

# RESEARCH REPORT

Gender and corruption in the Albanian civil service



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The research and writing of the report was a collaborative effort of UNDP Global Anti-Corruption Initiative (GAIN) based in New York, UNDP Regional Hub for Europe and the Commonwealth of Independent States (CIS) based in Istanbul, and United Nations Development Programme (UNDP) in Albania, in the framework of the Gender Equality Programme funded by Government of Sweden

Opinions and views expressed in this report do not necessarily reflect those of the United Nations Development Programme (UNDP) or of the United Nations (UN).

Tirana, December 2014

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## EXECUTIVE SUMMARY

This research report is a result of the joint efforts of UNDP in Albania and the UNDP Europe and CIS Regional Hub. It aims to address the issue of gender and corruption in the civil service to help Albania and other countries in the region in their way towards cleaner and more transparent civil services. The research attempts to address two main questions:

1. How do male and female civil service employees perceive and experience transparency, accountability and corruption in the workplace?
2. What are the differential impacts of a lack of transparency and corruption on the recruitment and career development of male and female civil service employees?

A mixed methods approach is employed and data gathering tools are adapted to the specific context. The results produced are used not to claim any permanent differences between women and men in relation to corruption. They are important only in understanding the differences in practices and perceptions as well as in identifying and recommending feasible approach in enhancing gender equality and in “cleaning up” civil service from corrupt and unethical practices, for better and more transparent governance in the country. The analysis of the qualitative and quantitative data gathered from a total of 104 questionnaires, 4 focused group discussions and 11 in-depth interviews led to the main findings summarized below:

### **Perceived prevalence of corruption in the civil service**

- There is a lack of data regarding corruption in the civil service and little is explored on gender and corruption in the country at large and civil service in particular. However, strong perceptions of high prevalence of corruption among public administration/civil servants do exist not only in the public opinion (as documented by various surveys and indexes) but also among civil servants themselves. Around 26.8% of the participants in the survey perceive corruption in the Albanian civil service as “prevalent” and another 11.3% as “very prevalent”. Men seem to be more aware of the incidence of corruption as compared to women.

## Forms of corruption in the civil service

- Most common corrupt practices that apparently do contribute to the high levels of perceived corruption include favoritism, nepotism, and patronage. It is these three corrupt practices which score highest under the “very prevalent” responses (30.7%, 24.8%, and 24.5% respectively). Bribery, often referred to as a symbol of corruption, is not as “popular” (only 8.1% find it as “very prevalent”).
- Among the practices scoring highest under the “not prevalent” response appear to be extortion, including sexual extortion which stands out from all the other corrupt practices. Women more often than men see extortion (including sexual extortion) as not prevalent (22.9% of the women as compared to 16.7% of the men) or little prevalent (33.3% of the women as compared to 31.3% of the men). Likewise, more men than women believe that extortion is highly prevalent in the Albanian civil service (6.3% men vs. 4.2% women).

## Witnessed corruption

- The relatively high levels of perceived corruption among civil servants are primarily based on in-direct experiences/information. 11.5% of all respondents report to have witnessed corruption but taking into account the high level of non-responses to the specific question (23%), those reporting to have witnessed corruption at their current work place amount to 15%.
- Favoritism, nepotism, and patronage are reconfirmed among the most witnessed corrupt practices at the workplace. Being a small country where social networks (including extended family) are still strong might explain part of this physiognomy of corruption in Albanian civil service. Less witnessed corrupt practices include embezzlement, extortion and bribery.

## Engaging in corruption

- The nature of the corrupt practices offered to our respondents match with the ones perceived as most spread in the civil service. Favoritism and patronage receive the highest scores (20% and 22.2% respectively) as corrupt practices “often” offered to our respondents. Other corrupt practices offered, often include fraud, nepotism, misuse of discretionary powers and influencing for unfair decisions.
- More men than women are found to have been asked to engage in corruptive practices. Participants explain this difference with the traditional roles and responsibilities, higher moral

stigmatization of women, and stronger social and political networks and support among men.

## Reporting corruption

- Even though respondents admit to have witnessed corruption they very rarely (if not at all) reported it. The low levels of reporting get even more serious when considering that some 5% of all respondents in the survey admit having been asked/offered (at least once) to participate in corrupt practices at the work place.
- Reasons for not reporting primarily include difficulties in proving the case, lack of trust in the respective authorities, and fear of revenge. While these reasons meet much of the expectations in hesitating to report corruption, an interesting finding is that almost 7% of the respondents that did witness corruption believe that there was no need to report it as no “real harm” was done. “No real harm was done” is also the dominant alternative among reasons of not reporting requests or offers to engage in corruption.
- Overall, our respondents prioritize lack of clear procedures and absence of positive experiences with the reporting of corruption. There is also a dominating feeling of fear of revenge which keeps employees not only away from reporting corruption but also from openly supporting those that dare to.

## Promoting good governance

- The results confirm the lack of established and functional workplace grievance mechanisms. Less than 40% of the respondents report to be aware that their current workplace has such mechanisms in place and functional.
- Our respondents report of being little informed on essential issues related to their workplace. It seems that civil servants are best informed on the working hours policies and disciplinary measures. On the other hand, around 30% have no information on salary and remuneration policies as well as on the promotion policies (often subject for corrupt practices).
- When provided, information is not always perceived as relevant (23.6%), timely (23.3%), accurate (20.4%), or easy to understand (16.3%). Women dominate (55%) among those that received information which was not relevant to their specific situation. On the other hand, more men than women rated the information as not timely, not accurate and difficult to understand.

- Communication is also problematic. There is a huge vacuum of information and transparency for and from the human resource units. Performance evaluation procedures and results are only sporadically known.
- Furthermore, good practices of transparency, accountability and anti-corruption get little if no visibility and appreciation.

### **Equal opportunities in the civil service**

- Resistance or/and difficulties in identifying and/or admitting that gender differences may exist persist. Nonetheless, 22.5% of the respondents say that women and men are not subject of the same promotion policies. About 15% see gender differences persevering in women and men not having equal access to all sectors and hierarchical levels as well as in the amount of working hours women and men contribute.
- Women more often than men, see gender inequalities manifested within the civil service. They are 3 times more sensitive towards gender inequalities in the access to all sectors and hierarchical levels than men result to be. Women are twice more sensitive towards unfair share of workload in terms of working hours and similarly in regards to differences in the promotion processes. However, the largest gender gap in opinions is on the inequalities related to participation and involvement in policy- and decision-making processes (22% women vs. 6% men report this kind of gender inequalities) as well as in the opportunities to grow professionally through international events and exchanges (20% women vs. 4% men report for gender inequalities in these aspects).

### **Rational behind perceptions**

- For most participants, gender fairness is equal to gender blind or gender neutrality. As a result, gender sensitive policies at the work place are redundantly considered irrelevant. The rationale for this irrelevance is usually based on the global figures of women dominating men in the civil service and the public administration at large.
- Exploring more on the way most of the policies are translated into practices, an array of opportunities and concrete examples from practice arise to illustrate the (gender) biased practices, particularly when it comes to recruitment and promotion procedures do in fact exist.



- Politically-biased (positive) discrimination dominates over other types of discriminations. Men more often than women perceive “leaving work to attend political parties activities” as acceptable leading to believe that they might as well be more politically active and thus receive more political support and politically-biased positive discrimination at the work place.
- Gender differences are believed to have narrowed in the last decade with more women being better educated and involved also in sectors or levels which had been a forbidden land for them in the past. Yet, for most women it takes more efforts to advance in career as double standards apply. Women more often than men are expected to stay at work for extra hours, do unpaid tasks, and “keep quiet” (not my business policy) for any irregularities at the workplace.

### **Way forward**

- There seems to be a synergy of efforts (at least) at the national level agencies and institutions to fight corruption. Some of the measures with a direct impact in the civil service are the ones designed and currently being implemented by the Government’s Department for the Public Administration following the new law on the civil service in the country.
- However, besides the time needed to see if the results will be sustainable and meaningful in the future (both in quantitative and qualitative terms), certain issues are not yet clear how they will be addressed. The new recruitment system (and career advancement which will follow) do not account and allow for opportunities to address issues of brain-gain as well as issues of inequalities.

On the basis of these findings conclusions are drawn and recommendations for policy-making are proposed in the closing chapter of this report.



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## I. INTRODUCTION

Albania is committed in respecting and promoting gender equality as much as in fighting corruption. Progressing and advancing with tangible results in both these directions would pave a smoother and certain path towards good governance and sustainable human development in the country. Albania's progress in the recent years in respecting and promoting gender equality and particularly in addressing gender-based violence is highlighted in a series of international commitments as well as in domestic legal and policy development and implementation. However, progress is still lagging in several important areas among which women participation in the labor market and their participation and representation in policy – and decision-making process and structures<sup>1</sup>. On the other hand, Albania continues to be largely perceived as one of the most corrupt countries in Europe. After more than 3 years of continuous negative scores in the Transparency International Corruption Perception Index, Albania managed this year to move up by 6 places, ranking 110th out of 175 countries<sup>2</sup>. Although a good news, the progress was not enough to pull Albania out of the group of countries perceived as most corrupt in Europe.

A growing body of research<sup>3</sup> suggests that studying the link between gender and corruption might help in advancing both gender equality and anti-corruption. However, this relation is often claimed to be strongly subject to the specific cultural and institutional contexts, hence no readymade recipes can be provided. It is in this context that this research aiming to study the link between gender and corruption in Albania establishes its rationale. The goal is met by looking at the case of the civil service which combines best responsibilities in advancing gender equality as for civil service being: first, employer of men and women; second, implementer of policies to promote gender equality and a corruption-free society<sup>4</sup>; and third, responsible for delivering gender fair public services to the citizens.

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1- INSTAT (2014) Women and Men in Albania, [http://www.instat.gov.al/media/257796/femra\\_dhe\\_meshkuj\\_2014\\_.pdf](http://www.instat.gov.al/media/257796/femra_dhe_meshkuj_2014_.pdf)

2- Transparency International Corruption Perception Index (2014) <http://www.transparency.org/cpi2014/results>

3- See the literature review section for evidence.

4- Brody, A. (2009) Bridge Cutting Edge Gender and Governance

This research is part of the regional initiative undertaken by UNDP in Albania in close collaboration with the UNDP Europe and CIS Regional Center to address the combination of the above mentioned issues through a regional survey and help Albania and other countries in the region to ensure cleaner and more transparent operations within the civil service. As part of this regional approach, the research in Albania also tried to address two main research questions:

1. How do male and female civil service employees perceive and experience transparency, accountability and corruption in the workplace?
2. What are the differential impacts of a lack of transparency and corruption on the recruitment and career development of male and female civil service employees?

The mixed methods approach was employed and data gathering tools were adapted to the specific context. The results produced are used not to claim any permanent differences between women and men in relation to corruption. Our findings are important only in understanding the differences in practices and perceptions as well as in identifying and recommending feasible approaches in enhancing gender equality to “cleaning up” civil service from corrupt and unethical practices, for better and more transparent governance in the country.

This report is organized in several sections. The short introduction of the initiative and the research project and report is followed by Section 2 which sets the rationale and the theoretical framework for this report along with a backgrounder of the gender equality and civil service issues in the country. Section 3 details the methodological approach used to produce the results and findings presented and analyzed later in Sections 4. Section 5 attempt to summarize and picture the way forward based on the information and data provided in official documents and through elite interviews in the targeted institutions. Finally, conclusions are drawn and recommendations are proposed in Section 6.

## II. GENDER, CORRUPTION AND THE CIVIL SERVICE: THEORETICAL BACKGROUND AND EVIDENCE FROM RESEARCH

Internationally, gender equality in regards to good governance is framed in the context of a rights-based approach, recognizing the equal rights of both men and women, as citizens, to be adequately represented, informed and served by their respective governments. This survey as well is grounded on the understanding that good and fair governance can't be achieved if gender equality issues and corruption and unethical practices are not adequately addressed in the public administration in general and the civil service in particular. To serve as a route towards a more democratic and corruption-free society, the civil service needs to be representative of the society, (including fair representation of men and women) and operate in a non-discriminatory, disciplined and ethical way. The responsibility of the civil service is thus three-fold: first as employer of men and women; second, as implementer of policies to promote gender equality and a corruption-free society<sup>5</sup>; and third, in delivering gender fair public services to the citizens.

It is not only from a rights-based approach that focusing on equal rights and good governance is justified as a major development priority. In more pragmatic terms, both gender-based inequalities and corruption have the potential to slow development, increase inequalities and social exclusion, and exacerbate poverty<sup>6</sup>. Economic growth alone is not a guarantee for sustainable human development. Human progress must be sustained with measures that reduce vulnerabilities and build resiliencies<sup>7</sup>. Reducing vulnerabilities resulting from gender-based inequalities and discrimination and building resilience towards non-democratic and/or corruption in governance will directly impact human development and its sustainability.

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5- Brody, A. (2009) Bridge Cutting Edge Gender and Governance

6- Transparency International (2010) Corruption and Gender in Service Delivery: The unequal impact.

7- UNDP (2014) Human Development Report 2014: Sustaining Human Progress, Reducing Vulnerability and Building Resilience

Good governance is predicated on principles of transparency, equity, strengthened accountability, integrity and participation. The civil service, as the administrative arm of government, has the responsibility to not only uphold these principles but where possible lead others towards these principles. As an employer, national civil services are bound by codes of conduct, policies, laws and regulations which promote a transparent and fair working environment with good working conditions for men and women. If the civil service fails to provide such a working environment, lack of accountability and corrupt practices, such as nepotism, bribery, favoritism, extortion (including sexual extortion), theft and abuse of discretionary powers may flourish.

While a lack of transparency and entrenched corruption in the civil service often translate into a lack of (quality) government services, impacts are also felt directly by civil service employees. A lack of transparency and corrupt practices within the civil service alters whether or not recruitment, promotion, remuneration and redundancy policies are adhered to and whether accountability and disciplinary measures are followed. These corrupt practices cost taxpayers money and have the potential to diminish the professional profile of the civil service and trust in the civil service as a whole<sup>8</sup>.

A growing body of research has been exploring the relation of gender and corruption. The documented results provide robust evidence to reiterate that studying gender and corruption is of paramount interest not as much in identifying or establishing any permanent relation between gender and corruption, but rather in understanding how this relation between gender and corruption varies depending on the institutional and cultural context.<sup>9</sup> In fact, different research present different findings which account for the role played by the institutional and cultural diversity they refer to.

In the early 2000, various research documents that those states with more women involved in government were less prone to corruption<sup>10</sup>. But a more recent review of experimental evidence undertaken by Frank, Lamsdorff and Boehm in 2011, indicates that “women are not necessarily more intrinsically honest or averse to corruption than men.”<sup>11</sup>

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8- As argued in UNDP Regional Center for Europe and the CIS document “Survey Methodology: Addressing Gender and Equality Related Corruption Risks and Vulnerabilities in Civil Service”

9- Esarey J. and Chirillo, G. (2013) “Fairer Sex” or Purity Myth? Corruption, Gender, and Institutional Context, *Politics & Gender*, 9 (2013), 361 –389.

10- Dollar, D., Fisman, R. and Gatti, R. (2001). “Are Women Really the ‘Fairer’ Sex? Corruption and Women in Government.” *Journal of Economic Behavior & Organization* 46 (4): 423 –29.

Swamy, A., Knack, S. Lee, Y. and Azfar, O. (2001). “Gender and Corruption.” *Journal of Development Economics* 64 (1): 25 –55.

11- Frank, B., Lamsdorff, J. G., and Boehm, F. (2011). “Gender and Corruption: Lessons from Laboratory Corruption Experiments.” *European Journal of Development Research* 23 (1): 59–71.



Beside some evidence showing that women are more trustworthy<sup>12</sup>, more research has reinforced that their attitudes and behaviors in regards to corruption depend on institutional and cultural contexts<sup>13</sup>.

Esaray and Chirillo (2013) believe that it is the democratic institutions which activate the relationship between gender and corruption. Having strong democratic institutions make corruption a risky undertaking by reducing the potential profit, increasing the probability of discovery and punishment, and morally stigmatizing the offenders<sup>14</sup>. Unlike in autocratic regimes where bribery and favoritism are often a normal part of doing business and where not being or resisting corruption might prove more risky than corruption itself<sup>15</sup>. Hence, the perceived levels of risk associated with engaging in corruption might as well serve as a barometer of a functional democracy.

Further, women and men are differentially impacted by these risks and there are many reasons to expect such differences. Research finds that women react differently to risk and punishment. Experimental evidence from Jianakoplos and Bernasek (1998) and Watson and McNaughton (2007) studies indicates that women are more averse to risk-taking than men when facing comparable incentives. In addition, women are found to also be more vulnerable to punishment for violating political norms because of explicit or tacit gender-based discrimination making the moral stigmatization harsher on them.<sup>16</sup>

Studying these variations, Esaray and Chirillo (2013) conclude that women are less vulnerable to corruption in democracies but are equally vulnerable in autocratic systems. This statement is supported also from findings resulting when controlling for the influence of democratic institutions. Sung (2003) finds that the relationship between female participation in government and corruption is

12- For some evidence that women are more trustworthy see Buchan, N., Croson, R. T. A. and Solnick, S. (2008). "Trust and Gender: An Examination of Behavior and Beliefs in the Investment Game." *Journal of Economic Behavior & Organization* 68 (3–4): 466 –76.

13- Alatas, V., Cameron, L. and Chaudhuri, A. (2009). "Gender, Culture, and Corruption: Insights from an Experimental Analysis." *Southern Economic Journal* 75 (3): 663 –80.

Alhassan-Alolo, N. (2007). "Gender and Corruption: Testing the New Consensus." *Public Administration and Development* 237 (3): 227 –37.

Armantier, O. and Boly, A. (2008). "Can Corruption be Studied in the Lab? Comparing a Field and a Lab Experiment." [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1324120](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1324120)

Schulze, G. and Frank, B. (2003). "Deterrence versus Intrinsic Motivation: Experimental Evidence on the Determinants of Corruptibility." *Economics of Governance* 4 (2): 143– 60.

14- Bueno de Mesquita, B., Smith, A., Siverson, R. H. and Morrow, J. D. (2003). *The Logic of Political Survival*. Boston, MA: MIT Press.

Kolstad, I. and Wiig, A. (2011). "Does Democracy Reduce Corruption?" CMI Working Paper 4. <http://www.cmi.no/publications/file/4315-does-democracy-reduce-corruption.pdf>

Kunicova, J. (2006). "Democratic Institutions and Corruption: Incentives and Constraints in Politics." In *International Handbook on the Economics of Corruption*, ed. Susan RoseAckerman. Northampton, MA: Edward Elgar, 140– 60.

