



USAID
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Rule of Law Program – Legal Systems that Better Support Democratic Processes and Market Reforms

FINAL REPORT



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ABBREVIATIONS

AATDA-AL	Albanian American Trade and Development Association of Albania
ABA	American Bank of Albania
ABA-CEELI	American Bar Association – Central Eastern European Law Initiative
ASC	Albanian Securities Commission
ACAC	Albanian Coalition Against Corruption
ACMG	Anti-Corruption Monitoring Group (GOA body)
AmEmb	American Embassy
AMI	Albanian Media Institute
AMS	Albanian Magistrate School
APC	Administrative Procedure Code
AWL	Association of Women Lawyers
AYLA	Albanian Young Lawyers' Association
C&A	Casals & Associates, Inc.
CAO	Citizens' Advocacy Office
CCNA	Cooperating Country National Attorney (members of C&A staff)
CDDI	Center for the Development and the Democratization of Institution
COE	Council of Europe
COI	Conflict of Interest
COP	Chief of Party
CSO	Civil society organization
CWG	Core Working Group
DANIDA	Danish International Development Agency
EWMI	East-West Management Institute
GOA	Government of Albania
HCJ	High Council of Justice
HIDAA	High Inspectorate for the Declaration and Audit of Assets
ICS	Institute for Contemporary Studies
IDLO	International Development Law Organization
IFES	International Foundation for Election Systems
ILP	Impact Litigation Project
IP	Intellectual Property
IPLS	Institute for Policy and Legal Studies
IPR	Intellectual Property Rights
IQC	Indefinite Quantity Contract
IR	Intermediate Result

ITAP	Training Institute for Public Administration
JRI	Judicial Reform Index
LCM	Legal Clinic for Minors
MCA	Millennium Challenge Account
MOC	Ministry of Culture
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
NCA	National Chamber of Advocates
NJC	National Judicial Conference
OD	Other donors (non-USAID)
OECD	Organization for Economic Cooperation and Development
OM	Office Manager
OPDAT	Overseas Prosecutorial Development, Assistance and Training
OSCE	Organization for Security and Cooperation in Europe
PC	NCA Project Coordinator
PMP	Performance Monitoring Plan
Q	Quarter
QR	Quarterly Report
SACS	Senior Anti-Corruption Specialist (EWMI staff member)
SDC	Society for Democratic Culture
SO	Strategic Objective
STTA	short-term technical assistance
TA	technical assistance
TI	Transparency International
TLAS	Tirana Legal Aid Society
TO	Task Order
TOR	Terms of Reference
TSE	Tirana Stock Exchange
USAID	U.S. Agency for International Development
WAC	Women's Advocacy Center
WB	World Bank
WL	World Learning
WTO	World Trade Organization

INTRODUCTION

1.1 Background

This report covers the 39-month period during which Casals and Associates, Inc. (C&A) implemented the Rule of Law (ROL) Program in Albania from July 2004 through September 2007. It is presented by C&A in compliance with Contract DFD-I-00-03-00139-00 and its Task Order No. 802 for Albania entitled “Rule of Law Program – Legal Systems that Better Support Democratic Processes and Market Reforms.”

The Rule of Law (ROL) Program was carried out under USAID’s Strategic Objective (SO) 2.2 “Legal Systems that Better Support Democratic Progress and Market Reforms” and its Intermediate Results (IR) No. 1 “More Effective and Fair Legal Sector Institutions” and No. 2 “Complementary Measures for a More Transparent Legal System.”

SO 2.2 is aimed at improving and upholding the rule of law in Albania, in large part by addressing corruption, a cross-cutting theme in USAID’s portfolio. The components of the ROL Program aimed to improve accountability in three areas: judicial sector performance (Components 1 and 5 below), executive branch accountability (Components 2, 3, 6, and 8), and civil society activism (Components 4, 7, and 10). Progress attained was measured by tracking component indicators and with the Annual Corruption Surveys carried out under Component 9.

1.2 Program Components

C&A implemented ten program components:

1. **Judicial Inspection** – with the High Council of Justice, the Ministry of Justice, and a consortium of NGOs.
2. **High Inspectorate for the Declaration and Audit of Assets (HIDAA)** – to improve implementation of the asset declaration law.
3. **Conflict of Interests Law** – with HIDAA.
4. **Citizens Advocacy Office** – to increase citizen

participation in the fight against corruption.

5. **National Chamber of Advocates** – to improve the ethical practices and professionalism of Albanian lawyers.
6. **Freedom of Information Law and Administrative Procedures Code (FOIA / APC)** – with the Ombudsman’s Office
7. **Media Ethics** – with the Albanian Media Institute and the Institute for Policy and Legal Studies.
8. **Intellectual Property Laws** – with the Albanian Copyright Office and the Patent and Trademarks Office.
9. **Annual Corruption Surveys** – with the Albanian polling firm, IDRA.
10. **NGO Small Grants Program** – with 22 NGOs selected in the NGO Marketplace.

1.3 Results

In terms of results achieved, the program components can be divided into three categories: (A) ones with excellent results; (B) ones with good results; and (C) ones with some results. The specific results achieved are identified and discussed in Section 2.

Category A

- HIDAA
- Conflict of Interest Law
- NCA
- Annual Corruption Survey

Category B

- Judicial Inspection
- Citizens Advocacy Office
- FOIA/APC
- NGO Small Grants Program

Category C

- Media Ethics
- Intellectual Property Laws

1.4 Lessons Learned

The reports on each program component include suggested lessons learned. Most are for our Albanian partners. Those that follow are the principal programmatic ones we believe C&A and USAID should take from our experience implementing this project over the last three years.

1. To obtain results in anti-corruption and other DG reform efforts, it is necessary to “act politically.” For host country partners, this means engaging in coalition and consensus-building among stakeholders for the purpose of taking actions to change the incentives faced by those engaging in corruption, or those tempted to engage in it. By themselves, changing regulations and laws, training, and appeals to “do what is right” are not sufficient to bring about changes in behavior.
2. Success cannot be achieved without skilled and committed national partners taking the lead in championing reforms.
3. Successful projects begin with careful definition of desired outcomes that are specific and realistic in terms of time available and long-term goals, and whose achievement is measurable with indicators, or at least can be illustrated with anecdotes. It is important to define outcomes and indicators in cooperation with the partners we intend to support because they are most responsible for achieving them. Under USAID’s strategic planning process, this can be done for program components when Program Management Plans are developed and revised, in addition to whatever work is needed to identify indicators for USAID’s higher level SOs and IRs.
4. In Albania, perhaps more than in other countries because it was isolated for so long, technical assistance from foreign experts – sometimes long-term, sometimes short-term – can make the difference between success and failure. Good foreign technical advisors bring information on best international practices and lessons learned, and in Albania, they can strengthen the credibility of national partners among their colleagues.
5. Albanian NGOs are still young, and they require assistance with project design and implementation, as well as financial management and control.
6. When USAID provides significant support for an NGO - especially when it helps create an NGO, its assistance strategy should be explicitly acknowledged. One approach is to place priority on organizational effectiveness and sustainability. If that route is chosen, USAID takes care to select NGOs with respected and dedicated leaders capable of mobilizing support and collaborating with other national leaders. USAID helps those leaders nurture their NGO’s development by ensuring they maintain client focus, developing a solid board, and carrying out fundraising professionally, along with many other things. USAID also agrees with its NGO partners on the extent of its participation in their decision-making, trying to keep it to a minimum. At the other end of the strategic spectrum, USAID may decide that it is more interested in helping national leaders obtain shorter-term programmatic results than endeavor to establish a durable organization. In fact, it may be more appropriate in terms of a host country’s situation to help national partners obtain those results and then go on to other pursuits, without regretting the demise of their NGO. The lessons here are that there is no single alternative to be followed in all cases, and that USAID’s decision on its assistance strategy vis-à-vis an NGO that it intends to heavily support needs to be made carefully, explicitly and in cooperation with its NGO partner, and then followed consistently.
7. Technical assistance trips to the U.S. and other countries by groups composed of individuals working together on a USAID-funded initiative can be very effective in building productive relationships among colleagues who need to cooperate, as well as put them in contact with foreign expertise they can continue to call upon.
8. The following section of this report covers each of the ten program components and presents: (a) background information on the problems addressed, Albanian partners and desired outcomes; (b) a description of the activities implemented; (c) identification of results achieved; and (d) suggested lessons learned.

PROGRAM COMPONENTS

2.1 Judicial Inspection

2.1.1 Background

The Inspectorate of the High Council of Justice (HCJ) and the Inspectorate of the Ministry of Justice (MOJ) have overlapping responsibilities for overseeing the performance of judges and courts. The HCJ Inspectorate is part of the Judicial Branch, while the MOJ Inspectorate belongs to the Executive Branch. The inspections they carry out are intended to provide objective and reliable information needed both to sanction judges and other court officials and to reward them for good performance. Historically, their rivalry and overlapping responsibilities have led to confusion and inefficiency in judicial inspection processes, which naturally impeded actions to deal with misconduct within the courts.

This program component aimed to assist both Inspectorates to arrive at a common understanding of relevant laws, begin harmonizing their operations, and improve their technical capacities to meet their judicial watchdog responsibilities. Those include the capacity to detect and verify cases of corruption and take appropriate actions in response, and to identify which judges are performing better than their colleagues for the purpose of determining promotions.

The desired outcome for this component was:

- Better judicial inspections providing fairer and more transparent evaluations of judicial performance that are used to sanction corruption and misconduct, and to reward good performance.

Attaining this outcome is essential for improving the effectiveness and transparency of the judicial system, and, over time, increasing public confidence in judicial integrity.

The Performance Monitoring Plan stated that progress under this component would be tracked using data from the Annual Survey of Thirty Factors that was being carried out by ABA/CEELI to compare progress among countries in developing

accountable, effective, independent judiciaries. The specific indicators to be tracked were Factor No. 17 (Removal and Discipline of Judges), Factor No. 21 (Code of Ethics) and Factor No. 22 (Judicial Conduct Complaint Process). As a practical matter, since these indicators are influenced by factors beyond the scope of the component, we identified outputs we would use to measure progress. Those included agreement to collaborate in a joint effort to improve inspections (i.e., signature of a Memorandum of Understanding), the number of revised regulations adopted, steps taken to encourage the public to submit complaints to inspection authorities, and, eventually, the number of actions on judges and courts taken after using revised inspection procedures.

2.1.2 Activities

C&A carried out five activities under this component, four with the two Inspectorates and one with a Consortium of NGOs. Those done with the Inspectorates were: (1) completing needs assessments and mission statements; (2) a study tour to Spain; (3) negotiation and signing of the MOU on collaboration; and (4) support for a Joint Working Group. The NGO Consortium implemented activities to encourage citizens to submit complaints on judges and participate in inspection processes.

Needs Assessment and Mission Statements

C&A contracted the Institute for Policy and Legal Studies (IPLS). The first action was to conduct a thorough review of existing reports and other documents on the issues facing the Inspectorates. Reports reviewed included ones produced by USAID, IPLS, EWWMI, OSCE, ABA-CEELI, and DANIDA. C&A and IPLS held several meetings with key staff from both Inspectorates to identify institutional needs. As a result, C&A and IPLS developed a detailed Needs Assessment Report that

defined areas for the technical assistance to both Inspectorates.

Those efforts also revealed a number of legal ambiguities related to the Inspectorates' authorities and procedures. To begin addressing this problem, the Inspectorates decided to develop mission statements. C&A and IPLS facilitated a series of workshops where Inspectorate officials identified where their responsibilities overlapped and prepared draft mission statements to be used as a basis for decisions regarding division of the labor, coordination of common duties, and the like.

Study Tour

C&A organized a study tour to Spain for representatives of both Inspectorates so they could learn about that country's judicial inspection model. Study group members paid special attention to elements of inspection practices that dealt with issues that had been identified in the needs assessments. The objective was to develop a common understanding of inspection principals and practices being applied in Spain in order to specify elements of the Albanian inspection process they would improve.

As a result of the study tour, the Inspectorates signed an MOU defining topics to address in a Joint Working Group with the intention of drafting compatible regulations to govern inspections.

Memorandum of Understanding

C&A and IPLS facilitated the process of negotiating

and signing the MOU. By signing the MOU, the Minister of Justice and the HCJ agreed to jointly define the purpose, nature, types and scope of inspections they would implement in the future, in line with the spirit of relevant Albanian legislation and commonly recognized European standards.

The first three topics they agreed to tackle were:

- Guidelines for judicial inspections and, possibly, future legislative amendments, to be spelled out in a Policy Framework Document.
- Standardizing procedures for the verification of complaints, to include drafting common rules governing the steps to be taken from the reception and registration of complaints, to the submission of verification reports to competent authorities. The plan was to set up one complaint registry in both the MOJ and HCJ, streamlined in terms of content and format.
- Standardizing procedures for inspection of judges and other court officials, possibly by agreeing on a common Manual of Inspection Procedures.

“The signing of an MOU on inspection issues with the High Council of Justice, through the assistance of the international community, is a sign of our will to work together with the Council to resolve conflicts concerning inspection procedures.”

Former Minister Aldo Bumci
Top Channel, Evening Talk Show,
February 2007



Former Minister of Justice, Aldo Bumci, and the Deputy Chairperson of the High Council of Justice at the MOU signing ceremony, accompanied (middle) by former Mission Director, Harry Birnholz

Joint Working Group

The Joint Working Group met weekly for eight months (September 2006 to May 2007) and forged a new path for fruitful communication and cooperation between the two Inspectorates. Members agreed on two draft regulations: (1) Procedures for the Verification of Complaints; and (2) Procedures for General and Thematic Inspections. Production of these draft regulations required detailed and arduous



Representatives from the Ministry of Justice in one of the meetings of the Working Group

efforts by the individuals serving on the Working Group. They not only had to resolve normative issues but also dealt with overlapping and conflicting practices that the two Inspectorates had been using for years.

The first regulation, on Procedures for Verification of Complaints, was approved by the High Council of Justice and incorporated into its existing internal regulations. HCJ inspections performed after January 2007 have been implemented following the procedures and rules recommended by the Working Group and incorporated into HCJ's internal regulations.

The Ministry of Justice committed itself to approve those same procedures, together with the ones defined for general and thematic inspections, in one regulation that would become the primary internal regulation of the Ministry on inspection procedures. This decision was communicated to USAID in a letter from the former Minister of Justice.

A new Minister of Justice was appointed after national elections, and in May 2007 he ordered his Ministry's representatives to cease participating in the Working Group. The progress the Working Group was making came to a halt. Collaboration between the Ministry and the HCJ was still on hold when the ROL Program ended. Those who participated in the Working Group possess the knowledge and skills to begin collaborating again, but whether and when they do is dependent on the current Minister reversing his decision or appointment of a new Minister with a different viewpoint.

Public Participation in Judicial Inspection Processes

During the last quarter of 2006, USAID and C&A decided to launch an activity to promote citizen participation in court inspections. The idea originated from citizens' concerns, detected in various surveys, about their lack of information on how and where to channel the complaints on the conduct of judges.

We invited NGOs to submit proposals on how to increase the involvement of the public in judicial inspection processes, how citizens' complaints could best be handled, and how to promote transparency and accountability in the justice system. The competition was won by a Consortium of NGOs composed of the Center for Parliamentary Studies, the Albanian Center for Economic Research, and the Institute for Policy Studies, all based in Tirana. The objectives of their project were: to increase information available to the public on procedures for submitting complaints on judges; to promote public participation and cooperation when inspections of cases they initiated were investigated; and to take steps to improve legislation affecting citizens' participation in the judicial inspections.

The first phase of the project was to evaluate procedures being followed to receive and process citizens' complaints. This involved analysis of the legal basis, procedures, and mechanisms for dealing with citizens' complaints at the President's Office, the HCJ and the Ministry of Justice. That analysis identified gaps in Albanian law that can impede citizens' exercise of their constitutional right to complain about the actions of state authorities.



The Consortium prepared a questionnaire to collect information on procedures used to examine citizens' complaints during first six months of 2006. They used it to collect data on the cases processed by the President's Office, the HCJ and the MOJ. That data was used to prepare a typology of citizens' complaints (or, said differently, a presumed pattern of judges' misbehavior).

During the second phase of this activity, findings from the survey and other analyses were made public in forums held with relevant government officials, NGOs, and other interested parties. The largest forum took place in May 2007. In addition, the Consortium distributed leaflets with information on procedures for submission of complaints and judicial inspection processes. TV spots were broadcast providing simple and concise information on the right to file complaints and how to do so.

2.1.3 Results

The decision of the current Minister of Justice to shut down the Joint Working Group was very disappointing because MOJ and HCJ members were making good progress harmonizing and improving judicial inspection procedures. Given this positive experience, and international recognition of the initial improvements made in judicial inspections, it is quite possible that efforts to continue improving inspection procedures can be reinitiated if and when another Minister of Justice more amenable to productive cooperation with the HCJ takes office.

For now, the HCJ has shown a strong commitment to using the inspection procedures recommended by the Working Group that are now embodied in its new regulation. The Ministry of Justice possesses those same recommendations, and can incorporate them into its own internal inspection regulations, if and when its leaders so decide.

ABA/CEELI found that efforts under the Rule of Law Program to promote cooperation between the two Inspectorates and to streamline complaint and verification procedures were positive and efficiently carried out. (See Judicial Reform Index, Executive Summary, pg. 2. See also, Factor 22).

Finally, the NGO Consortium's activities should have increased Albanians' awareness of their right to address complaints regarding judicial behavior to inspectorate offices, and how to do so. If the number of complaints they submit does increase, and the Inspectorates take more effective action on at least some of them, public demand for more effective judicial inspections can increase.

2.1.4 Lessons Learned

Provide Comparable Models. The technical training organized in Spain enabled inspectors from both the HCJ and MOJ to observe the Spanish model closely, especially the division of work between the Spanish inspection agencies. This experience was crucial in establishing fruitful cooperation between the Inspectorates, both because it enabled them to learn about Spanish procedures and because those who traveled developed a good working relationship while in Spain.

Move Quickly. Proceeding more quickly with the project's technical work (instead of focusing on the more administrative aspects) will likely result in more progress. The C&A team would have benefited from signing the MOU quickly and focusing more on establishing the Working Group, instead of spending so much time analyzing the problems of the Inspectorates and drafting mission statements. That might have been possible by starting with a well planned study trip to Spain, then facilitating follow-up sessions with the participants to agree on the MOU. Then the analysis done could have been more directly aimed at supporting deliberations on the topics Working Group members were tackling. Proceeding this way may have allowed more progress to be made before the current Minister of Justice took office.

Facilitate High-Level Dialogue. In reform efforts of this sort, ongoing contact by senior Embassy officials with the senior Albanian officials in charge can help keep momentum going forward, and provide room for intervention by the Ambassador when major roadblocks are encountered, should the reform initiative being supported rank high enough among USG country priorities.

Identify Indicators. The program would have benefited by encouraging and assisting the NGO Consortium to identify and use indicators to measure progress attained reaching public information objectives. We also could have helped Consortium members define how they might use information gathered in this joint activity in each organization's ongoing work program.

2.2 High Inspectorate for the Declaration and Audit of Assets

2.2.1 Background

The High Inspectorate for the Declaration and Audit of Assets (HIDAA) is the Albanian Government's implementing agency for the Asset Declaration Law and the Conflict of Interests Law. It was established in May 2003 to assist in reducing corruption in the public sector by requiring all elected officials, senior public servants, and the judiciary to annually declare their assets and the sources of funding for those assets. In May 2005, HIDAA was assigned the additional responsibility of implementing the Conflict of Interests Law. This legislation seeks to guarantee impartial and transparent decision-making and improve trust in public institutions by preventing conflicts between the public and private interests of officials in the exercise of their functions.

Because HIDAA was a new government organization with an expansive mandate, there were many challenges facing the organization's leadership and staff. The performance goals of C&A's technical assistance were:

- To equip the organization with the knowledge and tools needed to carry out its mandate.
- To help it increase its effectiveness.
- To enable HIDAA to establish itself as a vital resource in the fight against public corruption.

As of mid-2007, HIDAA was reviewing approximately 4,000 declaration forms with a staff of approximately 35 and a budget that equates to US\$800,000/year.



Edward Landau, Director of USAID/ Albania, and Fatmira Laska, General Inspector of HIDAA, present Hektor Mucaj with a Conflict of interests training certificate, December 2006.

2.2.2 Activities

To improve HIDAA's ability to fight corruption in Albania, C&A carried out the following activities:

- **Organization and Operations** – Provided training and other technical assistance aimed at implementing the Asset Declaration Law and the Conflict of Interests Law.
- **IT Procurements and Design of Forms** – Increased productivity and effectiveness by assisting with forms design, IT needs identification, IT procurement, etc.
- **IT Systems** – Implemented an electronic case

HIDAA's Success Indicators

- Full Compliance with Asset Declaration Law – 4125 Declarations Processed in 2006
- Prompt Resolution of Conflict of Interests Cases – 135 Cases Resolved in 2006
- Potential Violations of Law Sent to the Prosecutor – 10 Cases Sent since 2004
- Fines Imposed for Late or Incomplete Declarations – 68 Fines Imposed in 2006
- International Recognition of Effectiveness – 5 Invitations for Foreign Presentations
- Regional Recognition of Impact – 4 Foreign Delegations Visited HIDAA
- Public Access to Declaration Forms – 1400 Copies Provided to NGOs and the Public in 2006



General Inspector Fatmira Laska and U.S. Ambassador Marcie Ries.

management system to integrate work processes and automate as many procedures as possible.

- **Communication Channels and Regional Influence** – Supported increased communication between HIDAA and other government agencies and increased coordination between HIDAA and its counterpart organizations in other countries.

C&A' technical assistance – administered through the Senior Anti-Corruption Specialist working for the East-West Management Institute – facilitated HIDAA's transition from a fledgling agency with an uncertain future to a highly respected institution with an essential role in the Government's anti-corruption efforts. As a result of HIDAA's efforts, public employees have overwhelmingly complied with the Asset Declaration Law and Conflict of Interests Law. Of the approximately 4000 public employees who must file annual declarations, very few (usually less than 100) are fined for late or incomplete declarations, and compliance is now uncontested.

Organization and Operations – Provided training and other technical assistance aimed at implementing the Asset Declaration Law and the Conflict of interests Law.

HIDAA is emerging as an internationally recognized anti-corruption agency. It has implemented high standards and carries out its mandate with a well trained professional staff. HIDAA's staff members

possess degrees in either law or economics. We supplemented their technical knowledge and skills through advanced professional development activities in Albania and the United States. These activities, which were significantly increased during the last year of the project, included the following:

- **Two-Week Training Course on Inspection Standards.** In February 2007, HIDAA staff attended a C&A-sponsored training course in Tirana that provided them with an overview of the principles, standards, and procedures used to carry out inspection work in the United States and in certain international organizations. Topics included standards for audits and inspections, as well as Albanian-specific legal requirements for carrying out administrative reviews.
- **Two-Week Professional Development for HIDAA Officials.** In April 2007, six officials from HIDAA traveled to Washington, DC, and New York City for two weeks of professional development activities organized by the Association of Inspectors General and the USDA Graduate School. This training enhanced leadership skills and increased technical knowledge. An additional and significant benefit from the trip was closer collaboration and improved communication by HIDAA with organizations, at all levels of government, involved in anti-corruption activities.



General Inspector Fatmira Laska and U.S. Ambassador Marcie Ries. Professional Development Training for HIDAA Officials in NY. (Left to Right) – Fred Palm (John Jay College of Criminal Justice), Albana Cami, Helian Zenelaj, Jeanne-Marie Col (John Jay College of Criminal Justice), Paul Balukas (John Jay College of Criminal Justice), Fatmira Laska, Jeremy Travis (President of the John Jay College of Criminal Justice), Agata Nasti, Flori Karaj, Ned Benton (Chair of the Department of Public Management at John Jay College), Rozarta Rrgallina, and Michael Sears (Senior Anti-Corruption Specialist).

- **Short-Term “Ad Hoc” Training.** Both the Senior Anti-Corruption Specialist and the Intermittent Short-Term Legal Advisor provided case-by-case, one-on-one, small group, and organization-wide training.
- **Resulting Work Products.** Work products from this activity include Albanian versions of (1) Principles and Standards for Offices of Inspectors General, (2) Code of Ethics and International Standards for the Professional Practice of Internal Auditing, and (3) Quality Standards for Inspections. These three documents, available in electronic format, will be important resources for HIDAA as it continues to improve its internal procedures and guidance to other government organizations.

IT Procurements and Forms Design

C&A helped HIDAA increase productivity and effectiveness by assisting with forms design, IT needs identification, and IT procurement, installation and training.

When HIDAA started operating in 2003, very few government organizations were in a position, either financially or technically, to take advantage of automation and other advanced business processes. During the last three years, C&A guided HIDAA through the IT acquisition process and training of staff. Significant activities included:

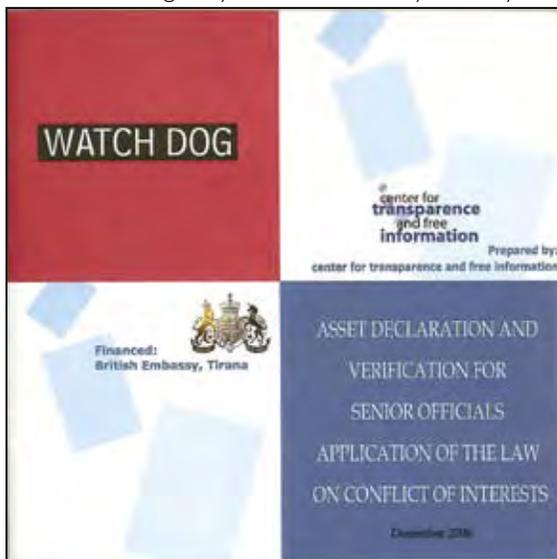
- **Modern Work Environment.** C&A ensured that HIDAA staff were equipped with, and trained to use, modern IT equipment including computers, scanners, printers, and copiers. This equipment contributed greatly to HIDAA's ability to carry

out its mandate, even with a small staff and declining budget.

- **Accountability for Data.** The IT procurements enabled HIDAA to reliably account for, and store, the forms and other information that the agency receives. Although paper files are still used and stored at HIDAA, most of the important documents, particularly the declaration forms, are now stored electronically, both as an image and as part of a database.
- **Transparency of Operations.** In keeping with the intent of the Asset Declaration Law and Conflict of Interests Law, IT procurements also enabled HIDAA to provide quick and reliable responses to media inquiries. Because the declaration forms are scanned when they arrive at HIDAA, the non-sensitive information from these scanned forms can be easily retrieved and checked to determine whether its release is within the law.
- **Resulting Success Indicators.** Currently, all of HIDAA's staff members are equipped with computers, and the IT environment that C&A helped HIDAA create has the capacity to accommodate further enhancements of the website, database, and case management system.
- **IT Systems** – C&A assisted HIDAA to implement an electronic case management system to integrate work processes and automate as many procedures as possible.



During her report to Parliament in 2005, General Inspector Fatmira Laska noted that “a considerable contribution in the redesign [of the declaration form] was made in collaboration with . . . the Rule of Law project financed by USAID.”



The “Watch Dog,” published by the Center for Transparency and Free Information, based its conclusions on the 64 declaration forms that it requested and received from HIDAA.

During the final year of the project, C&A intensified efforts to implement the electronic case management system at HIDAA. The final design of the system involved automating the processes used in the various operations within HIDAA, including: initial reception processing and archiving of declaration forms; assigning forms to individual inspectors; conducting mathematical and logical tests to identify mistakes and inconsistencies; conducting full reviews; and tracking the status of individual forms and cases. To accomplish this, C&A contracted with a local IT consultant and organized an IT support team within HIDAA. Significant activities included:

- Design and Implementation of an Electronic Case Management System. The system currently being used is a significant achievement that will help



General Inspector Fatmira Laska and her counterpart from Montenegro, Slobodan Lekovic, discuss implementation of Conflict of Interests Laws in their respective countries.

manage rapidly accumulating data, reduce the paperwork burden for HIDAA's relatively small staff, and provide even greater transparency for the internal review processes.

