voice and accountability and the role that civil society and media plays in Albania for taking action? At the sectoral level, we are especially interested in Natural Resources and Environment sector.**

### Purpose

Our office is preparing for the new country Strategy for Development Cooperation with Albania. In the frame of the strategy preparations, an analysis of corruption situation in the country has to be undertaken.

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### Summary

Since Albania made the transition from communism towards electoral democracy, the country continues to struggle with high levels of unemployment, organised crime and widespread corruption. Albania is characterised by very high levels of perceived corruption, which manifests itself at all levels of government. Both petty and grand forms of corruption are prevalent in the country while political corruption affects the quality of democratic processes. The health

sector, customs and tax officials are often referred to as the most corrupt institutions, followed by the police and the judiciary. There is very little research available on corruption in the environmental and resource management sectors.

The overall legal and institutional anti-corruption frameworks are mostly in place and the government has also adopted an anti-corruption strategy and action plan 2007-2013. Albania's public procurement system has been improved, mechanisms for checking conflict of interest of politicians and high-ranking public officials are in place, and procedures for the establishment of new businesses have been streamlined, thereby limiting opportunities for bribery.

In spite of these efforts, the country faces major implementation challenges and efforts need to be stepped up to close the large gap between existing laws and their limited enforcement.

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## 1. Overview of corruption in Albania

Since Albania emerged from communism and economic isolation in 1991, the country has strived to establish and sustain a multi-party democracy and implement economic reforms but is still struggling with a history of corruption, run-down infrastructure, organised crime, and high unemployment (Smith, J., 2011). Despite rapid growth averaging 5.5% during the 2006-2009 period and falling poverty rates, Albania remains one of the poorest countries in Europe and is heavily reliant on the agricultural sector (USAID, 2010).

Albania signed a Stabilisation and Association Agreement with the EU in 2006 as a first step towards making the country eligible to EU accession. It applied for EU membership in 2009, but the Commission assessment, while recognizing progress made, concludes that Albania's democratic institutions still lack effectiveness and stability and have not yet been brought to EU norms (European Commission, Website). While reforms have been carried out in a number of areas, the country continues to face major corruption and governance challenges.

### Extent of corruption

Corruption is perceived to be widespread in Albania, as reflected by various surveys and governance indicators. Transparency International's Corruption Perceptions Index suggests that corruption is rampant in Albania, with the country scoring 3.3 on a 0 (highly corrupt) to 10 (highly clean) scale (Transparency International, 2010). Corruption is also largely recognised as a major impediment to growth by the business community. In the 2007 World Bank and IFC's Enterprise survey, close to 40% of the firms surveyed identified corruption as a major constraint to doing business in the country (World Bank & IFC, 2007).

Citizens largely share these views. According to TI's 2007 Global Corruption Barometer, 71% of the respondents reported having paid a bribe to obtain services (Transparency International, 2007). More recently, a 2010 study by the Institute for Research and Development Alternatives (IRDA) confirms these findings, with 91% of citizens believing that corruption is rampant in the public sector, with the health sector viewed as the most corrupt (Institute for Research and Development Alternatives, 2010). According to the report, the average corruption perception of 20

institutions and groups evaluated in 2010 is 62.4 points on a 0 (very honest) to 100 (very corrupt) scale.

However, there are indications of progress in recent years, as indicated by the World Bank's worldwide governance indicators. The country has improved its score in all six areas of governance assessed, although, even if improving, it continues to perform below average in terms of control of corruption, with a score of 41.9 on a 0 to 100 scale (World Bank, 2009).

### Forms of corruption

#### *Petty and bureaucratic corruption*

Petty corruption is reportedly widespread in Albania, with the large majority of household respondents in the IRDA 2010 survey reporting that they had to pay a bribe on at least one occasion during the year. This also affects private sector operations. Close to 60% of the firms surveyed in the World Bank & IFC 2007 enterprise survey report being expected to make informal payments to get things done. More recently, inefficient government bureaucracy and tax regulations have been identified by companies surveyed within the framework of the Global Competitiveness Report 2009-2010 as a major constraint to doing business in the country, creating both incentives and opportunities for corruption and bribery (World Economic Forum, 2010).