15- Treisman, D. (2007). "What Have We Learned About the Causes of Corruption from Ten Years of Cross-National Empirical Research?" *Annual Review of Political Science* 10 (1): 211 –244.

weakened once the influence of democratic institutions is statistically controlled (i.e. kept constant) As a result, it is very likely to expect for increased levels of women participation in government and administration to have different impacts on corruption depending not only on the social context, but also on the political context and level of democratization in the society.<sup>17</sup>

It is in this context that the political and social background might have shaped the results of several feminization initiatives undertaken by some governments around the world as part of their fight against corruption.<sup>18</sup> In 1999, the police in Mexico City established a women-only traffic police force to fight corruption<sup>19</sup> and five months later, no female officer had yet been accused of soliciting or accepting bribes.<sup>20</sup> In a similar initiative in Lima, corruption went down with the inclusion of more women in the police force.<sup>21</sup> However, follow-up research in Lima, more than a decade after the feminization initiative, found sustainable results at the low-level corruption but corruption among supervisors was still tenacious.<sup>22</sup> Such evidence leads to the necessity of thinking not only in terms of the diversity of the effects different social and political context might have in relation to gender and corruption, but also on the variety of impact it might have on the different levels/types of corruption.

Beyond the diversity of findings, it is evident that exploring gender and corruption is relevant and beneficial because even if the chances of fighting corruption by increasing female participation in government might be slight, they are worth taking as compared to more drastic, expensive, and politically difficult anti-corruption process.<sup>23</sup>

Still, caution should be taken as gender differences can easily be misinterpreted. It is important to underline that little research has ever claimed to discover any permanent or biologically determined differences between women and men in relation to corruption. Nor does this survey targeting Albanian civil service in any moment try to establish a similar relation. In fact, it attempts to explore part of the Albanian institutional and cultural context in terms of gender and corruption in the civil service through the lenses of civil servants themselves. As a result, the gender differences we report may

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17- Esarey J. and Chirillo, G. (2013) "Fairer Sex" or Purity Myth? Corruption, Gender, and Institutional Context, *Politics & Gender*, 9 (2013), 361 –389. <http://jee3.web.rice.edu/corruption.pdf>

18- Two specific examples are provided by Swamy, A., Knack, S. Lee, Y. and Azfar, O. (2001). "Gender and Corruption." *Journal of Development Economics* 64 (1): 25 –55.

19- Moore, M. (1999). "Mexico City's Stop Sign to Bribery; To Halt Corruption, Women Traffic Cops Replace Men." *The Washington Post* (July 31, 1999). <http://www.highbeam.com/doc/1P2-605613.html>

20- Quinones, Sam. 1999. "Stop!" *Ms.* (December): 24. As cited in Esarey and Chirillo (2013)

21- McDermott, J. (1999). "International: Women Police Ride in on a Ticket of Honesty." *The Daily Telegraph* (July 31, 1999).

22- Karim, S. (2011). "Madame Officer." *Americas Quarterly* 5 (3). <http://www.americasquarterly.org/node/2802/>

23- Esarey J. and Chirillo, G. (2013) "Fairer Sex" or Purity Myth? Corruption, Gender, and Institutional Context, *Politics & Gender*, 9 (2013), 361 –389.

be due to a series of factors ranging from socialization issues to the different levels of access and experience with power and decision-making of Albanian women and men, part of the civil service. Our findings are important only in understanding the differences in practices and perceptions as well as in identifying and recommending feasible approach in enhancing gender equality to “cleaning up” civil service from corrupt and unethical practices, for better and more transparent governance. But before explaining the methodological approach on how we tackle this goal, let us first set a common understanding of the background on gender equality, corruption and civil service in Albania.

## 2.1 Gender equality in Albania

Albania’s progress in recent years in respecting and promoting gender equality and particularly in addressing gender-based violence is highlighted in a series of international commitments as well as domestic legal and policy development and implementation. Not only has the legal framework been more gender sensitive and actively requiring promotion of gender mainstreaming, gender equality and a society free of gender-based discrimination and violence, but some tangible results have also been achieved in several areas<sup>24</sup>.

In the recent years, Albania has developed a comprehensive legal and institutional framework for the promotion of gender equality and the protection of women’s rights. The country has signed and ratified a series of international instruments on the protection and observation of human and women’s rights, including CEDAW. This has directly affected the provisions of domestic legislation and in line with these obligations and developments, Albania has adopted new laws and made improvements to existing ones in accordance with CEDAW and other important international standards. (For a detailed summary of the gender equality legal framework in the county see the section on additional tables in the Appendixes – Table 1)

Regardless of this legal framework and the established national gender machinery, gender inequalities persist in many aspects. Women in Albania continue to be under-represented in employment and the gender wage-gap is still wide.<sup>25</sup> Women are less present in almost any employment sector in the country<sup>26</sup>. Unlike what might be expected, women are also under-represented in civil society organizations, of which women head only 18.2% of all registered NGOs. Although about 70% percent of women who live in the rural areas work in agriculture, only 6% of farms are in their ownership or under their management<sup>27</sup>.

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24- CEDAW shadow report (2010) Albania [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/GADC\\_Albania\\_46.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/GADC_Albania_46.pdf)

25- Miluka, J. (2011). Gender wage gap in Albania: sources and recommendations; UNWomen Albania, Peci Tirana

26- INSTAT (2014) [http://www.instat.gov.al/media/257796/femra\\_dhe\\_meshkuj\\_2014\\_.pdf](http://www.instat.gov.al/media/257796/femra_dhe_meshkuj_2014_.pdf) and INSTAT (2013) Tregu i Punës/Lalour Market [http://www.instat.gov.al/media/237073/tregu\\_i\\_punes\\_2013.pdf](http://www.instat.gov.al/media/237073/tregu_i_punes_2013.pdf)

27- National Strategy on Gender Equality and Reduction of Gender Based Violence 2011 - 2015 p. 17

Economic empowerment of women remains one of the main challenges. Women's participation in the labor market and their role as entrepreneurs is not only limited but also characterized by horizontal and vertical segregation. The glass ceiling is still thick regardless of the growing number of well-educated women outnumbering that of men in the country, their career paths are more difficult than those of men.<sup>28</sup> Women continue to bear the burden of unpaid work covering for 86% of the unpaid labor as compared to 14% covered by men.<sup>29</sup> Gender based violence also persists. Though the reporting of gender-based violence and domestic violence has increased in the last years (in 2013 there were 73% more cases reported as compared to 2008 – according to the data from Albanian State Police), the problem continues to be fairly widespread in the country and services and referral system are still weak<sup>30</sup>.

These multidimensional inequalities often put women in less favorable position and make them vulnerable towards different risks. Among others, these inequalities might lead to women being also more vulnerable to corruption and pressures at the work place.

## 2.2 Public administration and civil service in Albania

The civil service is only a part of the large body of the public administration in Albania. The public administration encompasses more than 80,000 employees and only slightly more than 1/10th of them hold the status of the civil servant. Due to their special status, civil servants have to comply with the legal and ethical requirements relevant to the public administration staff in general and the civil service in particular. Based on the most recent report of the Department of Public Administration (2013), it results that the implementation of the legal framework for the public administration in the previous years was partial and often characterized by lack of transparency and accountability, resulting in corrupt practices of recruitment and a high degree of polarization of the Albanian public administration. A common practice was recruiting through specific service contacts and then reconfirming recruitment via pretend open calls and competitions<sup>31</sup>.

Reforming of the public administration is one of the priorities of the government (in office from 2013), being an important process going hand-in-hand with the EU integration process and serving as a key instrument in delivering good, transparent and accountable services and governance.

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28- Kalaja, D. (2013) Perqaje te krahasuara gjinore ne hapesiren midis regjistrimeve dhe diplomimebe ne Shqiperi. Univeristy of Tirana, Tirana <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2013/12/Doktoratura-Daniela-Kalaja-Fakulteti-i-Shkencave-Sociale-Departamenti-Pune-Sociale.pdf>

29- ISTAT (2012) [http://www.instat.gov.al/media/171100/albanian\\_time\\_use\\_survey\\_2010-2011.pdf](http://www.instat.gov.al/media/171100/albanian_time_use_survey_2010-2011.pdf)

30- See for more details Harr, N. R. (2013) Domestic Violence in Albania: National population-based Survey 2013 <http://www.in.undp.org/content/dam/albania/docs/Second%20Domestic%20Violence%20Survey%202013%20english.pdf>

31- DAP (2013) Report of gender balance in the public administration.

To this purpose a new strategy is being developed covering policy-making, organization of the public administration, management of the human resources and administrative processes for an improved public service in the country.<sup>32</sup>

Besides the strategy being currently developed, several other steps have been taken to progress with the reforming of the Albanian public administration, resulting in a more comprehensive legal framework and operational mechanisms for its implementation. Every employee of the public administration in Albania (civil servants being a part of it) has to comply with the legal requirements set under:

- Law no.90/2012 “On the organization and functioning of the state administration;
- Law no.8485 date 12.05.1999 “The code of administrative procedures”
- Law no.8503 date 30.06.1999 “On the right of information on official documents”
- Law no.10 405 date 24.03.2011 “On the competences of defining wages and remunerations”
- Law no.9131 date 08.09.2003 “On the ethical rules for the public administration”
- Law no.9367 date 07.04.2005 “On the prevention of conflicts of interest in public functions”
- Law no.10 085 date 26.02.2009 on the ratification of the “Agreement on the establishment of the regional school for the public administration (ReSPA)”
- Law no.8480 date 27.05.1999 “On the functioning of the collegial organs of the state administration and public entities”
- Law no.9000 date 30.01.2003 “On the organization and functioning of the council of ministers”
- Law no.9049 date 10.04.2003 “On the declaration and control of income and assets of the elected and some civil servants”
- Law no.8652 date 31.07.2000 “On the organization and functioning of the local government”
- Law no.9887 date 10.03.2008 (changes by law no. 48/2012) “On the protection of personal data”
- Law no.10 018 date 13.11.2008 “On state’s advocacy”
- Law no.8510 date 15.07.1999 “On the non-contractual responsibilities of the state administration organs”
- Law no.8454 date 04.02.1999 and Law no.8600 date 10.04.2000 “On the Peoples’ Advocate (the Ombudsman)”
- Law no.82.70 date 23.12.1997 “On the high state control”
- Decision no.714 date 22.10.2004 “On the external activities and gifts giving to public administration employees”

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32- Minister of State for Local Government, the Anti-corruption office.

In particular, the code of administrative procedures establishes the main principles where the work of public administration is founded among which the principle of equal opportunities and non-discrimination. Further, the code of ethics specifies situations to be avoided in terms of conflicts of interest, activities, remunerations and gifts, favors, misuse of discretionary powers and other potential misconducts or corrupt practices at the work place.

In addition to this general framework, specific laws and decisions target those employees with the status of the civil servant. The most important one is the new law No. 152/2013 “For the civil servant” Which aims at establishing a stable and professional civil service, based on merits, moral integrity, political neutrality and accountability and it regulates the juridical relationship between the state and the civil servant and determines the management rules of the civil service. The law covers aspects of the civil service activity ranging from the management principles to the discipline measures. Principles of equal opportunities, non-discrimination, merits, transparency, professionalism and political impartiality are at the core of the civil service (Article 5). It sets the necessary mechanism for the empowerment of human recourses through the establishment of the Albania School of Public Administration and Human Resources Units (Articles 8 and 10). Principles of recruitment and promotion are also detailed in Articles 19, 20, 25 and 26 of the law and specific obligations for the civil servant are organized around key issues such as accountability (Article 43), transparency and confidentiality (Article 44), good governance (Article 45), and conflict of interest (Article 46). Last but not least the law foresees disciplinary measures for minor to very serious offences (Article 57). In conduction with them a set of decisions have also been issued to enable the implementation of the legal framework and particularly of the new law (in force from 2013). (More details on the legal framework are provided in the Table 2 and Table 3 in the Appendixes of this report).

The Albanian Penal Code dedicates Chapter VIII on Crimes Against State Authority. Section I includes articles targeting active corruption of public sector employees (Article 244) differentiating those holding high positions or locally elected (Article 245). The maximum punishment for both situations of active corruption is of 3 and 5 years of imprisonment respectively. Section II refers to penal acts conducted by state or civil service employees against state activity. Articles 248 to 260 specify the nature of the penal act as well as the respective punishments. Both fines and imprisonment are foreseen for most acts of power/office embezzlement, misuse, and unfair benefits. In particular, Article 258 is dedicated to acts going against equal opportunities, including gender based ones. In cases of this penal act a maximum of 3 years of imprisonment is foreseen. In addition, two other Articles 259 and 260 target exclusively passive corruption of those holding public office or locally elected. The more severe form of punishment, that of imprisonment, ranges from 2-8 years for the first category and from 4-12 years for the elected officials.

## 2.3 Civil service, gender and corruption in Albania

Corruption in Albania continues to be a huge challenge and a main inhibitor of sustainable progress and development. According to Transparency International Corruption Perception Index 2013, Albania was ranked 116 out of 177 countries worldwide and perceived as the most corrupted country in Europe. Unfortunately, this has been a stable trend for the country in the past decades (see also previous reports from Transparency International) and that is why anti-corruption has been high in the agenda of the Albanian governments. The new government, in office from 2013, has declared its second year in office as the anti-corruption year. A national anti-corruption strategy and action plan is being drafted by the national anti-corruption office of the Minister of State for Local Government. However, more time would be needed until its finalization, implementation, and measurable results are yet to be shown and sustained<sup>33</sup>.

Little can be reported in specific terms regarding gender and civil service in the country. It is only in 2012 that gender segregated data are reported for the first time. However, these data are not only limited in time (available only for 2012 and 2013) but they are also partial as they refer only to the Council of Ministers apparatus and line ministries. Nonetheless, it is necessary to highlight that for the first time in history, from 2013 Albania has a Council of Ministers with more than 30% women. In the current government women hold positions traditionally held by men or new positions such as Minister of Defense, Minister of Urban Development and Tourism, Minister on Innovation and Public Administration, Minister of Parliamentary Relations. Other ministries currently headed by women are Ministry of Education and Science, Ministry of European Integration and Minister of Culture.

In addition, although partial, the data provided from the Albanian Department for the Public Administration, for 2012 and 2013, show an increase in the participation of women in the managerial positions. Regardless of the overall approach if the new government to shrink the low-level management positions, an increase of women's participation in each management level is observed.

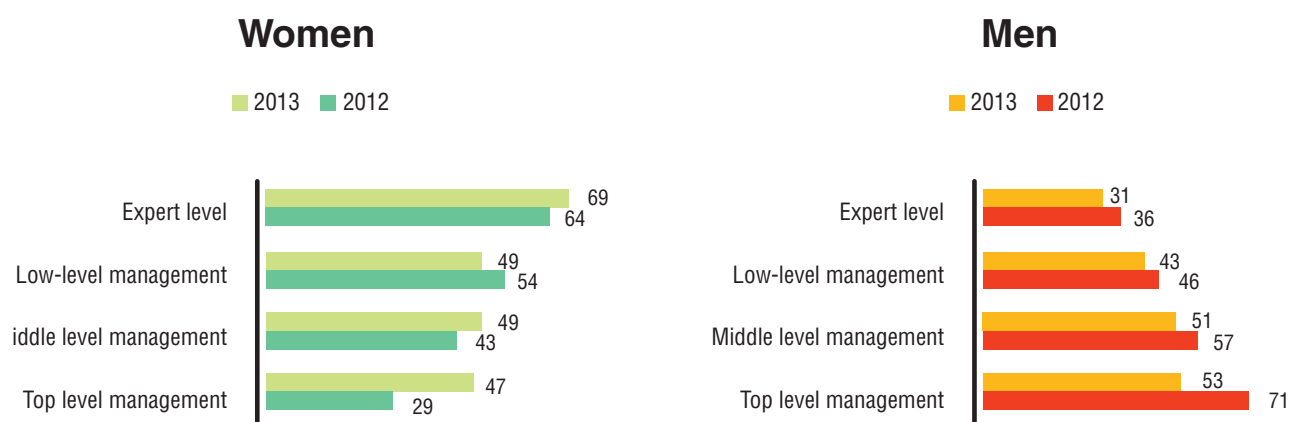
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33- A positive trend might have already started resulting in a better rating of Albania in the Transparency International Corruption Perception Index 2014 as previously highlighted in the introduction of this report.

**Table 2.3.1 Gender and civil servants in council of ministers apparatus and line ministries  
2012 and 2013**

	2012		2013		Increase % of F
	f	m	f	m	
<b>Top-level management</b>	29	71	47	53	6
<b>Middle-level management</b>	43	57	49	51	5
<b>Low-level management</b>	54	46	49	43	5
<b>Expert level</b>	64	36	69	31	5

However, men continue to dominate most management levels although women continue to constitute the majority of those at the expert level and the overall population of the civil service in the country.



**Figure 2.3.1 Management level positions held by women vs those held by men in 2012 and 2013 (in %).**

There is a lack of specific data on corruption in the civil service and even less so on gender disaggregated data. In addition, alternative sources and research is also scarce. It is in this context that our survey targeting civil servants at the central level might contribute in closing down this gap of information and provide insight into the issues of gender and corruption in the civil service in Albania.



### III. METHODOLOGY

The aim of this study is to explore and understand more the relation between gender and corruption by looking at the case of the civil service in a specific context – Albania. To this end, we try to answer two main research questions:

1. How do male and female civil service employees perceive and experience transparency, accountability and corruption in the workplace?
2. What are the differential impacts of a lack of transparency and corruption on the recruitment and career development of male and female civil service employees?

A mixed methods approach is employed in addressing the research questions as the best approach in exploring research problems from multiple worldviews, or paradigms (i.e., beliefs and values).

- Mixed methods research provides strengths that offset the weaknesses of both quantitative and qualitative research.
- Mixed methods research provides more evidence for studying a research problem than either quantitative or qualitative research alone.
- Mixed methods research helps answer questions that cannot be answered by quantitative or qualitative approaches alone.
- Mixed methods research is “practical” in the sense that the researcher is free to use all methods possible to address a research problem.<sup>34</sup>

The intention was to integrate both types of data at the level of analysis in order to provide more powerful insights about the change process than either could have produced alone. This methodology is designed as a resource for understanding and contributing to current research on gender and corruption within the civil service but it can be fit for other targets as well.

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34- Creswell, J. (2011) Designing and Conducting Mixed Methods Research, pp. 12-13

### 3.1 Qualitative component

**The instrument:** A questionnaire was designed to gather data on the perceptions and experiences of the civil servants at their workplace. (A copy of the questionnaire can be found in the Appendixes of this document).