- Integrated IT Operations for the Database, Case Management System, and the Website. Although HIDAA's sensitive data is maintained on a separate system with the required security safeguards, non-sensitive data is now being provided more quickly to recipients authorized to receive it under the law, and HIDAA's internal operations are being more closely monitored by its managers.
- Training HIDAA Staff. Our IT consultant completed training of HIDAA's staff. In addition, HIDAA's in-house IT Manager and Database Manager were fully involved in the development of the case management system and are now maintaining, with intermittent assistance available from the consultant.
- Resulting Work Products. These included the software for the electronic case management system, and written documentation and training materials for the system.

Communication Channels and Regional Influence

C&A supported increased communication between HIDAA and other government agencies and increased coordination between HIDAA and its counterpart organizations in other countries.

C&A assisted HIDAA to take a leading role in the anti-corruption efforts within Albania and among international organizations, as illustrated by the following examples:

- Local Inter-Agency Cooperation. C&A sponsored numerous conferences and workshops during which HIDAA staff worked with government colleagues and NGOs to draft effective legislation, amend counterproductive or confusing legal language, and implement effective and fair administrative processes. At one conference in February 2006, over 250 representatives from various government organizations attended a HIDAA workshop to better understand reporting requirements under the Conflict of Interests Law.
- Regional Influence. HIDAA's legal mandates and operational procedures have become models for counterpart organizations in other Balkan countries. For example, HIDAA's procedures and operations were reviewed by representatives from Montenegro, Macedonia, and Kosova.
- International Presence. HIDAA is now recognized internationally as possessing a significant role in preventing corruption in Albania and the Balkans. For example, HIDAA represented Albania at the United Nations' Conference Against Corruption in Jordan and, due to the quality of its presentation, was asked to make a special presentation to the Government of China in June 2007.
- HIDAA's rising influence is apparent from the number of recent invitations extended to HIDAA officials and accommodated by HIDAA staff:
 - o October 2006 – Delegation from Montenegro at HIDAA
 - o November 2006 – HIDAA Officials in the Netherlands
 - o November 2006 – HIDAA Officials in Macedonia
 - o December 2006 – Delegation from Macedonia at HIDAA
 - o December 2006 – HIDAA Officials at the UN Conference in Jordan
 - o April 2007 – OSCE Multi-Country Delegation at HIDAA
 - o May 2007 – HIDAA Officials in Lithuania and Latvia
 - o May 2007 – Delegation from Kosova at HIDAA
 - o June 2007 – HIDAA Officials in China

2.2.3 Results

By working closely and cooperatively with HIDAA officials, C&A assisted HIDAA to achieve impressive results:

- **Full Compliance with Filing Requirements of Asset Declaration Law** – C&A’s provision of assistance, such as organizational training, operational guidance, IT planning, installation of the electronic case management system, and seminar support, enabled HIDAA to aggressively monitor compliance with the Asset Declaration Law. HIDAA now receives approximately 4,000 asset declarations every year. By cross-checking with other authorities, HIDAA ensures that the required number of forms is received. Most recently, only about 2% of the forms were filed late, and, in those cases, a fine was imposed.
- **Prompt Resolution of Most Conflict of Interests Cases** – In 2006, HIDAA worked with representatives of other governmental institutions to resolve over 100 conflict of interests cases, almost all of them in the Customs Office and the Tax Office.
- **Confirming HIDAA’s Central Role in Albanian Anti-Corruption Efforts** – As Albania seeks to improve its chances of joining NATO in 2008, and perhaps the European Union in the near future, it must continue to focus on reducing corruption in the public sector. HIDAA’s role in those efforts is now key, as a result of its effective implementation of the Asset Declaration Law and the Conflict of Interests Law
- **International Recognition for Effectiveness and Professionalism** – This has been demonstrated by HIDAA invitations to international conferences and the number of foreign delegations visiting HIDAA to learn about its systems and practices.

Potential Next Steps

HIDAA is in a position to build on the progress noted above and to continue its evolution into a high-impact anti-corruption institution. The following “next steps,” which were developed in consultation with HIDAA, can contribute to this progress:

- **Evolving Internal Guidance**. HIDAA should continue working with international standards-setting organizations to ensure that its work processes and quality control procedures meet international standards and expectations.
- **Additional Interagency Cooperation and Coordination**. HIDAA should increase its

efforts to establish a close working relationship with Albanian investigators and prosecutors.

- **Expanded International Role**. HIDAA should take advantage of its international experience to assist its regional counterparts. This action will help ensure that there are concerted regional strategies to address public sector corruption in the Balkans.
- **Refinement of the Legal Reporting Requirements**. HIDAA should continue to monitor implementation of the Asset Declaration Law and Conflict of Interests Law to determine whether legislative or administrative changes are needed, particularly related to (a) the number of years that must be covered when a public official makes his/her first declaration, and (b) the reporting burden for family members not in the public official’s immediate household.
- **Organizational Leadership and Professionalism**. The fact that HIDAA has made such significant progress in developing its capacity for preventing and addressing corruption in Albania is due primarily to the commitment and professionalism of the General Inspector and the HIDAA officers she leads. Only with such commitment can donor assistance be effective.
- **Value of On-Site Advisors for Newly Created Organizations**. Having an on-site advisor has proven to be quite beneficial for HIDAA. Not only did HIDAA have quick access to international resources, but the on-site foreign advisor also increased HIDAA’s credibility within Albania’s politically-charged environment.

2.2.4 Lessons Learned



For the public officials who could not explain the source of their assets, the General Inspector referred their cases to the General Prosecutor.

2.3 Conflict of Interests Law

2.3.1 Background

Albania's Conflict of Interests Law seeks to guarantee impartial and transparent decision-making that is in the best interest of the public, and to promote trust in public institutions by preventing conflicts between officials' public functions and their private interests. All public officials are subject to this law – either because of their position or because of certain actions they may take while they are working for the government – and all state institutions and any entities established or controlled by the state institutions are responsible for seeing that their officials comply with it.



Panel members at one of the USAID-sponsored training sessions for the Conflict of Interests Law include Edmond Dunga, representing the Council of Ministers; Fatmira Laska, General Inspector of HIDAA, and Artan Hoxha, representing the Albanian Coalition Against Corruption.

Since the beginning of the Rule of Law Program in 2004, C&A provided assistance aimed at ensuring passage of the Conflict of Interests Law, which occurred in April 2005, as well as passage of the clarifying amendments that harmonized the Conflict of Interests Law with the Asset Declaration Law.

The law applies to situations in which there is (1) an inherent conflict between an official's primary function and his/her private interests or (2) a case-by-case conflict between an official's specific act/decision and his/her private interests. The latter situation usually involves certain contracts, outside income for a specific function, and certain gifts in return for preferential treatment.

The High Inspectorate for the Declaration and Audit of Assets (HIDAA) is the agency responsible for implementing and enforcing the Conflict of Interests Law. It has a staff of 35 lawyers and economists and an annual budget equivalent to approximately \$800,000,

Success Indicators For HIDAA's Implementation of the Conflict of Interests Law

- Passage of the Conflict of Interests Law – April 2005
- Harmonization of Conflict of Interests Law and Asset Declaration Law – February 2006
- Distribution of Implementation Guidelines – February 2006
- Publication of Conflict of Interests Training Manual – December 2006
- Training of Conflict of Interests Trainers Completed – December 2006
- Initiated Training Workshops for Public Officials – January 2007
- Resolution of 135 Conflict of Interests Cases – During 2006, 1st Year of Implementation

2.3.2 Activities

To assist with passage and implementation of the Conflict of Interests Law, C&A carried out the following activities:

- **Analyses of the Conflict of Interests Law and Amendments** – Provided analyses of the law and the proposed 2006 amendments.
- **Stakeholder Meetings** – Sponsored workshops to explain and promote successful implementation of the law.
- **Guidance and Training Materials Related to Conflicts of Interests and Other Ethical Issues** – Sponsored a series of workshops to



Fatmira Laska (General Inspector of HIDAA), Michael Sears (Senior Anti-Corruption Advisor), and Gerald Meyerman (Chief of Party) answer questions at a stakeholder meeting for the Conflict of Interests Law.

develop a comprehensive Conflict of Interests training manual and other training materials.

- **HIDAA In-House Workgroups to Build Consensus** – Sponsored off-site workshops and conducted small-group sessions to build consensus on HIDAA’s implementation of various provisions of the Conflict of Interests Law.

C&A’s technical assistance – administered through the Senior Anti-Corruption Specialist working for East-West Management Institute, and supplemented by short-term consultants from the U.S. – played an essential role in implementing effective conflict of interests legislation in Albania. As of June 2007, not only does Albania have a Conflict of Interests Law in place, but the initial law has already been amended to provide technical improvements and better harmonization with the Asset Declaration Law. HIDAA, in cooperation with the Training Institute for Public Administration (ITAP) and the Albanian Coalition Against Corruption (ACAC), completed a training manual and initiated an aggressive training strategy for representative authorities, general secretaries, and other public officials. HIDAA also used other approaches to ensure full implementation of the law, including media events, private consultations with public officials, press releases, and reviews of declaration forms.



Ilir Panda (Deputy Chairman of the High Council of Justice), Edward Landau (Director of USAID/Albania), Fatmira Laska (General Inspector), and Thimio Kondi (Chairman of the Supreme Court) at the ceremony to commemorate the publication of the Conflict of Interests Training Manual and the certification of 18 local experts.

Our technical assistance and support significantly assisted HIDAA in obtaining passage of the Conflict of Interests Law in April 2005 and passage of Technical Amendments to the Conflict of Interests Law in February 2006.

The first public distribution of the Conflict of Interests Training Manual and certification of local experts to conduct future training related to the Conflict of Interests Law took place in December 2006. USAID’s Mission Director’s participation in the ceremony at the Tirana International Hotel, attended by 125 officials and covered by TV and newspapers. It marked two milestones in implementing the Conflict of Interests Law:

- Issuance of a comprehensive 139-page Conflict of Interests Training Manual that summarizes the law, presents sample cases, uses challenging exercises, and provides legal explanations.
- Completion of workshops to certify 18 local experts to conduct future conflict of interests training throughout Albania’s public administration.

To bring about these accomplishments, C&A assisted HIDAA with the following:

Analyses of the Conflict of Interests Law and Amendments

- C&A organized workshops with foreign experts and local experts to review the draft law, draft amendments, and draft training manual. For example, at one workshop in Durres, our Intermittent Short-Term Advisor, who specialized in conflict of interests issues, helped facilitate the workshop, and our COP was one of the presenters.



The 139-page Conflict of Interests Training Manual provides comprehensive guidance for understanding and implementing the law.



Fatmira Laska, General Inspector of HIDAA, meets with representatives of government institutions to ensure compliance with the Asset Declaration Law and Conflict of Interest Law.

- The Senior Anti-Corruption Specialist participated in workshops with Representative Authorities to review the latest amendments to the Conflict of Interests Law and their impact on requirements for submitting declarations of assets.

Stakeholder Meetings

- To ensure that stakeholders were fully informed, C&A and HIDAA cooperated to carry out the following activities:
 - Met with representatives of internal audit agencies and NGOs to discuss closer cooperation among organizations carrying out both inspections and audits.
 - Held frequent planning sessions with the Training Institute for Public Administration and NGOs.
 - Implemented district-level workshops (e.g., Elbasan) to increase cooperation between HIDAA and local governments throughout Albania.
 - The Senior Anti-Corruption Specialist also participated in the Embassy's Legal Reform Working Group to ensure better coordination between this program and other U.S.-sponsored initiatives.

Guidance Related to Conflicts of Interests and Other Ethical Issues

- With C&A assistance, HIDAA:
 - Published 5,000 copies of the Conflict of Interests Training Manual.
 - Pilot tested the training manual with Representative Authorities and General Secretaries.
 - Finalized the training materials that will be used in future training sessions with

Representative Authorities and General Secretaries.

HIDAA In-House Workgroups to Build Consensus

- The Senior Specialist participated in workshops at HIDAA to address changes in the reporting (declaration) requirements for 2006 and 2007.
- He reviewed ongoing asset declaration cases and provided feedback and guidance.
- He reviewed information prepared by HIDAA for the UN Convention Against Corruption and provided suggestions.

C&A worked to ensure that the activities noted above were fully integrated with those under Component 2 dealing with the High Inspectorate for the Declaration and Audit of Assets.

2.3.3 Results

Examples of the impacts from the activities outlined above include the following:

- Full Compliance with the Conflict of Interests Reporting Requirements – Each year, HIDAA receives approximately 4,000 declarations forms that now require full disclosures of potential conflicts of interests.
- Prompt Resolution of Most Conflict of Interests Cases – In 2006, HIDAA worked with representatives in other government institutions to resolve over 100 conflict of interests cases, almost all of them in the Customs Office and the Tax Office.
- Senior Officials (General Secretaries and HR Directors) in Major Institutions Trained – For example, in December 2006, training sessions were provided for 17 government institutions, including the Ministries of Justice, Defense, Environment, and Foreign Affairs; and the Regulatory Authorities for Telecommunication, Water, Energy, and Free Competition.

Potential Next Steps

The following “next steps,” which were developed in consultation with HIDAA and other stakeholders, can further improve and expand the implementation and enforcement of the Conflict of Interests Law:

- Additional “White Collar” Crimes Training for HIDAA. Most of the inherent conflict of interests cases can be identified and resolved. However,

Law on Conflict of Interests to Be Observed

The responsible authorities to enforce the law on conflicts of interest in the central and independent institutions that do not fulfill the obligations within the set deadlines will bear legal consequences. The General Inspectorate of Property Declaration and Audit will propose administrative measures up to dismissal for the person held responsible, in case such violations are verified.

The General Inspector, Fatmira Laska stated on Thursday in the training workshop entitled, "Enforcement of the law on prevention of conflict of interest in exercising public functions", that the institution she represents will rigorously respect the law.

According to Laska, the adoption of clear and unified policies to prevent the conflict of interests constitutes an essential duty of



Fatmira Laska

the institution she heads, aiming at applying the standards to

directly and objectively serve the purpose of combating corruption and organized crime. She underlined that, "we should understand well that law-enforcement, prevention of conflict of interest, and public support on this issue are a component of our work in successfully raising the awareness of the officials to differently conceive our stance on corruption in order to get rid of it".

General Inspector Fatmira Laska frequently used press conferences to help educate public officials about the Conflict of Interests Law.

many of the case-by-case conflicts will require time-consuming and labor-intensive reviews.

- Expanded Training for Public Officials. The training manual and other course materials should be used to educate all public employees about the need to avoid conflicts of interests and their responsibility to report potential conflicts of interests.
- Refinement of the Conflict of Interests Law. Monitoring of the law's implementation should identify potential legal shortcomings, enforcement problems, and other issues that might need legislative or administrative solutions.

2.3.4 Lessons Learned

- The Value of Taking Advantage of Local Assistance and Experts. Because of HIDAA's small staff and limited resources, it was necessary to use local experts to extend HIDAA's outreach and public education. HIDAA will be able to continue calling on these experts, using its own and the future assistance it receives.
- Need to Build Local Capacity. To ensure that Albania will always have local experts to effectively implement the Conflict of Interests Law, C&A worked to build and retain local capacity within HIDAA and within civil society organizations. These efforts should continue under future assistance programs.

2.4 Citizens Advocacy Office

2.4.1 Background

The Citizens Advocacy Office (CAO) was established in October 2001 to encourage citizens to denounce corruption and abuse by public officials. USAID supported CAO since its start, and in September 2004, CAO was included in the USAID ROL Program.



During the last three years, CAO assisted thousands of individuals, businesses, and social groups to raise their voice against corruption and in favor of democratic government that better serves citizens. CAO led numerous anti-corruption initiatives, including campaigns for more transparent government, clarity in political party finances, and denouncing illegal and arbitrary government decisions. It provided legal aid to citizens confronting government corruption and inefficiency advocated in favor of more accessible and transparent justice sector institutions, monitored implementation of the Freedom of Information (FOIA) law, and promoted corporate social responsibility.

Between 2004 and 2007, CAO received over \$785,000 under the ROL Program that it used for specific anti-corruption initiatives and organizational capacity building. This was complemented by about \$150,000 from other donors (e.g., Soros/OSFA, CRS, the Dutch and Norwegian Embassies, and UNICEF). CAO used those funds for other advocacy activities – on the use of public funds, anti-trafficking, family and gender-based violence, HIV/AIDS prevention, and the juvenile justice system.

The desired outcomes sought by CAO and USAID under this component of the ROL Program were:

- Increased citizen activism in the fight against corruption.
- CAO firmly established as a strong anti-corruption NGO.

2.4.2 Activities

Support received by CAO under the ROL Program enabled it to carry out a number of specific anti-corruption activities while concurrently making efforts to strengthen its organizational capacities and sustainability. The anti-corruption activities included legal aid, youth mobilization, “Court Watch,” corporate ethics and social responsibility, monitoring FOIA implementation, and media and public events promoting those initiatives as well as numerous others. Organizational capacity-building activities CAO carried out included strategic planning, board development, fundraising, and establishment of regional offices.

2.4.2.1 Anti-Corruption Initiatives

Legal Assistance

Provision of legal aid to citizens who decided to confront corrupt and unfair government practices was always a core component of CAO programs. With C&A technical and financial assistance, CAO provided legal assistance in some 1835 cases. Most supported actions taken by individuals, but 15% of them were class action cases against illegal decisions made by government officials and the judiciary, and an additional 17% of cases involved private companies or nonprofit organizations, such as labor unions.



By the time the ROL Program ended, CAO had been handling an average of 45 cases per month through its offices in Tirana, Durres, Vlore and Shkoder. Its legal team (10 lawyers in 4 offices) provided various types of legal assistance. Only 20% involved preparation of court documents and legal representation during court proceedings. In the majority of cases, CAO lawyers helped citizens deal with government agencies directly by collecting information under the Freedom of Information Act and the Administrative Procedure Code. CAO preferred providing this kind of assistance because it helped resolve citizens' problems quicker and promoted better practices by government agencies.

Youth Activities

Beginning in 2004, CAO established and sustained student groups that cooperated closely with stakeholders involved in its ongoing anti-corruption activities, including legal services, awareness campaigns, court monitoring, and access to information. By this means, CAO encouraged youngsters to become more informed about corruption and took advantage of their enthusiasm and energy to help make CAO activities more successful. CAO helped establish and develop youth groups in high schools in Tirana and other major cities, and established close working relationships with both young and more experienced professionals from law schools in Tirana, Shkoder and Vlore. As a result, CAO mobilized thousands of individuals from all over Albania to support its mission.

Special efforts were made with students from the Tirana University Law School. They participated in training courses organized by CAO experts. The purpose of the courses was to help the students better understand how government offices with responsibilities in areas of concern to CAO operated, and gain a better appreciation for the issues being addressed by CAO so that they would be more effective CAO volunteers. The topics covered included:

- Bailiffs' responsibilities and handling complaints CAO received regarding corruption by bailiffs.
- The interconnecting responsibilities of prosecutors and the Judicial Police in criminal law enforcement.
- The Albanian court system, including training in the skills needed to interview judges and other court personnel and complete questionnaires under CAO's Court Watch Program.
- Situations faced by vulnerable groups (victims of family violence, women, children, elderly, people with disabilities, victims of human trafficking), their





rights and CAO activities with them.

- Anti-corruption advocacy, organizing anti-corruption activities and lobbying.

As the training took place, CAO compiled information materials for use by the volunteers, such as FOIA leaflets and information request forms, a brochure entitled “Understanding the Judiciary” that includes several practical hints for pursuing legal action, and a brochure on students’ rights.

Those who had participated in the courses organized a “Youth Against Corruption” event in early 2005, to launch the CAO youth program that was attended by 300 students. The first groups of students organized for anti-corruption activities were from the Tirana University Faculties of Law and Civil Engineering.

Similar activities to mobilize university students in the fight against corruption were carried out in Vlore in mid-2006 and in Shkoder at the end of that year, in cooperation with the law faculties and youth parliament branches in those cities.

Court Watch

This activity was designed to obtain information on corruption in the court system using data gathered from judges, lawyers and citizens interviewed near court facilities.

Preliminary discussions were held with attorneys to identify problems with corruption and other issues in the justice sector. A questionnaire was prepared using models from the Survey on Court Services to the Public conducted by the East-West Management

Institute in May 2004, OSCE’s 2004 Report on Fair Judicial Decisions, and Transparency International’s Corruption Perception Survey conducted by the Bulgarian Millennium Coalition.

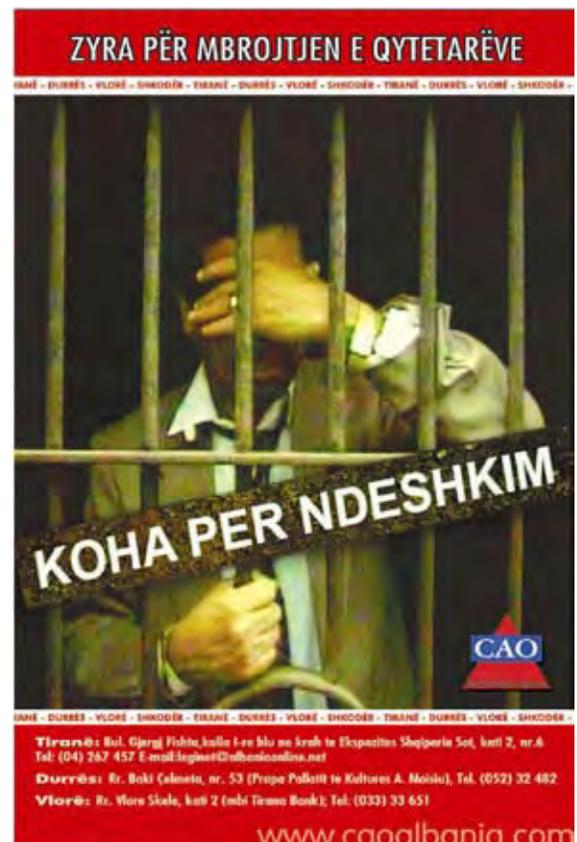
The Court Watch survey contained four major sections:

- Compliance by court officials with justice system principles established by law.
- Experiences in court proceedings.
- Types of corruption.
- Effectiveness of anti-corruption efforts.

The first Court Watch survey was carried out between May and October 2005 in the Tirana and Durres Court Districts and the Serious Crimes Court. The questionnaire was administered to 38 judges, 80 lawyers and 443 citizens.

Findings from the survey were made public on December 9, 2005, International Anti-Corruption Day. They included a description of corruption in the courts that had been surveyed, and charts showing comparative data. The report did not include recommendations because the CAO intended to use the findings in workshops for that purpose with judicial actors and civil society organizations.

The following year, CAO revised its questionnaire,



including fewer questions, but it interviewed a broader range of court officials (prosecutors, court administrators, etc.). The survey was conducted between March and June 2006.

Corporate Ethics and Social Responsibility

CAO decided to work more closely with Albanian businesses given the important role the private sector needed to play in anti-corruption activities, and in connection with the its board development efforts (see below). Topics addressed in programs for business leaders included corporate governance, corporate social responsibility, and compliance with the ethics requirements of the OECD Convention Against Bribery in Private Transactions that Albania will need to adopt as part of its preparations for possible accession to EU.

CAO conducted a first baseline assessment of business leaders' knowledge of internationally accepted corporate ethical practices, and met often with representatives of the National Chamber of Commerce and other business associations in order to identify possible areas of collaboration with business leaders.

CAO prepared training modules related to the needs identified above, and the first workshop was held in September 2005. To assist CAO in its efforts with business leaders, C&A also provided it with training modules based on methodologies the U.S. Department of Commerce successfully implemented in former communist countries in Eastern Europe. Finally, CAO and C&A cooperated to adapt Transparency International's Anti-Bribery and Business Principle Tools for use in Albania.

In its meetings with business leaders, they identified the following topics for collaboration with CAO:

- Definition of ethical standards for Albanian businesses.
 - Participation by business leaders in civil society activities to monitor government performance.
 - Preparing accurate financial statements for submission to tax authorities.
 - More effective concerted action to lobby government on issues of interest to business.
 - Impartial and independent mechanisms to reduce arbitrary actions by government officials against individual companies.
 - More transparent public contracting and procurements regulations.
- Strengthening CAO's capacity to cooperate with businesses in advocacy on commercial and economic rights.

FOIA Surveys

With C&A assistance, CAO continued its surveys to monitor (a) citizens' interactions with government agencies, and (b) compliance by government agencies with FOIA requirements.

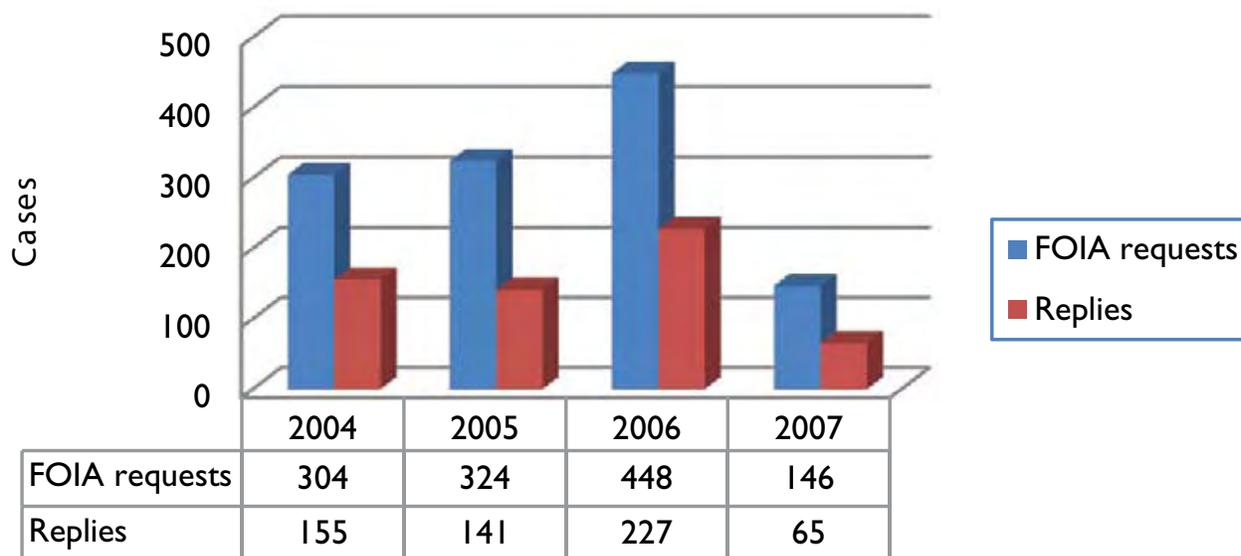
These surveys were designed to provide information on implementation of the FOIA law and the Administrative Procedures Code, and on the transparency and performance of public offices in general. The objectives were: (1) to measure the level of knowledge possessed by citizens and public servants about the right to information and required administrative procedures; (2) to assess officials' performances in interactions with the public, and citizens' perceptions of that performance; (3) to compare citizen perceptions of central and local government offices in terms of the degree of respect for the law, transparency, following procedures, and levels of corruption.

CAO's first survey was done with the assistance of ABA-CEELI in 2004. It focused primarily on measuring knowledge of citizens and government officials regarding the FOIA law and its implementation. The surveys carried out in 2005 and 2006 also included data on citizens' interactions with public officials and their opinions regarding the performance of central and local government officials in four districts.