The government has taken some steps to liberalise the economy and improve the regulatory environment, and progress has been made to streamline business registration procedures, limiting businesses' interaction with administrative offices and reducing opportunities for corruption. However, the regulatory environment is not yet fully transparent, with inconsistent laws and regulations that leave room for discretion in law interpretation and create opportunities for bribery (US Department of State, 2010).

#### *Political corruption*

Electoral fraud has long been an issue of concern in Albania, acting as an important obstacle to the country's Euro-Atlantic integration (Bertelsmann Foundation, 2010). In the 2007 local elections for example, there have been procedural problems with voters' registration. A new electoral law was passed in 2008 but, according to some analysts, in spite of progress made, the 2009 general elections have been allegedly marred by violence, with the Socialist Party using intimidation to influence the electoral outcome (Smith, J., 2011 and OSCE, 2009). Freedom House

2010 notes that while no major incidents were recorded, the vote count process was disputed and followed by legal complaints. In particular, the Organisation for Security and Cooperation in Europe (OSCE) noted that “*these elections didn’t fully realize Albania’s potential to adhere to the highest democratic standards*” (Freedom House, 2010 and OSCE, 2009).

Opaque campaign funding and unsatisfactory auditing of the reported party income largely contributed to this situation. Albania is currently engaged in a reform process aimed at addressing the low level of transparency in Albanian political financing. A new law passed in February 2011 addresses the issue but implementation remains key. The above mentioned new Electoral Code also introduces a new system of transparency and monitoring of election campaign financing, applies stricter financing rules and makes income disclosure mandatory. While acknowledging progress made in this area, GRECO’s third round evaluation report stresses that concrete measures will now be necessary to effectively implement the new regulations (GRECO, 2009).

### **Organised crime**

Albania has a large informal economy, amounting to an estimated 33% of the GDP (Financial Standards Foundation, 2009). An important part of the informal sector consists of illicit activities conducted by organised crime such as cigarette smuggling (which accounts for 80% of the market), human, drug and arms trafficking. The 2010 US State Department report notes that Albania is a transit country for narcotic traffickers moving Afghan heroin from Central Asia to Western Europe, while the fight against drug trafficking is hampered by corruption and weak institutions (Likmeta, B., 2010). Some studies estimate that up to 70-80% of heroin distributed in Europe is Albanian-managed, having been transported through Albania or by Albanian groups (Michaletos, I, 2010).

Albanian organised crime is considered one of the most expanding and networked criminal groups in contemporary Balkans and Europe (Michaletos, I, 2010). It is constituted of hybrid organisations, often involved in both criminal and political activities. For example, these groups are believed to influence political developments, in particular associated with the independence of Kosovo, which they strongly support to expand their base.

## **Sectors most affected by corruption in Albania**

Empirical evidence suggests that corruption pervades many of the country’s key sectors and institutions. In particular, the health sector is designated by various surveys as one of the sectors most affected by corruption (Transparency International, 2007 and IRDA 2010). Custom officials, tax officials, the police and the judiciary are also perceived as highly corrupt by the various surveys. On the other hand, religious leaders, the President, the military, the media, and NGOs are perceived as the least corrupt groups and institutions.

### **Natural resources and environment**

Albania has significant reserves of natural gas, coal, bauxite, chromite, copper, iron, nickel, salt, timber, etc. It has also one of Europe’s largest on-shore oil fields and produced an average of 5400 barrels a day in 2010 (Index Mundi, 2011). While extractive industries are traditionally highly vulnerable to corruption due to the nature of their activities and the wealth they generate, there is very little research available on corruption and resource management in Albania. More research would be needed to assess levels of corruption in Albania’s mining sector and map corruption risks in the country’s resource management.

Within the Ministry of Economy, Trade and Energy, the National Agency for Natural Resources supervises mining activities. According to a 2008 USAID report on Albania’s property rights and resource governance, its performance has been hampered by economic decline, lack of technical expertise and corruption. The Ministry has prepared a new mining law that came into force in 2010, which includes more transparent licensing systems, clear and consistent standards of relations between holders of mineral rights and land rights and a flexible system for rights of exploration and exploitation.

