

5 RECOMMENDATIONS

NB: Detailed recommendations are given in the operational sections of the report. This section makes general, strategic recommendations and suggests priorities.

5.1 For the Albanian Government:

1. It has long been recognized that “*Moins il y a de moeurs, plus il y a de lois*”, as Montaigne expressed it. Albania however has entered the transition with an intensive focus on passing new legislation without being able to pay enough attention to implementation requirements, enforcement capacities, and policy frameworks. While some legislation was made necessary by the transition, other laws appear to have been passed merely to satisfy the demands of donors. Law-making is no substitute for policy-making, and the SAp (and later the SAA) will require Albania to bring its legal system into line with the *acquis*, making it essential for Albania to put in place **a system for policy-making, policy-coordination and policy-evaluation to give effect to its new laws.**

Operational recommendations

- *Strengthen and organise the Centre of Government* to enable it to generate meaningful policy options to the Council of Ministers, and provide the Government with basic policy coordination as the SAp requires.
- *Establish, staff and institutionalize policy-making and policy-coordination units in line ministries, and organize interministry relations around them;*
- *Consider revising the law-making process so as to involve Ministries in the policy-development phase, and, in particular, involve the Ministry of Finance in impact assessment.*
- *Use and strengthen the existing strong point at DoPA and MoF* as starting points to build up policy analysis and impact assessment capacities.

2. Linked to political cycles, the Albanian administration suffers a high turnover of staff based on perceived party-political allegiance. While Albania generally lacks sufficient quality human resources to keep the public administration up to EU standards, this version of the “spoils system” reduces Albania’s capacity to meet the challenges of European integration. It is essential for Albania to

provide **stable, non-partisan public administration, and professionalize Public Administration staffing at all levels.**

Operational recommendations

- *Strengthen the central civil service management unit, and make it responsible for developing specific policies and procedures to stabilise the civil service;*
- *Strengthen the Public Administration Training centre (TIPA), and commit the necessary resources to provide at least 5 training days per year for 10% of the Civil service.*
- *Revise the civil service legal and institutional management framework so as to stabilise the public administration.*

3. While the country does not lack anticorruption laws, strategies, programme and matrices, usually driven by donors, there is very little evidence that the current pro-integrity approach has been generally understood or accepted in Albania, or has been efficient in curbing corruption and organised crime. Endemic **corruption and organised crime are symptoms of the weakness of the rule of law in Albania, and need to be addressed.**

Operational recommendations

- *Strengthen the Judiciary and make publicly available the records of conviction related to serious corruption and economic crime;*
- *Strengthen integrity systems such as civil service management and administrative procedures, and develop effective oversight and control of financial management, etc., at both central and local government levels.*
- *Establish effective oversight and control mechanisms for financial and personnel management, and for administrative decisions, at the local self-government level before decentralising further State functions to local self Government.*