The results of the 2006 survey were somewhat alarming because they revealed:

- A considerable percentage of citizens did not know how to obtain public information or other documents from government offices in accordance with FOIA procedures, and (b) government offices' responses to citizens were erratic. Some responded promptly while others did not.
- Citizens did not hold civil servants responsible for violations of official procedures and failure to respect legal deadlines.
- Less than 1/3 of citizens responding trusted the government institutions with which they dealt.
- A high proportion of citizens reported that government officials had refused or failed to provide them information at least once.
- More than 70% of citizens said they had faced bureaucratic obstacles when turning to public

FOIA data base for 2004 - May 2007



offices to obtain a service or information.

- The percentage of citizens reporting that they were asked for money to have their requests met quickly, or resolve a problem in their favor, varied between 45% and 85% in the districts surveyed.
- More than half of citizens believed that government offices did not operate transparently, and did not invite participation of interested parties in their affairs.

The chart above compares the number of citizen requests for information from the surveyed agencies with the number of replies sent by those agencies over a period of almost four years. CAO surveys covered 2004, 2005, and 2006, as well January to

May 2007. The chart shows that government officials responded to 51% of the FOIA requests in 2004, 41% in 2005, 51% again in 2006, and 44% during the first five months of 2007. This compares with 34% in 2003. The lower percentage of responses in 2005 and early 2007 may be due to elections held those years. Government offices usually operate less efficiently during election periods.

Media Activities

During the years CAO received support under the ROL Program, it conducted a wide range of activities to draw media attention to its activities.

C&A assisted CAO to negotiate special rates from media outlets to cover its events and run its spots. For instance, CAO negotiated arrangements with some TV channels to provide 20% to 50% of advertising time free of charge for the "Time for Punishment" Campaign in May 2006.

As CAO's consolidated its anti-corruption reputation, its activities received regular coverage on TV and in newspapers. A survey of media revealed that CAO activities were covered an average of once per week on three TV stations. Over three years, CAO collected 211 articles from the daily press on its activities. One in five articles was on page one.

2.4.2.2 Capacity Building

C&A assisted CAO to prepare a "Sustainability Plan" at the start of 2005. The Plan had two related foci: diversifying CAO funding and developing a CAO



board. It provided for CAO to continue its anti-corruption mission.

The Sustainability Plan set a goal of 50% of CAO funding from non-USAID sources by mid-2007, when the ROL Program was scheduled to end. Actions taken to meet that goal included (a) improving CAO financial management capacities, (b) submitting proposals to other donors, and, most importantly, (c) recruiting board members who would contribute to CAO and help it raise funds.

During the first quarter of 2006, C&A provided the services of Margaret Bartel to assist CAO to improve its financial management systems. She helped CAO install accounting software (“Alpha”) that allowed it to produce financial statements for Albanian authorities and its own program management. CAO prepared written policies and procedures for funds control and allocation of indirect costs among donor-funded projects.

CAO prepared proposals for other donor funding and succeeded in obtaining grants for activities dealing with family violence, transparent campaign financing, juvenile justice, public procurement policies, and advocacy regarding urban planning. Project proposals for which CAO received donor funding were:

- BATS 2, Advocacy for Anti-Trafficking Strategy
- Civil Society for Political Parties Transparency
- Corruption in Urban Planning and Territory Management
- Red Card Advocacy Campaign for the Law against Family Violence
- Legal Actions for Prevention of HIV/AIDS in High-Risk and Vulnerable Groups
- COMBI Plan for Juvenile Justice

Following participation in Transparency International’s International Anti-Corruption Conference in Antigua, Guatemala, CAO officials traveled to Washington, DC where they met with World Bank officials to present their programs and organizational capacities.

Board recruitment took place in two phases. First, CAO aimed to assemble an Advisory Board composed of prominent individuals, media representatives, and donors who were concerned with corruption and able to donate funds or in-kind support to CAO. Advisory Board members were to help CAO diversify its financial support, help ensure political neutrality, and provide program guidance in line with their shared vision for the organization. That Board was launched at a March 2005 event where numerous individuals signed pledge cards.



Later that year, CAO decided to change direction and assemble a Board of Friends from the Albanian private sector; whose members would be better able to contribute to CAO, and could even purchase anti-corruption services from it. With C&A assistance, CAO consulted the Albanian Tax Office and the National Chamber of Commerce to obtain names of companies with honest records and reputations. Over 30 companies were invited to attend events held in September 2005 and February 2006 to discuss establishing the Board of Friends. Concurrently, CAO was cooperating with those businesses to devise programs in the areas of corporate social responsibility and business ethics. Eventually, however, USAID became concerned that association with Albanian companies could harm CAO’s independence and potentially involve it in conflicts of interest, and the Mission requested CAO to drop the Board of Friends idea.

During the last three years, CAO was able to expand its operations beyond Tirana. It opened an office in Durres in April 2005 that allowed it to divide responsibilities for its growing legal aid services, and did not increase CAO’s management load because Durres is close to Tirana. Two more offices were established, one in Vlora in March 2006 and another in Shkoder in September 2006. Both offices were immediately well received in those communities. The Vlora office became active in anti-trafficking and domestic violence work and was a key player in notorious obstruction of justice and corruption cases. Within a few weeks of opening the Shkoder office, citizens there denounced 30 cases involving the local property registration office, corruption at Shkoder University and in the municipal government.

2.4.3 Results

During the three years CAO continued to receive USAID support under the ROL Program, it consolidated its position as Albania’s leading organization in the fight against corruption. Before CAO was established, “corruption” was an unspoken word. By 2007, almost six years later, CAO was widely recognized by the public for its credibility,



independence, and success in combating corruption. During that period:

- CAO helped Albanians learn about their democratic rights. It provided key support for numerous civil society initiatives, cooperating actively with groups of citizens and other nonprofit organizations.
- CAO was one of the most active members of the Albanian Coalition Against Corruption (about 100 nonprofit organizations in addition to well known individuals from the media and academia).
- CAO assisted thousands of citizens to use legal means (e.g. the FOIA law and the Code of Administrative Procedures) to denounce corruption, and take cases to the prosecutors' offices.
- CAO was a leader in encouraging citizens to publicly denounce corruption in the media.



- CAO was the first entity to organize legal action by the public permitted under the Albanian constitution; such as an initiative that collected 20,000 signatures for the domestic violence law, a petition to the Constitutional Court against amendments to the FOIA law, and other measures opposing arbitrary or unlawful government decisions.
- CAO became one of the leading voices in public debates regarding governance, justice, transparency, and corruption.
- In 2006, CAO was designated as Albania's chapter of Transparency International, and it successfully participated in a TI regional project addressing corruption in urban development.

In the last two Annual Corruption Surveys, one-third of the citizens polled, and two-thirds of the judges, said they personally knew someone who had benefited from CAO assistance. CAO ranked among the top organizations respected by the public, and this fact was reflected in other surveys, such as one done by the GTZ in 2006.

Despite all this success, by mid-2007 CAO found itself in a very precarious position. It depended too much on USAID funding. Although it had had some success obtaining support from other donors, it was not enough to continue operating without continued heavy support from USAID. CAO's board development efforts were not successful, and it was still identified primarily with its Executive Director. It could no longer afford to keep its regional offices open, and it faced the prospect of downsizing and diluting its anti-corruption mission in search of new funding. When it became clear that USAID was not going to continue funding CAO as it had in the past, the Executive Director decided to take a position with the High Council of Justice. As of September 2007, the future of CAO is in doubt.

2.4.4 Lessons Learned

Identify and Maintain Assistance Strategies with NGOs. When USAID provides significant support for an NGO – and especially when it helps create an NGO – its assistance strategy should be explicitly acknowledged. One alternative is to place priority on organizational effectiveness and sustainability. If that route is chosen, USAID takes care to select NGOs with respected and dedicated leaders capable of mobilizing support and collaboration among other national leaders, and it helps them nurture their NGO's development – ensuring they maintain client focus, develop a solid board, and carry out fundraising professionally, along with many other things. USAID also agrees with its

NGO partners on the extent of its participation in their decision-making, trying to keep it to a minimum. At the other end of the strategic spectrum, USAID may decide that it is more interested in helping national leaders obtain shorter-term programmatic results than endeavor to establish a durable organization. In fact, it may be more appropriate in terms of a host country's situation to help national partners obtain those results and then go on to other pursuits, without regretting the demise of their NGO. The lessons here are that there is no one alternative to be followed in all cases, and that USAID's decision on its assistance strategy vis-à-vis an NGO that it intends to heavily support needs to be made carefully, explicitly and in cooperation with its NGO partner, and then followed consistently.

Build Momentum Through “Small Wins.”

Recent anti-corruption literature suggests – and our experience confirms – that NGOs designed to promote transparency and accountability are more effective and have more impact when they focus on a specific, well-defined set of issues, rather than a wide-ranging array of complex problems. In this vein, entities like ACA might want to consider creating

“small wins” that can build momentum, rather than trying to attack many different anti-corruption angles at once.

More Technical Assistance for NGO

Development. C&A's experience in Albania suggests that, in general, NGOs are deficient in terms of organizational capacity. More C&A in-country expertise in NGO organization development could have helped USAID and CAO obtain better results in this area, if it was amenable to both parties.

Design Indicators for Results. Appropriate indicators are absolutely vital to understand programmatic impact. Outcome indicators were not identified either for CAO's programs or its organization development efforts. If they had been, program design and implementation decisions could have been made with them in mind, and results may have been more measurable.



2.5 National Chamber of Advocates

2.5.1 Background

The National Chamber of Advocates (NCA) is Albania's self-governing professional association for lawyers. All attorneys are obliged to be NCA members. A total of 2400 lawyers currently belong to the NCA, of which 1500 are actively practicing law. The Chamber is responsible for the regulation of the legal profession, and it operates through 12 regional chambers. Until this program component began, its principal activity was to administer the bar exam twice a year.

Corruption in the courts is a widespread concern, and attorneys are often deemed as intermediaries. Therefore, this program component aimed to support NCA initiatives to institute procedures for disciplining lawyers found guilty of ethical violations, and to improve the professionalism of Albanian lawyers.

In 1996, the NCA enacted a Code of Ethics (the "old code"), but it was never enforced. Failure to enforce the Code was not so much due to any particular defect in the Code itself as to the absence of agreed procedures for taking disciplinary action - from the filing of complaints, to decisions whether to sanction lawyers. Furthermore, as of 2005, no Albanian attorney had any experience or training in handling matters of professional discipline. This is more understandable when it is recalled that from 1966 to 1992, the Albanian legal profession was dominated by the State. Consequently when the profession was reinstated, the NCA did not have at its disposal senior attorneys with experience on a par with that of colleagues in other countries.

With this in mind, the NCA requested USAID to provide it with technical assistance to help it draft procedures for disciplining lawyers, beginning with the preparation of a contemporary Code of Ethics reflecting the best international standards and practices.

With regard to improving the professionalism of lawyers, NCA requested assistance in two areas: updating the bar exam and initiating continuing education courses. Within the legal profession, it was commonly believed that the bar exam was too lenient, resulting in admission to the bar of many unqualified individuals, ones who might be more likely to participate in corruption.

The NCA requested the assistance described above in view of other trends it saw affecting the Albanian legal profession, i.e. (1) the recent increase in the number of lawyers practicing in Albania and the emergence of new law schools, (2) the internationalization of legal issues and the legal profession, (3) lawyers' increased involvement in business transactions, and (4) lawyers, increased contact and cooperation with professionals in other disciplines.

The desired outcomes for this component were:

- Effective implementation of disciplinary procedures to enforce the ethical practice of law.
- Technically rigorous and fair bar exams, and up-to-date continuing education courses, provided by the NCA that increase the number of competent Albania lawyers.
- Improved NCA capacity to serve the legal community.

2.5.2 Activities

2.5.2.1 Code of Ethics

NCA organizational development issues and the need for enactment of a new Code of Ethics were initially discussed in a workshop entitled "Strategic Planning for NCA," organized in Vlora on January 7-8, 2005 with the participation of representatives of the Council of Europe and ABA/CEELI. At that event, it was decided that a project coordinator should be hired by the NCA. C&A assisted the NCA implement a competitive selection process, and a highly qualified person who became the leading force in orchestrating preparation of the new Code.

NCA established a working group to draft the new Code, and C&A provided technical assistance to it. The working group ensured that the new Code complied with existing laws and was consistent with international standards. It drew from language from the ethics codes of the Bulgarian Bar, the Slovenia Bar, the E.U. and the U.S. Model Code and Model Rules.

A draft of the new Code was completed on June 14, 2005, and approved unanimously by the NCA General Assembly on Nov 12, 2005. It covers not only ethical practices expected of lawyers, but also lawyers' public interest activities, and the independence of lawyers and NCA.

2.5.2.2 Regulations on Disciplinary Procedures

C&A provided highly qualified experts to cooperate with the NCA to prepare regulations governing disciplinary procedures. The draft regulations were eventually cleared by the NCA Steering Council, but they have not yet been submitted to the NCA General Assembly for final approval. The reason is that some provisions of the current Law on the Legal Profession would impede implementation of disciplinary procedures outlined in the new regulation.

NCA decided that two provisions of the Law on the Legal Profession, in particular, needed to be amended before the disciplinary regulations could be submitted for its General Assembly's final approval. Those were (1) a requirement that every complaint be reviewed first by the appropriate NCA regional governing council that would then decide whether to refer the case to the Central Disciplinary Commission, and (2) a requirement that disciplinary proceedings on all cases conclude within thirty days of initial referral to NCA. The first provision would not only delay consideration of cases, it would place an unreasonable burden on regional governing councils with a limited number of members, most of whom are in frequent contact with each other and their families. The second provision, when stated as a requirement rather than a guideline, leaves room for accused lawyers to delay cooperating in order to force proceedings beyond the deadline.

To deal with these issues, NCA consulted with the Ministry of Justice which agreed to receive its recommendations to amend the Law on the Legal Profession. Draft amendments prepared by the NCA were approved by its Steering Council, and submitted to Ministry for further action. The amendments would:

- Provide that all complaints be considered directly by the Central Disciplinary Commission, and not by regional councils.
- Extend the deadline for adjudication of complaints.

The amendments are expected to be passed. Then NCA's General Assembly is expected to approve the regulation on disciplinary procedures, following thorough efforts by the NCA Steering Council to explain to members the need for such procedures and their benefits. NCA will then face the need to train its members so they understand both the Code of Ethics and the disciplinary system, and to make the public aware that the disciplinary system is in place.

2.5.2.3 U.S. Training for NCA

A group of 12 key members of the National Chamber of Advocates attended a one-week training program at the Center for American and International Law in Plano, Texas, December 3-10, 2005. There, they learned from practitioners about practical aspects of disciplinary procedures and bar exam administration. Those were, in order of priority:

1. Implementing the main steps in effective disciplinary procedures, including receipt and screening of complaints, decisions to investigate, investigative actions, decisions, and appeals.
2. Guidelines, regulations, and procedures for administering bar exams, including exam design, administration, and grading, with special emphasis on the integrity of the exam process.
3. Familiarity with the main elements of a member-responsive professional association, including organizational structure, operational transparency, website maintenance, provision of services – especially continued education, and collection of dues and fees.

2.5.2.4 Revising the Bar Exam

Building on the knowledge gained during the U.S. training trip, NCA set up a working group to revise the bar exam and regulations for administering it. C&A provided technical assistance to the group, and wrote the regulation for its administration incorporating best international standards and practices. The TA we provided covered the following issues:

- The organization, and rules of procedure, of the bar examining committee.
- Applications to take the exam, including guidelines for assessment of the character and fitness of the bar applicants.
- Exam design, with separate annexes containing forms and subject matter.
- Detailed procedures for administering exams.
- Timely filing and fee schedules.

The NCA's 2006 bar examination contained more challenging questions. Steps were taken to prevent prior disclosure of exam questions. The Chamber improved its grading system to ensure more transparent and equitable evaluation of an applicant's performance. As a result of these measures, only 57 percent of the applicants passed the exam. Vitore

Tusha, Deputy Head of the National Chamber of Advocates, confirmed that the reforms implemented had improved the image of the NCA and would help ensure greater professional integrity.

“Attorneys now realize that the bar exam is serious and demands both high levels of knowledge as well as personal integrity.”

Vitore Tusha

Deputy Head of the Albanian National Chamber of Advocates

2.5.2.5 Continuing Education

NCA requested USAID technical assistance to enable it to establish continuing education courses for lawyers and their firms, as well as preparatory courses for bar exam candidates. Assistance was provided in three areas:

- Design and implementation of a survey to determine the training needs of the target groups identified above.
- Organization of brainstorming sessions in Tirana, Shkodra, and Vlora to obtain feedback on survey results from members.
- Preparation of a Training Plan. The Plan included a two-year training calendar and curricula, and a detailed profile of Albanian lawyers and their training needs.

The continuing education courses were scheduled to start in September 2007.

The profile and needs assessment included the following interesting findings:

- The majority of lawyers considered their professional preparation average and judges' capabilities to be superior to theirs.
- All those interviewed expressed the opinion that continued legal education was critically important and should start immediately.
- The majority of respondents (74%) thought both obligatory and voluntary courses should be offered.
- The majority of respondents said the training should be organized in the form of seminars and workshops, and focused completely on the

practice of law, with the use of actual court cases.

- The majority of respondents (73%) thought that classes should be composed of no more than 25 lawyers.
- Forty-four percent of respondents said they were prepared to pay NCA for training services.
- In order of priority, the training areas most in demand were civil law, the civil procedures code, commercial law, administrative law, ethics, criminal law, and the criminal procedures code.

2.5.3 Results

The process of drafting and approving a new Code of Ethics and the regulation on procedures for disciplinary action significantly increased awareness and knowledge of ethical standards among Albanian lawyers and set the stage for final enactment of the disciplinary regulations once legal impediments are eliminated. Although disciplinary procedures are not yet in effect, we expect the NCA will move expeditiously to do so once the Law on the Legal Profession is appropriately amended, and that the NCA will take the lobbying and training steps required to do so successfully.

The content of the bar exam and procedures for administering it have been significantly improved, and have already had positive effects on the quality of new lawyers admitted to the bar, and the reputation of the NCA.

An excellent Continuing Education Training Plan has been prepared and is ready for NCA to begin implementing.

NCA took full advantage of C&A's assistance in all the areas cited above. Concurrently, and as a result of NCA's increased activity in favor of the Albanian legal community that USAID's assistance helped make possible, NCA has been successfully transforming itself into a member-responsive organization, specifically with regard to its organizational structure, operational transparency, and strategic vision. NCA recently moved into new modern work spaces, as have several of its regional chambers, and it is currently seeking membership in the European Council of Bars and Law Societies.

2.5.4 Lessons Learned

USAID support to the NCA succeeded in providing a solid base for continual professional development of Albania's lawyers because (1) NCA leaders are committed to professional excellence, (2) C&A ensured that NCA had access to the best

international standards and practices in the areas addressed in order to adapt them for use in Albania, and (3) NCA carried out the activities we helped support in cooperation with its members and other important stakeholders, such as the Minister of Justice.

Technical training in the United States was very effective in exposing NCA leaders to modern association management practices and best practices in the areas NCA had decided to address under this component.

Continued arduous effort by justice sector leaders from NCA, as well as the judicial and executive branches, will be required to bring about other justice sector reforms.



2.6 Freedom of Information Law and Administrative Procedures Code

2.6.1 Background

Lack of transparency and accountability is recognized as the worst feature of Albanian governance.

Although laws covering Freedom Information (FOIA) and the Administrative Procedures Code (APC) were passed in 1999, their implementation has been very poor due to weak political will, limited awareness by citizens of their rights to obtain information from governments and to question government operations, and very uneven understanding among public servants of their responsibilities under these two laws and how to meet them.

Article 18 of the FOIA law designates the Ombudsman with responsibility for monitoring its implementation. With that in mind, this program component provided support to the Ombudsman's Office for activities to address the shortcomings listed above, i.e. to draft regulations for implementing the two laws, and build consensus for better implementation of both. In addition, we provided training for public servants with responsibility for implementing the FOIA law.

The desired outcome for this component was "improved implementation of the FOIA law and the Administrative Procedure Code, resulting in more transparent and democratic government." Achievement of this goal was to be measured by annual surveys carried out by the CAO to track the perceptions regarding government compliance with the FOIA and APC laws. In addition, C&A tracked specific component outputs to measure progress, including:

- Issuance of a comprehensive model regulation for the FOIA law, including standard forms.
- Two hundred public officials trained in FOIA implementation.
- Growing numbers of replies to FOIA requests issued by government offices.
- Issuance of a high quality regulation covering administrative review of complaints under the APC law, including model forms.

2.6.2 Activities

2.6.2.1 FOIA Regulations

Work began with a review of prior assessments done by CAO and other organizations of the implementation of the FOIA law (more formally, the "Law on the Right to Information with Official Documents"). In a September 2005 report entitled, "Monitoring the Implementation of the Right to Information Law by Central Institutions," the Center for Parliamentary Studies pointed that of 20 national government institutions monitored, only two had complied with the legal obligation to prepare and approve internal regulations for implementation of the law.

In consultation with the Ombudsman's Office, it was decided to prepare a model regulation that could be readily adapted by government agencies, both national and local. The model regulation would clearly summarize governmental responsibilities under the law, and set out procedures for its implementation that could be consistently applied by government agencies.

On December 12, 2005, C&A organized a FOIA stakeholders meeting at which the first draft recommendation was introduced and participants were invited to comment. Afterwards, another draft was prepared and circulated to stakeholders for further input.

Once completed, the Ombudsman officially submitted the model regulation to all government institutions, and a separate letter was sent to the Prime Minister requesting his support in obligating all national government offices to adapt it for their use. The model regulation covered the legal basis for implementation of the FOIA law, the definition of terms used in official documents, limits set by the law itself, organizational measures to be taken to help guarantee access to information – including the creation and structuring of public relations offices – and the protocols to be followed to request and release information. Also included were useful model forms.

2.6.2.2 Regulation on Administrative Review of Complaints Submitted under the APC Law

Work on the APC began with a large stakeholders meeting, including both public and private sector participants, to review a February 2005 assessment of the implementation of the APC. The agenda included three principal topics:

- Analysis of the potential for using the Code in the fight against corruption.
- Identification of the reasons the Code had not yet been implemented in a fully successful manner.
- Agreement on actions that could be taken to reinvigorate implementation of the Code.

Those attending concluded that the relative failure implementing the APC was due to the following factors:

- Flaws in the text of the Code (unclear formulations, inconsistencies, technically poor procedures, etc.) which provided an alibi to those not interested in making the efforts necessary to implement it.
- Difficulty in obtaining agreement by public servants to act as service providers rather than authorizers.
- Insufficient training.

At the close of the meeting, the Ombudsman's Office and C&A committed themselves to identify the best way to address these problems.

On May 22, 2006, C&A met with the Ombudsman to seek support for a proposed course of action. Given that the scope for regulating implementation of the APC is vast, we argued that the Ombudsman focus on a single aspect of the Code, namely the administrative review of complaints. The Ombudsman, who is an expert in the area of the administrative procedures, agreed with us that improving the implementation of that part of the Code was of central importance because providing citizens with clear procedures for filing complaints against violations of any section of the Code could lead to improved implementation of a variety of administrative procedures.

Members of the same working group that prepared the model regulation on FOIA implementation were convened. They began their efforts by compiling a questionnaire to survey how government offices handled the administrative review of complaints. Eighty questionnaires were distributed, and the

response was good. The working group analyzed results and called a national stakeholders' meeting on March 23, 2007 to discuss them. There, stakeholders accepted the reasoning behind the decision to have the Ombudsman issue recommendations for a regulation covering only administrative review of complaints, and commented on the details of the regulation drafted by the working group.

Following the meeting, the Ombudsman's recommended regulation on administrative review of complaints was submitted to all government institutions. Its main features are the introduction of hearings into the administrative appeals process, the division of appeals into two categories (requests for review of actions and appeals), and composition of complaint review panels according to the nature of complaints.

To complete work in this area, leaflets were prepared to inform the public of the right to request review of government actions under the APC. The leaflets were distributed by CAO's offices in three cities.

2.6.2.3 FOIA Training

C&A carried out two training initiatives to help ensure better implementation of the FOIA law, one focused on new public servants, and the other on government and civil society leaders with FOIA responsibilities.

C&A awarded a grant to the Center for Development and Democratization of Institutions to train public servants in FOIA implementation. The training was carried out during the May - July 2006 period in close cooperation with the Training Institute of Public Administration (TIPA). The target group included officials working at all levels of public administration, with a special focus on individuals who joined the civil service following the 2005 elections.

The training introduced participants to basic concepts on the right to information, ones that should strengthen efforts to ensure transparency in Albania's public administration. In addition to providing trainees with a better understanding of their responsibility to provide the public with information from official documents, the training included sessions on how to meet FOIA requirements in specific work situations. Open forums were held to allow sharing of ideas and experiences.

About 200 officials from the following institutions took part in the training: the Ministry of the Public Works, Transport and Telecommunication; the Ministry of Economy, Trade and Energy; the Ministry

of Integration; the Ministry of the Foreign Affairs; the Ministry of Environment; the Ministry of Health; the Ministry of Interior; the Ministry of Defense; the High Inspectorate of Asset Declaration and Control; the Ministry of Justice; the Water Regulation Department; the Social Insurance Institute; the General Department of Taxes; the Ministry of Finance; the Albanian Electro-Energetic Corporation (KESH); the Ministry of Education and Science; the Ministry of Tourism and Culture; the National Informative Service; the Ministry of Work, Social Issues, and Equal Chances; the Tirana Municipality; and the Tirana Prefecture.

Participants' evaluations at the completion of the training sessions revealed that:

- Those attending possessed little knowledge regarding the FOIA law before attending the training.
- Opportunities for active participation in training sessions helped increase trainees' comprehension.
- The majority of the institutions represented had already established offices to provide information to the public, but those attending recommended that their superiors also receive training because they often set up obstacles to the provision of information to the public.
- Participants appreciated the Ombudsman's recommendations and shared the belief that use of the model regulation he presented should improve FOIA implementation.

To measure the impact of the training, monitoring was carried out two months after its completion. It showed that participating institutions were respecting the deadlines for provision of information set by the law, and were accepting citizens' suggestions for improving communication with the public.

To promote better leadership for implementing the FOIA law, C&A and World Learning also designed and carried out technical training in the United States. Ten key FOIA actors, including both providers and consumers of information, were selected to attend a five-day, practical training program during which they heard from officers in the U.S. Federal Government about many legal and practical aspects of effective FOIA implementation.

Albanian participants included representatives from the Ombudsman's Office, key ministries, and local government, as well as journalists and NGOs. They learned about:

- The scope of the U.S. FOIA and permissible exemptions under U.S. law. This included distinguishing among freely available information,

information to be provided upon request, and sensitive information to be provided on a need-to-know basis; as well as justifications for withholding information, such as confidentiality, privacy and national security.

- Practical elements of organizational systems to ensure access to information, including timely responses, monitoring justifications for denial, appeals, and disciplinary measures for officials who resist providing information.
- How to identify factors within a government organization that can impede timely and accurate responses to requests for information.
- Methods and mechanisms actually employed by individuals and institutions to overcome strong resistance to providing better access to information.
- Ways (other than judicial review) to ensure uniform interpretation and implementation of the FOIA.

Albanian participants in the U.S. training program developed individual and group action plans for their organizations to address the following goals:

- Improved procedures to rapidly respond to requests for information.
- Better functioning offices of public relations and information.
- Better monitoring of government agencies' implementation of FOIA procedures (including improvement of the internal structure of the Ombudsman Office).
- More concerted and effective actions to obtain sensitive information useful in fighting corruption.
- An ongoing system for making recommendations to improve operational aspects of the FOIA law, such as clarifying the right to appeal and penalties for not meeting deadlines.