Since 2008, Albania is an Extractive Industries Transparency Initiative (EITI) candidate country. The Prime Minister subsequently established an inter-institutional working group composed of representatives from several state agencies, industry representatives and civil society. In May 2011, the country published its first EITI report (EITI, 2011).

Albania is also rich in water and forest, with about 28% of total land classified as state-owned land forest. During the communist era and in the transition decade that followed, Albanian forests were threatened by deforestation by illegal logging, uncontrolled grazing

and the expansion of agricultural land but government interventions seem to have reduced the rate of deforestation (USAID, 2008). In particular, the government convened an inter-ministerial task force for the protection of forest resources, implemented community based forest management and other numerous programmes that contributed to reduce the rate of deforestation.

### *Health sector*

As already mentioned, many Albanians have experienced corruption in their interactions with the health sector, with patients expected to pay doctors to ensure access to treatment or enhance the quality of care. Survey data showed that in 2009, more than 37% of respondents reported having made an informal payment to a doctor or a nurse (IDRA, 2010). Other studies indicate that more than 80% of Albanians believe that informal payments are necessary to get any treatment at all (Sida, 2008).

The health system is severely underfunded, with this funding gap creating a situation where doctors ask for informal payments as a source of additional income (Sida, 2008). There are also cases of medical staff misusing their position in other ways, such as over-treating patients, using public facilities for private patients, or referring public patients to private practices. Information on corruption in the procurement of drugs, infrastructure and equipment for hospitals is scarce but there are opportunities for bribing the procurement authorities, exerting undue influence in the drug approval process, etc.

### *Public administration*

According to Transparency International, Albanian public administration performs well in terms of having the correct policies in place but there is a wide deficit in how laws are implemented in practice (Transparency International, 2011). In particular, customs and tax administration, public procurement, and licensing and registration are perceived as very high risks areas of the public administration.

**Revenue collection** is perceived as very corrupt with tax and customs officials perceived as the most corrupt groups by Albanian citizens, scoring more than 80% on a 0 “very honest” to 100 “very corrupt” scale (IDRA, 2009). Corruption involves public officials, private businesses and criminal groups involved in smuggling activities, with bribes paid to ensure that officials do not report violations or lower tax and customs rates. There are also been instances where applicants bribe to get

jobs in the customs and tax administrations for the expected benefits associated with such positions (Sida, 2007). However, the enforcement of tax and customs laws is improving (Global Integrity, 2010).

Companies are also relatively frequently asked to make informal payments for processing **business related licences, certificates and permits**, with a fifth of the respondents reporting having been asked for such payments (IDRA, 2009).

**Public procurement** is also an activity highly vulnerable to corruption in Albania and most of the criminal corruption related cases involve rigged tenders, collusion and kickbacks in public contract awarding processes (Sida, 2007). For example, in 2008 the US Department of State reported that the deputy minister of public works, several private companies and other high ranking officers were involved in a scheme for fixing construction procurement bids. Albania is also the country where the highest percentage of companies in the region are expected to give gifts in order to get a government contract (World Bank & IFC, 2007). The Global Competitiveness Report 2009-2010 also reports widespread favouritism by government officials when making contract decisions, with a 2.9 score on a 1 (always show favouritism) to 7 (never show favouritism) scale (World Economic Forum, 2010).

Reforms are underway to improve the situation (see below), public bids are accessible for free on the Public Procurement Agency website, and the country now has one of the most transparent procurements systems in the region. The situation has also drastically changed with the introduction of e-procurement. It is however not yet clear to what extent the new regulations have reduced corruption in public procurement (Sida, 2007). The latest report from the Procurement Advocate suggests that there are problems in implementing the selection criteria and, according to the 2011 State Audit report, public procurement is the sector in which the biggest abuses were registered (Veshi, L, 2011).