**The questionnaire was structured in three main parts:**

1. The letter of informed consent;
2. The body of questions targeting the topic of interest;
3. The demographics.

Close-ended questions dominate the questionnaire and open-ended ones are used only when exploring few specific direct experiences/attitudes.

**Sampling:** Quota sampling was employed to select the sample for the quantitative component of the survey. Quota sampling is valued as a best fit for the purpose and context of this survey keeping in consideration that: a. Quota sampling is best when time and resources for probability sampling are limited while at the same time serving the purpose in comparative terms with probability sampling (as argued by many researchers particularly with reference to surveys for marketing or policy influencing purposes); b. It is easy to administer and the burden of random selection is avoided; and c. Fieldwork can be done quickly and drawing the sample is independent of sampling frames, often difficult to obtain with precision (as for civil service in Albania with a trend of high turnover rates.)

**Sample size and sample selection:** Targeted population were civil servants at the central government level. Screening the Albanian main central government institutions, 4 ministries were selected based on two criteria: a. being big enough in size to have a critical mass of civil servants and b. allow for gender diversity in leadership/management. As a result the final sample of civil servants was drawn from:

- Ministry of Urban Development and Tourism & Ministry of Education and Sports (headed by women)
- Ministry of Health & Ministry of Foreign Affairs (headed by men)<sup>35</sup>

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35- Other ministries more directly related to either civil service or anti-corruption such as the Minister of State for Public Administration and Innovation or the Minister of State for Local Government (national anti-corruption responsible body) were not fit to this profile due to the small staff numbers and the bias they could bring to the process as a result of a greater sensitivity to the issues addressed with which they are expected to work on daily basis. However, they were considered for the qualitative component.

Equal quotas were sampled from all 4 ministries. Further criteria for narrowing down the selection process were used, including gender and position level. Gender: Equal quota of men and women were sampled from each ministry. To reach a sample of minimum 100 respondents<sup>36</sup> a total of 26 participants (13 women and 13 men) were selected from each ministry. The final sample includes 104 respondents. Refusals were registered but replaced by other respondents who fulfil the selection criteria. Position level: The equal quotas of men and women per each ministry were further broken down into the different levels of working positions within the targeted agencies. Political appointees were excluded. Quotas at all relevant levels were attempted to be proportional to the population of each level within each agency. This was rather challenging for the top managerial level due to the limited numbers and availability/will to participate.

### 3.2 Qualitative component

For the qualitative component of the study two instruments were developed and conducted with representatives from the same 4 targeted line ministries: focus-group discussions (FDGs) and in-depth individual interviews. With the particular interest of understanding more on the current developments at the policy and procedural level as well as learning more on the way forward, additional in-depth interviews were conducted with key informants from other line ministries. More details are provided in the following sections.

**Focus-groups:** Four focus-groups were conducted with the purpose of gathering detailed information and narratives from women and men working as civil servants on their perceptions and experiences with transparency, accountability and corruption in the civil service. The groups were decided to be unisex (women and men separately), uni-position level (entry staff level or middle management level separately), and of 6-8 participants to allow for in-depth and participatory contribution of all participants as well as avoid potential intimidations and/or clashes between different genders or/and managerial levels.(Table 4 in the Appendixes provides more details)

**In-depth interviews:** In-depth interviews were utilized to elicit information from senior management representatives of the 4 targeted ministries. This is the only instrument where staff holding political positions were included. Two interviews were conducted with representatives of each ministry. Additional in-depth interviews were conducted with representatives of the Minister of State for Public Administration and Innovation, the Minister of State for Local Government as the anti-corruption unit at the national level, and the Department of Public Administration at the Council of Ministers. (See Table 5 in the Appendixes for more details)

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36- The sample size of 100 was chosen as a size that best fit with the overall numbers of the 4 line ministries and at the same time was big enough to be able to show trends in the statistical data analysis.

### 3.3 Data analysis

The findings presented in this report are a result of the combination of the quantitative and qualitative data analysis of the data gathered through all three instruments: the questionnaire, the FGD and the in-depth interviews. Quantitative data are entered and processed in SPSS to present descriptive statistics; both general and disaggregated by gender. Qualitative data are analyzed thematically and used to understand more on the process and potentially explain some of the quantitative findings. In addition, qualitative data are used to also learn and understand more on the current and future developments in the area. This last bit is kept in a separate section not to allow for political attitudes and agendas influence the overall picture of the findings on the one hand, and on the other due to the fact that it would be difficult to claim any direct effects of the new measurers on the perceptions build in years.

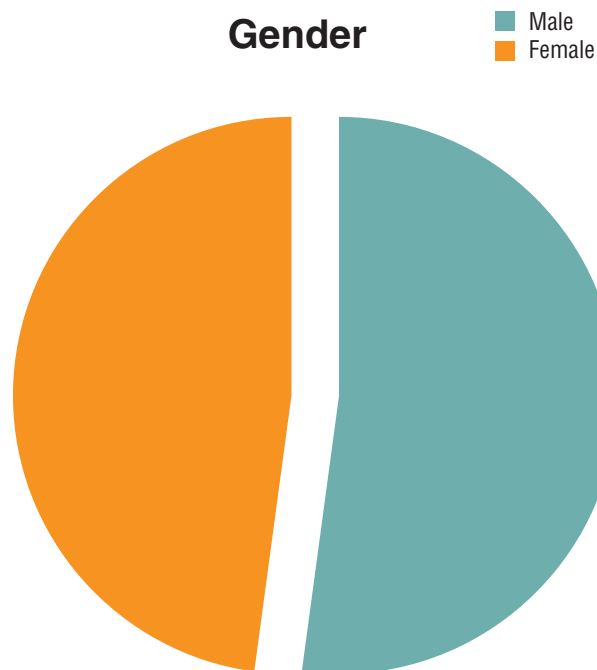
### 3.4 Ethics

Several meeting were held and official permissions were granted by gatekeepers before the field work started to be implemented. Individual informed consent was later required from each participant in the research. Full confidentiality was promised to all participants in the questionnaire as well as in the FDGs. To this purpose, details that might give away the identity of participants in the research are taken away when reporting. A final version of the report will be first shared with participating institutions in a roundtable and with all participants as a means of validation and courtesy for their contribution.

## IV. REZULTATET

### 4.1 Descriptive demographics of the sample population

This section of the findings aims to present the make-up of the final sample population according to the data gathered. The final sample of 104 subjects targeted an equal number of men and women; however, according to the data collected it resulted that 3 respondents did not share their gender on the questionnaire thus further gender disaggregated analysis will rely on the valid responses of 50.5% men and 49.5% women<sup>37</sup>.



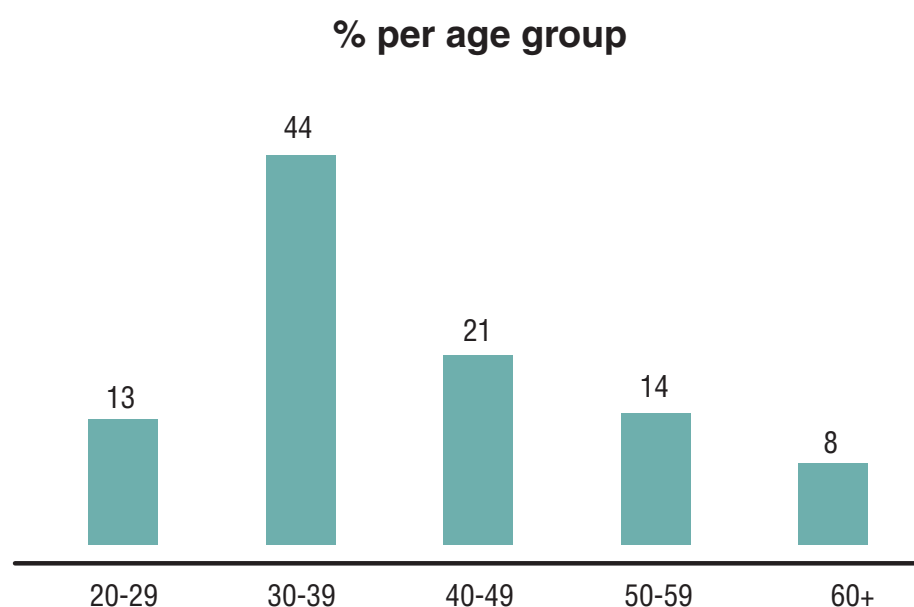
**Figure 4.1.1 Sample gender distribution**

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37- Valid percentages will be used for the purpose of the analysis.

In terms of ethnicity, 97% of our respondent declared themselves as Albanians, 1% as Roma and another 2% did not share this kind of information (See Table 4.1.2 in the Appendixes). Any bivariate analysis based on ethnicity would not be meaningful due to the very small number of participants that have been declared other than Albanian. As a result, the data on ethnicity can only be used to speculate that there are positive trends of inclusion of minorities in general and particularly Roma minorities as part of the central administration institutions (given that one of them also appears in our sample).

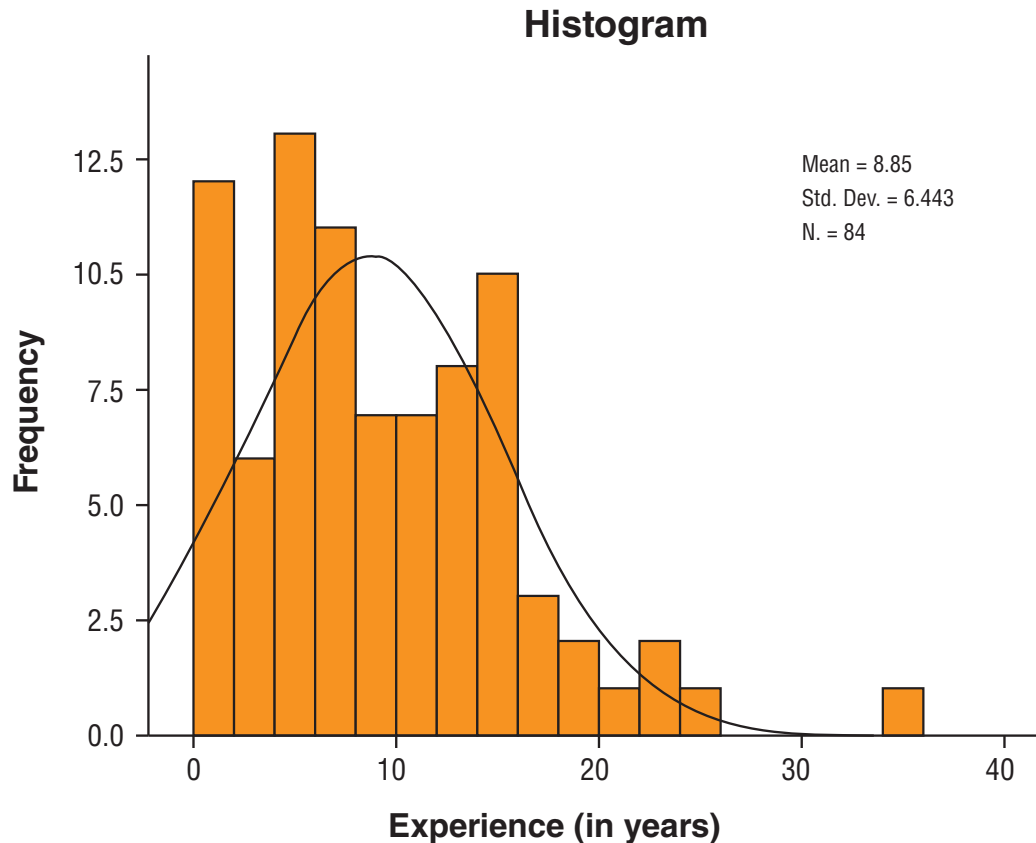
The age distribution of the sample population reveals to be in line of the current profile of the public administration in Albania. Another recent research with a sample of more than 1300 participants<sup>38</sup> also shows that younger generation is more present in the Albanian public administration. This might be the reason why they dominate also in the sample population of our research targeting civil servants (see Figure 4.1.1 below).



**Figure 4.1.1. Distribution of Respondents by Age Group (in Years)**

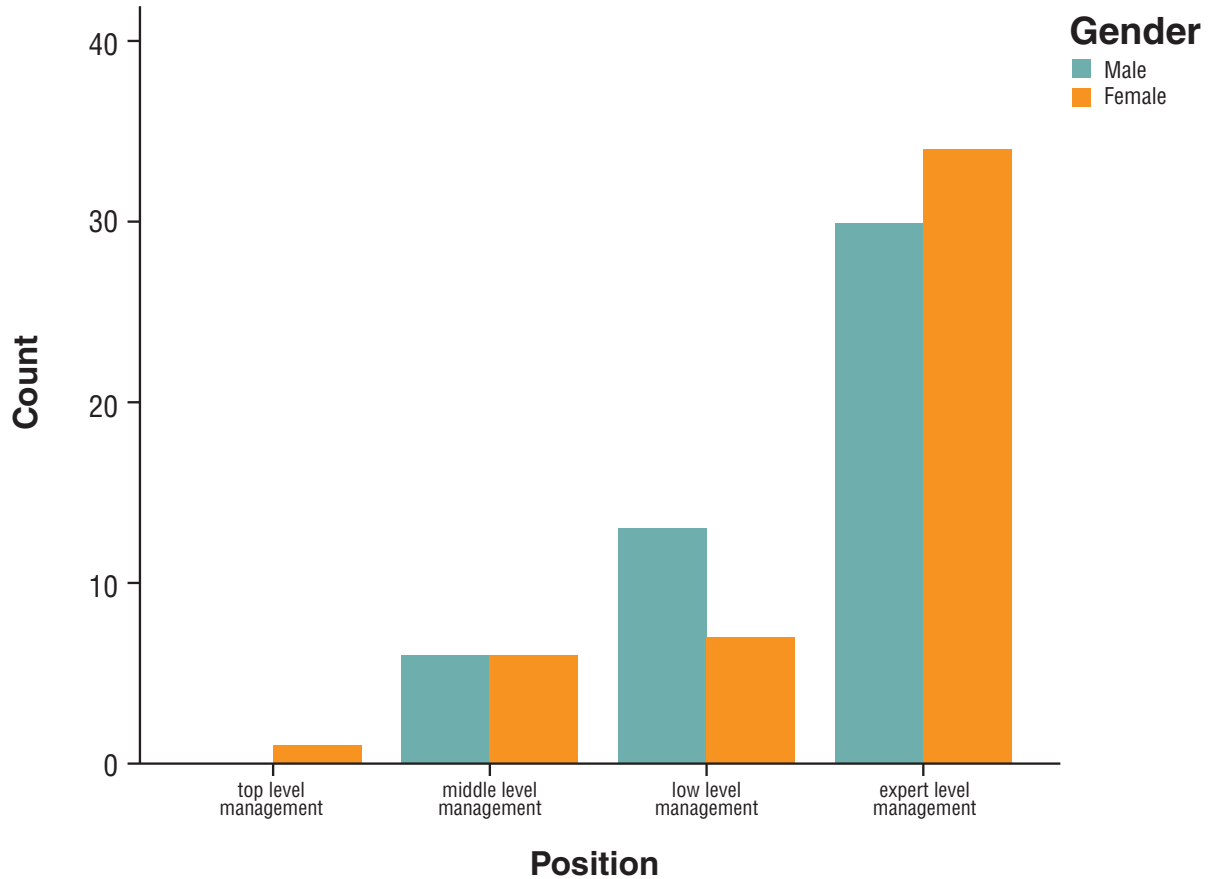
38- IDM and FES (2014) in press

This trend is reflected also in the years of experience our respondents have with the civil service. However, no misinterpretations should be done to claim that their generally young age is the main factor of the limited experience. Rather the high turnover rates that have characterized the public administration in Albania in years might, in fact, have defined most of the variation (see Figure 4.1.2).



**Figure 4.1.2** Reported years of experience with civil service vs. expected normal distribution curve.

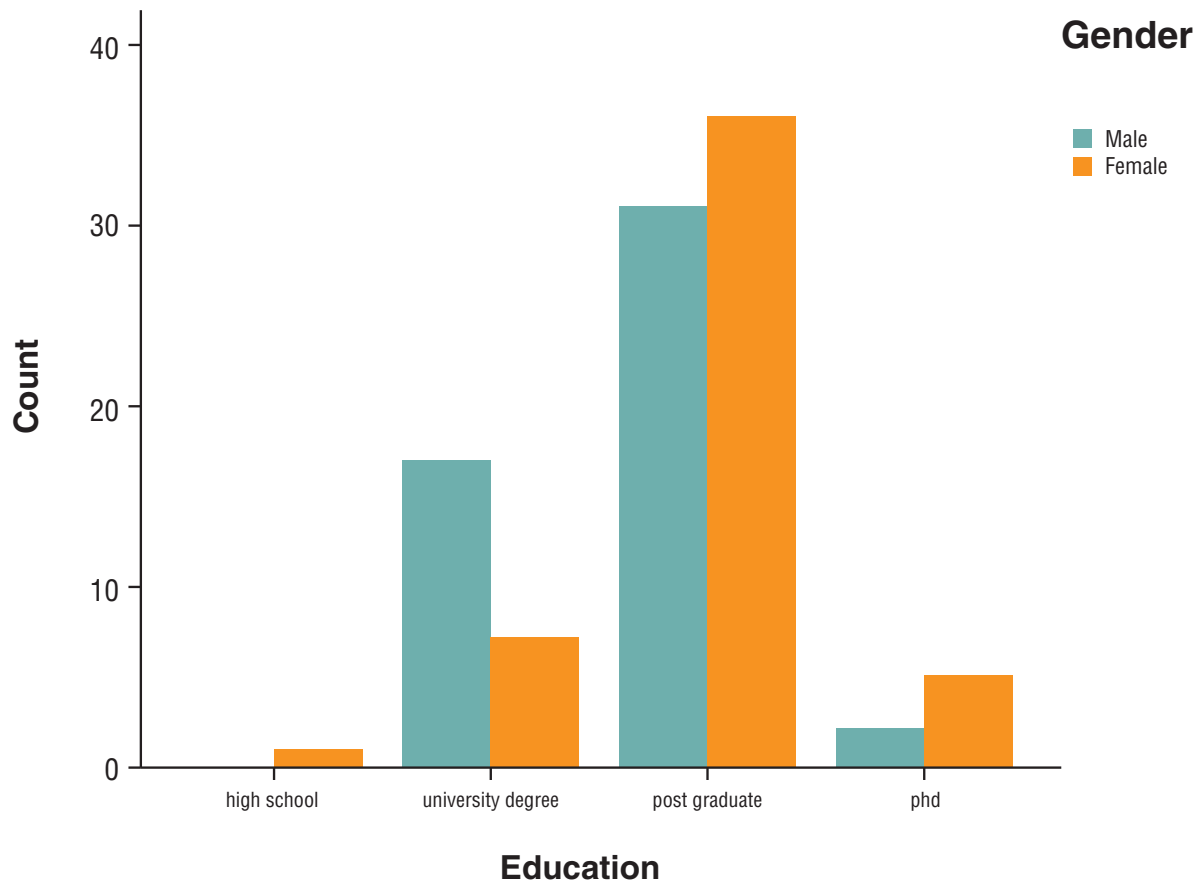
The final sample population mirrors well the proportional distribution among the different levels of the managerial hierarchy. (The specific weight of each level is presented in Table 8 in the Appendixes) Disaggregating data by gender we find a domination of men in middle level management as well as in low level management. Women constitute the majority of the expert level (53.1%). These data seem to align with the official data (see above section on gender and civil service in Albania) which, regardless of an increasing trend to involve women in leadership positions, disclose that most of them are still dominated by men (as shown in Figure 4.1.3).