2.6.3 Results

As a result of the Ombudsman's efforts supported by this program component, more than 400 national government entities and local governments now possess detailed regulations for implementing the FOIA law and administrative review of citizens' complaints under the APC. These regulations were drafted in an open and participatory manner, thus helping to ensure they cover stakeholder concerns. Through stakeholder workshops as well as the formal FOIA training C&A provided to 200 public servants and 10 government and private sector leaders,

knowledge within Albania of the principles underlying both laws and procedures for implementing is now widely shared. Many civil servants are now much better equipped to implement both laws and more enthusiastic to do so.

At this point, how far Albania progresses in implementing the FOIA and APC laws depends on political and civil society leadership, especially that of the Ombudsman.

2.6.4 Lessons Learned

The legal work drafting regulations was successful not only because it was carried out by technically competent individuals, but also, and primarily, because it was led by an influential Albanian official – the Ombudsman – and provided for ample participation by public and private stakeholders.

The FOIA workshops and training implemented under this component demonstrated that Albanians working in the public sector will respond enthusiastically to opportunities to improve government transparency when they are well led and competently implemented.

More attention to raising public awareness of citizens' rights under the FOIA and APC laws and ways to exercise them could have helped generate more demand for better government performance.

2.7 Media Ethics

2.7.1 Background

When the ROL Program began, no institution was responsible for enforcing the Code of Ethics for Journalists embodied in the 1996 Press Law. Furthermore, that law did not adequately deal with such basic issues as guaranteeing press freedom and defining parameters for libel and defamation of character.

With this in mind, USAID agreed to support efforts by the Albanian Media Institute (AMI) and the Institute for Policy and Legal Studies (IPLS) to gain agreement on new ethical standards and a mechanism for self-regulation of those standards. The two organizations intended to promote adoption of a new Code of Ethics in line with international standards, and to set up a self-regulating mechanism in a Council on Media Ethics to enforce the Code, so as to improve the practice of journalism and to discourage court proceedings against journalists. The thought was that if ethical guidelines were more widely accepted, and a means of dealing fairly, transparently, and rapidly with disputes could be put in place, public officials could be encouraged to use it (rather than take court action) as a sign of their commitment to free speech.

The Performance Monitoring Plan called for use of the Media Sustainability Index to measure results. That Index rates countries' media health in five areas: (1) Freedom of Speech; (2) Plurality of Media Available to Citizens; (3) Professional Journalism Standards; (4) Business Sustainability of Media; and (5) the Efficacy of Institutions that Support Independent Media. Albania's score in the third area, Professional Journalism Standards, was to be used to measure progress, along with data gathered in the Annual Corruption Survey on public perception of the media's role in the fight against corruption. As a practical matter, however, given that scores in those areas would always be affected by factors outside the scope of the ROL Program, C&A agreed to use other indicators to measure progress under this component; such as approval of the new Code of Ethics, the percentage of journalists and media owners accepting the Code, and the number of cases handled successfully under the self-regulating mechanism.

2.7.2 Activities

This program component was implemented in two phases. From mid-2005 through 2006, the grantees

focused on drafting and passing a new Press Law, as well as developing the new Code of Ethics and introducing the idea of a self-regulating mechanism operated by a Council on Media Ethics. Both the new Code and the Council on Media Ethics were approved by journalists in September 2006, but Parliament took no action on the draft law prepared and submitted to it. AMI and IPLS then decided to implement a second phase consisting of consensus-building activities to gain wider acceptance by journalists and media owners of the Code and the Council, and prepare for eventual action on the new Press Law.

2.7.2.1 New Press Law

In 2001, the Media Commission of Parliament and IPLS made initial efforts to establish a mechanism to help ensure ethical behavior by journalists by revising the 1996 Press Law. No parliamentary action was taken at that time.

To begin work under this program component, C&A and IPLS used the work that was done in 2001 as a basis for drafting new legislation. The new revised Press Law proposed that a journalists' association be established along the lines of Italy's "Ordine Nazionale dei Giornalisti," where journalists have full control over the association's structure and operations. IPLS obtained the cooperation of some members of Parliament to submit the new draft law for consideration, but it went no further. Efforts to lobby in favor of the new law failed for a number of reasons, such as skepticism by members of Parliament, insufficient support from journalists and their associations for adoption of new ethical standards and the self-regulating mechanism proposed, and traditional conflicts of interests between media owners and professional journalists.

2.7.2.2 Code of Ethics and Council on Media Ethics

In September 2005, AMI and IPLS organized a large stakeholders' meeting to promote the establishment of a Council on Media Ethics as a self-regulating body that would monitor application of a new Code of Ethics. Two Working Groups were established, one to develop the new Code of Ethics, lead by AMI, and the other to develop statutes for a Council on Media Ethics, lead by IPLS. The Working Groups held numerous roundtable discussions over the next several months to consider the various options for a code and council, and in September 2006, the

principal press associations in Albania approved plans for both.

2.7.2.3 Consensus-Building

In view of the failure to get Parliament to consider the new Press Law, AMI and IPLS decided to implement a series of activities to build consensus in favor of the Council and new Ethics Code. Between January and August 2007, they (a) sponsored five seminars on journalistic ethics in major cities, (b) hosted six monthly forums on international standards and practices in six areas affecting the environment for democratic media development, (c) appeared on television to increase public awareness, and (d) monitored reporting on corruption in Albania's major daily newspapers.

Regional Ethics Seminars

Seminars on ethics in journalism were organized in the following cities:

- Durrës, January 29-30, 2007
- Lezha, March 1-2, 2007
- Fier, March 12-13, 2007
- Elbasan, April 26-27, 2007
- Korça, May 10-11, 2007

The main objective of the seminars was to increase journalists' commitment to media ethics and self-regulation. Those who prepared the new Code of Ethics presented its basic aims and principles, illustrating them with specific examples from Albania. Notorious dilemmas and cases of ethical violations in Albanian print and electronic media provided a basis for discussing Albanian conduct vis-à-vis the proposed ethical rules. In addition, the individuals who drafted the statutes for the Council on Media Ethics explained its structure and how it would function to allow media professionals to self-regulate.

The seminars made a major contribution to increasing regional journalists' familiarity with the new Code of Ethics. By mid-2007, almost all registered TV and written media journalists became members of the Council on Media Ethics.

In addition to the seminars, two books were published dealing with media ethics:

Media Deontology, by Claude-Jean Bertrand. This book covers media accountability and is meant to serve as a guide to journalists facing ethical dilemmas. The author discusses codes of ethics, their characteristics and practical application. He also lists a range of tools that comprise what he calls a "media accountability system," intended to serve the public interest and further media professionalism.

Discussion on Ethics. This is a collection of essays on media ethics by well-known personalities in contemporary journalism, and articles on the coverage of important historical events from an ethical point of view. Issues covered include the right to privacy versus the public interest, protection of sources, freedom of speech, reporting on religion, defamation laws and their effects on journalism, new technologies and their ethical implications, and self-censorship. This collection does not offer solutions, but instead provides different points of view and perspectives for reflecting on future professional development.

Monthly Media Policy Forums

AMI organized six media policy forums covering international standards and practices on ethics and five other topics affecting development of democratic media. AMIs' objective was to promote wider understanding of international standards and practices by journalists and media owners responsible for development of Albania's free press.

Forum on Copyrights and Intellectual Property

The first forum took place on March 16, 2007. Participants were briefed on the main international agreements regarding protection of intellectual property, such as the Convention of Berne, the Convention of Rome, the TRIPS Agreement, and the principle EU directives regarding copyrights; as well as on the functions exercised by the World Intellectual Property Organization. Journalists also learned about the statutes and principles governing Albanian copyright law, efforts underway to establish the Albanian Copyright Office, and work done by the Directorate of Brands and Patents.

Forum on Media Ethics

The second forum took place on April 11, 2007. AMI media expert, Ilda Londo, made a presentation covering Council of Europe resolutions on ethics in journalism, OSCE statements and recommendations, and guidelines from the International Federation of Journalists. Vickie O'Hara, an American journalist, presented several well known cases concerning media ethics and investigative journalism, such as reporting that led to President Clinton's impeachment, on the Watergate scandal, and on Tiananmen Square. Participants also discussed examples of ethics violations and ethical dilemmas they had faced. Finally, other topics affecting reporters' and editors' independence were discussed, such as lack of labor contracts, the influence of media owners, and self-censorship, comparing current conditions in Albania with those in the United States.

Forum on Access to Information and Transparency

The third forum took place on April 20, 2007. Ilda Londo began the session by briefing participants on the Universal Declaration of Human Rights, the European Convention on Human Rights, declarations and recommendations of Council of Europe and the OSCE, UNESCO's Bucharest Declaration, and the EU's Data Protection Directive. Ilir Aliaj, Director of the Albanian Centre for Development and Democratization of Institutions, made a presentation covering the main aspects of Albanian legislation on this area, how the Freedom of Information Law was being implemented, and its main deficiencies from the point of view of journalists, citizens and public officials. Finally, initiatives to amend the Law were discussed, including those dealing with deadlines for providing information and how information is distributed.

Forum on Labor Relations

At this forum, participants learned about International Labor Organization treaties, such as those covering labor's right to organize, the collective bargaining convention, the equal remuneration convention, the anti-discrimination convention, and the Declaration on Fundamental Principles and Rights. They also heard about trends in EU employment policies, and more specifically about protection of employees' rights, corporate social responsibility, collective redundancy procedures, and equal access to employment in EU countries. Aleksander Cipa, Head of the Trade Union of Albanian Journalists, introduced participants to the main elements of the Albanian Labor Code and its application to journalists. He explained the work being done by the Trade Union, and discussed the importance of organizing to protect journalists' rights.

Forum on Broadcasting Policies

At this forum, participants were briefed on the EU Directive on Television without Borders and the Council of Europe's Convention on Trans-Frontier Television. Discussion focused on the issues of broadcasting quotas, protection of minors, the right to reply, advertising, TV shopping, and broadcasting major events. Participants also paid special attention to how these issues were being affected by technological developments. Andrea Nathanaili, Director of Programming at the National Council of Radio and Television, Albania's broadcast regulation agency, also spoke about how the issues discussed were currently dealt with in Albania.

Forum on E-Communications

The final forum took place on June 22 at the Albanian Media Institute. Participants were briefed on international regulations governing electronic communications, including the Framework Directive, the Access and Interconnection Directive, the Universal Service Directive, and the Privacy and Electronic Communications Directive. Representatives from the Albanian Telecommunications Regulatory Entity introduced participants to the main elements of Albanian legislation in this area and impacts on consumers. This was followed by a discussion of changes expected when Albania adapts the EU regulatory framework into Albanian law.

Public Awareness

AMI organized one television broadcast covering media ethics, a 45-minute open forum on challenges facing those trying to implement the Code of Ethics, including discrepancies between theory and practice and unfair competition. The show, called "Meet the Press," was moderated by Lutfi Dervishi, an author of the Code of Ethics. Well known journalists and analysts - Mark Marku, Ermal Hasimja, Sami Neza and Aleksander Cipa - discussed those issues and recent Albanian news coverage vis-à-vis the Code.

Monitoring Coverage of Corruption

Albania's principal daily newspapers were monitored during the month of January 2007 to identify trends in corruption reporting, and to point out current challenges and offer recommendations. The newspapers monitored were *Panorama*, *Standard*, *Shekulli*, *Korrieri*, *Gazeta Shqiptare*, and *Shqip*. Monitors focused on space devoted to coverage of corruption cases and the phenomenon itself, information sources cited, frequency of coverage and follow-up, investigative methods used, selection of quotes, and choices made regarding what to cover:

Findings were discussed at a roundtable meeting on June 20 attended by some 30 journalists, civil society leaders and government representatives. Topics included the role of the media in uncovering and describing corruption in specific cases and as a phenomenon, best practices and ethical violations. The importance of good investigative journalism was emphasized, as well as the need for better cooperation among journalists, and the public relations practices of government agencies and NGOs.

2.7.3 Results

Results achieved under this component were mixed. On the one hand, a new Code of Ethics was approved by most journalists, and the Council on Media Ethics was formally established as an NGO in September 2007. On the other hand, the EU's 2006 Progress Report on Albania, while welcoming the adoption of the Code of Ethics and the establishment of the new Council on Media Ethics - noting the latter had the potential to improve journalistic standards by ensuring media self-regulation - stated that most media outlets were beholden to political or economic interests, the legal framework for media operations was still inadequate, and professional and ethical practices remained poor.¹

The significant efforts AMI and IPLS made in 2007 to discuss ethical practices and expose journalists and media outlet owners to international standards and practices should bear fruit, but effective leadership by Albanians dedicated to a free and responsible press will continue to be needed to bring about permanent improvements in media ethics.

2.7.4 Lessons Learned

Progress under this component was limited because the approach adopted was technical in nature rather than political; that is, more effort was expended on technical studies and seminars than on identifying stakeholder leaders and action planning with them to build consensus for reforms. The project began with efforts to identify technical improvements needed in the Press Law, but they were not sufficient to obtain Parliamentary action. While gaining agreement on a Code of Conduct and the establishment of the Council on Media Ethics are very real accomplishments, much more effort at consensus-building remains to be done to make them effective.

C&A, AMI and IPLS could have put more effort into using the regional seminars and media forums to gain agreement among participants on next steps they would take with AMI and IPLS to advance adherence to the Code of Ethics and promote adaptation of international standards in Albania, i.e., to going

beyond "briefing" to promoting action.

¹See Report, pgs. 9-10.

2.8 Intellectual Property Laws

2.8.1 Background

Albania's patent and trademark laws have not been well enforced for a variety of reasons. The low cost of producing or obtaining counterfeit items combined with almost non-existent enforcement provides big profit opportunities for those who cheat the system, both private sector clandestine market operators and government officials who look the other way. In addition, judges, lawyers and business owners do not know Albanian law well, let alone international intellectual property rights (IPR) practices.

Since this is such a prominent area of corruption in Albania, USAID decided to include a component in the ROL Program to address it. Activities were carried out in two basic areas: improving the operating capacities of Albanian IPR enforcement authorities; and increasing awareness of IPR legislation and enforcement procedures by business leaders and judges.

The desired outcomes of this program component were:

- More active enforcement of IPR laws by GOA entities.
- Business leaders and judges better informed regarding IPR laws and enforcement procedures.

2.8.2 Activities

C&A implemented activities in four areas: (1) Establishment of the Albanian Copyright Office (ACO); (2) Operational assistance to the Albanian Patents and Trademarks Office (PTO); (3) Familiarization of business leaders with Albanian IPR laws and enforcement regimes; and (4) Training and technical support for judges and other legal professionals responsible for adjudicating IPR crimes.

2.8.2.1 Establishment of the ACO

Albania passed a new Copyright Law on February 28, 2005, but for more than two years, it did not possess a functioning office to enforce the law. This was due primarily to the fact that Albania lacked the technical expertise needed to draft implementing regulations and make decisions on how to structure a copyright enforcement agency.

Beginning in late 2005, C&A provided copyright experts with specialized knowledge to the Ministry of Culture, Tourism, Youth and Sports – where the ACO

was scheduled to be established – to guide that Ministry through the process of preparing two legal documents: the ACO Establishment Act and ACO's statutes. As a result, Governmental Regulation No. 232 on the Establishment and Functioning of the Albanian Copyright Office was adopted on April 19, 2006, and ACO's statutes were approved subsequently.

Notwithstanding this progress, the Ministry did not move expeditiously to staff the ACO until the spring of 2007. The Office possesses a staff of 15 copyright specialists and inspectors. To enable a quick start-up, C&A procured IT equipment for ACO – including PCs, printers, and copiers - that were available for use when staff was appointed so that the Office could begin operating quickly.

ACO is now the final repository of all types of legal-civil acts in the copyright area. All future such acts will be deposited, registered and certified by ACO. The Office will also be responsible for the administrative review of copyright infringement cases, as well as the licensing of IP experts for litigation purposes.

Despite its recent establishment, the ACO has already made considerable progress enforcing copyrights. In three cases involving authors' complaints against a publishing house for copyright infringement, ACO decided in favor of the authors and set the publisher's fine at 15% of the income realized from the stolen property (to be imposed by the competent court for these cases, along with possible other damages). Two additional cases of copyright infringement were under review in July 2007. The ACO had also started implementing steps necessary to re-license authors' societies.

2.8.2.2 PTO Operational Assistance

The PTO does not operate effectively for several reasons - some technical, others corruption-related. Assistance C&A provided addressed two PTO problems: poor access to data needed to verify patent applicability; and poor inter-institutional coordination with the Prosecutor's Office, the Customs Office, and the Tirana District Court.

To better enable the PTO to cooperate with the Customs Office to verify that goods entering and exiting Albania comply with existing patents, the Customs Office needs to share access to an improved PTO database. The World Intellectual Property Office (WIPO) agreed to make this



Photo 3: IP training for Vlora Chamber of Advocates held on June 23, 2006.

possible by installing a browser tool that will enable everyone with an ID and password to access and use a PTO database compatible with WIPO's. The installment was put on hold due to security risks and other vulnerability issues in the IPO network. Therefore, at the request of the PTO, C&A resolved these security problems in 2007 by supplying needed IT equipment, including servers, firewalls, and back-ups. Use of WIPO's browser tool, once installed, will allow customs officials to verify patents in real time.

C&A also assisted the PTO to draft inter-institutional memoranda of understanding to begin improving coordination with the Prosecutor's Office, the Customs Office, and the Tirana District Court.

2.8.2.3 IPR Awareness Activities for Business Leaders and the Public

In cooperation with the PTO and district chambers of commerce, C&A sponsored five IPR roundtables in Tirana, Durres, Korça, Elbasani and Vlora. The sessions were designed to inform business leaders about procedures for IP registration and protection, and how better protection of IPR can increase profits. C&A's international IPR expert explained firsthand how ensuring protection of IPR contributed to the growth of U.S. companies. Approximately 100 business representatives attended the roundtables.

To further assist the Albanian business community and the PTO, C&A also provided, for the first time, the Albanian version of the Nice Classification of Goods. It is now available on the PTO website (www.aplto.gov.al) for uploading by businesses. As a result, business operators can now read and understand the international classification of goods and determine with certainty the categories into which their own goods fall for purpose of trademark registration. In addition, the PTO staff, which has very limited English language proficiency, can now work more

efficiently by using the Albanian version of the Nice Classification.

C&A also collaborated with the PTO to organize an IP fair for university students on International IP Day, April 26, 2006. PTO specialists made presentations, and IPR awareness materials were distributed.

With respect to copyrights, C&A assisted ACO in successfully conducting an awareness campaign with production and broadcasting of 30 TV spots.

2.8.2.4 IPR Training for Judges and Other Legal Professionals

C&A cooperated with the Magistrates' School to present judges and prosecutors with information on IPR laws and enforcement procedures in eight two-day sessions. Five of the sessions focused on the domestic and international copyright laws and litigation, while three were focused on unfair competition. The project cooperated with the National Chamber of Advocates and regional NCA chambers in Durres, Vlora, Saranda, and Gjirokastra to provide the same training to lawyers. In total, 260 judges, prosecutors, and attorneys were trained.

We complemented the training given to judges by providing the courts with manuals on the criminal aspects of the IPR infringement, copies of a book on domestic and internationally binding copyright laws, and bench books on industrial property and copyright litigation. The bench books are designed to be a quick reference on procedural and substantive matters for use by judges.

2.8.3 Results

The Albanian Copyright Office was successfully established and is now operating. The reasons this was possible with only provision of specialized

technical assistance and IT equipment are that effective demand from Albanian authors for copyright protection existed, and GOA authorities were basically willing, partly due to international attention to this issue, to allocate the resources necessary to get the Office going.

Assistance provided to the PTO may have a slightly positive impact on its operations, but much more effort needs to be put into generating demand for effective patent protection before government leaders will be willing to attack the rampant corruption involved.

It is difficult to assess the impacts of awareness and training activities carried out because no attempt was made to measure them, nor were the sessions carried out in the context of a more comprehensive plan for IPR enforcement.

2.8.4 Lessons Learned

Technical approaches to IPR enforcement can be useful under certain circumstances, as was the case with the ACO, but in general on their own without coalition and consensus-building, they will not be adequate to obtain significant progress.

More benefit might have been realized from the training and awareness activities for business leaders and judicial personnel if stakeholders were assembled first, consulted more fully about the content of sessions and encouraged to commit themselves to follow-up actions.

Given the positive environment surrounding creation of the ACO, had it been established sooner, it would have been relatively easy and inexpensive to provide it with more organization development support to enhance its operational effectiveness.

2.9 Annual Corruption Surveys

2.9.1 Background

The Task Order called for Annual Corruption Perception Surveys similar to those first carried out for USAID by MSI, the contractor for our predecessor project. The corruption surveys have been used to inform public opinion and to provide data for USAID's use.

For this component, C&A contracted the local polling firm, IDRA.

2.9.2 Activities

C&A was requested to change from a ten-city data sample, used by MSI in 2004, to a national sample. To meet this request for the 2005 Survey, a national sample was added to the ten-city sample. In 2006, the ten-city sample was re-pollled in order to maintain the ability to compare data year-to-year. These surveys, as well as a survey of public officials, were done in late 2006, and the results were published in a report entitled "Corruption in Albania, Perception and Experience Survey 2006." The methodology for the 2006 Survey and the 2006 Report were reviewed by a highly respected U.S. polling firm (Charney Research) and confirmed as reliable.

The 2005 Survey included data on perceptions regarding corruption in the justice sector, including data gathered from judges. USAID requested that a judges' survey be carried out in 2006, and we attempted to do so. C&A carefully developed the SOW for this task, but while the survey was being carried out, it became clear that the number of judges willing to participate in it would be insufficient for statistically reliable information to be derived from it. Many judges were uncomfortable with the public discussion of results from the 2005 Survey, and were reluctant to repeat the experience. Those judges who could be identified as participants in the 2005 Survey (such as in a city where five out of five judges participated) refused en masse to take part. After detailed conversations with IDRA, Charney Research and USAID/Albania, we all agreed that the margin of error would be so high as to make publication of the results unreliable and unwise. Consequently we decided not to complete the survey.

Presentation of 2005 Survey Findings

C&A arranged extensive coverage of the "roll-out" of the 2006 Report. The Ambassador and USAID

Director participated in a press conference on March 28, 2007, organized by the Embassy Public Affairs Office and funded under this Project. A two-hour technical session followed immediately after the news conference so that the press and civil society leaders could pose questions. During this session, IDRA Executive Director, Auron Pasha, explained the methodology used and presented a summary of findings. A Summary of Findings and Fact Sheet was handed out to all attendees and press representatives.

The Tirana press conference was attended by about 100 representatives of NGOs, government institutions, international organizations, and media outlets. It was covered extensively by all national TV stations, as well as the newspapers, Gazeta Shqiptare, Shekulli, Gazeta Shqip, Korrieri, Panorama, Tema, Standard, Sot, and the Albanian Daily News.

C&A and IDRA also presented the results of the 2006 Survey in four regional cities: Shkoder, Vlore, Korce and Gjirokaster. To organize those events, we cooperated with NGOs that received grants under the Small Grants Program, and with CAO offices in Vlore and Shkoder. Their purpose was to present the major findings of the survey to local government officials, academics and civil society. More than 160 people attended, and the events were well covered by local newspapers and TV stations.

The final corruption survey report was published in the form of a booklet in both Albanian and English. Copies of the Summary of Findings and Fact Sheet were distributed to the Council of Ministers, all GOA ministries, Albanian Universities, the National Library, the Municipal Government of Tirana, all USAID contractors and grantees, international organizations with offices in Albania (IMF, WB, EU Commission, OSCE), and other embassies.

2.9.3 Results

The major findings of the Annual Corruption Survey carried out in 2006 were as follows:

PERCEPTIONS OF CORRUPTION

- The perceived level of corruption in Albania was still very high. Out of 19 groups and institutions, 13 scored more than 50 points on the scale of corruption perception where 100 equals "very corrupt" and 0 equals "very honest."
- The Survey demonstrated certain stagnation in

the perception of corruption in 2006 compared with 2005. In 2005, corruption was a top political issue during and after the general elections, but in 2006 the attention shifted to other topics, mainly because of a new focus on institutional and political conflicts.

- As in 2005, the President, religious leaders and the military continued to be seen as the most honest among different institutions and groups. At the other extreme were customs officials, tax officials, doctors, judges and parliamentarians.
- NGO leaders scored 45.3 points in 2006, an improvement of almost 11 points since 2004. Ministers also improved almost 10 points over the same period. Judges and prosecutors also showed improvement from 2004 to 2006, but still scored high in corruption perception.

VICTIMIZATION

- There were fewer reports of direct experience of corruption victimization in 2006 than in 2005.
- In the general population, the percentage of those who said they had given a bribe to doctors and nurses was still much higher than that of those reporting bribes to other groups. Almost 39% of respondents in both the national and urban samples reported having given a bribe to a doctor or nurse in the last 12 months.
- Reported solicitations of bribes by police dropped by more than 3% from 2004 to 2006, both nationally and in cities (from over 12% to 9%).

FIGHT AGAINST CORRUPTION

- The media continued to be perceived as the strongest fighter against corruption, followed by civil society. Media was the only category that scored more than 50 points in the 100-point scale to measure those perceived to be contributing to the fight against corruption (62 points).
- Rural respondents thought NGOs were more helpful than did urban respondents.
- In the urban samples, the Central Government, the High State Control and the General Prosecutor's office were perceived as being more helpful in the fight against corruption as compared to 2004.

TRANSPARENCY

- The level of transparency exhibited by Albanian institutions as perceived by citizens was still very low. As with the fight against corruption, most institutions showed a score below 50, indicating they were seen as not transparent.

The police and the local government raised their scores for transparency compared to 2005, whereas the Parliament and the High State Control, the General Prosecutor's Office and the Courts were perceived as more transparent than in 2005 in the urban sample.

TRUST

- The police showed the most marked improvement in public image related to corruption. In 2006, the police crossed the 50-point threshold on a 100-point scale of public trust, meaning more people trusted them than distrusted them.
- There was a correlation between the perception of corruption and political affiliation. Citizens who identified themselves as left-leaning tended to trust the President of Albania more, while those leaning right tended to trust him less and the Prime Minister more.
- Local authorities, both mayors and council members, showed increases in public trust.
- The negative correlation between political system support and corruption victimization was confirmed in the 2006 survey, as it was in previous ones.

ATTITUDES

- Albanians showed widely varying degrees of tolerance for different types of corruption.
- Tolerance toward "givers" of bribes was much higher than toward "takers."
- Albanians had little doubt that a businessman paying a bribe to a Minister was corrupt, but their judgment was much more nuanced about someone giving a shirt to a teacher in hope of better grades for a child, or when a mother paid a bribe to obtain a birth certificate.
- The majority of respondents considered that flower sellers who raised prices during holidays were corrupt and should be punished. This appeared to indicate a degree of confusion around corruption and free market operations.

CIVIL SOCIETY

- Awareness of civil society's activities to fight corruption was low nationwide, but higher in the cities and among public officials. Nationwide, 28% of respondents were aware of civil society initiatives; while in the major cities, this number was 38%.
- Civil society ranked second to the media in

leading the fight against corruption.

- Awareness of civil society anti-corruption initiatives in cities increased from 2005 to 2006.

CRIME AND JUSTICE

- Reports of being victimized personally by crime remained low (3.7%), and public perception of neighborhood safety further improved.
- The judicial system continued to be perceived as not helping victims of crime achieve justice. As in previous years, judges were perceived as failing in their job to protect crime victims.

2.9.4 Lessons Learned

Charney Research attested to the fact that the survey work undertaken by IDRA was “first class.” The real value of annual corruption surveys is the ability to track Albanian perceptions and attitudes regarding corruption over time. As a result of our continued collaboration with IDRA during the course of the ROL Program, Albania now has clearly developed the capacity to conduct such surveys on its own.