The government has engaged in various reforms to address these issues. A number of recent laws have focused on simplifying the administrative procedures for businesses, such as the Law on Public Procurement, the Law on Registration of Businesses as well as numerous amendments to various laws which has streamlined and simplified licensing processes (Sida, 2007).

## 2. Anti-corruption efforts in Albania

Although corruption remains a significant problem, the government has made notable efforts to address the issue in recent years. Prime Minister Berisha – who was re-elected in 2009 for a second term - has placed the fight against corruption on his political agenda since his first election and has run an anti-corruption platform ever since. Following the recommendations made by a number of international organisations, Albania's public procurement system has been improved as well as the system for checking conflicts of interest of politicians and high-ranking public officials, and procedures for establishment of new businesses have been streamlined, thereby limiting the scope for corruption in business registration and licensing (Sida, 2007). The government has also adopted an anti-corruption strategy and action plan 2007-2013. The overall legal and institutional anti-corruption framework is mostly in place, but efforts need to be stepped up to close the large implementation gap (Global Integrity, 2010).

Freedom House also argues that government efforts against corruption are sporadic, with sanctions applied selectively and a general lack of cooperation and coordination between the various actors and agencies involved in the fight against corruption. Albanian citizens remain largely sceptical about the government's efforts against corruption. In 2007, 61% of the Global Corruption Barometer respondents believed that corruption levels would remain the same and 17% increase. Only 27% of the respondents assessed government's efforts to fight against corruption as effective (Transparency International, 2007). In 2010, 49% still believed that corruption has increased compared to the previous year, while another 38% believed it had remained at the same level (IDRA, 2010).

### Legal framework

Albania's 1995 **Criminal Code** criminalises both active and passive bribery in the public and private sectors and undue influence of public officials and money laundering. GRECO recognises that the criminal law of Albania complies to a large extent with the relevant provisions of the Council of Europe Criminal Law Convention on Corruption but points to several deficiencies in current legislation in particular with the limited application of existing provisions with regard to bribery of foreign and international public officials; the low level of sanctions available for bribery committed in

the private sector; and several loopholes relating to the jurisdiction over offences of bribery and trading in influence committed abroad (GRECO, 2009). Private sector corruption is also criminalised, but Albania is lagging behind regarding the implementation of civil liability of both companies and persons that commit corruption (Business anti-corruption portal, 2010).

The **Criminal Procedural Code** was amended in 2004 to improve the regulation of financing of political parties, conflict of interest, rules of ethics in the public administration, and the use of special investigation means. A code of ethics was passed in 2004 which regulates the conduct of civil servants and high ranking officials are required to declare their assets.

An **access to information law** was adopted in 1999. According to the law, every individual has the right to ask for information and to be informed about public documents as well as the right to be informed about the activity of the administration and individuals that exercise public duties. However, only a limited number of documents can be made available without a formal request from the officials. In practice, in most cases, citizens are not informed about their right to request information for public documents, due to the lack of a proactive approach in the administration agencies, and lack of efficiency in the administration information offices. Usually it takes a long time a response to requests for any particular official document, which causes delays in courts or other administrative proceedings (Transparency International, 2011).

According to GRECO 2009, the **whistleblowing legislation** complies with international best practice standards and the 2006 law provides adequate protection of whistleblowers against administrative, civil and criminal sanctions, even when suspicions were unfounded.

Political parties are governed by the **Law on Political Parties** (2000) which includes provisions on financing of political parties in general. Specific rules on financing of election campaigns are set out in the **Electoral Code** (2008).

Albania also now has a fairly robust **procurement system** to promote the transparency and fairness of public procurement (Global Integrity, 2010). Public procurement processes are widely hailed as a good practice model, with the mandatory publication of all tenders and the creation of a watchdog agency (Transparency International, 2011).

The **Law on the Prevention and Combating Organised Crime** adopted in September 2004 provides the legal basis for combating economic crimes performed by organised criminal groups.