**Figure 4.1.3 Distribution of Respondents Position level by Gender (in%)**

Albanian civil servants generally display a well-educated group (in terms of level of education completed) with only one outlier having completed just high (secondary) school and a good portion holding PhDs (7%) or having completed some type of post-graduate studies (67%). Yet, the same gender differences identified in terms of positions held by our respondents do not hold true for education. Women dominate among those with higher levels of education. The obvious gender gap between education and employment/position is present in most areas in Albania, and civil service does not yet seem to be an exception or a best model in the country.





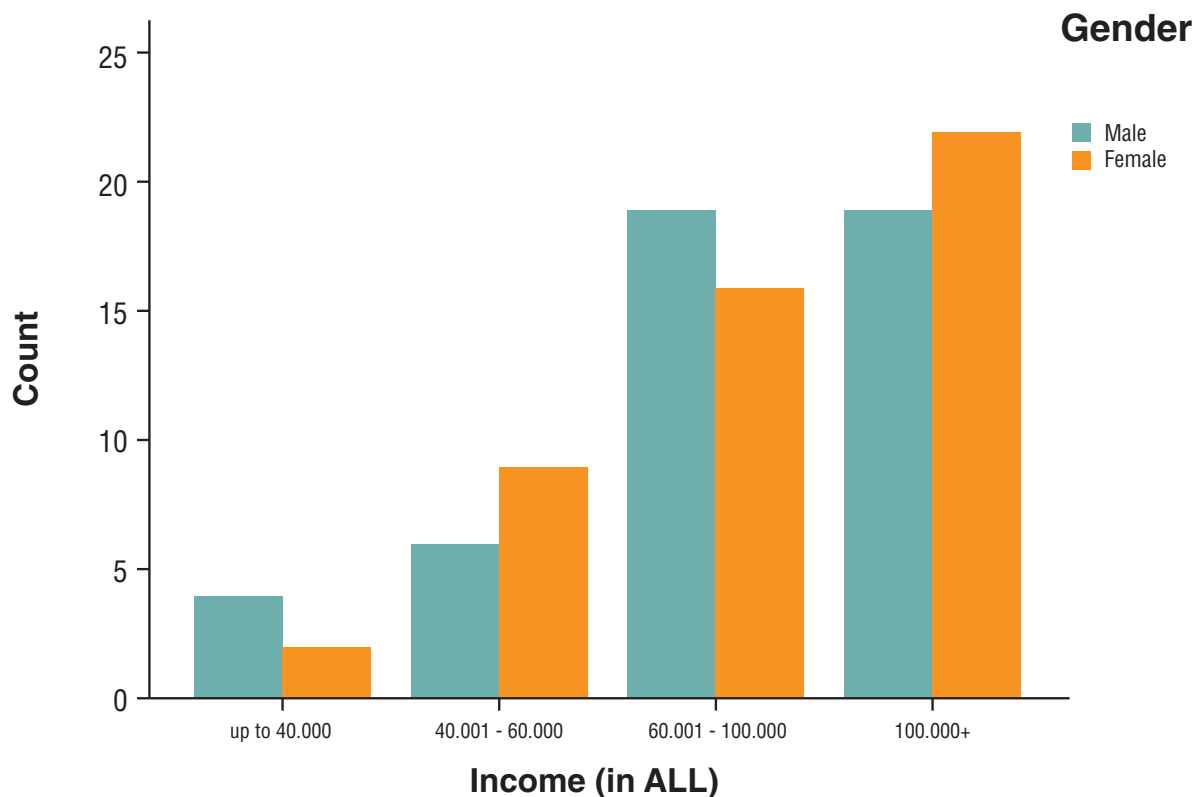
**Figure 4.1.4 Distribution of Respondents Education Level by Gender (in%)**

Often vulnerability to corruption is claimed to also be shaped by the economic status. Among other data, we collect information on the household monthly income and find that about 6% of our respondents are living in families with 40,000ALL<sup>39</sup> or less per month, while the average household income of a comparable value was back in 2007 (about 38,000 ALL).<sup>40</sup> Disaggregating data on household (hh) income by gender, we find men dominating the lowest category of hh income. Almost 67% of those declaring be living in hh with 40,000ALL per month or less are men. For women, being employed (if employed at all) as a second earner in the hh, has the potential to make their families better off, while men might be found more often working for the only wage in the family, making it more difficult to survive in an era when the a double-earner model has long become essential.<sup>41</sup>

39- Approximately 285 Euro.

40- INSTAT official site <http://www.instat.gov.al/al/home.aspx>

41- Fraser, N., (1994). "After the Family Wage: Gender Equality and the Welfare State," *Political Theory*, 22(4): 591-618.



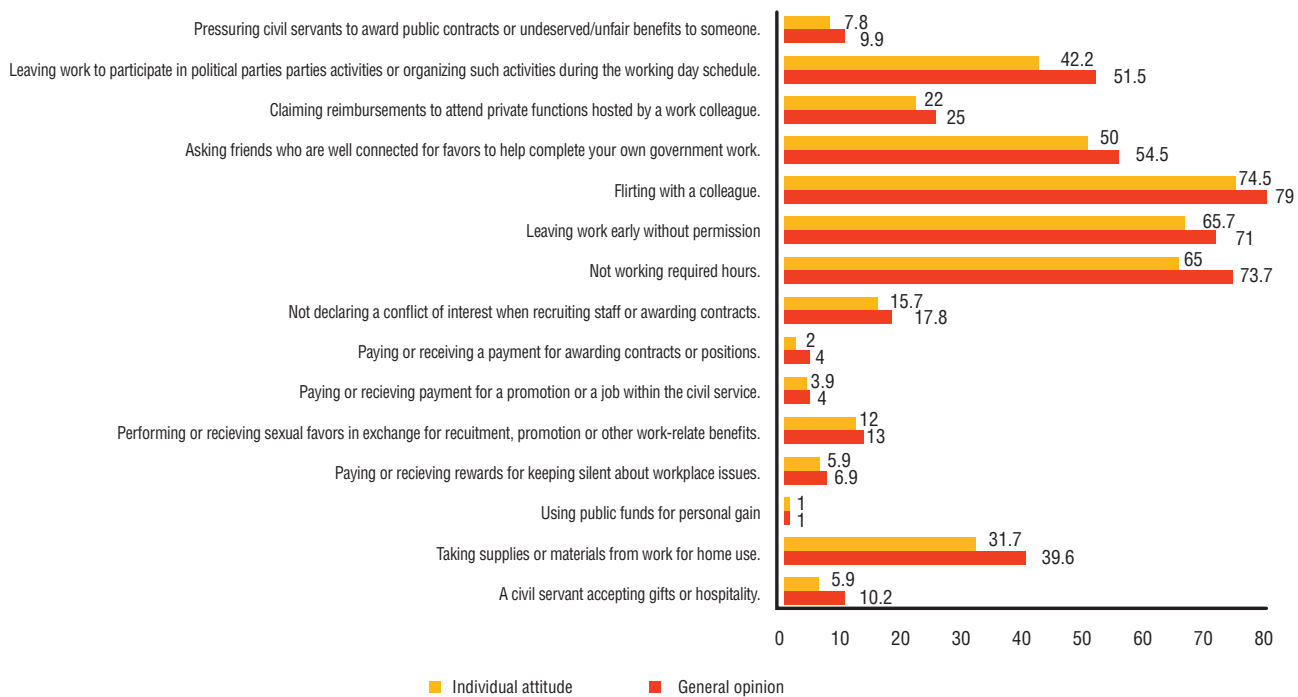
**Figure 4.1.5 HH income disaggregated by gender of respondents**

Although no justifications of corruption and malpractices can be grounded in the poor economic situation, it is important to understand that poor economy might make people more vulnerable to potential pressures related with corrupt practices at the work place.

## 4.2 Perceptions on corruption and its prevalence in the Albanian civil service

Exploring perceptions on corruption at the workplace might be a sensitive issue for many. Based on this, the strategy of moving from general perceptions to individual opinions was used. To learn on the dominating culture, respondents were first asked to share their opinions on what was generally perceived as a corrupt practice in the civil service. They were presented with a set of scenarios and asked to mark them down as corrupt or non-corrupt practices on the basis of what they perceived

as a dominating culture in the Albanian civil service. Later, they were given a second chance to share their individual attitude for each of them. The results are presented in a comparative graph in Figure 4.2.1 below showing (rates of) what is NOT perceived as a corrupt practice “generally” and “individually”



**Figure 4.2.1. Perceptions on the general culture vs. individual attitudes towards potential corrupt actions in civil service (showing % of those responding “No”)**

The findings presented in Figure 4.2.1 illustrate:

- First, it seems that accepting gifts and hospitality is commonly perceived as a corrupt practice. Only 5.9% of the respondents identify such a practice as non-corrupt. However, more of them, about 10% believe that such practices are regarded as non-corrupt by civil servants.
- There seem to be more agreement on the “taking supplies and materials from work for home use” between general and individual stands, but less so as to whether this classifies as a corrupt practice. Almost 40% of the respondents believe that the general perception of it is as a not-corrupt practice and some 32% personally believe that “taking supplies and materials

from work for home use” does, in fact, not constitute a corrupt practice at the workplace.

- Using public fund for personal gain is a red light for our respondents. Apparently it is clear to everyone that such a practice is classified as corruption. (After all, this came often as the only definition they had for corruption during FGDs).
- Less than 7% of the respondents, at both “general’ and “individual” dimensions, consider “paying or receiving rewards to keep silent about workplace issues” to a non-corrupt practice. Given the degree of this corrupt practice, 7% should be considered of an important weight.
- There result to be higher tolerance for sexual favors in exchange of recruitment, promotion or other work related benefits. About 13% of the respondents believe such practices are generally considered non-corrupt practices and some 12% hold the same opinion themselves.
- “Paying or receiving payment for promotion” is less tolerated than using sexual favors. The percentage of those believing that such practices are not considered corrupt either in general or individually drops to about 4%. There is only a slight difference in individual declarations (only 2% say “no” at the individual level) for “paying or receiving payments to assign contracts or positions”.
- Although clearly stated in the legal framework as a responsibility of any civil servant to declare and avoid conflicts of interest at the workplace, there seem to be a relatively high tolerance to such malpractices. Declaring conflicts of interest when recruiting staff or awarding contracts is believed not to be generally perceived as corrupt in 18% of the cases and the same is valid for about 16% of the respondents’ individual stands to the issue at stake.
- “Not working required hours” or “leaving work early without permission” are largely referred to be perceived as non-corrupt practices. Over 70% of the respondents believe that such practices are not generally perceived as corrupt among civil servants and over 65% of them believe that that is how it should actually be classified as a non-corrupt practice.
- It is interesting to find that “flirting with a colleague” is more often rated as a corrupt practice than “working less hours” or “leaving work early without permission.” 21% of the respondents believe that flirting with a colleague is generally perceived as a corrupt practice and more of them (34%) trust that is how it should be regarded – a corrupt practice.
- Asking favors for work purposes seems to be “generally” and “individually” regarded as non-

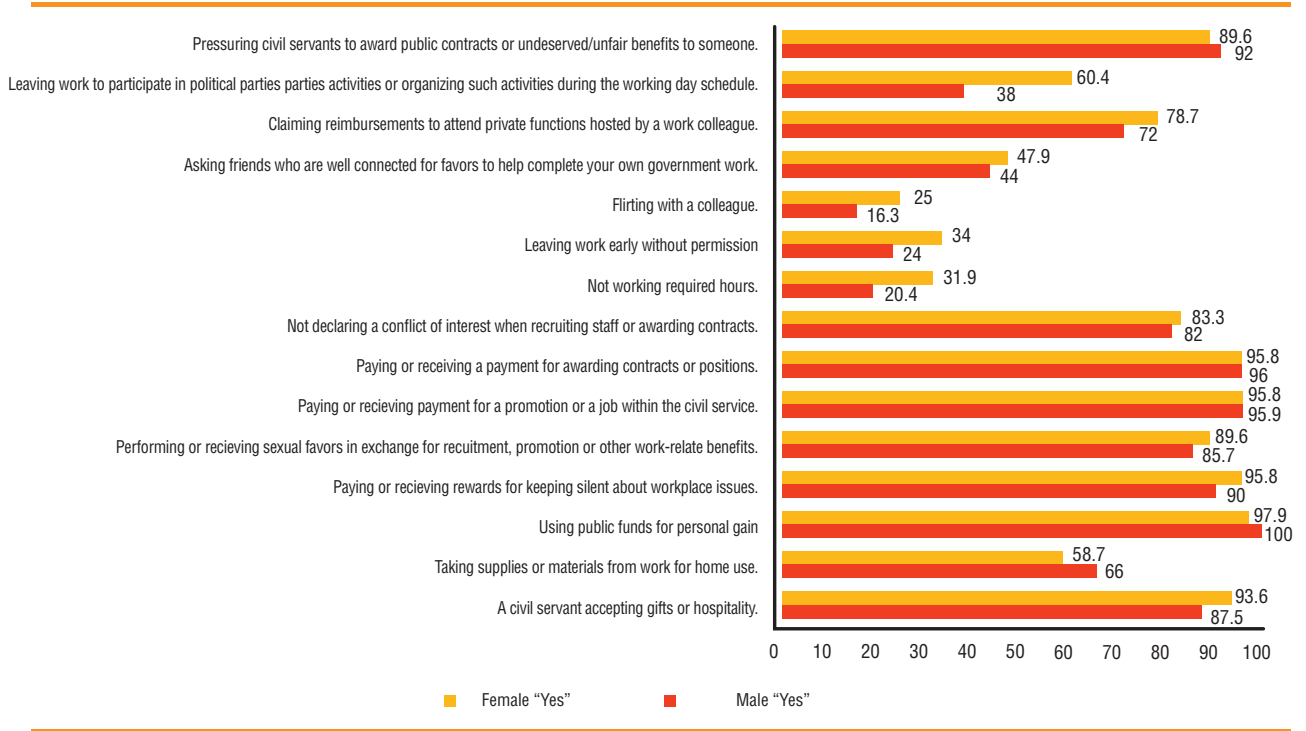
corrupt. 50% (on the general perceptions) or more (54.5% at the individual level) trust that it is ok to ask friends who are well-connected do you favors which will benefit work.

- Most probably, on a similar logic, a large number of participants believe individually (22%) or that it is generally (25%) acceptable to ask for reimbursement from work to attend a private event of a colleague.
- Finally, the high levels of polarization that have characterized public administration in years<sup>42</sup> led about 52% of the respondents to believe that leaving work to attend political parties activities is not generally considered a corrupt practice. For 42% of the respondents this is also their individual attitude.

Looking at these findings with the gender lenses we find these opinions to vary between men and women. Overall, men more often than women rate the general opinion among civil servants as more “tolerant” towards use of sexual favor and flirting. Men also dominate among those perceiving a higher level of “devotion” to leave work for political parties’ activities among civil servants (for more details then presented in Figure 4.2.2 see table 4.2.1 in the Appendixes).

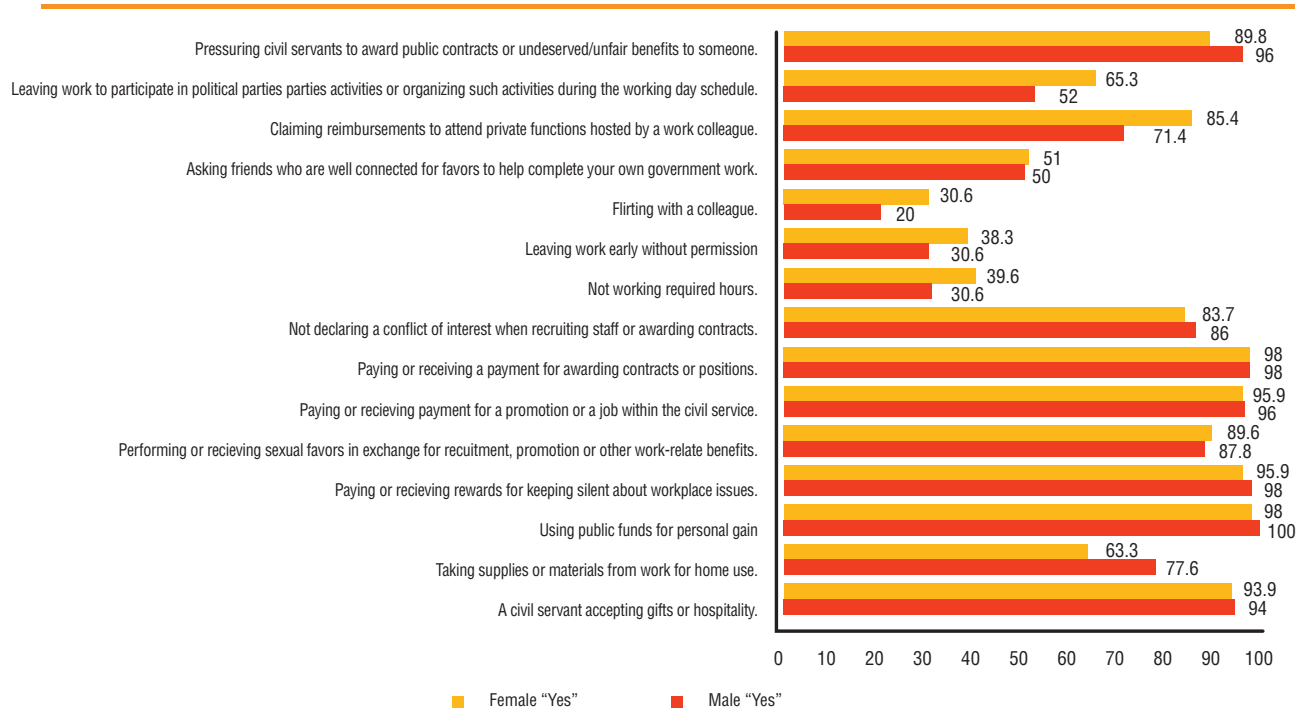
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42- See for instance EU progress reports on Albania 2012, 2013.