2.10 NGO Small Grants Program

2.10.1 Background

This component of the ROL Program was designed to promote grassroots participation in the fight against corruption. With political commitment questionable and governmental institutions charged with combating corruption still weak, the need to engage citizens in the fight against corruption is clear.

The challenge facing USAID and C&A was to design a small grants program that would:

- Award grants transparently to NGOs operating throughout the country, and not just in the capital.
- Provide relatively new and less experienced NGOs (the majority of those to participate) with the support and assistance they needed to design and implement projects successfully.
- Do so in the nine months remaining in the ROL Program.

The performance goals (outcomes) we aimed to achieve by mid-2007 for this component were:

- Finance up to 25 small grant projects.
- Award the grants competitively in a manner recognized by our NGO partners as transparent and fair.
- Finance and provide technical assistance to NGOs operating outside Tirana.

- Improve the skills of participating NGOs in project design, presentation, implementation, and reporting (financial and results) so that they would be able to compete for future donor funding.
- Assist participating NGOs in learning successful practices from each other, both regarding how to carry out successful anti-corruption activities, and project design and implementation.

2.10.2 Activities

NGO Marketplace

On September 30, 2006, C&A sponsored Albania's first NGO Marketplace. It was designed:

- To encourage broad participation by NGOs with ideas for combating corruption.
- To allow interested citizens to hear the NGOs' proposals and participate in selecting those that would be given the opportunity to apply for USAID funding.
- To ensure the selection process was transparent.
- To generate public interest in the program.

The steps taken to carry out the Marketplace and work with NGOs to design project proposals and negotiate grant agreements are summarized below.

NGO Marketplace and Initiation of Small Grant Projects

C&A defined corruption areas in which proposals would be invited, based on annual corruption surveys.

C&A put marketplace announcements in major national newspapers - noting objectives, basic nature of program, sponsorship, and how to contact C&A to indicate interest in participating.

C&A sent registration forms to all NGOs who expressed interest. The registration forms included detailed instructions for presenting a summary project proposal, and the specific selection criteria and weighting to be applied. It was explained scores would also be weighted - 20% for scores from the public, 40% for scores from technical evaluators (C&A staff), and 40% for scores from a Judges' Panel. Special weight was also given to proposals from outside the capital and women-run NGOs.

Registration forms sent by the deadline were reviewed by C&A staff. C&A staff met privately to rate proposals using presentations in registration forms. Proposals were divided among staff based on their special expertise, and rated for technical content and proposal completeness. Proposals rejected were reviewed by other staff members for fairness.

From a total of 144 forms submitted, 54 NGOs were selected for participation in Marketplace. C&A sent each NGO an official notice of acceptance, and also published a Marketplace announcement in newspapers with names of participating NGOs.

C&A made preparations for the Marketplace event: competitively selected and contracted an event manager; rented the hotel; decided what was to be done at event and prepared agenda; sent instructions to NGOs on their participation; arranged for media coverage and hired a video production team and photographers; and printed and posted announcements inviting public participation in the event.

C&A prepared summaries of each project proposal, from registration forms submitted, for use by the Judges' Panel.

C&A selected members of the Judges' Panel. They included five foreigners and two Albanians due to belief among Albanians that their own citizens may not always act impartially.

Marketplace Event:

- NGOs operated from numbered booths to present their project ideas to the public and the Judges' Panel (free to use video and PowerPoint, etc.).
- Judges divided themselves into small groups to visit booths and then met to vote.
- Public votes were cast (each person could vote for his/her top three) and tallied by volunteers.
- The ranking of proposals was announced, and the scorecard was circulated. C&A announced the number of winners that could be accommodated by its estimated total budget for small grants, and said other proposals further down the score sheet would be selected once the final small grants component budget was known.
- "Winners" were those eligible to submit full proposals for funding. They were publicly recognized at the event and presented with a copy of the C&A RFP for the small grant program. Winners' plaques were also prepared, and pictures were taken with each winning NGO. All NGOs participating in the Marketplace received certificates.

Marketplace winners were announced in newspapers after the event, with the scorecard published.

Proposal and Negotiation Phase:

- Training workshops on preparation of proposals and budgets were held in Tirana and regional cities where winning NGOs were located.
- Proposals were received, analyzed by C&A, and returned to each NGO with specific instructions for their finalization by a deadline. Also included at this point were instructions for submission of NGO legal documents.
- Proposals recommended by C&A for funding were submitted for CTO approval.
- NGOs approved were notified, and grant agreements were negotiated and signed.

Small Grant Program Management

In line with our expectations, C&A devoted most of its efforts under this component to providing technical assistance to participating NGOs in project management. This TA can be divided into two areas:

Project Development and Implementation

- o Drafting project proposals for donor funding.
- o Preparing detailed project budgets: line items, calculation of costs, sources of funding, etc.
- o Preparing activity schedules and assigning responsibilities.
- o Establishing and maintaining effective working relationships with project stakeholders.
- o Establishing partnerships with journalists for media coverage of their activities.
- o Drafting useful progress reports.
- o Preparing accurate and complete financial reports.
- o Tracking implementation progress.
- o Evaluating whether projects attain desired outcomes and identifying lessons learned.
- o Recognizing and reporting on success stories.
- o Ensuring USAID branding regulations were followed.
- o Establishing contact with local and national peer NGOs also fighting corruption.
- o Making contact with other donors.

NGO Management

- o Ensuring adequate financial records are maintained.
- o Establishing basic inventory control procedures.
- o Establishing procurement and payment procedures with adequate controls and records.

It took us longer than anticipated (a little over two months) to collaborate with the NGOs selected at the Marketplace to complete project designs, pre-award certifications, and grant negotiations. However, looking back at the challenges faced by the majority of NGOs, especially newer ones from outside Tirana, having all grant agreements signed by December 2006 was an accomplishment. This left the NGOs with six months (later extended by up to six weeks) to complete their projects.

C&A made regular visits to all grantees (recorded in field visit reports) in order to keep abreast of implementation progress, provide them with technical assistance, and ensure that financial reports were accurately prepared.

Mid-term Review Workshop

In April, C&A organized a two-day mid-term review meeting with the participation of at least two representatives from each NGO. The purpose was to exchange experiences and lessons learned among NGOs regarding: (a) useful approaches for similar projects; (b) ways of promoting civic action; and (c) overcoming project implementation problems. Topics addressed included ways of collaborating with relevant stakeholders, ways of identifying corruption problems in government offices and proposing collaboration with citizens to address them, and strengthening relationships with NGOs and other associations working in their regions. C&A also facilitated a discussion on project reporting requirements.

Program Wrap-up

Following extension of the C&A contract for three months, we consulted all NGO grantees to determine whether they would benefit from an extension of the termination date of their grants (June 10) to complete activities and/or reporting. Most took advantage of this opportunity, and we set up a schedule for final visits, gathering information on results and success stories, and submission of final narrative and financial reports. (One NGO, the Consumer Protection Office, did not submit a final report, and as a result, C&A informed it the final 10% of its grant would not be disbursed.)

Due to a shortfall in funding, USAID suggested to C&A that the final NGO conference, planned for September 2007, be cancelled. Instead, the Mission decided to include a review and learning session in the Marketplace activity it anticipates holding under the program to follow this one. At USAID's request, we provide below a suggested agenda for that session, which was compiled after consulting the NGOs that participated in the Small Grants Program.

- o Exchange of experiences and lessons learned among NGOs regarding: (a) useful approaches for similar projects; (b) ways of promoting civic action; and (c) overcoming project implementation problems.
- o Exchange information on what was achieved by the 22 participating NGOs.

- o Presentation by each NGO (perhaps in booths) to USAID, other donors, and the invited public of their ideas for a follow-on project, and their organizational development needs.

2.10.3 Results

Attachment includes individual reports on 21 small grant projects, with information on each NGO, the problem its project addressed, desired outcomes, project activities and outputs, results achieved, and lessons learned.

The table on page 47 summarizes the results each NGO achieved, divided into two categories:

1. Success achieved in setting up citizen participation and civic action processes to combat corruption (the primary purpose of most projects).

- Eleven NGOs produced “excellent” results: AIESD, PRURWGBA – Berat, CLCI, CPII, CFDA, CCEH - Pesnkopi, Adriatic - Vlora, OID – Bajram Curri, RAPJ – Gjirokaster, RCMST – Gjirokaster, and RDAK – Korca
- Two produced “good” results: IDM and MTW – Pogradec
- Four produced “partial” results: ACER, C&C, ECA, and FMAA.
- Four produced “poor” results: ACA, WAA – Gjirokaster, WSW, and YIH – Shkodra.

2. Specific cases of corruption resolved as a result of the NGOs’ activities. Eight NGOs provided us with information on specific cases of corruption that were uncovered and dealt with as a result of their activities.

It is notable that 18 of the 22 NGO projects financed under this component aimed at establishing systems citizens could use:

- To participate in governance decisions made by elected and appointed officials - nine projects for collaboration with municipal government, the police, the courts, and the Immoveable Property Office, or
- To take action themselves against corruption - nine projects for civic action against corruption in schools, election financing, and rural healthcare, and to enable journalists to contribute to fighting corruption.

Only 4 of the 22 activities were aimed per se at increasing awareness and advocacy for government action against corruption. (They dealt with paying taxes, movie copyrights, consumer protection and

youth activism.) In other words, most of the NGO projects C&A supported aimed to provide ways for citizens to do something about corruption - not just learn more about it, or complain about it.

Our assessment of the results NGOs reported reveals that those whose projects supported citizen action on corruption problems that affected them and their communities directly had a much better chance of achieving results than those that did not. The different degrees of success achieved by NGOs with those kinds of projects were attributable to how the NGOs carried out their projects, and are reflected in the lessons learned cited below.

2.10.4 Lessons Learned

NGOs

Their Organizations

- To get results, it is necessary “to act politically.” For NGOs, this means engaging in coalition- and consensus-building for the purpose of acting to change the incentives faced by those engaging in corruption, or tempted to engage in it. Coalition and consensus-building among stakeholders contrasts with appeals “to do what is right.” The four NGOs with poor results did not.
- Civil Society Organizations (CSOs) have a better chance of success when they support and facilitate actions by stakeholders rather than take action themselves. This is because stakeholders, by definition, have a valid interest in the issues with which they deal, and their decisions can affect the interests of other stakeholders. The other stakeholders recognize this, and thus they may be more willing to collaborate with them to change things than they would be with CSOs acting on their own. (This applies to CSOs and not to other types of NGOs that have been given authority by their members to act on their behalf, such as professional associations and unions.)
- CSOs that maintain the ability to act as valid interlocutors among opposing stakeholders have a better chance of helping those stakeholders agree on actions to address issues at hand. Often during reform processes, CSOs need to “take sides” by supporting the efforts of stakeholders who want reforms in opposing those who resist them. But since bringing about reforms almost always requires agreement among all influential stakeholders, CSOs need to maintain the ability - when the incentives change - to facilitate discussion and

solution-finding among all stakeholders.

Their Projects

- NGOs wishing to combat corruption have a better chance of being successful when they try to develop projects to deal with specific cases of corruption rather than the corruption phenomenon itself. (For example, CFDA in Tirana and PRURWGBA in Berat successfully addressed school corruption when they set up systems for identifying specific cases using complaint boxes, whereas WAA in Gjirokaster was not successful because it focused on extortion.)
- Successful projects begin with careful definition of desired outcomes, ones that are specific, and realistic in terms of time available and long-term goals, and whose achievement is measurable with indicators, or at least can be illustrated with anecdotes. It is important to define outcomes in cooperation with the citizens NGOs intend to support (stakeholders for CSOs and members for associations), because their cooperation is needed for the outcomes to be attained.
- CSOs that put special effort into selecting individual stakeholders they will support, to ensure they are both committed and respected, have a better chance of success.
- Projects that engage a broad array of stakeholder groups have a better chance of success in achieving reforms than those that work with only some stakeholders.
- Effective use of media can significantly increase the chances for success because it helps generate public support and pressure in favor of reforms.
- Investigative journalism was very successfully employed by two Gjirokaster NGOs to identify cases of corruption and get them resolved.
- NGOs who “did their homework” in terms of gathering technically reliable data on specific issues – data that they could “stand behind” in discussions with relevant authorities - were successful (e.g. CCEH in Peshkopi, OID in Bajram Curri, and PRURWGBA in Berat).

C&A and USAID

- The actions taken to implement the NGO Marketplace were successful in guaranteeing a transparent NGO selection process, in attracting proposals from outside Tirana, and in exposing the public to the anti-corruption ideas

and work being done by Albanian NGOs.

- NGOs participating in the program expressed satisfaction with the technical assistance they received in conjunction with project funding.
- USAID can build on the initial success in these two areas by asking NGOs for suggestions on how to do so.
- C&A could have helped ensure that more NGOs defined their projects' desired outcomes well. The NGOs that did so set more realistic project objectives, used the process to gain consensus on what would be done by stakeholders, and referred to the outcomes to guide their project development and implementation decisions.
- Many NGOs noted that the six or seven-month implementation period for their grants limited what they could achieve, especially when there was no clear indication whether additional funds would be made available by USAID for NGO projects after mid-2007.



RESULTS OBTAINED BY NGOs

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Albanian Center for Economic Research (ACER) <u>Corruption Focus:</u> Property Titling</p>	<ul style="list-style-type: none"> • The workshops, national conference and media campaign most likely helped various stakeholders better understand specific problems, and possible solutions, regarding IPO operations, which they already knew provided ample room for corruption. • Standard forms for use by citizens in making complaints about IPO operations were drafted and accepted by IPO, and agreement was reached to submit complaints by email. • IPO agreed to use statistical modules prepared by ACER to classify and annotate citizens' complaints. • ACER's recommendations for IPO reforms - made on the basis of its consultations with various stakeholders and its analysis of IPO operations - were provided to responsible authorities. ACER did not report whether agreement had been reached with any of those authorities to address its recommendations. 	<p>None</p>
<p>Albanian Children's Alliance (ACA) <u>Corruption Focus:</u> Taxpayers' Rights and Responsibilities</p>	<p>ACA reported the following results, but cited no data to support them:</p> <ul style="list-style-type: none"> • "Information sessions were effective [in] increasing the level of knowledge of students on their rights and responsibilities related to tax collection. Also [they] raised awareness on the importance of participation in 'public space'... and the importance of social control. These Information Sessions ... stimulated students' independence and critical thinking on decision-making processes and personal obligations toward community life and society." • "Based on the ongoing evaluation of the project, we concluded that it had a positive impact. Firstly, it encouraged a new point of view on civic participation. [This] was an innovative issue that was not treated before, and [all participants] found it very interesting." 	<p>None</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Albanian Institute for Election System Development (AIESD) <u>Corruption</u> Focus: Candidates' Promises</p>	<ul style="list-style-type: none"> • AIESD succeeded in establishing civic monitoring and evaluation groups in six locations. It trained their members and facilitated meetings by the groups with candidates for local office, where they expressed their views on community needs and registered candidates' promises. • AIESD viewed this project as a pilot effort in a long-term process to generate better communication between elected officials regarding community priorities and fulfillment of campaign promises. It succeeded in keeping the civic monitoring and evaluation groups operating with four mayors and two deputies. • AIESD identified lessons learned it will use to adjust its approaches as it continues this work. By the end of the project, it had scheduled six follow-up forums to be held in November and December; and it had contacted elected officials in the following municipalities about their willingness to participate in forums with civic monitoring and evaluation groups: Novosela, Vlora, Patos, Orikum, Durres and Cerrik. 	<p>None.</p>
<p>Association for the Protection of Urban and Rural Women and Girls' Rights (PRURWGBA) Berat <u>Corruption Focus:</u> Schools</p>	<ul style="list-style-type: none"> • A well accepted system was established for collaboration among stakeholders to handle specific cases of corruption, based on use of complaints boxes. • Actions taken by individual stakeholders to confront corruption. For instance, the principal of an elementary school called a meeting for public consideration of the case of a teacher accused of classroom violence as well as bribery, which concluded with the teacher's voluntary resignation. • Public awareness and support for the anti-corruption efforts has been evident. Calls were received from the public during TV shows to denounce corruption cases. Honest teachers, including retirees, publicly supported the program. Media attention has increased significantly. • The Regional Education Directorate (RED) established an internal team to continue the project and incorporated it in its annual education plan. • The Association's success with this project has put it in a good position to undertake other anti-corruption efforts with the municipal government and Berat's citizens. 	<p>The RED dismissed 4 teachers, suspended 10, and issued warnings to an additional 12. Four teachers recognized for their honesty were promoted. The dismissed teachers were: Engjellushe Dardha, Biology teacher at 'Zihni Sako' 9-year school; Semi Otova, English teacher at '28 Nentori' 9-year school; Florinda Pasha, Chemistry teacher at 'Bab Dud Karbunara' High School; Ana Skrami, Physics teacher at 'Bab Dud Karbunara' High School; Entela Kule, Mathematics teacher at 'Bab Dud Karbunara' High School; Agim Merkaç, Productive Labor teacher at '22 tetori' 9-year school; Eda Tabaku, Physics teacher at '22 tetori' 9-year school; Paçi Prifti, Chemistry teacher at '22 tetori' 9-year school; and Gjinovefa Numani, Elementary Education teacher at '22 tetori' 9-year school.</p> <p><u>Process:</u> Complaint boxes and polls were used to identify corrupt teachers. Letters were submitted by students, and poll results provided enough evidence for both the Association and the RED to start investigations by interviewing students. Under the leadership of the Association, students' senates provided assistance in the investigation process.</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Center for Legal Civic Initiatives (CLCI) <u>Corruption Focus:</u> Courts</p>	<ul style="list-style-type: none"> • CLCI succeeded in establishing an excellent precedent for assessing and monitoring the court proceedings and prosecutors' offices operations. It successfully engaged the full gamut of stakeholders in the project: judges, prosecutors, other public officials, law professors and students, practicing lawyers, and NGOs. • It produced a comparative analysis of Albanian criminal legislation related to corruption, convinced courts and prosecutors' offices to allow monitoring, analyzed findings from a gender perspective, carried out three regional roundtables to discuss findings, trained law students on legal and practical issues involved in combating corruption, and made extensive use of the media to present the project to the public. • CLCI is ready to build upon this initial success. 	<p>None</p>
<p>Center for Public Information Issues (CPII) <u>Corruption Focus:</u> NGO use of broadcast media to engage the public and government officials</p>	<ul style="list-style-type: none"> • CPII assisted advocacy NGOs: (a) by offering them access to the VILA 24 TV program to present their anti-corruption projects; (b) by training NGO representatives in how to use media professionally and effectively; and (c) by inviting public officials to the VILA 24 program to respond to NGO questions. • The media exposure CPII provided to Marketplace NGOs helped them gain results with their projects, and led to positive action in two other areas: (1) delay in the passage of a new police law until the public had a chance to comment on its contents; and (2) a decision by the HCJ to open its proceedings to the public under certain circumstances. The Institute for Democracy and Mediation (IDM) appeared on the VILA 24 TV program to denounce the fact that a new draft police law had been prepared behind closed doors. Providing this forum for public airing of the complaint was instrumental in helping obtain a delay in passage of the law and the promise to receive civil society input for the law. • CPII published a book, "Media and the Anti-Corruption Agenda," that reported on the topics addressed on the TV program, and elaborated practical advice to civil society actors on how to exploit broadcast media to the advantage of the causes they espouse. Two university faculties have agreed to use the book in their courses. 	<p>None</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Children’s Future and Development (CFDA) <u>Corruption Focus:</u> Schools</p>	<p>Students, teachers, school administrators and parents are collaborating in fighting corruption through the use of complaint boxes installed at four pilot schools.</p>	<p>Two cases were forwarded to the Tirana Regional Education Directorate (RED) for investigation:</p> <ul style="list-style-type: none"> • The case of a physics teacher, Mereme Shima, accused of asking two students for bribes. • The case of a student, Taulant Banushi, who tried to bribe a mathematics teacher and was not allowed to sit for exams. <p><u>Process:</u> Complaints boxes were installed, and student parliaments trained to operate them. Fifteen cases were reported, but it was difficult to gather evidence to support charges in all but two cases.</p>
<p>Community Communication and Education House (CCEH), Peshkopi <u>Corruption Focus:</u> Local Government</p>	<p>CCEH and its partners, including the Peshkopi Municipal Government, now have a system in place for participatory governance, one they can keep improving. Specific achievements during the project were:</p> <ul style="list-style-type: none"> • Citizens participating in the project identified 83 priorities and submitted them to local government units. Of these, 12 were eventually included in the municipality’s 2007 budget. • The citizens group set up to monitor environmental programs carried out social audits of public works projects for environmental protection, especially those for establishing and improving green spaces, city cleaning, management of urban waste, and pollution reduction. It began lobbying for inclusion of adequate funding in the annual budget for public works maintenance. • The citizens group set up to monitor government bids and contracts sponsored forums where local businesses, citizens and the municipal administrators examined the current process and concluded that irregularities were widespread. They noted businesses were not familiar with the Law for Biddings and did not participate in formal solicitations, that government officials lacked the technical expertise needed to evaluate bids, and that as a result of these and other factors, contracts were routinely tendered in secret. The group’s report was submitted to the Mayor for action. • CCEH and the Mayor’s office now cooperate to issue public information bulletins on city council meetings. • Consideration is now being given to a proposal made at the wrap-up session to establish a municipal government office to facilitate citizen participation and volunteerism. 	<p>Citizens living near the Municipal Spa decided to intervene directly with the municipal government when they concluded the spa was not only deteriorating but its managers were not turning over all funds they collected. Pending the Government’s decision on new management, citizens and local official elaborated a rehabilitation plan, one that citizens volunteered to help implement to improve conditions at the spa significantly.</p> <p><u>Process:</u> Citizens concerned with the condition of the spa brought their concerns to the attention of the Mayor, using the system agreed to with the municipal government to involve citizens in local government decision-making and to promote citizen action.</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
Consumer Protection Office (CPO) <u>Corruption</u> Focus: Consumer Protection	REPORT NOT SUBMITTED.	None
Culture and Community (C&C) <u>Corruption Focus:</u> Youth Activism	C&C succeeded in raising public awareness on the need to combat corruption in an imaginative way (concerts) that may have had more impact than normal, but it did not attempt to measure that impact. It could have identified more ways to build upon the interest generated at the concerts.	None
Elections to Conduct Agency (ECA) <u>Corruption Focus:</u> Election Financing	<ul style="list-style-type: none"> ECA succeeded in obtaining the cooperation of political parties for participation in training sessions it held to help ensure more accurate reporting of campaign financing to GOA authorities, but it did not succeed in convincing candidates to sign the public commitment statements it prepared. ECA prepared recommendations for improving the campaign finance law. 	None
Forum for the Protection of Albanian Audiovisual Works (FMAA) <u>Corruption Focus:</u> Intellectual Property	A video on film piracy was produced and is ready for distribution to TV stations, but until it is shown and audience reaction can be gauged, the degree to which it will impact public opinion cannot be judged.	None
Institute for Democracy and Mediation (IDM) <u>Corruption Focus:</u> Police Accountability	<ul style="list-style-type: none"> IDM succeeded in establishing Citizens' Police Monitoring Boards in Tirana and Durrës, and gaining the cooperation of state police there. Since the Boards only operated a few months, given the short period of the project, it is not clear whether they can continue operating absent support from other sources. On the other hand, the chairperson of the Tirana Board stated that he intended to keep meeting on a volunteer basis. 	A police officer from the Kamza Police Department, who detained a citizen, Mr. Klodian Sallahi, for ten hours without formally charging him, was officially reprimanded after recommendation was sent to the Kamza Police Chief by the Citizen Police Review Board. <u>Process:</u> Citizens reported the case to the Citizen's Police Monitoring Board, which called in the police and the citizen for a face-to-face explanation. The case was then sent to police commissioner for punitive measure. A 'warning for dismissal' was given to the police officer. It is important to state that this case served as an example for other ones reported by citizens directly to Tirana police departments.