Albania has ratified several **international treaties and conventions** related to corruption including the United Nation's Convention Against Corruption, the United Nation Convention Against Transnational Organised Crime, Council of Europe 's Civil Law Convention on Corruption, Criminal Law Convention on Corruption and Additional Protocol to Criminal Law Convention on Corruption, the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, and the Convention on Cybercrime. Albania has been a member of the Group of States Against Corruption (GRECO) since the ratification of the Criminal Law Convention on Corruption, and is also member to the Stability Pact Anti-Corruption Network (SPAI).

## Institutional framework<sup>1</sup>

### *Judiciary*

The judiciary is ranked as one of the most corrupt institutions in Albania by several surveys (Transparency International, 2007 and IRDA, 2010). The 2010 Bertelsmann Foundation report notes that judicial independence has been repeatedly jeopardised in recent years by interference from politicians from both the governing party and the opposition. Freedom House 2010 largely shares this view, stating that the government does not hesitate to intimidate judges and prosecutors and provides examples of political interference in the administration of justice. Undue influence by private sector actors or criminal groups to influence judicial decisions is reportedly very common, while security/safety challenges make judges vulnerable to outside pressures (Sida, 2007). Bribery of judges and court administrative staff is also perceived to be widespread. In the World Bank & IFC enterprise survey, only 28% of the companies operating in Albania believe that the judiciary is fair, impartial and not corrupt. Enforcement of court decisions is weak, especially when they go against government's interest.

As a result of corruption, poor judicial capacity and immunity issues, the legal prosecution of corruption

remains challenging in Albania and corrupt office holders are neither adequately nor systematically prosecuted (Bertelsmann Foundation, 2010).

Lack of training, weak accountability and low levels of transparency of court decisions are seen as important contributing factors to this problem (Sida, 2007). The effectiveness of the judiciary is also affected by structural and organisational issues, resulting in high workload for judges and large backlogs of cases with a negative impact on both the timeliness and quality of judicial decisions (Freedom House, 2010). A shortfall of resources also affects the judiciary's performance: Albania has the lowest share of public spending dedicated to the judiciary in Europe (Transparency International, 2011).

However, the situation seems to be improving as reflected by increasing levels of trust in the institution (IDRA, 2010). Almost three-quarters of citizens that have dealt with courts declared that the courts have treated them either "Very well" or "Well" which represents a notable improvement in comparison with previous years.

### *The General Prosecutor's Office*

The General Prosecutor's Office has been widely criticised in the past in the media and by other government institutions due to its inactive role in taking corruption cases to court, leading to a limited number of convictions of high ranking officials. This is seen as a result of limited capacities, lack of professionalism, insufficiently investigated or prepared cases forwarded to the prosecutors, or lack of political will on behalf of the General Prosecutor's Office (Sida, 2007). The situation seems to be improving since the creation of the Joint Investigative Unit against corruption and economic crime (JIU) (see below).

The **Directorate of Organised and Economic Crime** is an internal unit of the Prosecutor General's Office, charged with the mandate to prosecute corruption. With Eight staff members and lack of autonomous budget, it reportedly does not have the resources and expertise to prosecute cases within its mandates. However, the IDRA 2009 survey suggests a positive evolution of how the public perceives the Prosecutor General's Office's efforts against corruption.

### *Anti-corruption agencies*

The **Government Commission for Fight against Corruption** (GCFAC) was established in 1999 to ensure co-ordination between Government institutions

<sup>1</sup> This section is mainly drawn from Albania's country profile in the Business Anti-Corruption Portal.

in the fight against corruption. It is composed of 13 government representatives and headed by the Prime Minister. The GCFAC is mandated to implement the National Anti-corruption plan.

The **Anti-Corruption Task Force** was created in 2005 as a political body at ministerial level, headed by the Prime Minister and comprised of cabinet ministries and high ranking officials of strategic public entities. It is mainly responsible for defining strategic objectives, priorities and measures in the fight against corruption, and approving strategic plans on and securing clear and transparent political accountability for the implementation of the measures and collaborating with the private sector. The Task Force is also responsible for ensuring consistency between anti-corruption entities and policies within the different ministries.