**Figure 4.2.2. Comparing male and female on “yes” responses.**

The gender differences in opinions shared grow when looking at the individual attitudes as shown in Figure 4.2.3. (More details are provided in Table 11 in the Appendixes which compares percentages of women and men classifying practices as corrupt or not within their gender group).



**Figure 4.2.3 Individual attitudes by gender.**

Further analysis shows that, overall, both women and men tend to show more “conservative” attitudes at the individual level while believing that a higher tolerance on the potential corrupt practices exists in the overall environment of the civil service. This gap between “general” and “individual” attitudes is larger for men (78 points) than for women (41 points). See Table 4.2.1 for more details on the shift from individual to perceived collective attitudes.

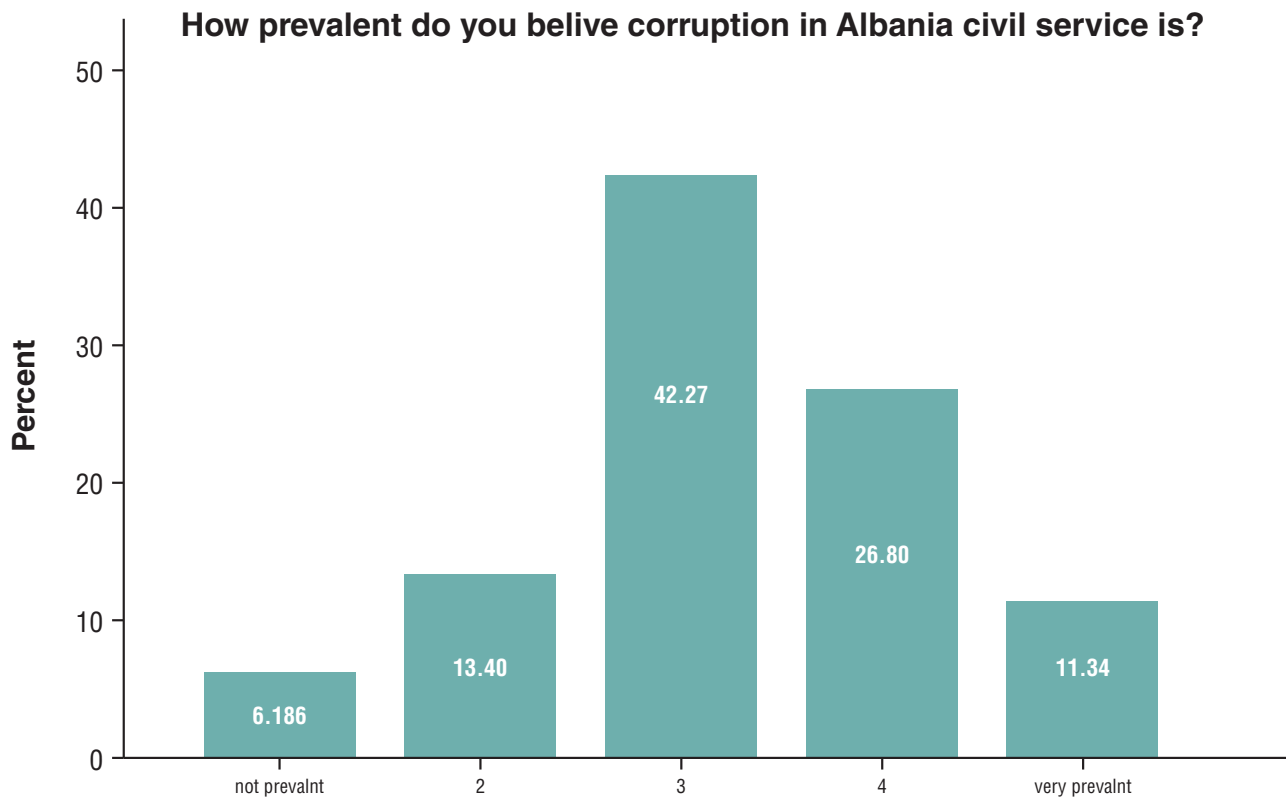
**Table 4.2.1 Gender gap in individual opinions and attitudes vs. perceived collective ones towards corruptive practices at the work place (in %).**

<i>Scenarios</i>	<i>Individually as “non-corrupt”</i>		<i>Collectively as “non-corrupt”</i>	
	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>
A civil servant accepting gifts or hospitality	6	6.1	12.5	6.4
Taking supplies or materials from work for home use	22.4	36.7	34	41.3
Using public funds for personal gain	0	2	0	2.1
Paying or receiving rewards for keeping silent about workplace issues.	2	4.1	10	4.2
Performing or receiving sexual favors in exchange for recruitment, promotion or other work-related benefits.	12.2	10.4	14.3	10.4
Paying or receiving payment for a promotion or a job within the civil service	4	4.1	4.1	4.2
Paying or receiving a payment for awarding contracts or positions.	2	2	4	4.2
Not declaring a conflict of interest when recruiting staff or awarding contracts	14	16.3	18	16.7
Not working required hours.	69.4	60.4	79.6	68.1
Leaving work early without permission	69.4	61.7	76	66
Flirting with a colleague.	80	69.4	83.7	75
Asking friends who are well connected for favors to help complete your own government work.	50	49	56	52.1
Claiming reimbursements to attend private functions hosted by a work colleague.	28.6	14.6	28	21.3
Leaving work to participate in political parties activities or organizing such activities during the working day schedule	48	34.7	62	39.6
Pressuring civil servants to award public contracts or undeserved/unfair benefits to someone	4	10.2	8	10.4
<b>Total</b>	<b>412</b>	<b>381.7</b>	<b>490.2</b>	<b>422</b>

### 4.3 Experiences with corruption in the civil service

Findings from this survey confirm that perceptions of high levels of corruption in Albanian civil service still persist. When asked to rate the prevalence of corruption in the civil service in a scale from 1 (not prevalent) to 5 (very prevalent), 26.8% of the respondents rated it to be “prevalent” and 11.3% of them as “very prevalent”.





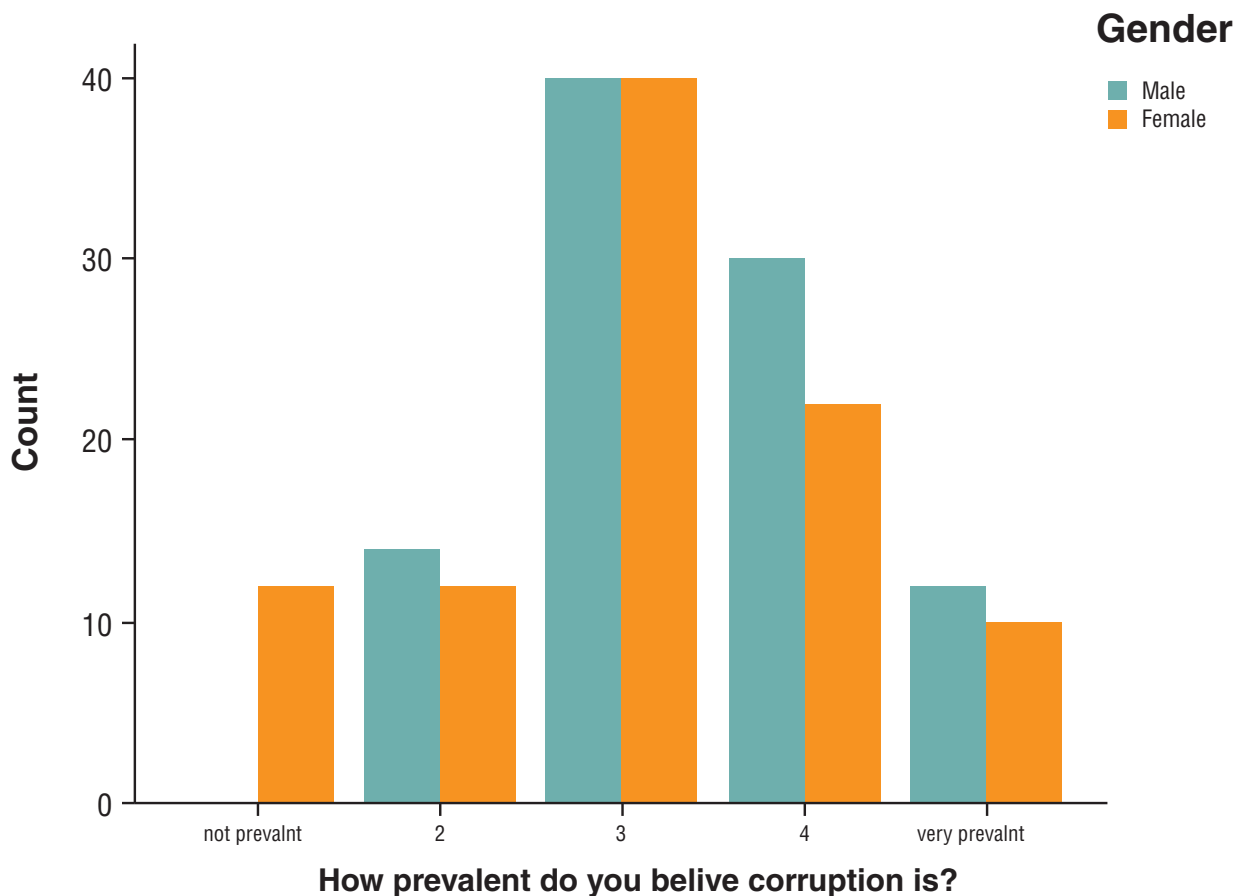
**Figure 4.3.1. Perceived prevalence of corruption in the Albanian civil service**

Segregating findings by gender we find that the trend of women being “less aware” of (perceived) existing prevalence or/and of classifying less of the potential corrupt practices as such (as shown in the section 4.2) persists. Some 12.5% of the female respondents refuse to believe that any corruption is present in the civil service and they respond that corruption among civil servants is not at all prevalent. None of the male respondents share the same opinion (see Table 4.3.1).

Table 4.3.1 How prevalent do you believe corruption is? \* Gender Crosstabulation

			Gender		Total
			male	female	
How prevalent do you believe corruption is?	not prevalent	Count	0	6	6
		% within Gender	.0%	12.5%	6.3%
	2	Count	7	6	13
		% within Gender	14.6%	12.5%	13.5%
	3	Count	20	20	40
		% within Gender	41.7%	41.7%	41.7%
	4	Count	15	11	26
		% within Gender	31.3%	22.9%	27.1%
	very prevalent	Count	6	5	11
		% within Gender	12.5%	10.4%	11.5%
Total	Count	48	48	96	
	% within Gender	100.0%	100.0%	100.0%	

On the other extreme, it is again male respondents that more often share the opinion that corruption among civil servants is “very prevalent” (12.5% of male respondents believe this as compared to 10.4% for the female respondents) or prevalent (31.3% among male as compared to 22.9% among female respondents).



**Figure 4.3.2 Perceived prevalence of corruption in the Albanian civil service by respondent's gender**

Additional factors that might have led to the gender differences presented in this section might be also due to the fact that women are dominating the lowest levels in the hierarchy of the civil service and may be more distant to the circles where (big) corruption in civil service occurs. Further, women more than men tend to be vulnerable to punishment (as literature finds) thus hesitant in “reporting” of the phenomenon even through this questionnaire (regardless of confidentiality being guaranteed).

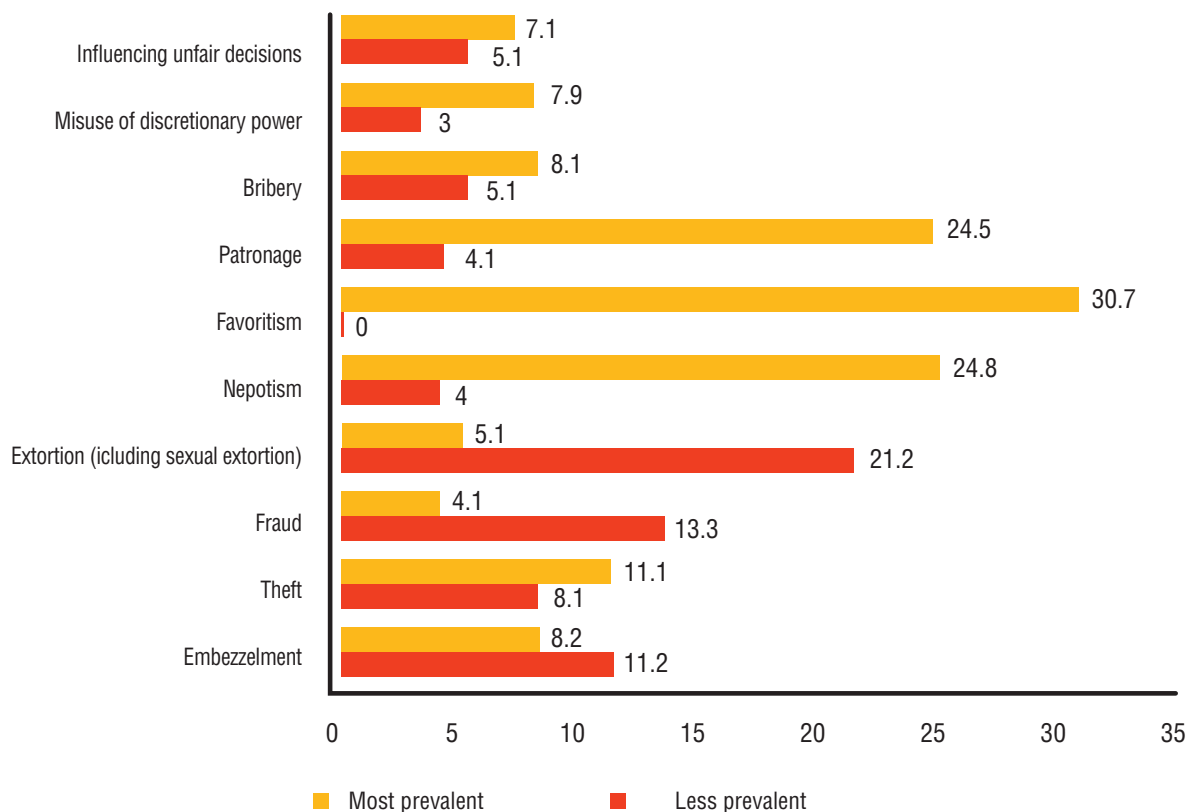
Most common corrupt practices that apparently do contribute to these high levels of perceived corruption include nepotism, favoritism and patronage. It is these three corrupt practices which score highest under the “very prevalent” responses (24.8%, 30.7 and 24.5% respectively). Bribery, often

referred to as a symbol of corruption, is not as “popular” (only 8.1 find it as “very prevalent”). Among the practices scoring highest under the “not prevalent” response appear to be extortion, including sexual extortion which stands out from all the other corrupt practices (see Table 4.3.2).

**Table 4.3.2. Corrupt practices according to perceived prevalence (in %)**

	<b>1</b> <i>Not prevalent</i>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b> <i>Very prevalent</i>
<b>Embezzlement</b>	11.2	30.6	31.6	18.4	8.2
<b>Theft</b>	8.1	16.2	40.4	24.2	11.1
<b>Fraud</b>	13.3	26.5	36.7	19.4	4.1
<b>Extortion (including sexual extortion)</b>	21.2	31.3	33.3	9.1	5.1
<b>Nepotism</b>	4	20.8	25.7	24.8	24.8
<b>Favoritism</b>	0	11.9	25.7	31.7	30.7
<b>Patronage</b>	4.1	16.3	25.5	29.6	24.5
<b>Bribery</b>	5.1	27.3	36.4	23.2	8.1
<b>Misuse of discretionary power</b>	3	25.7	36.6	26.7	7.9
<b>Influencing unfair decisions</b>	5.1	20.2	43.4	24.2	7.1

A comparison between least and most prevalent perceived corrupt practices is presented in Figure 4.3.3.



**Figure 4.3.3. Perceived least vs. most prevalent corrupt practices.**

Disaggregating data on least and most prevalent corrupt practices gender differences are noticed. Looking at the least prevalent practice – extortion (including sexual extortion), it is women more often than men that believe that such a practice is not prevalent (22.9% of the women as compared to 16.7% of the men) or little prevalent (33.3% of the women as compared to 31.3% of the men). Likewise, more men than women believe that extortion is highly prevalent in the Albanian civil service (6.3% men vs. 4.2% women).

Table 4.3.3 Extortion (including sexual extortion) \* Gender Crosstabulation

			Gender		Total
			male	female	
Extortion (including sexual extortion)	not prevalent	Count	8	11	19
		% within Gender	16.7%	22.9%	19.8%
	2	Count	15	16	31
		% within Gender	31.3%	33.3%	32.3%
	3	Count	19	14	33
		% within Gender	39.6%	29.2%	34.4%
	4	Count	3	5	8
		% within Gender	6.3%	10.4%	8.3%
	very prevalent	Count	3	2	5
		% within Gender	6.3%	4.2%	5.2%
Total	Count	48	48	96	
	% within Gender	100.0%	100.0%	100.0%	

As previously introduced, according to the perceptions of our respondents, favoritism, nepotism and patronage rate among the top three most prevalent corrupt practices among civil servants. Interested in any gender differences in these perceptions, data were broken down by gender (see Table 4.3.4). Women more often than men rate patronage as very prevalent while more of the male respondents find nepotism and favoritism prevailing.