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Me, the Woman (MTW), Pogradec <u>Corruption Focus:</u> Local Government</p>	<ul style="list-style-type: none"> • City Council members reacted to public scrutiny brought about by MTW by getting much more involved in the municipal budgeting process, using information provided to them by citizen interest groups. • The mayor's office began to accept citizen involvement in the budget process, but only very reluctantly. Information requested by MTW and its partners was provided late, barely in conformance with the Freedom of Information Law. But as time passed, the mayor began to accept the fact that behind-closed-doors practices would no longer be accepted by citizens. • Funds for a number of priorities identified by interest groups were incorporated in the budget. • Citizens in Pogradec now know that they can participate in the process of establishing the municipal government's budget – by providing input on investment priorities, by monitoring City Council deliberations, and by encouraging media coverage. • MTW has applied to the Olaf Palme Foundation to continue its participatory budgeting initiative. 	<p>None.</p>
<p>Nature Protection and Environment Administration (Adriatic), Vlora <u>Corruption Focus:</u> Environmental Protection</p>	<ul style="list-style-type: none"> • On the basis of its community action, Adriatic convinced the municipal government installed after local elections it was in its interest to collaborate with its members in efforts to improve the environment. The government asked Adriatic to review its 2007 budget, and included funds in it for promoting green areas, an action later endorsed by the Municipal Council. An agreement was signed between Adriatic and the municipal government to establish a public-private commission for expansion and protection of Vlora's green areas. • A new 500-square meter flower garden was planted in front of the local school by one of the communities with which Adriatic worked. 	<p>An illegal construction project in one of Vlora's most beautiful parks was stopped by the municipal government as a result of complaints from a community group with which Adriatic worked, and Adriatic's actions to publicize the case and present it for action to the competent local officials. <u>Process:</u> The community reported the illegal construction project in the Isa Boletini park to Adriatic, which then consulted the CAO for advice on how to pursue the issue. Meetings were held with a series of municipal government offices to ensure each took the necessary steps to terminate construction and have the park returned to its original state.</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Organization for Integration and Development (OID) <u>Corruption Focus:</u> Public Works</p>	<ul style="list-style-type: none"> • A system has been established for citizen monitoring of infrastructure projects in the municipality, one that citizens are committed to using for future projects. • Four road rehabilitation projects were completed well. • Community members, especially women, who were more involved in this project, are more sensitized to the fact they can participate effectively in local government matters. • The municipal government is also aware that its actions will be more closely monitored in the future, and that it is in its interest to invite citizen participation. 	None
<p>Regional Association of Professional Journalists (RAPJ), Gjirokaster <u>Corruption Focus:</u> Healthcare</p>	<ul style="list-style-type: none"> • As a result of the project, information on corrupt practices by specific healthcare providers was submitted to the Health Care and Promotion Directorate, which cooperated fully by investigating complaints and disciplining those guilty of corruption. Two doctors and one nurse had been dismissed as of June 2007, and others were under review. The Directorate reported that healthcare providers were much more attentive to carrying out their duties correctly as a result of the dismissals. • Citizens responded enthusiastically to invitations to call in to denounce corruption. Cases reported involved sale of medicines purchased by the government for free distribution, failure to report for duty in rural areas when required while still collecting salaries, payment of tips to doctors to obtain services, and wasted resources within the public healthcare system. 	<p>Two doctors, Hasan Dinga of Pogon commune in Gjirokaster and Xhelal Cenaj of Metohasaj of Permet, were dismissed for abusing patients and taking bribes. In addition, nurse Xhemile Cacaj of the Lekli village of Tepelena, was dismissed for abuse and failure to perform services for which she was paid by the government. Also, villager Lene Mitre submitted a complaint to RAPJ about abuse of the village doctor Rajmonda Mara. Case under investigation by RHD.</p> <p><u>Process:</u> RAPJ investigative journalist, Fatos Puto, and his team interviewed inhabitants of the villages and communes to identify the cases. RAPJ submitted the cases to the respective Regional Health Departments for punitive measures. Publication in local newspapers forced RHD Director Ditar Hodaj to take immediate punitive measures on the cases. Other cases are under further investigation by RHDs of Gjirokaster and Tepelene for punitive measures. Results expected in September as villagers are providing more information needed.</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Regional Center for Media Study and Training (RCMST), Gjirokaster <u>Corruption Focus:</u> Investigative Journalism</p>	<ul style="list-style-type: none"> Journalists who were motivated by the competition the Center sponsored to promote investigative journalism are now enthusiastic about continuing anti-corruption reporting, and are publishing more reports in national and local media. Citizens gained trust in journalists and are now bringing cases to them for investigation. RCMST reports that local officials are more attentive to operating with transparency than in the past, due to public pressure. 	<p>Criminal charges have been filed against those accused of misusing a donation made by Ismail Kadare's (Albania's most famous author) for rehabilitation of a historic house. <u>Process:</u> RCMST, knowing of the donation and not seeing any construction, requested information from the municipal government on use of the funds. None was provided, and this fact was reported on TV.</p> <p>The Ministry of Education and the Municipal Government cancelled plans to construct a new university in historic Gjirokaster: <u>Process:</u> RCMST summoned civil society organizations and school students to protest issuance of a construction permit for the new university facility in the historic part of the town.</p> <p>Two police officers, Genc Kroj and Gentian Shkempi, were fired for requesting bribes. Another police officer, Boco Luka, is under investigation for the same offense. <u>Process:</u> Investigative journalist, Ilir Lluri, made use of a candid camera to film two police officers requesting bribes from Albanian immigrants coming home for vacation. Filming of the third suspect did not provide enough evidence because of interruptions and poor quality.</p> <p>Two officials, Fatmir Serjani and Ilirjan Hamitaj, in Fier were fined for producing false passports. The police chief in Fier stated that this was a mistake due to a malfunctioning barcode machine. The two individuals rejected this explanation and said the chief told them to produce the fake passports. The case is still under investigation by prosecution office. <u>Process:</u> An investigative journalist interviewed the victims who were given the fake passports, police officers, passport technicians, and the police chief, along with other confidential sources, and published the report.</p> <p>Another case involved the former police chief, Naun Doko, caught owning a stolen BMW. Evidence collected by the journalist was submitted to Fier Prosecutor's Office, but no action has been taken. <u>Process:</u> Investigative journalist, Matilda Troka, is very keen to report on stolen luxury vehicles used in Albania. She obtained information from confidential sources and an interview with the police chief, and published a report in the <i>Shqip</i> newspaper.</p> <p>A Communist Party member was presented as a candidate for local office by the National Front Party. Reporting this led to the arrest of two senior National Front Party leaders. <u>Process:</u> A careful examination of the candidates' list and candid camera interview with leaders of both parties revealed the scandal. A report was published in <i>Shqip</i> and broadcast on TV.</p> <p>An education inspector, Majlinda Veria, sold books provided free by the GOA to school children. When this was revealed in the press, the RED demoted the inspector to a position of teacher in a remote kindergarten. The Prosecution office started an investigation, but the case never made it to the courts. Due to political connections, in two months, Veria became the General Secretary of the Fier Prefecture. <u>Process:</u> A journalist received a tip that Veria's father ran a bookstore from his home, investigated, and published the report.</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Regional Development Agency – Korca (RDAK) <u>Corruption Focus:</u> Corruption involving businesses</p>	<ul style="list-style-type: none"> • RDAK successfully established the BCAC, which had 132 members as of July. • BCAC/RDAK cooperated with local tax offices to officially register 300 businesses, whose balance sheets were accurately reported, and set up a system for monitoring visits by tax officials. • These actions (a) reduced illegal competition from unregistered, or improperly registered, firms, (b) increased local tax revenues (local tax offices attested to this, although accurate figures are not available), and (c) increased transparency in tax collections by local tax offices. Seventy percent of BCAC members say the business climate has improved and illegal competition has been reduced. • BCAC signed an “Integrity Pact” with the Mayor of Korca to establish transparent procedures for public works contracting. • RDAK increased its membership by 50 businesses in the neighboring cities of Pogradec, Devoll and Kolonje. 	<p>Real estate taxes charged to businesses are set at Lek 30 per square meter for production companies, and Lek 150 per square meter for commercial entities. Korca tax office officials, Ilir Frasherri Tax Director, and Xhami Kasapi, Head of Property Assessment Dept. of the Tax Office, threatened production companies with application of the higher rate unless bribes were paid. BCAC stopped this practice by complaining to the Tax Office. Benefiting companies were: owner Silva Pani of Si-Alpet leather Production Co, Gjergji Bardhushi, owner of Interalba Co of Pogradec, Servet Ceka, owner of Rilindja Co, Shezai Shehu, owner of Poultry Korce Co., and Karafilii Co. of Pogradec.</p>
<p>Women’s Artisan Association (WAA), Gjirokaster <u>Corruption Focus:</u> Schools</p>	<ul style="list-style-type: none"> • The WAA (ZMIMSC Foundation) took the approach of trying to encourage public opposition to the phenomenon of “private courses,” rather than try to address individual cases of teacher corruption, as Albanian NGOs did in other regions. It also was the primary protagonist in the project, acting to call <u>separate</u> meetings of students, teachers and parents at participating schools, to review existing legislation, and to try to convince stakeholders to take a stand against private courses. • WAA encountered resistance from students and parents to the idea of denouncing corruption cases due to uncertainty about what might occur in the small community of Gjirokaster. • Recommendations for changes in the education law and regulations were forwarded to the Ministry of Education and Science. • The project generated a lot of controversy in Gjirokaster, but it has not yet resulted in any specific and effective action against school corruption. 	<p>None</p>

NGO	RESULTS SUMMARY	ACTIONS TAKEN AGAINST SPECIFIC CASES OF CORRUPTION
<p>Women Supporting Women Organization (WSW) <u>Corruption Focus:</u> Schools</p>	<ul style="list-style-type: none"> Complaint boxes could not be installed in Tirana's secondary schools due to opposition from the Regional Education Directorate (RED). WSW reported that stakeholders' attitudes and beliefs regarding corruption in the education system were changing, and that skills to combat corruption had been obtained, but did not cite indicators. 	<p>None.</p>
<p>Young Intellectuals, Hope (YIH) - Shkodra <u>Corruption Focus:</u> Schools</p>	<p>The corruption monitoring system is not yet operational in the four target schools. The complaint boxes were placed, and some meetings were held between students and teachers, but the collaborative system envisaged is not yet working.</p>	<p>None.</p>

ATTACHMENT

Small Grant Project for Youth Awareness “Taxpayers’ Rights and Responsibilities” Albanian Children’s Alliance

Background

- The Albanian Children’s Alliance (ACA) was established in 2002. Its mission is to promote the protection and enhancement of children’s rights, and it has 25 active members. Before obtaining USAID funds for this project, its principal activities involved protection of children’s rights and prevention of trafficking of minors. It helped coordinate an inter-ministerial committee on prevention of child trafficking, and has organized charity events for orphaned children.
- ACA partnered with Regional Education Directorates and student parliaments to carry out this project:

Problem Identified: The “Taxpayers’ Rights and Responsibilities” Project

Desired Outcomes:

1. “To increase the level of knowledge of students on their rights and responsibilities related to public expenditures and tax collection.”
2. “To increase awareness of the importance of participation on safeguards the public spaces and state property.”
3. “To increase awareness of the importance of social control.”
4. “To stimulate students’ reflections on personal obligations toward community life and society.”
5. “To stimulate students’ independent and critical thinking on moral judgments and decision-making.”

Planned Outputs:

- Training Manual.
- Training of Trainers workshop.
- Information sessions for students in six cities.
- Student essay contest.

Activities

- A training manual was prepared by experts hired by ACA.
- The Training of Trainers workshop was held in Tirana for ACA regional coordinators, representatives of Regional Educational Directorates (RED), teachers and students participating in student parliaments at their schools.

- Information sessions were held at secondary schools in five cities, but not Tirana, to stimulate discussion of issues regarding tax payment and use of tax resources. The RED in Tirana opposed carrying out the project in Tirana secondary schools. ACA complained to the Ministry of Education and Science, to no avail.
- Volunteer psychologists held information session at the secondary schools in Tirana to which they had access. ACA also decided to hold information sessions at the Faculties of Economics and Social Sciences at the University of Tirana.
- An essay contest on the topic of “Youth Participation in Initiatives Against Corruption” was held, and prizes were awarded to winning essays at a National Conference to Exchange Ideas on Anti-Corruption.

Results Achieved

- ACA reports the following results, but cites no data to support them:
 - o “Information sessions were effective [in] increasing the level of knowledge of students on their rights and responsibilities related to tax collection. Also [they] raised awareness on the importance of participation in “public space”...and the importance of social control. These Information Sessions ... stimulated students’ independence and critical thinking on decision-making processes and personal obligations toward community life and society.”
 - o “Based on the ongoing evaluation of the project, we concluded that it had a positive impact. Firstly, it encouraged a new point of view on civic participation. [This] was an innovative issue that was not treated before, and [all participants] found it very interesting.”

Lessons Learned

- Casals and Associates should have pushed ACA more effectively to define specific outcomes and find ways to measure their achievement.
- ACA’s appeal to the Ministry of Education and Science did not succeed in gaining the cooperation of RED Tirana officials.

Small Grant Project on Corruption in Property Titling “Citizen Monitoring of Property Registration Offices” Albanian Center for Economic Research

Background

- The Albanian Center for Economic Research (ACER) is Albania's oldest economic policy think-tank, established in 1993. Its mission is to elaborate and advocate market-based solutions to challenges Albanian citizens face, and it has about 40 active members. Before obtaining USAID funds for this project, its principal activities involved producing market analyses and recommendations for market reforms, anti-corruption research and publications (with support from World Bank), surveys on the business environment and enterprise performance, and an assessment of the impact of an anticorruption project in Southeast Europe.
- ACER cooperated with the Ombudsman's Office and with Immoveable Property Offices (IPOs) in Vlora and Korca to carry out this project.

Problem Identified: In response to citizens' complaints, the Ombudsman issued a report on inefficient and ineffective operating practices in IPOs that facilitated corruption. ACER saw the need for concerted action by IPO staff, local government officials and citizens to improve IPO operations in line with the Ombudsman's recommendations.

The “Citizen Monitoring of Property Registration Offices” Project

Desired Outcomes: Recommendations to improve IPO operations drafted with participation by IPO staff, local government leaders and citizens.

Planned Outputs:

- Two regional workshops, in Vlora and Korca.
- Media campaign.
- Brochure produced on how to obtain property titles without paying bribes.
- Form for citizens' use to submit complaints regarding IPOs to authorities.
- Report analyzing a sample of complaints against IPO and identifying ways to resolve problems identified.
- National conference for stakeholders to discuss problems with operation of IPOs.
- Recommendations to improve IPO operations.

Activities

- Workshops were held in Vlora (100 participants) and Korca (25 participants), attended by municipal government and prefecture officials, NGOs, law students, journalists, professors and IPO officials. The agenda for each included a presentation on the importance of the function of the Ombudsman's office in channeling citizens' complaints to public authorities, a review of typical cases regarding IPO performance presented to the Ombudsman, and formulation of recommendations to deal with the problems identified.
- An analysis of 4% of complaints on IPO operations was done by ACER to identify operational problems and possible solutions. It showed that only 18 of 37 recommendations made by the Ombudsman to the IPO had been addressed, that most problems involved corruption (although the Ombudsman did not use that term in its reports), and that steps in IPO work processes and responsibilities for those steps were not defined, leaving room for corruption.
- A media campaign was carried out to increase public awareness of citizens' complaints regarding the IPO and recommendations for dealing with them. Nine articles were published, and ACER appeared on TV 11 times.
- ACER held numerous meetings with government officials in Vlora, Korca and Tirana to inform them on the project's findings and recommendations.
- ACER held a national conference with very wide participation by IPO and other government officials, chambers of commerce, NGOs, and journalists. It covered the importance of the Ombudsman's Office in the fight against corruption, citizens' complaints regarding IPO operations, reports on the impacts of on communities resulting from corrupt IPO practices, and recommendations for improving IPO operations.
- ACER submitted to various government authorities (executive branch, municipal governments, the IPO, and the Ombudsman) its report and recommendations on IPO operations.

Results Achieved

- The workshops, national conference and media campaign most likely helped various stakeholders better understand specific problems, and possible solutions, regarding IPO operations, which they already knew provided ample room for corruption.
- Standard forms for use by citizens in making complaints re IPO operations were drafted and accepted by the IPO, and

agreement was reached to submit complaints by email.

- The IPO agreed to use statistical modules prepared by ACER to classify and annotate citizens' complaints.
- ACER's recommendations for IPO reforms - made on the basis of its consultations with various stakeholders and its analysis of IPO operations - were provided to responsible authorities. ACER did not report whether agreement had been reached with any of those authorities to address its recommendations.

Lessons Learned

The activities ACER carried out under this project helped a wide variety of stakeholders become more familiar with the IPO's operational problems and possible ways of addressing them, and helped formulate specific recommendations for IPO reform. But the project did not generate social pressure to push the IPO reform process forward. More attention to consensus and coalition-building among willing stakeholders - perhaps in partnership with NGOs possessing experience in those areas - might have helped those stakeholders begin to use the excellent technical information and increased awareness they obtained to begin pressuring for specific reforms.

Small Grant Project for Citizen Action to Protect the Environment “Corruption that Reduces Green Areas in the City of Vlora”

Adriatic – Nature Protection and Environment Administration, Vlora

Background

- *Adriatic* is an environmental NGO established in the coastal city of Vlora. Its mission is to stop degradation of the environment. It has 53 active members. Before obtaining USAID funds for this project, its principal activities involved valuation of green spaces taking into account ecological, tourism and socio-economic factors; developing ecological management plans for targeted ecosystems; improving and enforcing environmental regulations; and protection and clean-up of priority green areas of Vlora.
- To carry out this project, *Adriatic* partnered with *TV Amantia*, several journalists, the Vlora municipal government, and two other NGOs: Citizens' Action Organization (CAO), and the Vlora Civil Society Development Center (CSDC).

Problem Identified

- Green spaces in Vlora have been disappearing at an alarming rate due to irregular administration of construction permits and failure to enforce construction regulations.

The “Corruption that Reduces Green Areas in the City of Vlora” Project

Desired Outcomes: Citizens' awareness of environmental degradation due to construction irregularities increased, and productive collaboration begins between communities and the municipal government to promote green areas.

Planned Outputs:

- Numerous public communication outputs.
- Processes for public-private collaboration established.
- Citizens organized for collaborative action in two communities.
- Data gathered on deteriorating green areas and municipal government construction permit administration.
- Legal framework for issuance of construction permits improved.

Activities:

- Extensive public information activities – (a) to raise consciousness (5 community meetings, TV spot for 6 months, 1000 posters and 500 leaflets); (b) to publicize information gathered on deteriorating green spaces (7 newspaper articles on deterioration and the *Adriatic* project); and (c) to debate

the status of green spaces, charges of corruption lodged by citizens, and citizen's role in acting to protect the environment (2 TV debates).

- The continuation of systematic data gathering in three regions of Vlora - *Adriatic* documented reductions in, and deterioration of, forested and garden areas due to illegal construction, lack of maintenance, and failing to provide adequate green areas in construction projects. *Adriatic* presented these findings to the Municipal Council on June 30, 2007.
- Five systematic exercises to monitor the municipality's performance administering construction permits and inspecting construction projects were carried out, and *Adriatic* reported on legal vs. illegal construction, violations of construction regulations affecting the environment, damage to tourist areas, and increases in pollution. Results were submitted to the competent authorities and publicized.
- A survey among public and private stakeholders to identify factors they thought were most important in improving the situation was carried out. Respondents emphasized the importance of government commitment and fair administration of regulations.
- Mobilization of two communities – two workshops were done in each, to provide interested citizens with information and encourage them to take action in their communities and to support *Adriatic's* efforts.
- *Adriatic* carried out a formal review of local construction permit and inspection regulations - based on its finding in monitoring urban deterioration and municipal government administration of the regulations - and presented them to the government.
- Meetings were held continuously with various municipal government offices during the project to keep them informed and encourage them to collaborate with citizen's efforts.

Results Achieved

- An illegal construction project in one of Vlora's most beautiful parks was stopped by the municipal government as a result of complaints from one of the community groups with which *Adriatic* worked, and *Adriatic's* actions to publicize the case and present it for action to the competent local officials. The community reported the illegal construction project in the *Isa Boletini* park to *Adriatic*, which then consulted the CAO

for advice on how to pursue the issue with the municipality. Meetings were held with a series of municipal government offices to ensure each took the necessary steps to terminate construction and have the park returned to its original state.

- A new 500 square meter flower garden was planted in front of the local school by one of the communities with which *Adriatic* worked.
- Although there were delays during the first half of the project due to local elections, the current municipal government is now collaborating with *Adriatic*. It requested that *Adriatic* review its 2007 municipal budget and included funds in it for promoting green areas, an action later endorsed by the Municipal Council. An agreement was signed between *Adriatic* and the municipal government to establish a public-private commission for expansion and protection of Vlora's green areas.

Lessons Learned

- *Adriatic* concluded that abuses in implementation of permit and construction regulations will only be reduced with public awareness and community action. Its extensive public communication efforts were instrumental in obtaining progress. *Adriatic's* ability to provide reliable and technically accurate information on deterioration of green spaces due to lax administration of regulations was also very important in convincing both citizens and public officials of the need to take action.
- In order for progress to be made improving the urban environment, concerted public-private action is required.
- Good progress has been made increasing public awareness, organizing two communities and establishing the public-private environmental commission, but corruption in the building permit process and illegal construction remains evident. So the efforts undertaken to date will have to continue for there to be longer-term improvements in Vlora's environment. This, in turn, will require continued citizen commitment.

Small Grant Project on Monitoring Election Promises “Citizens Monitoring Candidates’ Promises” Albanian Institute for Election System Development

Background

- The Albanian Institute for Election System Development (AIESD) was established in 1999. Its mission is to promote transparency and integrity in election processes, and it has 17 active members. Before obtaining USAID funds for this project, its principal activities were: monitoring local and national elections; training and workshops to impart tools for monitoring elections; public awareness campaigns to encourage voting; and publication of manuals and brochures on elections and election monitoring.
- AIESD partnered with the ACAC (Albanian Coalition Against Corruption) to carry out this project.

Problem Identified: Need for more productive dialogue between citizens and their elected officials.

The “Citizens Monitoring Candidates’ Promises” Project

Desired Outcomes: Mechanism established whereby citizens express views on community needs to candidates and then monitor actions of those elected.

Planned Outputs:

- Community leaders trained and civic monitoring and evaluation groups organized.
- Methodology for monitoring election promises developed.
- Forums held with candidates, and then with elected deputies and mayors.

Activities

- AIESC developed a methodology for monitoring actions by elected officials to fulfill campaign promises. It involved more careful identification of candidates’ promises and establishment of civic monitoring and evaluation groups.
- AIESC trained citizens in six communes and made contact with candidates for mayor and national deputies in those communities to explain the project and invite their participation.
- Six candidate forums were held, in the communes of Dajci, Kallmet, Shushica, Maliq, Divjaka, and Zharres.
- AIESC and citizens in the six communes contacted elected deputies and mayors to invite them to forums with citizens to discuss plans for carrying out their campaign promises. Only two deputies out of seven invited agreed to meet.

- Forums were held with elected mayors in four communes: Kallmet, Shishica, Dajc, and Zharrez, where citizens reiterated their priorities for attention by those officials.

Results Achieved

- AIESC succeeded in establishing civic monitoring and evaluation groups in 6 locations. It trained group members, and facilitated meetings by the groups with candidates for local office so that group members could express their views on community needs and take note of candidates’ promises.
- AIESC viewed this project as a pilot effort in a long-term process to generate better communication between elected officials regarding community priorities and fulfillment of campaign promises. It succeeded in keeping the civic monitoring and evaluation groups operating with four mayors and two deputies.
- AIESC identified lessons learned it will use to adjust its approaches as it continues this work. By the end of the project, it had scheduled six follow-up forums to be held in November and December, and it had contacted elected officials in the following municipalities about their willingness to participate in forums with civic monitoring and evaluation groups: Novosela, Vlora, Patos, Orikum, Durres and Cerrik.

Lessons Learned

- Good preparatory work in each community is required prior to meeting with candidates in order to get citizens to identify community priorities, to compile as much information as possible on candidates and their platforms, and to decide which community leaders will speak on behalf of the community, so that the citizens can take the initiative in the forums rather than just listen to candidates speeches.
- Obtaining citizen volunteers willing to participate in the civic monitoring and evaluation groups is a challenge. AIESC found that individuals with above average educational achievement were most likely to volunteer.
- It was easier to obtain agreement to participate in post-election forums from mayors than from deputies, perhaps reflecting the fact that mayors work closer to those they serve.
- AIESC concluded that it might have been better to carry out pilot efforts in fewer communities, ones where local cultures were more amenable to citizen participation and dialogue, and then build on lessons learned there to expand to other regions.

Small Grant Project

“Monitoring Public Investment in Bajram Curri Municipality”

Organization for Integration and Development, Tirana

Background

- The Organization for Integration and Development (OID) was established in Tirana in 2004. Its mission is to engage citizens in promoting beneficial social, economic and cultural policies. It has more than 60 active members. Before obtaining USAID funds for this project, OID's principal activities involved employment training for youth and women, training on health and HIV issues, and provision of information and training on prevention of human trafficking.
- OID partnered with the NGO Law and Women's Rights, Topoja to carry out this project.

Problems Identified

- Poor quality of infrastructure projects implemented by the Bajram Curri municipal government.
- Widespread belief by citizens that municipal officials were corrupt.
- Opportunity to provide for more citizen participation in local government.

The “Monitoring Public Investment” Project:

Desired Outcome: Citizens of Bajram Curri involved in effective monitoring of town infrastructure projects; in order to obtain: (a) increased civic engagement; (b) more local government transparency; and (c) better quality infrastructure projects.

Planned Outputs:

1. An organized process for citizen monitoring (social auditing) of municipality projects.
2. Community commitment to opposing poor-quality infrastructure investment projects.
3. Four road rehabilitation projects competed well.

Activities:

The project was carried out in six steps:

1. Preparation – A project office was established, using community-donated equipment. A meeting with municipal government representatives was held to explain the project. A project monitoring group was organized, and its members were trained by an engineer in how to monitor implementation and basic construction quality of road rehabilitation projects. A survey of public opinion (1000 interviews) was completed. Seventy-two percent of respondents said the municipality did not provide information to citizens, and 75% said there was corruption in government.

2. Road Project Monitoring, Phase 1 – Five open forums were held to identify problems with existing procedures for project contracting and implementation, attended by a representative of the municipal government, business leaders, the host NGOs, and citizens. Posters and leaflets were distributed to inform town residents of the upcoming project monitoring. Citizen teams monitored initial work at the four projects sites, and reported that work was behind schedule, that the municipality had not posted signs explaining project financing and other details to the public, and that, while substructure work appeared to be adequate, significant quality problems had been detected in other work. The monitoring group reported its findings to citizen forums and the municipal government, and sent a letter of protest to the responsible construction company.
3. Road Project Monitoring, Phase 2 – Eight citizen forums were held to discuss past practices for contracting and implementing infrastructure projects. At this stage, a community seminar was held to that focused more broadly on the municipal government's transparency vis-à-vis citizens, and increasing citizen participation, especially by women and the young. A second monitoring of the four projects was carried out, with similar results to the first, also reported to citizen forums, the municipal government and the companies involved. This was followed by public protests that resulted in the government interrupting work, fining companies and requiring some work be redone.
4. Following local elections, the new mayor assembled an inspection group composed of municipal officials and citizens who had been participating in the project. The inspection group confirmed the findings of the monitoring groups, and the municipality again imposed fines and required some reconstruction.
5. Road Project Monitoring, Phase 3 – Eight more citizen forums were organized, mainly attended by women. They and local officials agreed that the quality and timeliness of work being carried had improved markedly. It was agreed to schedule a total of 28 additional joint monitoring visits, in which municipal engineers also participated, to ensure work was completed adequately.
6. Wrap-up – Two newsletters were published by OID to inform the public of the results of the infrastructure monitoring activities. A roundtable discussion was held at which the positive results and lessons learned from the project were recognized by citizens, sponsoring NGOs, municipal government and national government officials.

Results Achieved

- Four roads rehabilitation projects were completed well.
- A system has been established for citizen monitoring of infrastructure projects in the municipality, one that citizens are committed to using for future projects.
- Community members, especially women, who were more involved in this project, are more sensitized to the fact they can participate effectively in local government matters.
- The municipal government is also aware that its actions will be more closely monitored in the future, and that it is in its interest to invite citizen participation in its activities.

Lessons Learned

- OJD and its partner NGO were able to get citizens to involve themselves in local government matters that affected them directly.
- The participation of a technical expert (civil engineer) in the project was a key to success, both as a means of ensuring technically adequate construction and in gaining the attention of municipal government authorities and their contractors.
- The community mobilization strategy and plan implemented by OJD and its partner was successful because it was comprehensive, and it allowed for feedback from stakeholders to be provided and taken into consideration at key points in the process.

Small Grant Project Addressing School Corruption

“Community Cooperation to Fight School Corruption”

Association for the Protection of Urban and Rural Women and Girls’ Rights in Berat



Desired Outcome: Autonomous collaboration by students, parents, and school authorities to reduce the incidence of teacher bribery in Berat. The Association strived from the start to set up a system for collaboration among stakeholders that would not depend on continued support from the Association itself.

Planned Outputs:

1. System established for identifying teacher corruption cases and taking action against them.
2. Increased public determination to support action taken against school corruption.
3. Establishment of a permanent anti-corruption unit within the Berat Regional Education Department.

Activities

The Association used its \$24,300 grant from USAID, and \$3,100 of its own resources to:

- Establish a partnership with the Berat Regional Education Department. Several meetings were held with the RED Director to agree on program details. The Director set up a working group to cooperate with the Association, signed a joint letter to introduce the project to Berat schools, agreed to participate in TV talk shows, and committed his Department to implementing punitive measures against teachers found guilty of soliciting bribes.
- Facilitate agreement among stakeholders at selected schools (principals, student senates, parent committees and teachers councils) to set up a system for identifying corruption cases and taking action against them. This required numerous meetings with principals, parents, students and teachers. Cooperating schools designated a coordinator to work with the Association and the RED. Careful attention was given to promoting a spirit of collaboration among stakeholders, rather than confrontation. When specific cases were being discussed,

Background

- The Association is a women's rights NGO established in 1998. Its mission is to protect the rights of urban and rural women of Berat district, and it has more than 300 active members. Before obtaining USAID funds for this project, the Association's principal activities involved fighting trafficking of women and children, and vocational training for women.
- The Association partnered with the Regional Educational Department in Berat, and cooperated closely with student senates, parents committees, the Teachers' Council, school principals and local broadcast media to carry out this project.

Problem Identified

The increased prevalence of bribes extorted by teachers for “tutoring” was undermining the quality and fairness of secondary school education in Berat.

“Community Cooperation to Fight School Corruption” Project

the Association made sure a qualified person was present to suggest ways to improve communication among teachers, students and school staff.