Following the signature of a “Memorandum of Cooperation” between the Prosecutor General, the Ministry of Interior and other bodies, the **Joint Investigative Unit against corruption and economic crime (JIU)** was established in 2007, bringing together the Department of Economic and Corruption Crimes under the State Police established in July 2007 and prosecutors specialised in serious economic crimes at the General Prosecutor’s Office in a common investigative unit specialised in corruption cases. Since its formation, the JIU has opened many cases and successfully convicted high ranking officials, including the Deputy Minister of Transportation and the General Secretary of the Ministry of Labour on corruption charges (Sida, 2007).

### *The People’s Advocate*

The People’s Advocate acts an ombudsman receiving complaints, making recommendations and proposing measures when he observes violations of human rights and freedoms by the public administration. The People’s Advocate enjoys the immunity of a judge of the High Court and is not liable to criminal proceedings for his actions when exercising his powers. The People’s Advocate is composed of three different divisions, with three ombudsmen, each having a specific area of responsibility, including complaints and request towards the central administration bodies and local government and third parties working on their behalf; complaints or requests against police, secret service, armed forces and the judiciary; and complaints which are not included in the other sections. They also collaborate with NGOs and carry out research studies relevant to the activity of human rights and freedoms. The total number of the personnel of the People’s

Advocate is 47 people. The People’s Advocate presents an annual report before the National Assembly.

### *Auditing agencies*

There are different auditing institutions in Albania, which, according to the 2007 Sida report, remain weak and fragmented.

The **High State Control** is the highest institution of economic and financial control, supervising the economic activity of state institutions as well as the use and preservation of state funds by the organs of central and local government. The Head of the High State Control is appointed and dismissed by the Assembly upon proposal of the President.

The **State Audit Commission** and internal auditing units within the different institutions of the Government were originally mandated to inspect, assess and report alleged cases of corruption but increasingly tend to focus on broader system assessments and advice (Sida, 2007).

The **Internal Audit of the Ministry of Finance** includes the main financial supervisory authority, and is, among other things, charged with monitoring money laundering. However, it remains heavily dependent on logistical and functional support from the Ministry of Finance, and has limited financial independence (Sida, 2007).

The **Supreme Audit Institution (SAI)** is the supreme body of the economic-financial audit for public property and funds. It is in charge of budget auditing, the audit of the high administration institutions, local and regional and state bodies, trade associations totally with state capital, or when the state is a majority shareholder. According to a 2007 published EU Progress report for Albania, the Supreme Audit Institution does not meet the standards of the International Organization of Supreme Audit Institutions, in particular, due to insufficient functional and financial independence of the institution.

### *The High Inspectorate for the Declaration and Audit of Assets (HIDAA)*

HIDAA has been established in 2003 as an independent body in charge of collecting public officials’ assets declaration and identifying cases of conflict of interest. HIDAA officers check the logical coherence of all declarations, and subject assets declarations from high-ranking officials and officials in positions

considered particularly risky to full review. The review consists of comparing the declarations to data from the tax administration, banks, the public procurement office, etc. HIDAA can also unilaterally decide to conduct a full review based on signals from the public or based on other information, such as media reports. According to HIDAA, the submission rate for declarations is close to 100%, largely because of fear of the substantial fines that are routinely applied in cases of non-submission (Sida, 2007). The Inspectorate's main concern is to identify wrong or misleading information in the declarations. According to Freedom House 2009, the institution's impact has been hampered by the lack of investigative mechanism. According to Transparency International, the HIDDA lacks the capacity to follow up and verify the declarations (Transparency International, 2011).

### *The Public Procurement Agency (PPA)*

Under government auspices, the PPA is responsible for public procurement, monitors all public procurement processes and oversees complaints. It is also required to make information about tenders available to the public. Unsuccessful bidders can complain to the Public Procurement Advocate, an independent institution reporting to Parliament. According to the office's 2009 report, there have been 526 complaints of unfair practices of which more than half have been investigated, while the others have been administratively resolved. Only 14% of all complaints received were rejected (Transparency International, 2011). A blacklist of companies that have committed irregularities during procurement processes is published on the PPA website.