Table 4.3.4 Nepotism, favoritism and patronage \* Gender Crosstabulation

	<b>Nepotism</b>			<b>Favoritism</b>			<b>Patronage</b>		
	<b>Gender</b>			<b>Gender</b>			<b>Gender</b>		
	M	F	Total	M	F	Total	M	F	Total
<b>not prevalent</b>	0	3	3	-	-	-	1	3	4
	.0%	6.1%	3.1%				2.1%	6.4%	4.2%
<b>2</b>	9	12	21	4	8	12	6	9	15
	18.4%	24.5%	21.4%	8.2%	16.3%	12.2%	12.5%	19.1%	15.8%
<b>3</b>	14	11	25	16	9	25	14	11	25
	28.6%	22.4%	25.5%	32.7%	18.4%	25.5%	29.2%	23.4%	26.3%
<b>4</b>	11	13	24	13	18	31	16	12	28
	22.4%	26.5%	24.5%	26.5%	36.7%	31.6%	33.3%	25.5%	29.5%
<b>very prevalent</b>	15	10	25	16	14	30	11	12	23
	30.6%	20.4%	25.5%	32.7%	28.6%	30.6%	22.9%	25.5%	24.2%
<b>Total</b>	<b>49</b>	<b>49</b>	<b>98</b>	<b>49</b>	<b>49</b>	<b>98</b>	<b>48</b>	<b>47</b>	<b>95</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

It seems that the relatively high levels of perceived corruption among civil servants are primarily based on in-direct experiences/information. Although in reduced overall weight within the total sample (as compared to perceptions), 11.5% of all respondents report to have witnessed corruption.

Table 4.3.5. Ever witnessed corruption at you current work place

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	12	11.5	15.0	15.0
	no	68	65.4	85.0	100.0
	Total	80	76.9	100.0	
Missing	System	24	23.1		
<b>Total</b>		104	100.0		

However, a considerable part of the overall sample population has avoided responding to this specific question (23%). Taking into account the high level of non-responses to this particular question, those reporting to have witnessed corruption at their current work place amount to 15%.

Ever witnessed corruption at your current work place?

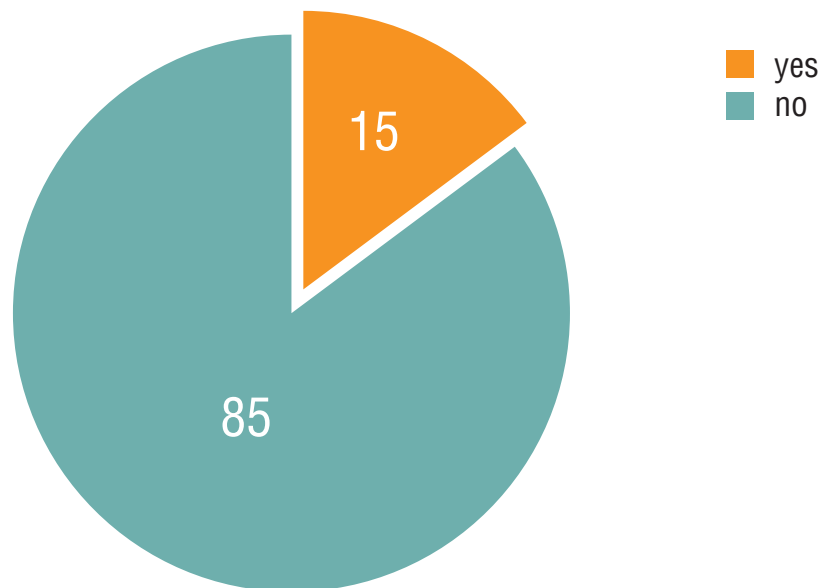


Figure 4.3.3. Reported levels of witnessed corruption at the current work place

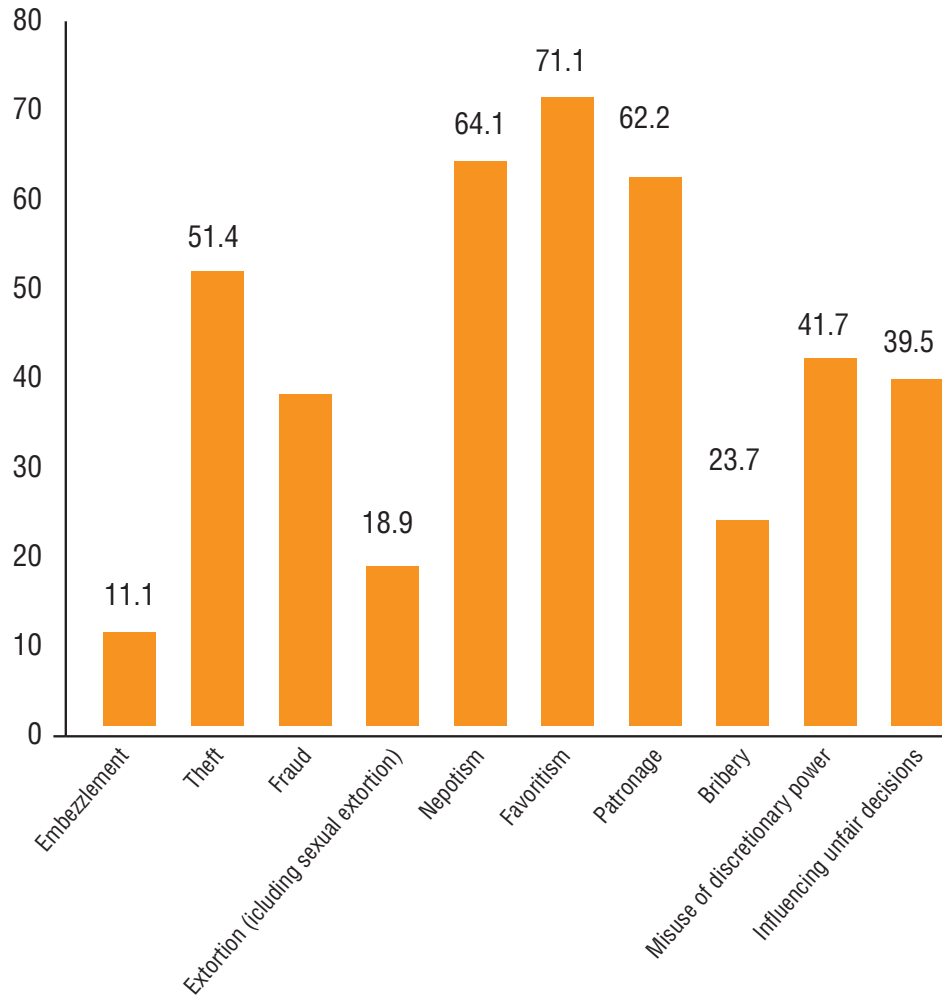


Disaggregating data by gender, we find that both men and women, who have directly witnessed corruption at the current workplace account for around 15% within their respective gender group. These rates are comparable to the overall rates as well, leaving no room for extrapolating on any gender differences.

**Table 4.3.6. Ever witnessed corruption at you current work place \* Gender Crosstabulation**

			Gender		Total
			male	female	
<b>Ever witnessed corruption at you current work place</b>	yes	Count	6	6	12
		% within Gender	15.0%	15.4%	15.2%
	no	Count	34	33	67
		% within Gender	85.0%	84.6%	84.8%
<b>Total</b>		Count	40	39	79
		% within Gender	100.0%	100.0%	100.0%

Nepotism, favoritism and patronage are reconfirmed among the most witnessed corrupt practices at the workplace. Less witnessed corrupt practices include embezzlement, extortion and bribery. The data presented in the following graph reveal also on the complexity of corruption. Doing the math of the limited number of those reporting to have directly witnessed corruption at the work place, the high levels of each corrupt practice listed demonstrate that corruption usually involves more than one of these practices.



**Figure 4.3.4. Most witnessed acts of corruption (in %).**

Further exploring on the gender segregation of data, it can be claimed that the nature of corrupt practices witnessed by men tend to be more “serious” acts as compared to those witnessed more by women. Men dominate among those having witnessed embezzlement, fraud and influencing of unfair decisions. Women report to have more often witnessed theft, extortion (including sexual extortion), nepotism and favoritism.

Table 4.3.7 Reported witnessed corruption by gender in %

	<i>male</i>	<i>female</i>
<b>Embezzlement</b>	<b>75</b>	25
<b>Theft</b>	42.1	<b>57.9</b>
<b>Fraud</b>	<b>57.1</b>	42.9
<b>Extortion (including sexual extortion)</b>	42.9	<b>57.1</b>
<b>Nepotism</b>	40	<b>60</b>
<b>Favoritism</b>	44	<b>56</b>
<b>Patronage</b>	47.6	<b>52.4</b>
<b>Bribery</b>	44.4	<b>55.6</b>
<b>Misuse of discretionary power</b>	46.7	33.3
<b>Influencing unfair decisions</b>	<b>66.7</b>	33.3

#### 4.4 Si dhe pse ndodh korrupsioni?

In focus-group discussions with representatives from the same targeted institutions we attempted to explore more on where the opportunities to engage and conduct corrupt practices exist and how they are perceived, used and felt by men and women in the Albanian civil service.

For both men and women trying to explore and explain the enabling factors for corrupt practices in the civil services, the main roots rely first and foremost with four main factors which include:

- the (lack of) clarity of the legal framework;
- the level of access to power and decision-making;
- political support; and
- opportunity for direct contact to the “offer source”

The legal framework upon which the civil servant is expected to act in conducting the everyday work might create room for corruption.

*“Opportunities first arise with the legal framework. Through the years, the Council of Ministers has issued many contradictory or slippery decisions that allow for various abusive interpretations”* (Male participant)

Being able to take decisions creates opportunities to be biased during the process, hence lead to high incidence of nepotism, favoritism and patronage. Often decision-making power is concentrated in few hands, making the control on the process more at ease and the identification of the corrupt process more difficult. Political back-up only makes corruption easier by lowering risks.

***“Those with the hands-on tend to be more corrupt. Most of us have no power to decide not even on a single piece of paper. If you control nothing, you can’t be corrupt on anything”***  
(Female participant)

***“The leaders of institutions have much more room for corruption than the specialist (expert). The more support they have, the more political back-up they have, the easier it gets for them to get away with corruption.”*** (Female participant)

Finally, direct contact with the ones offering to bribe and corrupt increase the overall chances for corrupt practices. According to the participants in the FDGs most corrupt services are the ones where there is direct contact between the service provider and the beneficiaries/service receivers. Reducing such direct contacts (for example through online systems) might lead to reduced chances.

**Gender differences.** In all FDGs, the discussions started by a relatively high level of resistance to see or/and admit any links between gender and corruption. Probing to discuss by referring to more concrete examples rather than at an abstract level, such links became clearer, although varied.

Constructed different gender roles and responsibilities as well expectations on what women’s and men’s moral and values should be, seem to shape most of the rationale our research participants try to find, in explaining why more men than women engage in corruption within the civil service.

***“(There is) Nothing biological with men being more corrupt; it is not written in their genes. In fact the reason we find them more among the corrupted group is because they are more exposed to the pressure and opportunities to become corrupt. Men are more often among places and activities where such deals are made, like coffee shops, restaurants, etc. They have more extended nets of friends and acquaintances that create more opportunities to arrange things. For women it is much more difficult. In addition to what I already mentioned that men have more access to, as compared to women, women will be also more perplexed by the fact that something more than the corruptive practice might be required”*** (Female representative)

***“Men’s affairs are “clean” (meaning just the corruption deal). Women are pressured also for romantic or sexual affairs in addition to the corruption. Every husband in that case would say: “to hell with that kind of money!” and won’t let his wife get involved in any corruption.”***  
(Male participant)

While the way a man and a woman summarize how gender shapes engagement in corruption in pretty similar ways, the same does not happen with the gender differences perceived with the consequences of corruption at the work place.

In the male FDGs, there was a common understanding the repercussions of corruption and its costs are bared by either men or women in the civil service with no difference. While there were also women sharing the same opinion, a female participant for instance, presented a different perspective on this issue.

***“To me, women bare most of the costs of corruption at the work place. Women are the majority of those working at the entry level. As such we bare most of the workload. When work is not being done well by those with whom we need to share, the burden will fall again on us. For many years women with many years of experience in the civil service have seen ministers and directors come and leave. Most of them men catapulted to top managerial positions without any clue on the nature of the work to be done. It was us that had to cover for the work that needed to be done and probably also pay for their corruption as we had to obey to their orders.”*** (Female participant)

Corruption among civil servants exists, but is it reported?

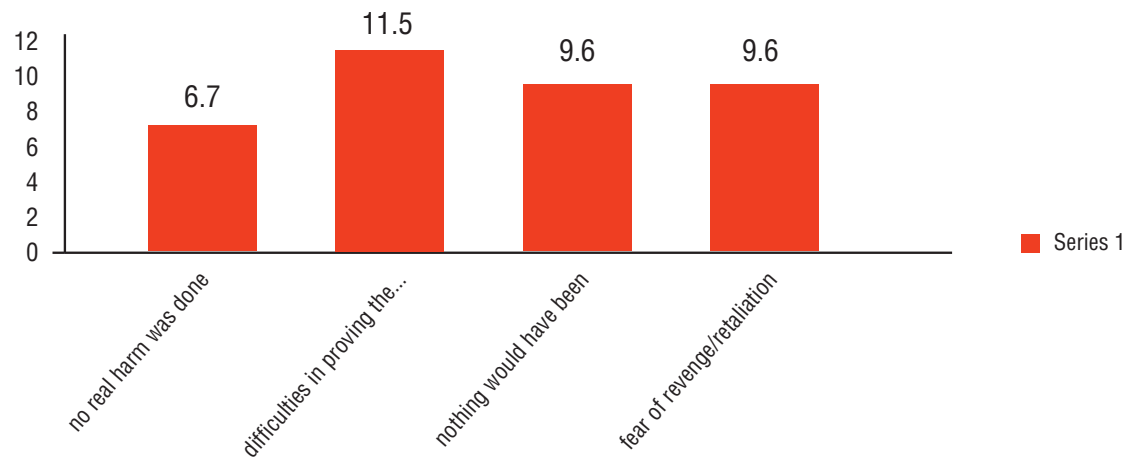
## 4.5 Reporting corruption

Even though respondents admit to have witnessed corruption they very rarely (if not at all) reported it. Out of the 13 cases admitting to have witnessed some form of corrupt practices, only one male respondent says he has taken some kind of action to report it.

**Table 4.5.1. Did you report?**

		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	yes	1	1.0	7.7	7.7
	no	12	11.5	92.3	100.0
	Total	13	12.5	100.0	
<b>Missing</b>	System	91	87.5		
<b>Total</b>		104	100.0		

Reasons for not reporting primarily include difficulties in proving the case, lack of trust in the respective authorities, and fear of revenge. While these reasons meet much of the expectations in hesitating to report corruption, an interesting finding is that almost 7% of the respondents that did witness corruption believe that there was no need to report it as no “real harm” was done.



**Figure 4.5.1 Main reasons for not reporting witnessed corruption practices**

**Other reasons shared by respondents under the “other reasons” category include:**

- “I feel powerless” (1 female)
- “Whoever did report, knows well what consequences followed!” (1 female)
- “I felt, I was not well-informed and protected to take such an initiative” (1 female)
- “There is no seriousness in dealing with these issues” (1 male)
- “Too abstract to be dealt in very concrete terms, as one needs to prove it” (1 male)

The low levels of reporting get even more serious when considering that some 5% of all respondents in the survey admit having been asked/offered (at least once) to participate in corrupt practices at the work place. Male respondents seem to have been faced with such offers slightly more often than women (most likely due to the reasons provided in FGDs). However, the gender difference is minor.

**Table 4.5.2 Have you ever been asked/offered to participate in corrupt practices \*  
Gender Crosstabulation**

		Gender			Total
		male	female		
<b>have you ever been asked/offered to participate in corrupt practices</b>	yes	Count	3	2	5
		% within Gender	6.0%	4.2%	5.1%
	no	Count	47	46	93
		% within Gender	94.0%	95.8%	94.9%
<b>Total</b>	Count	50	48	98	
	% within Gender	100.0%	100.0%	100.0%	

The nature of the corrupt practices offered to our respondents match with the ones perceived as most spread in the civil service. Favoritism and patronage receive the highest scores (20% and 22.2% respectively) as corrupt practices “often” offered to our respondents. Other corrupt practices offered, often include fraud, nepotism, misuse of discretionary powers and influencing for unfair decisions.

**Table 4.5.3 Corrupt practices offered/asked most often.**

	<b>1 never</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5 very often</b>
<b>Embezzlement</b>	88.9	0	11.1	0	0
<b>Theft</b>	55.6	22.2	22.2	0	0
<b>Fraud</b>	55.6	33.3	0	11.1	0
<b>Extortion (including sexual extortion)</b>	77.8	11.1	11.1	0	0
<b>Nepotism</b>	55.6	0	33.3	11.1	0
<b>Favoritism</b>	20	40	20	20	0
<b>Patronage</b>	66.7	11.1	0	22.2	0
<b>Bribery</b>	55.6	33.3	11.1	0	0
<b>Misuse of discretionary power</b>	77.8	11.1	0	11.1	0
<b>Influencing unfair decisions</b>	66.7	0	22.2	11.1	0



Only one out of 13 of those being asked to engage in corrupt practices did report. The low levels of reporting when talking about direct offers are slightly different from those of the general perceptions. While in respect with the general perceptions on the reasons for low levels of reporting the main one was ranked “difficulties in proving the case;” at the individual level the subjectivity grows and the most prevailing reason for not reporting is that “no real harm was done.”

In FGDs, participants elaborated more on the reasons behind very low reporting rates. Overall, they prioritized lack of clear procedures and absence of positive experiences with the reporting of corruption. There is also a dominating feeling of fear of revenge which keeps employees not only away from reporting corruption but also from openly supporting those that dare to. A male participant in a FGD shares his own story:

***“Once I faced a very unfair decision of one of my managers. Someone with no experience whatsoever in civil service was promoted in the position for which I had been working and getting qualifications for years. I was sure it was a corrupt decision under the influence of politics and most likely money was involved too. So I dared and complained, reported it in the higher ladders of the hierarchy but what I got in return was only piles of work and slow but sure revenge. For years to come I was reminded in every single occasion for what I had dared do. After this experience, of course, not me, not any other like me, would take any similar steps in the future.”***

#### **4.6 Encouraging good governance and anti-corruption in Albanian civil service**

More is learned on the opportunities for corruption and lack of opportunities for reporting by looking at the scale at which anti-corruption and good governance is encouraged through transparent and sustainable policies, processes and mechanisms. In the questionnaire the participants were asked to report on the existence or not (to their best knowledge) of a series of such policies and practices.