- Assist student senates to set up standard procedures for operating “complaint boxes,” the principal tool for detection of corruption cases. This activity aimed to have student senates assume responsibility for spearheading action against cases of corruption at their schools. Specific dates were set to open complaint boxes in the presence of school senates and school principals. Special attention was paid helping student senates to operate transparently and autonomously, teaching them techniques for gathering data relevant to corruption allegations, and for duly submitting cases to the Teachers’ Council and the Education Department for investigation and possible sanctions.
- Engage in a variety of public awareness activities. Eight TV talk shows were broadcast which combined footage of complaint box openings, presentation of evidence of corruption, and comments by the RED Director; school principals, parents and teachers. Two school plays were presented, with professional actors, that depicted actual cases of corruption. A concert was attended by over 2000 people, where the theme of the need for citizen action, not just deploring corruption, was sounded, and 1500 pamphlets were distributed explaining actions that could be taken. Two public demonstrations were held with participation of about 500 each time.

Results Achieved

- A well understood system was established for collaboration among stakeholders to handle specific cases of corruption, based on use of complaints boxes.
- Actions by individual stakeholders to confront corruption also began to be taken. For instance, the principal of an elementary school called a meeting for public consideration of the case of a teacher accused of classroom violence as well as bribery, which concluded with the teacher’s voluntary resignation.
- Public awareness and support for the anti-corruption efforts has been evident. Calls were

received from the public during TV shows to denounce corruption cases. Honest teachers, including retirees, publicly supported the program. Media attention has increased significantly.

- As a direct result of the project, the RED dismissed 4 teachers, suspended 10, and issued warnings to an additional 12. Four teachers recognized for their honesty were promoted.
- The RED established an internal team to continue the project and incorporated it in its annual education plan.
- The Association’s success with this project has put it in a good position with the municipal government, and Berat’s citizens, to undertake anti-corruption efforts in other areas.

Lessons Learned

- The Association’s strategy of striving from the start to set up a system for collaborative action by stakeholders that would not depend on continued support from it proved successful. Gaining the cooperation of the RED was a key to the success of that strategy, as was the Association’s success in training students. Because of the success achieved in facilitating cooperation among all stakeholders, the program to combat school corruption will now continue on its own.
- Extensive use of the media and creativity in carrying out other public awareness activities was instrumental in gaining public support for this anti-corruption initiative.



Small Grant Project to For Anti-Corruption Concerts “Our Voice Against Corruption” Culture and Community, Tirana

Background

- Culture and Community (C&C) was established in 2006. Its mission is to promote Albanian art in the Balkans, and it has 15 active members. Before obtaining USAID funds for this project, its principal activities involved researching trends in Albanian art and culture, exposing young Albanian artists on modern trends of world art and culture, and helping them reflect everyday concerns in their art.
- C&C partnered with The Brass Records Company, that produced 5000 CDs of the concert. C&C also collaborated with a number of well-known Albanian musical artists, who provided their services without charge, and with municipal authorities and media outlets in Berat, Vlora, Lezha, and Tirana, where the concerts were presented.

Problem Identified

The opportunity to reach everyday citizens in an emotional rather than just logical way (the heart, not just the head) with the message that it is time for action not just talk about corruption.

The “Our Voice Against Corruption” Project

Desired Outcome: Civic consciousness in opposition to corruption revived, resulting in more action against corruption.

Planned Outputs:

- Original songs professionally produced for the concert.
- Concert CD produced and distributed.
- Video spot, banners and posters to advertise the concerts.
- TV shows before and after concerts.

Activities:

C&C’s strategy was to engage the artistic community, especially the young, in order to increase the impact of its anti-corruption message.

- Thirty singers were invited to write original lyrics and compose songs in line with the concert’s theme. Their work was reviewed and orchestrated by some of Albania’s most famous musical artists, and 11 compositions were selected for the concert.
- C&C produced a video spot to publicize the concert in the four cities where it would be presented.
- Posters and banners were printed.
- The Brass Records Company produced 5000 CDs of concert songs free of charge.
- Concerts were held in four cities.

Results Achieved

- Berat: A mobile loudspeaker was used to announce the concert. A TV talk show was hosted by PRURGWBA, the Berat NGO carrying out a USAID-sponsored anti-corruption project in that city’s schools. The concert was attended by 10,000 people.
- Vlora: The TV spot was shown for ten days prior to the concert. Despite rain and strong winds, 2000 attended. Afterwards, the local TV station had performers participate in a talk show on corruption.
- Lezha: Concert singers were interviewed on local TV. Attendance was 10,000, not counting additional thousands who watched it on live on TV in neighboring Shkodra.
- Tirana: The TV spot ran 200 times over ten

days. Heavy rain impeded attendance, which still reached 5000.

Lessons Learned

- C&C's decision to use music in its anti-corruption campaign succeeded in engaging Albanian youth, both through the competition and the concerts themselves.
- One of the reasons C&C was able to convince The Brass Records Company to produce the CD free of charge was that it had suffered from corruption itself, through violation of its copyrights.
- Through its collaboration with C&C, the Berat NGO PRURGWBA obtained numerous additional volunteers for its anti-corruption project in that community's schools. So both NGOs benefited from cooperating with each other.
- Efforts to measure whether the concerts resulted in decisions by youth to get more active in anti-corruption efforts would have helped eval



Small Grant Project on School Corruption “Corruptor = Corrupted” Children’s Future and Development, Tirana

Background

- Children’s Future and Development (CFDA) is a non-profit association established in 2001. Its mission is to offer alternatives that help children lead normal lives, and to include children in the social and cultural life of the country. CFDA has 30 active members. Before obtaining USAID funds for this project, its principal activities involved improving the cultural and artistic lives of children; and addressing factors affecting children’s lives, such as parents’ unemployment, discrimination against children, human trafficking, substance abuse, and corruption in pre-schools.
- CFDA collaborated with the student senates in the four schools where it implemented the project, with school administrators and the Tirana Regional Education Directorate (RED), and with five civic education and sociology teachers.

Problem Identified

Corruption in schools through bribes solicited or offered.

The “Corruptor = Corrupted” Project

Desired Outcomes: Systems operating in four schools for identification and handling of corruption cases through collaboration among student senates, parents’ boards, and teachers’ councils

Planned Outputs:

- Partnerships among students, parents and teachers at four schools.
- Complaint boxes installed in four schools.
- Civic education modules addressing corruption developed and tested in four schools.
- Various public information products/vehicles: leaflets; website; talk shows.

Activities:

- Meetings with the Tirana RED, with school officials and with students, teachers and parents at the four target schools were held to encourage their cooperation with each other. Sessions were held to train teachers and students on ways to identify and report corruption and encouraging and supporting honest teachers and students.
- Complaint boxes were installed in the four schools. Initially, CFDA planned for more schools to participate, but it had trouble convincing the RED to permit installation of any boxes at all, and finally was able to obtain agreement to do

so in four schools, arguing that efforts would be directed at identifying dishonest students rather than teachers.

- Fifteen cases of corruption were reported using the boxes. Student senates tried to investigate them, but had trouble providing evidence; although they forwarded two cases to the RED.
- CFDA cooperated with five civic education and sociology teachers to design two civic education modules, one for primary school and the other for secondary school. The modules cover why corruption is a problem, how to avoid being victimized, methods of identifying corruption in and out of school, and reporting tools. Ten practical activities were carried out in the four schools. These included imaginative activities such as a competition to create cartoon characters depicting corruption in schools and writing a screenplay and presenting the play. The modules were submitted to the Tirana RED for a decision on whether to use them in the school system.
- Two TV talk shows, with live phone calls from students reporting cases of corruption; two radio talk shows, various newspaper articles, one poster and 5000 leaflets were produced.

Results Achieved

- Collaboration systems built around use of the complaint boxes were established at the four pilot schools.
- Fifteen cases of corruption were reported, and two were reported to the Tirana RED for investigation: the case of a physics teacher accused of asking two students for bribes, which is to be investigated by the RED; and the case of a student who tried to bribe a mathematics teacher and was not allowed to sit for exams.

Lessons Learned

- CFDA concluded that if it could have found ways to get administrators, teachers and students at target schools, rather than CFDA itself, to request the RED to allow installation of complaint boxes, it would have facilitated approval.
- CFCA concluded that school senates need to have at their disposal better ways to provide evidence to prove or disprove reported corruption cases.
- CFDA concluded that although articles in newspapers can be useful in influencing public opinion, it would be even better to address the more narrow community of teachers by finding ways of convincing them to publish articles in their newsletters

Small Grant Project on Corruption in Courts “Increasing Citizens’ Confidence in the Justice System” Center for Legal Civic Initiatives, Tirana

Background

- The Center for Legal Civic Initiatives (CLCI) was initially established as the Women’s Legal Center in 1997. Now its mission is to combat corruption in Albania’s legal institutions. It has 35 active members.
- Before obtaining USAID funds for this project, CLCI’s work focused on court monitoring and increasing public awareness on the right to a fair trial. In 2001-2002, CLCI obtained World Bank support for the project “Making Lawyers and the Public More Aware of the Need to Fight Corruption in the Justice System,” under which it worked with trial and appellate courts in Tirana, Durres, Elbasan, Korça, Shkoder, Berat, Fier, Vlorë, Saranda, Kruja, Pogradec, and Lezhe. CLCI also received support from USAID, through MSI, for a project implemented in cooperation with Tirana Legal Assistance Service called “Monitoring of the Activities of the Tirana First Instance Court and the Tirana Appeals Court.” Finally, CLCI has also done research for legislation on women’s rights, domestic violence, and human rights.
- CLCI built on its prior experience and the cooperative relationships it had developed with judges, prosecutors, the legal community, and broadcast media to carry out this project.

Problem Identified

The performance of criminal courts, prosecutors’ offices, and other entities responsible for combating corruption and enforcing laws needs to be improved.

The “Increasing Citizens’ Confidence in the Justice System” Project

Desired Outcomes: Increased willingness by stakeholders to tackle corruption by ensuring legislation is more effectively implemented by the courts and official institutions.

Planned Outputs:

- Comprehensive report on operations of institutions charged with implementing Albanian anti-corruption legislation - “Justice Organs Combating Corruption.”
- Three roundtable discussions of report’s findings.
- Media coverage of roundtables and publishing 4 expert articles.

Activities

1. CLCI convened meeting with stakeholders (judges, prosecutors, Tirana University Law Faculty, etc.) to explain the project and gain agreement to participate.
2. CLCI trained 15 law students to coordinate monitoring of courts, prosecutors’ offices and other executive branch organizations like the Property Registration Offices.

3. Courts, prosecutors’ and other offices were monitored, by reading texts of decisions taken and observing court trials and office operations.
4. Roundtable discussions were held to review preliminary findings, in Vlora, Shoder, and Tirana. The roundtables were attended by bar association members, judges, prosecutors, university professors, municipal government officials, NGOs, and property registration offices.
5. The roundtable discussions were televised in each city, and participants were interviewed on TV. Four expert articles were also published in national newspapers, and the project was presented on the Vila 24 program (tape available).
6. The report was published on CLCI’s website and translated into English. It includes a comparison of Albanian anti-corruption law with other European countries’ laws, findings from the monitoring activities, and summaries of discussions at the roundtables.

Results Achieved

- CLCI successfully built on its previous experiences to generate interest and cooperation among a variety of stakeholders to become more aware of specific challenges facing the courts and other offices charged with combating corruption. It successfully engaged the full gamut of stakeholders in the project: judges, prosecutors, other public officials, law professors and students, practicing lawyers, and NGOs.
- CLCI succeeded in establishing an excellent precedent for monitoring and assessing court proceedings and prosecutors’ offices operations.
- CLCI is ready to build upon its success to date.

Lessons Learned

- Conscientious actions taken by CLCI to engage a wide variety of stakeholders in monitoring activities and in discussion/ feedback events were successful, both because they enabled monitoring activities to take place, and they increased awareness among stakeholders of specific institutional problems that need to be addressed.
- Obtaining media coverage of the roundtables, and publication of experts’ articles, increased public awareness of the problems to be addressed. This should be useful in keeping the issue on the public agenda.
- Using students as monitors worked well due to their enthusiasm and interest, and because they were well trained to carry out their functions.
- More attention during the next phase of activities to agreeing with stakeholders on specific outcomes to be achieved in the short-run (ones that will contribute to long-run objectives) would help set priorities and focus stakeholders’ efforts.

Small Grant Project Public Officials and Citizens' Corruption Concerns "Putting Anti-Corruption on the Agenda of Public Officials"

Center for Public Information Issues

Background

- The Center for Public Information Issues (CPII) was established in 2004. Its mission is to provide different groups in Albanian society with information and access to media they can use to improve public wellbeing. CPII has 12 active members. Before obtaining USAID funds for this project, its principal activities involved seminars and publication of brochures on the public's right to information, as well as design of tools to request information.
- CPII partnered with several of the NGOs awarded grants under the Marketplace Activity and with the Citizens Advocacy Organization (CAO) to carry out this project:

Problem Identified

The potential benefits to be derived from better use of broadcast media by civil society organizations.

The "Putting Anti-Corruption on the Agenda of Public Officials" Project

Desired Outcome: NGOs working to address Albania's corruption problems gain access to the public and to official decision-makers to present their reform proposals.

Planned Outputs

- NGOs participating in USAID's Marketplace Small Grants Program appear on VILA 44 TV program.
- Government officials appear on VILA 24 to discuss specific corruption issues.
- Guidance to NGOs on effective use of broadcast media.
- Book on use of media by NGOs.

Activities

- CPII consulted the CAO to identify the ten most important corruption problems being addressed by NGOs as a result of the Marketplace Activity, whose projects could benefit from increased media exposure.
- Twelve NGO representatives appeared on the TV show VILA 24 to explain the corruption problems they were addressing and present their projects.
- Government officials (both executive and legislative branches) appeared on VILA 24 to discuss specific corruption problems.

- CPII provided detailed guidance to NGO representatives on how best to use broadcast media to present their organizations and programs.
- This guidance was later distilled into ten points that were explained in detail in CPII's book entitled "Media and the Anti-corruption Agenda," and were accompanied by reports on the broadcasts done with NGOs and government officials on different corruption challenges.

Results Achieved

- CPII assisted advocacy NGOs: (a) by offering them access to the VILA 24 TV program to present their anti-corruption projects; (b) by training NGO representatives in how to use media professionally and effectively; and (c) by inviting public officials to the VILA 24 program to respond to NGO questions.
- The media exposure CPII provided to Marketplace NGOs helped them gain results with their projects, and led to positive action in two additional areas: (1) delay in the passage of a new police law until the public had a chance to comment on its contents; and (2) a decision by the High Court of Justice to open its proceedings to the public under certain circumstances. The Institute for Democracy and Mediation (IDM) appeared on the VILA 24 TV program to denounce the fact a new draft police law had been prepared behind closed doors. Providing this forum for public airing of the complaint was instrumental in helping obtain a delay in passage of the law and the promise to receive civil society input for the law.
- CPII published a book, "Media and the Anti-Corruption Agenda," that reported on the topics addressed on the TV program, and elaborated practical advice to civil society actors on how to exploit broadcast media to the advantage of the causes they espouse. Two university faculties have agreed to use the book in their courses.

Lessons Learned

- Although not an advocacy NGO itself, CPII showed that journalists can provide valuable contributions to citizens' deliberations of public policies – in this case, access to popular media outlets and good advice on using broadcast media effectively.

Small Grant Project on Election Financing “Transparent Financing of Elections” Elections to Conduct Agency

Background

- The Elections to Conduct Agency (ECA) is a not-for-profit organization established in 2006. Its mission is to promote sustainable democratic electoral practices, and it has 30 active members. Before obtaining USAID funds for this project, ECA’s principal activities involved efforts to promote more transparent campaign financing, elaboration of tools for auditing political parties’ finances, and publications on voters’ rights and duties.
- ECA carried out this project on its own, with some cooperation from political parties.

Problem Identified: Need for transparency in campaign financing.

The “Transparent Financing of Elections” Project

Desired Outcome: More accurate reporting by political parties of funds spent during 2007 local election campaigns in 13 cities.

Planned Outputs:

- Research completed on campaign finance practices versus requirements under current law, including recommendations for improving the law.
- Training sessions held for political party officials to improve reporting in accordance with current requirements.
- Public commitments by municipal government candidates regarding transparent campaign financing.

Activities:

- ECA completed a research activity that compared current campaign finance practices with requirements under the current law.
- Roundtable discussions were held with party members and CSOs to discuss the report and recommendations for improving the campaign financing law.

- ECA drafted a guide for party use in reporting campaign funding to the GOA, and carried out training workshops for 54 political party officials.
- ECA put posters near party headquarters calling for transparent campaign financing.
- None of the candidates in the 13 target municipalities agreed to sign the public document proposed by ECA by which they would commit themselves “not to make use of illegal funds and sources; not to use state sources [to finance their campaigns]; and to report financial activities in accordance with the law.”
- ECA then decided to monitor the resources used by candidates from the two main parties for campaigns in Tirana, Shkoder and Vlora, but it was not possible to estimate the cost of resources they employed.

Results Achieved

- ECA succeeded in obtaining the cooperation of political parties to participate in training sessions held to help ensure more accurate reporting of campaign financing to GOA authorities, but it did not succeed in convincing candidates to sign the public commitment statements it prepared.
- ECA prepared recommendations for improving the campaign finance law.

Lessons Learned

- Absent pressure on political parties for more transparent and honest reporting of campaign financing from an independent elections authority, citizens and/or international authorities, ECA’s efforts to convince the parties and candidates to change current practices were not successful.

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Small Grant Project for Investigative Journalism “The Investigative Journalism Prize” Regional Center for Media Study and Training (RCMST), Gjirokaster

Background

- RCMST is one of the journalists associations in southern Albania. It was established in 2001, and its mission is to improve the quality of journalism. RCMST has 30 active members. Before obtaining USAID funds for this project, its principal activities involved training for investigative journalism, research in media area, and identification and reporting of events that affect the city of Gjirokaster.
- RCMST partnered with (1) the Association of Southern Journalists, six members of which participated in the project, and with (2) the Conservation Development and Protection Office for Historic Gjirokaster, that provided journalists with materials needed for articles on the historic center of the city.

Problem Identified: Investigative journalism aimed at revealing corruption generates public support for action against specific cases and more transparency in government operations. But in southern Albania, journalists were not practicing it much.

“The Investigative Journalism Prize” Project

Desired Outcome: Increased interest by journalists in practicing investigative journalism.

Planned Outputs:

- A successful investigative journalism competition.
- A significant number of articles published on corruption cases.

Activities:

The project, whose budget totaled to \$11,500, had one activity: the journalism competition. The concept behind it was to take advantage of journalists' interest in obtaining better reporting equipment, and their natural competitive instincts, to get them to do investigative reporting on corruption. RCMST and its partner association informed journalists of the competition, and established rules and procedures for awarding prizes. The USAID grant was used to purchase prizes (laptop computer, video camera, digital cameras, etc.), select a panel of judges and evaluate entries.

Thirty-five journalists competed, submitting 65 articles and videos. They were divided into two categories, those where journalistic investigation was required to uncover significant facts, and those consisting of reporting on corruption charges and/or anti-corruption activities taken by public authorities. There were two first prize winners:

- Ilir Lluri won first place in investigative journalism for his work uncovering the misuse of Lek 10 million donated by Albanian author, Ismail Kadare, for the reconstruction of a house in the historical center of Gjirokaster.
- Arjan Xhani won first place in investigative reporting for his story on the Premeti prosecutor's conviction of seven individuals for corruption in the cemetery there.
- Ten other prizes were awarded.

Results Achieved

- Journalists who were motivated to practice investigative journalism for the competition became enthusiastic about continuing anti-corruption reporting, and are publishing more reports in national and local media.
- Citizens gained trust in journalist and are now bringing cases to them for investigation.
- RCMST reports that local officials are more attentive to operating with transparency than in the past, due to public pressure.
- The following actions were taken on corruption cases reported during the competition:
 - o Criminal charges have been filed against those accused of misusing Ismail Kadare's donation.
 - o The Ministry of Education and the Municipal Government cancelled plans to construct a new university in historic Gjirokaster.
 - o Five police officers were fired for requesting bribes.
 - o Two officials in Fieri were dismissed for producing false passports.

Lessons Learned

- Results obtained by sponsoring the competition were greater than expected. Journalists were motivated by their natural competitiveness and the positive public reaction to their work.
- Greater exposure of corruption in the press resulted in public pressure for sanctions and official punitive actions.

Small Grant Project on Police Accountability “Citizen’s Police Review Boards” Institute for Democracy and Mediation, Tirana

Background

- The Institute for Democracy and Mediation (IDM) was established in 2001. Its mission is to foster more confidence between citizens and government officials through mediation and promoting common-ground perspectives. IDM has about 40 active members. Before obtaining USAID funds for this project, its principal activities focused on promoting productive relationships between police and citizens. With support from the National Endowment for Democracy, the Soros Foundation, and others, IDM developed and implemented successful models for increasing police accountability to citizens. They included: (a) Community-Police Consultative Groups (grass-roots groups of citizens that cooperate with the police officers at the local community level); and (b) Accountability Meetings, at which chiefs of police inform citizens about the police activities and reply to citizens' questions and concerns.
- IDM received State Department support for a three-year (2006-08) program with the University of Pittsburgh that sponsors exchange visits among police officers, local government officials and civic leaders. Professor John Burkoff, first chairman of the Community Police Review Board in Pittsburgh, introduced the concept of police boards in events sponsored with IDM during the first half of 2006. This project aimed to create two pilot community boards along the lines of those in Pittsburgh.
- IDM partnered with the Citizen Advocacy Office (CAO) and the Albanian Coalition Against Corruption (ACAC).

Problem Identified: Corruption and abuse by individual police officers.

The “Citizen’s Police Review Boards” Project

Desired Outcomes: Pilot citizen police review boards established in Tirana and Durres.

Planned Outputs:

- Board members trained.
- Public awareness activities implemented.
- Cases reviewed by boards and actions taken to resolve them.

Activities

- Public awareness activities were carried out to inform the public in Tirana and Durres about the project – TV advertising, posters, leaflets, TV appearances by IDM.

- IDM canvassed both communities for board nominees and assembled those selected.
- Two preparatory meetings of citizens on each board were held; one to discuss their purpose and operations, and a second to agree on their boards' mission, structure and procedures. (Jan.-Feb. 2007)
- IDM trained board members in methods used in Pittsburgh to obtain the cooperation of police forces in being accountable to boards, and in promoting citizen participation in efforts to improve neighborhood safety (Feb)
- Boards met for roundtable discussions with Police Directors and Chiefs of Police in Tirana and Durres, first to introduce how boards intended to operate in more detail, and afterwards to review their handling of cases reported by citizens and turned over to the police for action.
- Between those two sessions, the boards received complaints from citizens regarding police behavior or issues needing police attention and decided whether and how to handle each one. They took action by calling for hearings with police present or by submitting complaints to the police for action. Additional public relations activities were carried out to encourage public to report cases to the boards. Both boards heard cases where police abuse was charged, for which they organized meetings between the accused and the accusers in the presence of police officials that resulted in actions by police to resolve the issues at hand.
- IDM held meetings in May with each board to review experiences, and a final wrap-up session with members of both boards and officials of national police from each city to review the pilot projects.

Results Achieved

- IDM succeeded in establishing Citizens' Police Monitoring Boards in Tirana and Durres, and gained the cooperation of state police there.
- Since the Boards only operated a few months, given the short period of the project, it is not clear whether they can continue operating absent financial support from other sources. On the other hand, the chairperson of the Tirana Board stated that he intended to keep meeting on a volunteer basis.

Lessons Learned

- Both citizens and police expressed the opinion that the operation of the boards improved collaboration between police and citizens and helped both police officers and citizens understand each other and better agree on expected standards of conduct. They noted the boards had operated for only short periods, and their operations would need to be prolonged and multiplied in order for significant changes in the relationship between police and citizens to occur.
- One reason the boards worked successfully in terms of obtaining cooperation from police departments was that they were composed of highly reputable and respected citizens in each city, chosen in a broad consultative process. Members of both boards were lawyers active in different civil society organizations, credible journalists, educational leaders and retired police officers. The chairpersons were a former Supreme Court justice in Tirana and a former Albanian State Advocate in Durres.

Small Grant Project on Copyright Protection “Movie Pirates”

Forum for the Protection of Albanian Audiovisual Works, Tirana

Background

- The Forum for the Protection of Albanian Audiovisual Works is a nonprofit organization established in 2004 by a group of Albania’s most famous film producers, directors and music composers. Its mission is to protect the copyrights of audiovisual works, and it has more than 150 active members. Before obtaining USAID funds, its principal activities involved copyright protection for the Albanian film community.
- The Forum involved representative stakeholders in production of a video on the copyright violation phenomenon, but it did not request other organizations to partner with it beyond this phase.

Problem Identified

- Widespread violation of copyright laws covering audiovisual materials impedes artistic and journalistic expression.
- The problem is one that extends beyond Albania to other Balkan countries.

The “Movie Pirates” Project

Desired Outcomes: (1) Awareness is raised among all stakeholders (authors and artists, distributors, consumers, and public authorities) on the negative effects of lax administration of Albanian copyright laws. (2) The role of the Forum is consolidated as the entity best able to spearhead action on this issue. In the longer run, the Forum aims “to attain a massive reduction of the spread of this (pirating) phenomenon.”

Planned Outputs

1. A professionally produced video documentary on the movie pirating phenomenon is filmed which involves representatives of all stakeholders.
2. Post-production editing and multiplication of the video is completed.

Activities

The Forum used its \$24,800 grant, and \$3,400 of its own resources to carry out two activities:

- The video was filmed. This required pre-production research and interviews to collect data, script writing, arranging for participation in the filming, and actual production. It was not possible to complete one of the most important segments of the planned video, the filming of a court ruling on a copyright

violation, due to opposition by the judge involved, but all other segments of the video were produced successfully.

- Post-production editing and multiplication of the video was completed, as well as translation and subtitling.

Results Achieved

- The video was produced and is ready for distribution to TV stations, but until it is shown and audience reaction can be gauged, the degree to which the first planned outcome is obtained cannot be judged.
- The Forum successfully engaged a variety of stakeholders in the production of the video, thus consolidating its reputation as a leader in Albania on the copyright issue, but until stakeholder response to the airing of the video and reactions of the public can be gauged, it is too early to judge how much the reputation of the Forum may be further enhanced.
- Final agreements with TV stations to broadcast the video remain to be completed.

Lessons Learned

- The time available to the Forum under the Small Grants Program (seven months) may not have been adequate to ensure airing of the video and initiation of follow-on activities. Nevertheless, the Forum could have endeavored to reach agreement with TV stations to broadcast the video before production was completed in order to ensure it would be shown. Some stations might even have a conflict of interests in this regard. Those that did not would have had an opportunity to influence the content of the video, perhaps increasing its attractiveness to viewers.
- Casals & Associates and USAID could have helped increase the chances for improved outcomes, both during the project and afterwards, by assisting the Forum to conceive of the project in broader terms: identifying the main impediments to enforcement of copyright laws, agreeing with possible partners to cooperate on a longer-term effort to begin addressing those impediments, and deciding with them how the video to be produced would be used to raise awareness among stakeholders and the public. This lesson learned illustrates the importance of negotiating well-defined statements of planned outcomes as a first step in project design.

Small Grant Project Addressing Participatory Governance “Governance with Citizens, for Citizens” Community Communication and Education House (CCEH), Peshkopi

Background

- CCEH is a non-profit education center in northern Albania established in 2004. Its mission is to promote the cultural diversity of North Albania by introducing new education and communication methods in communities. CCEH has 50 active members. CCEH cooperates closely with the Danish Development Agency (DANIDA). Before obtaining USAID funds for this project, CCEH’s principal activities involved participatory budgeting and English language training.
- CCEH partnered with the following organizations to carry out this project:
 - The Federation of Communal Forests
 - The Independent Women’s Forum
 - Agritra Vizion
 - The Dibra Youth Forum
 - Citizens Advisory Commissions
 - The Municipal Government of Peshkopi (Mayor’s Office and City Council)
 - Local Government Units (LGU) in the Municipality of Peshkopi and the Communes of Kastriot and Qendër

Problem Identified

- Institutions set up to facilitate cooperation among citizens and municipal government officials in local governance were not working in Peshkopi. Citizens were not aware of their right to participate and institutional channels for doing so. They lacked confidence in local government organizations. The City Council was not able to approve a municipal government budget between 2003 and 2005. Business associations did not appreciate the role they should play in local governance. Municipal officials were not always aware of laws governing citizen participation.
- CCEH decided to address this problem by encouraging citizens and local officials to use established channels to allow citizens



to participate in the municipal budgeting process and to foster public-private cooperation.