### *The Parliament*

Albanian legislature faces unique challenges in the region as for most of the last two years; the opposition has refused to attend parliamentary sessions, impeding the ability of the country to implement important reforms when a majority vote is necessary.

There is no comprehensive written code of conduct for MPs. However, the Head of the Parliament can take disciplinary measures against MPs if they violate Parliament regulations or use inappropriate vocabulary during sessions.

According to Freedom House 2010, immunity of senior officials continues to be an obstacle in the fight against corruption, serving as grounds to dismiss criminal cases against ministers. Lifting the immunity of MPs, Ministers and judges has been addressed on several

occasions in Parliament, and the new majority emerging from the 2009 elections has renewed its promise to introduce important regulations on immunity. Members of Parliament enjoy immunity, are immune from prosecution for statements made in Parliament and can only be investigated and prosecuted with the qualified decision of Parliament. In practice, however, there have been very few cases where immunity was lifted for MPs to be investigated/held responsible for declarations in Parliament (Transparency International, 2011). As many Ministers are also MPs, immunity is generally perceived as an obstacle to investigate and prosecute corruption related cases involving MPs and Ministers. In some recent instances however, the Parliament has lifted immunity of former ministers over corruption charges, such as in the cases of former Prime Minister Ilir Meta or former Cabinet member Dritan Priftiin 2011 (Xinhua, 2011).

In terms of transparency, parliamentary decisions are often made behind closed doors without consultation with civil society or other interests groups on measures up for discussion. This is due to the fact that draft laws are not published and gaining public access takes time, despite legal provisions on access to information. Generally, the committees do not make their agenda available to the public ahead of meetings or give notice of important laws being discussed. Time pressure also limits opportunities for public discussions, as commission meetings are held weekly on a tight schedule (Transparency International, 2011).

## Other actors

### *Media*

While freedom of expression and of the press are guaranteed by the constitution, the legal framework for a free media is not yet complete, especially with regard to the transparency of the media's financial resources (Freedom House, 2010). There is no self-regulation concerning the employment of most journalists, which can undermine the quality and ethics of Albanian journalism. The media market has witnessed an expansion in terms of print and broadcasting media in recent years. It is perceived as vibrant, but also chaotic and not transparent, with indirect evidence linking politics, business and the media (Bertelsmann Foundation, 2010). Media outlets compete for limited advertisement resources and a number of them are run or subsidised by businesses and interest groups, which may jeopardise their independence and impartiality (Freedom House, 2010)



While defamation is rarely used to sue journalists by public officials and restrictions on journalists have significantly decreased, there have been instances where government interventions have raised concerns over the freedom of the press. In 2008 for example, the government tried to stop the publication of the daily newspaper TEMA that had been reporting on corruption (Business Anti-corruption Portal, 2010). In another instance, the National Council on Radio and Television was fined for showing a political spot outside the election period, which was perceived as an attempt by the government to punish one of its critics. The country is ranked as “partly free” in the 2010 Freedom of the World report (Freedom House, 2010 b). However, generally, political issues can be covered by the media in Albania without major consequences (Bertelsmann Foundation, 2010). According to the 2009 IDRA survey, the media is perceived as one of the institutions most active in the fight against corruption.

### Civil society

Freedom of assembly and association are also guaranteed by law and civil society is generally free from state interference (Bertelsmann Foundation, 2010). Civil society can openly engage in public debate and criticise the government. In spite of very few restrictions imposed on NGO operations, civil society faces many resource and capacity challenges in Albania, which jeopardise its financial and administrative sustainability and make it dependent in many cases on international sources of funding (Freedom House, 2010).

According to the Bertelsmann Foundation 2010 report, there is a robust but heterogeneous network of self-organised groups and associations. However, the public remains sceptical of the role civil society can play, as the sector is mostly represented by small organisations that appear fragmented and uncoordinated (Freedom House, 2010).

There are a number of organisations involved – or that could potentially be involved - in governance and corruption related issues, such as Transparency International Albania, Mjaft! Movement, Citizens Advocacy Office or the Network for Open Society in Albania.

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