**Table 4.6.1 Policies and practices to promote good governance and anti-corruption at the work place**

	<b>Yes</b>	<b>F %</b>	<b>No</b>
<b>It has an established and functional workplace grievance mechanism</b>	39.5	46.7	60.5
<b>Information is available on laws and policies relating to corruption and good governance(including accountability, transparency, responsiveness, equity, inclusiveness, upholding rights and following the rule of law) equally for male and female staff</b>	85.4	52.9	14.6
<b>Has a senior management team that is equally supportive of male and female staff</b>	70.7	42.9	29.3
<b>Gender equality considerations are included in all workplace policies</b>	70.7	50	29.3
<b>Has an anti-corruption policy which takes into account important gender considerations</b>	59.5	50	40.5
<b>Male and female staff that report corruption are equally protected from reprisals</b>	78.9	51.7	21.1
<b>Has established relationships with non-government organizations and government organizations working to fight against corruption</b>	75	51.9	25
<b>Women and men have similar access to all sectors and hierarchical levels.</b>	70.7	42.9	29.3

The results presented in Table 4.6.1 underline what was previously identified as an inhibitor in reporting corruption that is the lack of established and functional workplace grievance mechanisms. Less than 40% of the respondents report to be aware that their current workplace has such mechanisms in place and functional.

In addition, our respondents report of being little informed on essential issues related to their workplace. It seems that civil servants are best informed on the working hours policies and disciplinary measures. On the other hand, around 30% have no information on salary and remuneration policies as well as on the promotion policies (often subject for corrupt practices).

Gender disaggregated data are available regarding access to or lack of relevant information. However, no meaningful differences can be underlined.

Table 4.6.2 Level of information on policies at the workplace

	Yes	No	% of F saying NO
<b>Recruitment policies and requirements (such as exam results, qualifications, age, level)</b>	95	5	40
<b>Salary and remuneration policies including overtime</b>	70.3	29.7	46.4
<b>Promotion policies</b>	72.3	27.7	50
<b>Working hours policies</b>	88.1	11.9	<b>54.5</b>
<b>Training or professional development opportunities</b>	78.8	21.2	50
<b>Retrenchment policies</b>	51	49	<b>55.1</b>
<b>Retirement policies</b>	63.4	36.6	<b>54.3</b>
<b>Redundancy policies</b>	75.2	24.8	47.8
<b>Disciplinary measures</b>	85.1	14.9	38.5

Besides lack of information at the levels presented above, when provided, information is not always perceived as relevant (23.6%), timely (23.3%), accurate (20.4%), or easy to understand (16.3). Women dominate (55%) among those that received information which was not relevant to their specific situation. On the other hand, more men than women rated the information as not timely, not accurate and difficult to understand.

Table 4.6.3 Quality of information received

	yes	no	% of F
<b>The information provided was relevant to my situation</b>	76.4	23.6	55
<b>The information was provided in a timely manner</b>	76.7	23.3	45
<b>The information provided was accurate</b>	79.6	20.4	38.9
<b>I could easily understand the information</b>	83.7	16.3	30.8

Communication is commented as problematic in the FGDs as well. There is a huge vacuum of information and transparency for and from the human resource units. Performance evaluation procedures and results are only sporadically known.

***“Most of the evaluation that’s has been happening thus far has been a game of formalities.”***

(Male participant)

***“Raising your voice means to “bury” yourself. Institutional rules and procedures are not clear, what is clear and resistant in time is the institution of “gossip”*** (Male participant)

Furthermore, good practices of transparency, accountability and anti-corruption, get little if no visibility and appreciation. All participants in the FDGs had a hard time remembering any positive experiences in encouraging and promoting good governance and anti-corruption. The contrary was not as difficult.

## 4.7 Perceptions on equal opportunities within civil service

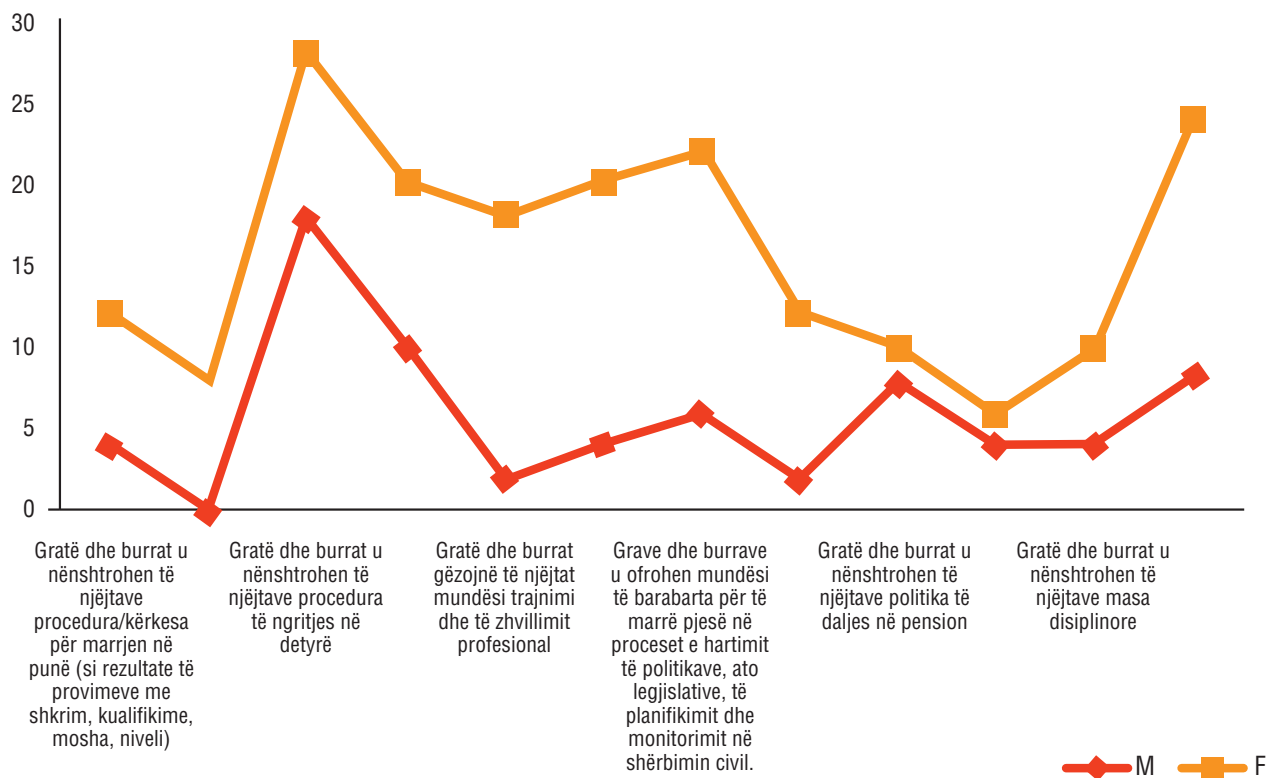
As observed also in the FGDs there is resistance or/and difficulties in identifying and/or admitting that gender differences may exist in the civil service at large and the specific workplaces in particular. Nonetheless, 22.5% of the respondents say that women and men are not subject of the same promotion policies. About 15% see also gender differences persist in women and men not having equal access to all sectors and hierarchical levels as well as in the round of working hours women and men contribute.

**Table 4.7.1 Perceptions on equal opportunities for men and women within civil service**

	<i>Total</i>		<i>%of M and F saying No</i>	
	<i>yes</i>	<i>no</i>	<i>%M</i>	<i>%F</i>
Women and men enjoy the same recruitment requirements (such as exam results, qualifications, age, level)	92.1	7.9	4	12.2
Women and men enjoy the same salary and remuneration, including overtime	96.1	3.9	0	8
Women and men are subject to the same promotion processes	77.5	22.5	18	28
Women and men work the same hours	85.3	14.7	10	20
Women and men enjoy the same training or professional development opportunities	90.2	9.8	2	18
Women and men are offered equal opportunities to represent their country in international events/fora/exchanges.	88.2	11.8	4	20
Women and men are offered equal opportunities to participate in policy-making, legislative, planning and monitoring processes in the civil services	86.3	13.7	6	22
Women and men are subject to the same retrenchment policies / procedures	93.1	6.9	2	12
Women and men are subject to the same retirement regulations	91.3	8.7	7.8	10
Women and men are subject to the same redundancy packages	94.1	5.9	4.1	6
Women and men are subject to the same disciplinary measures	93.1	6.9	4.1	10
Women and men have similar access to all sectors and hierarchical levels.	84.2	15.8	8.2	24

Overall, gender differences in opinion become more evident when segregating these data by gender. Women more often than men, see gender inequalities manifested within the civil service in all the above listed dimensions. They are 3 times more sensitive towards gender inequalities in the access to all sectors and hierarchical levels than men result to be. Women are twice more sensitive towards unfair share of workload in terms of working hours and similarly in regards to differences in the promotion processes. However, the largest gender gap in opinions is on the inequalities related to participation and involvement in policy- and decision-making processes (22% women vs. 6% men report to be aware of these inequalities at their workplace) as well as in the opportunities to grow professionally through international events and exchanges (20% women vs. 4% men admit these gender inequalities to be present at their workplace).

Figure 4.7.1 visualizes the gender gap in the opinions rating unequal opportunities in the Albanian civil service.



**Figure 4.7.1 Women's vs. men's perceived lack of equal opportunities in the civil service (in % of NO responses)**

#### 4.8 Equal opportunities in the civil service: the perceived gender discrepancies

The most common opinion shared on the issue of equal opportunities is that the legal framework and the procedures are equal to all. In making this claim, it is clear that for most participants in the FGDs, gender fairness is equal to gender neutrality. In such a context any questions attempting to explore on how and if, policies at the work place can be fairer by being more gender sensitive is immediately turned down as irrelevant. The rationale for this irrelevance is usually based on the global figures of women dominating men in the civil service and the public administration at large.

Still, when probing to elicit more information on the way most of the policies are translated into practices, an array of opportunities and concrete examples from practice arise to illustrate the (gender) biased practices. Participants in the FGDs are particularly sensitive when it comes to recruitment and promotion procedures.

The new law and the recent measures taken might need more time to prove wrong the perceptions of our participants as regards unfair and biased processes of recruitment and promotion in the civil service.

***“The legal framework on recruitments and promotion in the civil service is pretty clear, but who cares reading it. Everyone knows very well, before coming across it what really works”***  
(Male participant)

***“For having a long career in the civil service, importance of gender is only secondary to whom you know and who supports you!”*** (Female participant)

***“Whoever wants a career in a ministry knows well what it takes. Almost impossible to advance without political support – well, at least from what we’ve seen thus far.”*** (Male participant)

FGDs created the overall impression that politically-biased (positive) discriminations have thrown shadow on the other types including gender or age based discrimination. However, recalling our earlier findings gender differences need to be taken into consideration in regards to political engagement, power and support. Men more often than women perceived “leaving work to attend political parties activities” as acceptable lead one to believe that they might as well more politically active and thus receive more political support and politically-biased positive discrimination at the work place.

Yet, overall, gender differences are believed to have narrowed in the last decade with more women being better educated and involved also in sectors or levels which had been a forbidden land for them

in the past. However, participants in the FGDs admit that for most women it takes more efforts to advance in career as double standards apply. Women more often than men are expected to stay at work for extra hours, do unpaid tasks, and “keep quiet” (not my business policy) for any irregularities at the workplace.



## V. MEASURES TAKEN AND THE WAY FORWARD

The new government came to office believing that the perceptions on the high levels of corruption in the country were not far from the objective reality. In the analysis of the achievements and challenges of the first 300 days of the new government, the second year of the mandate was launched as the Anti-corruption Year. This has led to further steps taken by the Albanian government in the fight against

**Table 5.1 Anti-corruption strategy pillars**

	<i>Prevention</i>	<i>Punishment</i>	<i>Awareness</i>
<b>S P E C I F I C  O B J E C T I V E S</b>	<ul style="list-style-type: none"> <li>Increasing transparency on the state activity</li> <li>Improving access to information for the citizens</li> <li>Improved informative and consultative policy-making processes</li> <li>Empowering the electronic infrastructure of the public institutions</li> <li>Setting the legal framework for the whistleblowers</li> <li>Improved grievance mechanisms of citizens</li> <li>Improved control on the financing of political parties and declaration of income and property of the public figures</li> <li>Systematic use of risk analysis, auditing, corruption proofing of legislation, integrity testing procedures.</li> <li>Improved statistics, monitoring and evaluation</li> <li>Articulating and adopting similar measures at the local level.</li> </ul>	<ul style="list-style-type: none"> <li>Improved efficiency and efficacy of the penal inquiries)</li> <li>Improving collaboration among institutions to ensure corruption is punished</li> <li>Revising the legal framework</li> <li>Intensifying and improving collaboration with international court expertise.</li> </ul>	<ul style="list-style-type: none"> <li>Raising public awareness through campaigns and school curricula on the consequences of corruption</li> <li>Encouraging the public to use/participate in the grievance mechanisms and in decision-making processes.</li> <li>Encouraging collaboration with civil society designing and monitoring anti-corruption measures.</li> </ul>

corruption, most important one being the drafting of the new anti-corruption strategy at the national level and the setting up of anti-corruption units at each line ministry. The new anti-corruption strategy is built around three pillars: prevention, punishment, and awareness.

Through individual interviews with top level managers and political staff of the ministries targeted in this research, we learn that each line ministry is in the process of setting-up the respective anti-corruption unit and develop its anti-corruption action plan. Their progress is at different pace. Ranging from ministries that have already developed their action plan and started implementing and reporting on those bases such as the Ministry of Urban Development and Tourism to others that have yet to get conceptualized and then implemented.

Some of the measures with a direct impact in the civil service at large are the ones designed and currently being implemented by the Department for the Public Administration following the new law on the civil service in the country. A new model of recruitment, unified for the whole civil service and made completely electronically administered is claimed to have produced the first measurable results. The first call for 120 places in the civil service gathered 5200 application. In the second round calling for applications for an additional 140 places, the number of applications grew to 7000.

This success is dedicated to the new electronic and transparent recruitment processes. However, besides the time needed to see if the results will be sustainable and meaningful in the future both in quantitative and qualitative terms), certain issues are not yet clear how they will be addressed. The new recruitment system (and career advancement which will follow) do not account and allow for opportunities to address issues of brain-gain for experienced Albanians who would like to return and contribute for the public administration without needing to start from scratch (currently only entry level positions can be open to applicants outside the civil service). Likewise, little is known and planed on how this new system will address issues of inequalities or/and of disadvantaged groups (including gender issues).

## VI. CONCLUSIONS AND RECOMMENDATIONS

Corruption in the Albanian civil service is not simply an issue of perceptions. By reporting to have witnessed and/or been offered to engage in corruption, our respondents confirm that the root cause of this perception, the problem itself, is still present. Reasons for its persistence are related to a combination of often poor information and knowledge to correctly identify corruption, a dominating tolerant culture towards many corruptive acts, as well as poor institutional culture of reporting corruption and promoting anti-corruption and good governance. Further, gender differences are identified in most aspects of corruption; women and men differed in how they perceived, related to and reported corruption. The overall patriarchal culture and traditional gender stereotypes contribute to the shaping of these differences along with gender biased institutional culture, practices and procedures.

Beyond this overall picture of gender and corruption in Albanian civil service, based on our main findings (as presented in the first pages of this report) more specific conclusions are drawn and potential solutions for policy- and decision-makers are recommended as follows:

- Perceptions on corruption in the civil service are grounded on direct and indirect experiences and its consequences impact the everyday work of the Albanian civil servants. Yet civil servants are not always well-informed and aware on what corruption consists and the harm it may cause. They are less aware on how women and men might relate and be affected by it.

**Recommendation:** More awareness raising activities should target the issue of gender and corruption. Particularly awareness needs to be raised on the harm corruption causes often difficult to measure and perceive. More research in this respect will be of paramount importance to feed policy-making and awareness raising activities with sound evidence.

- Favoritism, nepotism, and patronage shape the profile of the Albanian civil service corruption. Concentration of decision-making power and lack of transparency and well-established procedures create opportunities for these practices to flourish, particularly among men who dominate top-level management.

**Recommendation:** Concentration of decision-making powers needs to be minimized. Clear and transparent procedures need to be established in each institution to make decision-making processes more resilient to bias and unfair influences. Monitoring mechanism should be established and strengthened too.

- Corruption is not reported primarily due to difficulties in proving the case, lack of trust in the respective authorities and fear of revenge. These reasons are based on the lack of clear procedures and absence of success models of reporting and punishing corruption.

**Recommendation:** Establishing clear procedures and mechanism to report corruption are key to encouraging and increasing reporting rates of corruption. Best practices in the fight of corruption have shown external reporting mechanisms to be more effective. Record-keeping procedures and practices should be reinforced so that documenting and proving malpractices can be possible for those willing to report.

- Information and communication is particularly problematic. Essential information at the workplace is often absent, irrelevant, not timely or/and lacking clarity or accuracy. Access to information is often reported to be more limited for women.

**Recommendation:** Communication channels and responsibilities should be crystalized and monitored in each institution to ensure that access to information is equally available to all civil servants regardless of their rank, gender or other characteristics.

- Little is done to promote and encourage anti-corruption, equal opportunities and good governance in the civil service and the targeted institutions.

**Recommendation:** Procedures to identify document and promote good practices of anti-corruption, equal opportunities and good governance need to be established and/or strengthened. Giving visibility to best practices will encourage more of the same kind.

- Gender inequalities are particularly high in promotion and in participation of women in policy- and decision-making process. There is a common understanding that gender-blind policies are fair and equal to all.

**Recommendation:** Gender-blind policies and practices need to be revisited and awareness needs to be raised that such policies and practices cannot be gender-sensitive and fair policies if men and women are provided with unequal opportunities and/or affected differently.

- There is national commitment in fighting corruption through awareness raising, prevention and punishment. The government is also committed in advancing gender equality. However, anti-corruption and equal opportunities are rarely integrated be it at the policy level or practice level.

**Recommendation:** The national anti-corruption strategy, the following action plans, and the activities to be implemented need to take gender differences in consideration and be based on evidences for both men and women. Gender sensitive grievance policies and procedures should be established and gender disaggregated data should be gathered and reported also in terms of corruption so that polices, strategies and actions designed to fight corruption to be based on most relevant and accurate evidences for better chances of success. The positive experience of enhanced transparency which is being implemented at the recruitment level must be extended to recruiting/promotion processes for middle and high level management and political appointments need to be minimized.

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- Minister of State for Local Government  
[www.ceshtjetvendore.gov.al/](http://www.ceshtjetvendore.gov.al/)



## VIII. APPENDIX

### 8.1 Questionnaire



*Empowered lives.  
Resilient nations.*

## Research Study on Gender Equality Issues

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### Questionnaire On Gender and Corruption in the Albanian Civil Service

### Accompanying letter: On informed participation

You are invited to be part of a study on gender and corruption in the civil service. This study has been undertaken by the office of the United Nations Development Programme (UNDP) in Albania, under the Gender Equality and Gender-Based Violence Programme.