“Governance with Citizens, for Citizens” Project:



Desired Outcome:

“Increased citizen participation in local decision-making in order to improve services and increase transparency in local governance.”

Planned Outputs

1. Community awareness and training activities implemented to equip citizens to participate in the budget preparation process and to monitor municipal government activities.
2. Two surveys of public attitudes and knowledge regarding the municipal budget and government authorities completed.
3. Information on Albanian laws, local government institutions, and citizens’ budget priorities transmitted by television and printed materials.
4. Clearer definition of community priorities in the 2007 budget exercise.
5. Inclusion of a number of citizen-identified priorities in the official 2007 budget.
6. A plan for the rehabilitation of the Municipal Spa elaborated and implemented.

Activities

CCEH and its partners implemented a comprehensive set of initiatives to equip citizens to participate in budget setting and implementation monitoring processes, and to gain the cooperation of municipal authorities.

- A public forum was held to present the project, explain its objectives and the steps planned to reach them, and detail CCEH’s budget for the project.
- Two surveys were carried out. The first measured citizens’ knowledge about local government budgeting processes, and identified their concerns and interests. Forty-five percent of those responding were not aware of their right to be informed about the budget and municipal government activities, and 73% did not know what the role of the City Council was. The second survey was carried out at the end of the project to measure progress obtained. Among other results,

the percentage of respondents unaware of their rights to information fell to 31%, still high but representing progress after less than a year.

- Visits by caravan were organized to 30 locations in Peshkopi, Kastriot and Tomin. Sixty-eight community leaders and government representatives were trained in participatory practices and public budgeting concepts. These training and awareness visits prepared the way for roundtable discussions held to identify budget priorities, and facilitated cooperation among community leaders for follow-on activities.
- Eight roundtable discussions were held for 232 participants in different localities, where they defined budget priorities and learned about the use of budget indicators to track government activities included in the budget. Agreement was reached to set up six citizen groups to cooperate more closely with government officials in LGUs on the 2007 and 2008 budgets.
- CCEH reported to the City Council on behalf of those who participated in roundtable discussions, to convey decisions reached on budget priorities for their vicinities.
- CCEH participated in a TV talk show, produced a TV spot and distributed 3000 pamphlets on the Freedom of Information and Local Government Laws, citizens' right to participate in local governance, the 2007 budget and the City Council's role in its approval.
- Four one-day training sessions were held for members of budget implementation monitoring teams, one charged with monitoring bidding and contracting practices and the other charged with monitoring environmental interventions.
- Citizens and local officials cooperated in the elaboration and implementation of a plan to rehabilitate the Municipal Spa.
- A wrap-up session was held at the end of the project, attended by the Mayor, at which lessons learned and follow-up actions were identified.

Results Achieved

This project proved that local governance challenges can be better addressed, and services improved, when citizens are participate more actively; i.e., when they express their concerns and priorities though participation in LGUs, when the City Council takes due account of local priorities and concerns in its budget approval deliberations, when the mayor and other municipal government officials are responsive to citizens' concerns and suggestions, and when citizens are willing to volunteer their time and efforts to carry out community improvement projects and monitor government activities. CCEH and its partners, including the Municipal Government, succeeded in invigorating institutional channels for citizen participation and now have a system in place for participatory governance that they can keep improving. Specific achievements during the project were as follows:

- Citizens participating in the project identified 83 priorities and submitted them to their LGUs. Of these, 12 were eventually

included in the municipality's 2007 budget.

- Citizens living near the Municipal Spa decided to intervene directly with the Municipal Government when they concluded the spa was not only deteriorating but its managers were not turning over all funds they collected. Pending the Government's decision on new management, citizens and local official elaborated a rehabilitation plan, one that citizens volunteered to help implement. As a result, 70 decorative tree saplings and 50 nut and willow trees were planted, the main pool was rehabilitated, rubbish containers were placed, and citizen monitoring of trash disposal was initiated. The municipal government agreed to reconstruct the road between Peshkopi and the spa this year.
- The citizens group set up to monitor environmental programs carried out social audits of public works projects for environmental protection, especially those for establishing and improving green spaces, city cleaning, management of urban waste, and pollution reduction. It began lobbying for inclusion of adequate funding in the annual budget for public works maintenance.
- The citizens group set up to monitor government bids and contracts sponsored forums where local businesses, citizens and the municipal administrators examined the current process and concluded that irregularities were widespread. They noted businesses were not familiar with the Law for Biddings and did not participate in formal solicitations, that government officials lacked the technical expertise needed to evaluate bids, and that as a result of these and other factors, contracts were routinely let in secret. The group's report was submitted to the Mayor for action.
- CCEH and the Mayor's Office now cooperate to issue public information bulletins on City Council meetings. Consideration is now being given to a proposal made at the wrap-up session to establish a municipal government office to facilitate citizen participation and volunteerism.

Lessons Learned

- Factors key to the success of the project were:
 - (1) The comprehensiveness of CCEH's interventions to educate the public and facilitate joint action by citizens and government officials.
 - (2) The positive attitude of the Mayor and other Peshkopi Government officials.
 - (3) Ongoing assistance to CCEH from the Danish Development Agency that allowed this project to build upon longer-term local governance improvement efforts.
 - (4) CCEH's ability to engage a variety of local organizations as partners in the project.

Small Grant Project

“Where Does Our Money Go?”

Une, Gruaja (Me, the Woman), Pogradec

Background

- Une, Gruaja (UG) is a women's leadership NGO established in 2003. Its mission is to ensure equal and active participation of women in the political, social, economic, and cultural life of Albania, and it has more than 80 active members. Before obtaining USAID funds for this project, its principal activities were protection of women's rights and promotion of their participation in the public life of the town of Pogradec, promotion of citizens' participation in local budget planning, and sponsoring workshop and seminars on the role of women in the decision-making and on gender issues.
- UG partnered with the following organizations to carry out this project:
 - NGOs: The Unity (Uniteti), the Pogradec NGO Forum, the Environmental Club of Pogradec, and Mother, Child and the Future (Nena, Femijet, e Ardhmja) and the Regional Development Agency (ARZH), both from the city of Korçe.
 - Media: Nositi (local newspaper), and two TV stations, Sot 7 and ARV Pogradec.

Problem Identified

- No history of citizen participation in local government decision-making, nor awareness of institutional channels, and possible democratic practices, for such participation.
- UG decided to promote citizen participation in a down-to-earth way, by getting citizens involved in decisions regarding the municipal government budget.

“Where Does Our Money Go?” Project:

Desired Outcome: Citizens and local government officials introduced to practices for involving citizens in establishing budget priorities and monitoring budget implementation. The longer-term objectives are (a) the establishment of accepted practices for elaboration of municipal government budgets in a participatory fashion, and (b) presentation of municipal government budgets that reflect community priorities, include measurable objectives and indicators, are presented in ways accessible to ordinary citizens, and are implemented transparently.

Planned Outputs

- I. City Council members more involved in budget preparation and review.

2. Budget for 2007 prepared in an easy-to-understand format.
3. Municipal government objectives clearly expressed in the budget.
4. Citizen's organizations more involved in monitoring more transparent budget implementation.

Activities

UG decided to act as a facilitator between citizen interest groups and municipal government authorities (both the City Council and the Office of the Mayor) to familiarize both with practices for citizen participation in budget formulation and implementation. UG and its partners used the \$17,100 grant, and \$5,800 of its own resources:

- To organize meetings with various citizen interest groups. Special efforts were made to obtain participation by women and youth. At these meetings, UG and its partners got citizens to define their budget priorities and informed them about the status of the 2007 budget and the role of the City Council in reviewing it. Following these meetings, the interest groups sent letters to the Council to inform its members about their budget priorities.
- To cooperate with the Nositi newspaper's publication of a special supplement on the municipal budget. The supplement and follow-up articles explained the ideas behind participatory budgeting, the legal framework for citizen involvement, the City Council's role in the budgeting process, and presented information on the UG project and interest groups' budget priorities.
- To monitor meetings of the City Council. Six council meetings were attended. Council members were new, following the February 2007 elections. Since observers cannot speak at the meetings, UG and its partners prepared special monitoring forms that allowed observers to compare information they gathered on council member participation, council procedures and conclusions, and citizens in attendance. Observers also took pictures and made videos. The information gathered was shared widely with the public.
- To support continued citizen involvement in discussion of the budget as it was being finalized by the City Council and the Mayor. Interest groups expressed their views on budget priorities in leaflets, public announcements, and media presentations. A peaceful demonstration was organized by city youth in favor of more responsive and transparent municipal budgets. Seven programs and debates were broadcast on local

TV stations. UG prepared a data base once the final budget was issued that interest groups can use to monitor implementation of budget line items of particular interest to them.

Results Achieved

- City Council members reacted to public scrutiny by getting much more involved in the budget review process. They were vocal in meetings and used the information provided to them by citizen interest groups and UG.
- The Mayor's Office began to accept increased citizen involvement in the budget process, but only very reluctantly. Information requested by UG and its partners was provided late, barely in conformance with the Freedom of Information Law. The mayor publicly rebuked NGOs for causing commotion over the budget. As time passed, the mayor began to accept the fact that behind-closed-doors practices would no longer be accepted by citizens.
- Most significantly, funds for a number of priorities identified by interest groups were incorporated in the budget.
- Citizens in Pogradec now know that they can participate in the municipal government budgeting process – by providing input on investment priorities, by monitoring City Council deliberations, and by encouraging media coverage.
- UG prepared for follow-up actions to be taken after this project ended, by circulating information from its budget database to citizen interest groups.
- Although this project was only a first step in participatory budgeting, and further efforts both by citizen groups and municipal government officials will be needed to build on this beginning, UG and its partners showed that civil society in Pogradec is alive and well. UG is applying to the Olaf Palme Foundation to continue its participatory budgeting initiative.

Lessons Learned

- Two factors that proved essential to the success of the project were (1) UG's cooperation with a variety of partner organizations from the start, and (2) the publicity given to the project by media, especially the Nositi newspaper. Participation in the project by a variety of interest groups helped ensure that citizen interest and involvement was broad. Media coverage kept the initiative alive for citizens and government officials.
- Despite the fact that initiation of the project had to be delayed due to municipal elections (The 2007 budget had already been issued when the project began.), UG was not deterred, and took advantage of the establishment of a new City Council to make efforts to have the budget amended, to take account of citizen's expressed priorities.
- UG and its partners had to adjust their strategy for dealing with the Mayor's Office. While their original intention was to work in alliance with that Office as well as the Council and citizen groups, when the Mayor's Office reacted negatively to the pressure it received from citizens, UG realized it would have to adopt an attitude of opposition to the mayor until he began to get used to more democratic budget deliberation and implementation practices.
- The newspaper, Nositi, was very interested in cooperating with the project from the start, and took the initiative to learn more about municipal government budgeting practices. TV stations, while they cooperated in broadcasting programs, made fewer efforts to learn about participatory budgeting. UG concluded that more efforts to educate journalists in this area will be needed.

Small Grant Project on Corruption in Healthcare “Women Confronting Corruption in Healthcare” Regional Association of Professional Journalists, Gjirokaster

Background

- The Regional Association of Professional Journalists (RAPJ) is a Gjirokaster-based journalists' association established in 2001. Its mission is to bring together people with a shared interest in the development of free media, protection of the right to free speech, and increasing journalists' contributions to the solution of everyday problems. RAPJ has 10 active members. Before obtaining USAID funds for this project, its principal activities involved improving journalists' reporting skills, a project on democratic culture and media ethics funded by the Soros Foundation during the 2005 parliamentary elections, and broadcasts on various corruption issues in Gjirokaster.
- RAPJ partnered with the NGO Horizont and with the Health Care and Promotion Directorate of Gjirokaster to carry out this project.

Problem Identified: Corruption in the provision of healthcare services to women in rural areas surrounding Gjirokaster.

The “Women Confronting Corruption in Healthcare” Project

Desired Outcomes: Corrupt practices by public healthcare providers reduced in six rural areas.

Planned Outputs:

- Newspaper articles on specific cases. (7)
- TV shows to confront responsible officials. (4)
- TV spot to encourage denouncing corrupt healthcare providers.

Activities

- Journalists traveled to six mountainous communes (Pogon, Picar, Hormove, Frasher, Lopes, and Kutali) to interview women about corrupt practices by public healthcare system doctors and nurses. Various means of investigative journalism were employed, including hidden cameras.
- Articles on cases of corruption uncovered were published in a newspaper entitled, Anti-corruption.
- A TV spot was produced by RAPJ and presented on television to encourage citizens to denounce corruption by healthcare providers.

- Four TV programs were presented, to which RAPJ invited officials from the Health Care and Promotion Directorate, hospitals, doctors and nurses serving rural areas. During those programs, RAPJ confronted those present with the evidence of corruption journalists had gathered, and viewers were invited to call in with complaints about specific cases.

Results Achieved

- As a result of the project, information on corrupt practices by specific healthcare providers was submitted to the Health Care and Promotion Directorate, which cooperated fully by investigating the complaints and disciplining those guilty of corruption. Two doctors and one nurse had been dismissed as of June 2007, and others were under review. The Directorate reported that healthcare providers were much more attentive to carrying out their duties correctly as a result of the dismissals.
- Citizens responded enthusiastically to invitations to call in to denounce corruption. Cases reported involved sale of medicines purchased by the government for free distribution, failure to report for duty in rural areas when required while still collecting salaries, payment of tips to doctors to obtain services, and wasted resources within the public healthcare system.

Lessons Learned

- Investigative journalism is very useful in revealing cases of corruption and increasing public demand for corrective measures.
- The offer of an open line to TV shows, combined with TV spots to encourage denouncing specific cases of corruption, worked very well.

Small Grant Project for Private Sector Opposition to Corruption

“Business Coalition Against Corruption”

Regional Development Agency of Korce

Background

- The Regional Development Agency of Korce (RDAK) is business association established in 1998. It has about 250 active members, mainly small businesses. Its mission is to promote the development of small and medium sized enterprises, and contribute to the building civil society.
- Before obtaining USAID funds for this project, RDAK received a USAID grant via Partners. RDAK's principal activities involved: adoption of transparent financial accounting practices by member businesses; establishment of communication channels between businesses and municipal tax offices, including improvement of procedures for accurate tax submissions; and publication of a newsletter to inform members on issues in the region affecting them.
- RDAK did not formally partner with other organizations to carry out this project, but it did establish cooperative relationships with municipal tax authorities.

Problem Identified: Corrupt practices by local tax officials and some business owners increased the cost of doing business and led to unfair competition.

The “Business Coalition Against Corruption” Project

Desired Outcomes: Association members actively fighting corruption involving municipal tax offices.

Planned Outputs

- Establishment of Business Coalition Against Corruption (BCAC).
- RDAK member businesses adopt consistent methods for preparing accurate balance sheets.
- RDAK members present accurate balance sheets to tax authorities.
- Illegal businesses are registered with tax authorities.

Activities

- RDAK carried out three membership drives regionally, obtaining 50 new member businesses in Pogradec, Kolonja and Devoll.
- RDAK legally registered the Business Corruption Against Coalition on Feb. 27, 2007.
- Eight roundtables were held in four cities to instruct businesses in how to prepare accurate balance sheets.
- RDAK facilitated meetings between members and local tax offices - first to present the project, and then for submission of balance sheet information for tax payments, and to advise tax authorities about businesses operating illegally.
- BCAC members established a system for monitoring visits of tax office officials to their businesses, as a means of preventing bribery.

- Additional anti-corruption activities:
 - BCAC members in Korca signed an “integrity pact” with the municipal government to help ensure transparency in issuing and processing tenders.
 - RDAK members monitored election-related spending by candidates from the two major parties, and invited cooperation from the parties in making campaign financing more transparent. They refused, but now this issue is on RDAK members' agenda.

Results Achieved

- RDAK successfully established the BCAC, which had 132 members as of July.
- BCAC/RDAK cooperated with local tax offices to officially register 300 businesses, whose balance sheets were accurately reported, and set up a system for monitoring visits by tax officials.
- These actions (a) reduced illegal competition from unregistered, or improperly registered, firms, (b) increased local tax revenues (local tax offices attested to this, although accurate figures were not made available), and (c) improved transparency in tax collections by local tax offices. Seventy percent of BCAC members say the business climate has improved and illegal competition has been reduced.
- BCAC signed an “Integrity Pact” with the Mayor of Korce to establish transparent procedures for public works contracting.
- RDAK increased its membership by 50 businesses in the neighboring cities of Pogradec, Devoll and Kolonje.

Lessons Learned

- Concerted action by businesses with a shared problem resulted in change. Actions taken were accomplished both by themselves (improved accounting) and collectively with the relevant authorities (collaboration with tax officials and the mayor).
- A key reason RDAK was successful in facilitating joint action by businesses in the sensitive area of tax collection was that it was able to have business owners themselves convince skeptical colleagues to join forces with them.
- RDAK found it important, and in line with its role as an association, to keep members well informed and to facilitate their collaboration with tax authorities.
- Gaining the cooperation of local tax offices was a sine-qua-non for success. It was obtained by exerting group pressure and proving to local officials they could improve performance by collaborating with the local business community.

Small Grant Project on School Corruption “Stop Victimizing” Young Intellectuals, Hope, Shkoder

Background

- Young Intellectuals, Hope (YIH) is a nonprofit association for northern Albania established in Shkoder in 2005. Its mission is development of the Albanian civil society and promotion of peace and stability in the Balkan region. It has more than 50 active members. Before obtaining USAID funds for this project, YIH's principal activities involved promoting youth leadership and integrity in the fight against corruption in schools, cooperating with youth parliaments in schools to address youth issues, and identifying and investigating corrupt practices in Shkoder University.
- YIH partnered with the Regional Education Directorate in Shkodra, the CAO Shkoder Branch Office, and four secondary schools to carry out this project.

Problem Identified: Students paying teachers for better grades.

The “Stop Victimizing” Project

Desired Outcome: A sustainable system is in place for monitoring corruption in Shkodra secondary schools, which results in (a) young people raising their voices against specific corruption cases, and (b) sensitizing the public about the problem of corruption in secondary schools.

Planned Outputs

- Promotion campaign
- Complaint boxes installed in schools
- Meeting between students and teachers/school administrators to address corruption
- Corruption survey completed
- TV debate held

Activities

- A memorandum of understanding approving the project was signed with the Regional Education Directorate of Shkodra and Citizens' Advocacy Office Shkodra Branch Office.

- Promotional efforts were carried out: TV spots, posters, leaflets.
- Complaint boxes were installed in four secondary schools. Students initially used them, but YIH later noticed that usage dropped and some notices were not well prepared.
- Meetings to discuss corruption were held by students with teachers and administrators.
- A questionnaire on corruption in schools was administered. It reported that 70% of students at one of Shkodra's most respected secondary schools said corrupt practices existed there. It also led to discussion of other contentious issues that had until then been avoided. Teachers and administrators at the four schools where the project was being implemented then resisted further participation in it.
- YIH held a TV debate to discuss the situation, but only one teachers' representative attended.
- Throughout the project, YIH held meetings with students at the four schools and with teachers at the RED. YIH made decisions about the project with the students; for example, regarding content of promotional materials, the MOU signed with the RED, and complaint box placement and use. YIH also trained students in ways to discuss complaints received with teachers and school authorities, as well as how students might participate in decision-making on the use of funds collected from students for the schools. YIH meet separately with teachers at the RED and discussed placement of the boxes, specific corruption cases reported by students, and ways the schools could report on finances to the students.

Results Achieved

- The corruption monitoring system is not yet operational in the four target schools. The complaint boxes were placed, and some meetings were held among students and teachers, but the collaborative system envisaged is not yet working.

Lessons Learned

YIH's final report pins most of the blame for the failure of the project so far on teachers. It contains statements regarding teachers that, even if true, reflect negative attitudes that might have made it difficult for teachers and administrators to decide to cooperate in carrying out the project, more so given the young age of the project's leaders. In addition, although YIH reports going to great lengths to work with students in a participatory fashion to make project decisions, it opted to act on behalf of students in its meetings with teachers at the RED. NGOs that have achieved more success in obtaining collaboration among stakeholders from sides initially opposing each other have found it useful to recruit and cultivate leaders from both camps and to support their efforts to devise ways of collaborating to bring about reforms, rather than act on behalf of one side or the other.

Small Grant Project on Corruption in Education “Say NO to ‘Private Courses’”

Women’s Artisan Association, Gjirokaster

Background

- The proposal to combat school corruption in Gjirokaster was presented at the NGO Marketplace by the Civil Society Foundation, Gjirokaster Branch (ZMIMSC Foundation). After the proposal won at the Marketplace, some members of the Foundation refused to support its implementation. Since the proposal was a winner at the Marketplace, USAID and Casals and Associates requested its authors to submit the project under another NGO. The Women’s Artisan Association (WAA) agreed to allow the authors to implement it under its auspices.
- The ZMIMSC Foundation was established in 2004. Its mission is to promote participation of citizens in the community life and decision-making involving the historic town of Gjirokaster. It has about 20 active members. Before obtaining USAID funds for this project, the ZMIMSC Foundation’s principal activities involved: lobbying to raise the legal drinking age in the municipality to 18; cooperation with the Albanian Youth Council for anti-corruption campaigns nationally and locally; participation in drafting the National Youth Strategy; and organization of roundtables for discussion of public issues by elected officials and citizens.
- WAA partnered with Young Reporters of Gjirokaster and Albanian Youth Parliament of Gjirokaster to carry out this project.

Problem Identified: Prevalence of teachers and students in secondary schools arranging “private tutoring” as a means of paying teachers bribes for better grades.

The “Say NO to ‘Private Courses’” Project

Desired Outcomes: Parents, teachers and students in Gjirokaster join together to demand a stop to private courses, and to support changes in the education law to prevent bribery.

Planned Outputs: None stated.

Activities

- Eight student parliamentarians were recruited at four secondary schools to administer a questionnaire on the prevalence of private courses.
- One thousand interviews were carried out, and a report was drafted on the results obtained, and sent to the four schools and the Regional Educational Directorate (RED).
- Current laws were analyzed to identify changes that could be made to reduce the incidence of private courses. Suggestions for revising the education law and regulations were gathered from stakeholders, and transmitted to the Ministry of Education and Science.

- WAA held separate meetings with parents, teachers and students at the four schools. This was followed by a workshop to which stakeholders from all four schools were invited to discuss the report and recommendations for legal reforms.
- Public awareness: On an appointed day, demonstrations were carried out by students at the four schools. WAA also distributed posters and leaflets, participated in two TV programs, sponsored TV spots, and published articles in local newspapers.

Results Achieved

- The WAA (ZMIMSC Foundation) took the approach of encouraging public opposition to the phenomenon of “private courses,” rather than addressing individual cases of teacher corruption, like Albanian NGOs did in other regions. WAA also decided it would be the primary protagonist in the project – taking action itself to meet separately with students, teachers and parents at participating schools, to review existing legislation, and to try to convince stakeholders to take a stand against private courses.
- WAA encountered resistance from students and parents to the idea of denouncing corruption cases due to uncertainty about what might occur in the small community of Gjirokaster.
- Recommendations for changes in the education law and regulations were forwarded to the Ministry of Education and Science.
- The project generated a lot of controversy in Gjirokaster, but it has not yet resulted in any specific and effective action against school corruption.

Lessons Learned

- In its report, WAA noted the controversy it had helped generate in the community over the issue of private courses, but it was not sure what next steps might be taken.
- Other Albanian NGOs had success in dealing with the issue of school corruption by (1) supporting stakeholders’ actions and leadership, and (2) identifying and addressing specific cases of corruption rather than trying to promote action against the phenomenon

Small Grant Project on Corruption in Education “Youth Anticorruption Network” Women Supporting Women Organization, Tirana

Background

- The Women Supporting Women Organization (WSW) was established in 2005. Its mission is to protect the rights of women and children, and it has 70 active members. Before obtaining USAID funds for this project, its principal activities involved organizing youth parliament elections, youth leadership training, and social services for needy women and children.
- WSW partnered with the FORIS Youth Organization to carry out this project.

Problem Identified: Corruption in administration of budgets by secondary schools and universities, and with bribes paid to teachers.

The “Youth Anticorruption Network” Project

Desired Outcomes: The project’s goal was “to prevent and reduce corruption in the education system.” Outcomes to be achieved were: (1) increased denouncing of corruption cases by youth; and (2) intensified collaboration among different stakeholders in fighting corruption in the education system.

Planned Outputs

- Information on the status of corruption in the education system: “holistic picture” of corruption in education system; statistics and mapping of most common corrupt practices.
- Corruption complaint boxes installed and used in schools.

Activities

WSW and FORIS divided responsibility for the project, with FORIS in charge of activities involving students (recruitment at schools, forums, and installation of complaint boxes) and the project website (www.antikorrupsioni.com); and WSW in charge of public communication and coordination with education authorities. Activities carried out were:

- Organization of anti-corruption forums in 4 of Albania’s 5 universities and selected Tirana secondary schools.
- Publication of students’ views on corruption on the website and in FORIS’ newsletter.
- Surveys (2) regarding corruption in Tirana secondary schools.
- Installation of corruption complaint boxes in universities, but not in Tirana secondary schools.
- Public communication activities: TV coverage of forums; broadcast of TV spot on project; and distribution of thousands of posters and leaflets.

Results Achieved

- Complaint boxes could not be installed in Tirana’s secondary schools due to opposition from the Regional Education Directorate (RED). WSW reported this to the Ministry of Education and Science and the National Education Directorate, but this action did not overcome RED’s opposition.
- WSW reported that stakeholders’ attitudes and beliefs regarding corruption in the education system were changing, and that skills to combat corruption had been obtained, but it did not provide data to support its conclusions.
 - o “The public has shown an increased belief in youth organization engagement in the fight against corruption.”
 - o “There was a great change in ... the (determination) of students to fight corruption... We saw an increasing number of participants during our discussion forums an increased force of discussion about corruption... Students gained a whole set of information about corruption and the means ... to fight it... Students developed their ... capacity (to denounce) different corruptive practices and the most effective ways to fight it.”

- o “Parents had the opportunity to know and learn more about the most appropriate ways to denounce and fight corruption.”
- o “Teachers had the opportunity to change their passive participation in corruption’s practices to an active contribution to fight against it.”
- WSW did not cite changes in indicators or anecdotes to show that the improvements it noticed in the attitudes, beliefs and skill of students, teachers and parents had indeed occurred. Such indicators can be usefully employed by NGOs to convince doubters as well as to encourage stakeholders whose reform efforts they are supporting.

Lessons Learned

- Appeals to higher authorities in an effort to force RED Tirana to allow installation of complaint boxes were not successful. Other NGOs faced with similar problems have had success in overcoming them by identifying the specific reasons for resistance, finding ways to assist stakeholders to exert pressures democratically that change the incentives of those resisting, and compromising as much as possible with resisters to address their legitimate concerns.
- A key to success achieved by other NGOs has been to work with the citizens whose initiatives they wish to support (in this case, students) to define desired outcomes as specifically as possible, to focus attention on cases that affect them personally, and to agree on steps they will carry out to obtain the desired outcomes. This in turn helps ensure that the desired outcomes and planned outputs for the NGO’s project are clear and specific. WSW and FORIS might have benefited from employing this approach.

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