We are only interested in your opinions and perceptions, so as you fill out the questionnaire please keep in mind that:

1. There are no right and wrong answers. We are only interested in your opinion.
2. All your answers will be treated in the strictest anonymity and confidence.
3. Please mark the alternative that best represents your opinion.
4. Please try not to leave any questions unanswered.

Should you decide to participate in this survey, the questionnaire will not take more than 15 minutes of your time. There is no anticipated risk related to your participation in this survey. From the survey we expect to have a better understanding of the attitudes, beliefs and values of the civil service in Albania in relation to gender and corruption issues. Please note that, should you decide that you want to participate, no compensation or reward can be offered, except our thanks and gratitude for your contribution. Your participation in this survey is completely voluntary and your decision to be part of the survey or not shall not affect in any way your relations with the United Nations Development Programme (UNDP) Albania.

For any further questions or clarifications please contact the researcher, Dr. Elona Dhëmbo, at the following email address: **[edhembo@yahoo.co.uk](mailto:edhembo@yahoo.co.uk)**

Thank you!

## SECTION 1.

For each of the following questions please select only the option that best represents your opinion or understanding. (You can only mark more than one option under questions 7 and 10).

**1. In general, which of the following practices are considered to be corruption in the ranks of the civil service in Albania? (Answer each question either “Yes” or “No”.)**

A.	A civil servant who accepts gifts or other services/favours/hospitality from the citizens.	Yes	No
B.	Taking supplies or materials from the workplace for home use.	Yes	No
C.	Use of public funds for personal profit/Embezzlement	Yes	No
D.	Giving or receiving payments for keeping silent about problems at the workplace.	Yes	No
E.	Giving or receiving sexual favours in return for recruitment, promotion or other job-related advantages.	Yes	No
F.	Giving or receiving payment for offering someone employment or promoting someone in the civil service.	Yes	No
G.	Giving or receiving payment for offering a government contract or a public position.	Yes	No
H.	Failure to disclose a conflict of interests in the process of recruitment or offering a contract.	Yes	No
I.	Not doing the full amount of working hours.	Yes	No
J.	Leaving the workplace early and without permission.	Yes	No
K.	Flirting with a colleague.	Yes	No
L.	Asking friends who have social connections to do you favours that help you accomplish your everyday tasks.	Yes	No
M.	Asking your work organisation to reimburse the costs of your participation in an event hosted by a work colleague.	Yes	No
N.	Taking time off work to participate in political party activities or rallies or organising such activities during working hours.	Yes	No
O.	Influencing or pressurising civil servants to give someone undeserved/unfair contracts or benefits (usually by individuals in position of authority in the public administration hierarchy)	Yes	No

## 2. Now, what is your personal opinion about each of the following practices: are they corrupt practices in the workplace?

A.	A civil servant who accepts gifts or other services/favours/hospitality from the citizens.	Yes	No
B.	Taking supplies or materials from the workplace for home use.	Yes	No
C.	Use of public funds for personal profit/Embezzlement	Yes	No
D.	Giving or receiving payments for keeping silent about problems at the workplace.	Yes	No
E.	Giving or receiving sexual favours in return for recruitment, promotion or other job-related advantages.	Yes	No
F.	Giving or receiving payment for offering someone employment or promoting someone in the civil service.	Yes	No
G.	Giving or receiving payment for offering a government contract or a public position.	Yes	No
H.	Failure to disclose a conflict of interests in the process of recruitment or offering a contract.	Yes	No
I.	Not doing the full amount of working hours.	Yes	No
J.	Leaving the workplace early and without permission.	Yes	No
K.	Flirting with a colleague.	Yes	No
L.	Asking friends who have social connections to do you favours that help you accomplish your everyday tasks.	Yes	No
M.	Asking your work organisation to reimburse the costs of your participation in an event hosted by a work colleague.	Yes	No
N.	Taking time off work to participate in political party activities or rallies or organising such activities during working hours.	Yes	No
O.	Influencing or pressurising civil servants to give someone undeserved/unfair contracts or benefits (usually by individuals in position of authority in the public administration hierarchy)	Yes	No

## 3. How prevalent do you think corruption is in the ranks of the civil service in Albania?

(Circle one of the numbers from 1 to 5, where 1 is “not prevalent” and 5 “very prevalent”)

1	2	3	4	5
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#### 4. How prevalent do you think the following practices are in the Albanian civil service?

(Circle one of the numbers from 1 to 5, where 1 is “not prevalent” and 5 “very prevalent”)

A.	Hiding public property for appropriation purposes	1	2	3	4	5
B.	Theft (including time theft, by not doing the required amount of working hours)	1	2	3	4	5
C.	Fraud	1	2	3	4	5
D.	Threats and blackmail (including sexual)	1	2	3	4	5
E.	Nepotism (favouring family members)	1	2	3	4	5
F.	Favouritism (being partial to friends and acquaintances)					
G.	Patronage – rewarding supporters (political or otherwise) with various public duty related favours					
H.	Bribery (both giving and receiving bribes)	1	2	3	4	5
I.	Abuse of office or discretionary powers	1	2	3	4	5
J.	Unfair influence or intervention in public decision-making for personal gain	1	2	3	4	5
K.	Other (specify) _____	1	2	3	4	5

#### 5. Have you ever witnessed corruption in your workplace?

A. Yes

B. No (go to question 8)

**6. If you answered “Yes” to question 5, mark the practices you have seen/witnessed below:**

A	Hiding public property for appropriation purposes	Yes	No
B	Theft (including time theft, by not doing the required amount of working hours)	Yes	No
C	Fraud	Yes	No
D	Threats and blackmail (including sexual)	Yes	No
E	Nepotism (favouring family members)	Yes	No
F	Favouritism (being partial to friends and acquaintances)	Yes	No
G	Patronage – rewarding supporters (political or otherwise) with various public duty related favours	Yes	No
H	Bribery (both giving and receiving bribes)	Yes	No
I	Abuse of office or discretionary powers	Yes	No
J	Unfair influence or intervention in public decision-making for personal gain	Yes	No
K	Other (specify) _____	Yes	No

**7. Have you ever reported the practices you described under question 6?**

A. Yes

B. No, because... (more than one option can be selected):

1. No real harm was caused \_\_\_\_\_
2. It was hard to prove \_\_\_\_\_
3. The responsible authorities would have done nothing \_\_\_\_\_
4. Fear of revenge \_\_\_\_\_
5. Other (specify) → \_\_\_\_\_

**8. At your present workplace, have you ever been asked or offered to participate in a corrupt practice?**

A. Yes

B. No (go to question 11)



**9. If you answered “Yes” to question 8, use the following scale from 1 to 5 to rank the frequency with which the following have been asked of you:**

(Circle one of the numbers from 1 to 5, where 1 means that it has NEVER been asked of you and 5 means that it has been asked of you very frequently.)

A.	Hiding public property for appropriation purposes	1	2	3	4	5
B.	Theft (including time theft, by not doing the required amount of working hours)	1	2	3	4	5
C.	Fraud	1	2	3	4	5
D.	Threats and blackmail (including sexual)	1	2	3	4	5
E.	Nepotism (favouring family members)	1	2	3	4	5
F.	Favouritism (being partial to friends and acquaintances)	1	2	3	4	5
G.	Patronage – rewarding supporters (political or otherwise) with various public duty related favours	1	2	3	4	5
H.	Bribery (both giving and receiving bribes)	1	2	3	4	5
I.	Abuse of office or discretionary powers	1	2	3	4	5
J.	Unfair influence or intervention in public decision-making for personal gain	1	2	3	4	5
K.	Other (specify) _____	1	2	3	4	5

**10. Did you report the corrupt practice described in question 9?**

A. Yes

B. No, because... (more than one option can be selected):

1. No real harm was done \_\_\_\_\_
2. It was hard to prove \_\_\_\_\_
3. The responsible authorities would have done nothing \_\_\_\_\_
4. Fear of revenge \_\_\_\_\_
5. Other (specify) – \_\_\_\_\_

**11. How does the civil service encourage men and women to speak against corruption, malpractices or lack of transparency in management (Answer each of the options listed below with either “Yes” or “No”)**

A	There is a well-established and functioning complaint/reporting mechanism at the workplace.	Yes	No
B	Both employed men and women have equal access to information on laws and policies on corruption and good governance (i.e. accountability, transparency, responsibility, equality, inclusion, fairness and the rule of law).	Yes	No
C	The leaders of the institution appear to be equally supportive to both men and women in their staff.	Yes	No
D	Gender equality considerations are embedded in all workplace-related policies.	Yes	No
E	The work organisation has in place an anti-corruption policy which takes into account the most important gender aspects.	Yes	No
F	The employees at the institution, be they men or women, are provided equal protection if they report corrupt practices.	Yes	No
G	The work organisation has established good collaborative relations with government and non-government agencies involved in the fight against corruption.	Yes	No
H	Women and men have equal access to all sectors and levels of hierarchy in the organisation.	Yes	No

**12. Have workplace policies related to your present employment been made available to you? (Answer each of the questions listed below by selecting “Yes” or “No”)**

A	Recruitment policies and workplace-related requirements/criteria (such written tests results, qualifications, age, level, etc.)	Yes	No
B	Remuneration and reward policies (including policies on overtime)	Yes	No
C	Promotion policies	Yes	No
D	Work schedule policies	Yes	No
E	Training and professional development opportunities	Yes	No
F	Retrenchment policies	Yes	No
G	Retirement policies	Yes	No
H	Dismissal/redundancy policies	Yes	No
I	Disciplinary measures	Yes	No

**13. How would you describe the information provided on the policies listed under question 12?**

A	The information provided was relevant to my specific situation case	Yes	No
B	The information was provided in a timely manner	Yes	No
C	The information provided was accurate	Yes	No
D	I could easily understand the information	Yes	No

**14. In your opinion, do men and women enjoy equal working conditions in the Albanian civil service?**

A.	Women and men enjoy equal recruitment criteria (such written tests results, qualifications, age, level, etc.)	Yes	No
B.	Women and men enjoy equal pay and remuneration for equal work, including overtime pay.	Yes	No
C.	Women and men are subject to the same promotion procedures.	Yes	No
D.	Women and men work the same working hours.	Yes	No
E.	Women and men enjoy equal training and professional development opportunities.	Yes	No
F.	Women and men are provided the same opportunities to represent the country in events, forums and exchange activities outside the country.	Yes	No
G.	Women and men are provided equal opportunities to get involved in policy making, legislative, planning, and monitoring processes in the civil service.	Yes	No
H.	Women and men are subject to the same retrenchment procedures and policies.	Yes	No
I.	Women and men are subject to the same retirement procedures/rules.	Yes	No
J.	Women and men are subject to the same dismissal policies.	Yes	No
K.	Women and men are subject to the same disciplinary measures.	Yes	No
L.	Women and men have equal access to all sectors and hierarchy levels.	Yes	No

**15. Do various managers in the public administration have discretion (powers) to award certain workers additional pay or bonuses?**

- A. Yes (Go to question 16)
- B. No (Go to “General Demographic Data”)

**16. If you answered “yes” to question 15, are the additional pay/remuneration criteria known to all the staff?**

- A. Yes
- B. No

## Section 2. General demographic data

**17. Your gender:**

- A. Male
- B. Female

**18. Your ethnicity:**

- A. Albanian
- B. Roma
- C. Greek
- D. Other \_\_\_\_\_

**19. Your age group:**

- A. 20-29
- B. 30-39
- C. 40-49
- D. 50-59
- E. 60+

**20. Your current position:**

- A. Top-level managerial position in the civil service (general secretary, head of department, or similar)
- B. Civil servant at middle managerial level (head of directorate or similar)

- C. Civil servant at low managerial level (head of sector or office)
- D. Civil servant at the expert level (expert)

**21. Number of years of service in the civil service:** \_\_\_\_\_

**22. Level of education you have completed**

- A. Secondary
- B. Higher
- C. Master/Post-graduate
- D. PhD

**23. Your average monthly family income (in ALL)?**

- A. Up to 40.000
- B. 40.001- 60.000
- C. 60.001 – 100.000
- D. More than 100.000

## 8.2 Focus Group Discussion Template (FDG)

1. What opportunities are there in the Albanian civil service for corrupt practices?
  - 1.1 How do they affect men and women? How are they involved/affected?
  - 1.2 How do they affect their work? Men and women?
2. How can employees advance in their career within your organisation? What does a civil servant have to do?
  - 2.1 What are the steps? Are there differences between men and women?
  - 2.2 How can the process be accelerated? Are there differences between men and women? What are they?
  - 2.3 The leaders you know how have they climbed up the career ladder? Has this been different for men and women?
3. How does your organisation promote the values of good governance? – accountability, transparency, anti-corruption?

- 3.1 How is the information on policies and procedures shared? Does everyone have access to them? Are there differences between men and women?
- 3.2 How does your organisation provide models/examples of acting with integrity? Have there been cases of reporting corrupt acts? By whom (men/women)?
- 3.3 How are complaints treated? Equally for men and women? Are there dedicated staff members who deal with these complaints?
- 3.4 How is corruption reported? Is this being done by both men and women?
- 3.5 How is information on the reporting shared and how are other staff member cases treated?

### **8.3 Interview template**

#### **In-depth individual interview template**

1. What does your department do to promote integrity, accountability, transparency and anti-corruption? Are there mechanisms for the implementation of these policies/measures?
2. In what ways are integrity, accountability, transparency and anti-corruption promoted in your workplace? (How are good models/examples promoted?)
3. What is the role of men and women in addressing corruption? Are there gender differences? Why?
4. How was corruption or lack of transparency in the management of the civil services dealt with in the past? Were there differences between men and women?
5. What opportunities are there within the civil service for corruption and lack of transparency? DO you think that these are the same for men and women, or are there different approaches? Why?
6. Who benefits from corruption and lack of transparency? Do you think these are the same for men and women?

## 8.4 More tables

**Table 1 Gender Equality Legal Framework**

National strategies and laws	Scope	Year of adoption
<b>National Strategy for Gender Equality and Domestic Violence (NSGEDV)</b>	National strategy and its accompanying Action Plan, 2007-2010 and the new/revised Strategy 2010-2015	Revised new strategy 2011-2015
<b>Law No. 10221 “On Protection from Discrimination”</b>	Reinforces the Law on Gender Equality. Includes the establishment of new independent mechanisms such as the newly established Office of the Commissioner for Protection against Discrimination, which was not envisaged under the Law on Gender Equality	date 4.2.2010
<b>Law No.10237 “On Health and Safety at Work”</b>	Addresses issues such as the protection of pregnant and lactating women from hazardous substances and hard working conditions in line with CEDAW and EU standards	date 18.2.2010
<b>Law No. 9970 “On Gender Equality in Society”</b>	Among other things, addresses labor, employment and decision making and introduces gender quotas for the first time	date 24.07.2008
<b>Law No. 9669 “On Measures Against Violence in Family Relations”</b>	Addresses, among other issues, gender-based violence in family relations	date 23.12. 2006
	Convention of the European Council “On Measures against Trafficking of Human Beings	Ratified by Law No. 9642, dated 20.11.2006
	Protocol No. 12 of the European Convention “On Protection of Fundamental Human Rights”	Ratified by Law No. 9264, dated 29.07.2004

<b>International Acts (in addition to the Convention on the Elimination of all Forms of Discrimination against Women – CEDAW and its Optional Protocol)</b>	European Convention “On Compensation of Vic-tims of Violent Crimes”	Ratified by Law No. 9264, dated 29.07.2004
	Optional Protocol of the Convention “Against Se-vere Inhuman or Degrading Torture and Treatment”	Ratified by Law No. 9094, dated 03.27.2003
	Council of Europe Convention on preventing and combatting violence against women and domestic violence	Ratified by law no. 104/2012 of 8.11. 2012

**Table 2 LAW No. 152/2013 “FOR CIVIL SERVANT” .<sup>43</sup>**

<b>Article 5 Civil service management principles</b>	The civil service management shall be governed by law and shall be based on the principles of equal chances, non-discrimination, merits, transparency, professionalism and political impartiality, and guarantee the stability of the civil servants as well as the continuity of the civil service.
<b>Article 8 Albanian School of Public Administration</b>	ASPA has administrative and academic autonomy. Its aim is the vocational training of civil servants, as well as any other individual, national or international, who is not part of the civil service and that meets the required criteria.
<b>Article 10 Institution’s human resource management units</b>	<p>1. As a rule, every institution within the scope of this law must establish a human resource management unit. The human resources management unit is responsible for the management of the civil servants of the institution, except, the cases when is stated in this law that a decree/ a specific administrative act that is related to the civil service relationship, is attributed to another official or to an especially established body.</p> <p>2. The Council of Ministers may decide that several state administration institutions establish a joint human resource management unit or that part of the functions of the human resource units of a subordinated institution are carried out by the human resource management unit under which the subordinated institution is located.</p>

43- This law applies to any official, civil servant, which exercises, public authority in a state administration institution, an independent institution, or in a local self – government unit, with the exception of specified categories; elected persons, ministers and deputy ministers; officials appointed by the Assembly, the President or Council of Ministers; judges and prosecutors; civil judicial administration; militaries of the armed forces; personnel of the state intelligence service; personnel of the direct service delivery units; members and chairmen of the steering committee of the collegial bodies or institutions under the Prime Minister or Minister; administrative employees; cabinet officials.



**Article 19**  
**Classification**

1. Civil service positions are divided based on the category, class and the nature of the position. The division is made based in the job description for each position.
2. Civil service positions as per the categories are divided in following categories: a) top-level management; b) middle-level management; c) low-level management, and ç) expert level
3. Each category provided for by paragraph 2 of this article is subdivided in classes.
4. The following are considered civil servants of top-level management category: a) secretaries general; b) directors of departments; c) directors of general directorates; and ç) equivalent positions of the first three types.
5. The following are considered civil servants of medium-level management category: a) directors of directorates; and b) equivalent positions.
6. The following are considered civil servants of low-level management category: a) head of sectors; b) equivalent positions.
7. Specialists are considered civil servants of the expert level.
8. The positions of Experts in the civil service are classified according to the type of position: a) the group of general management positions, including positions that relate to administrative responsibility in all institutions of the civil service and whose exercise requires knowledge of general administration; b) the groups of special management positions, including positions that deal with specific responsibilities in one or more institutions of the civil service and the exercise of which requires special knowledge of a particular profession or similar to.
9. The Council of Ministers approves as follows: a) the classes applicable for each of the categories; b) general job description for each of the categories, classes or groups provided for by this article and the groups of specialized administration; c) general job requirements for each of the categories, classes and groups provided for by this article; ç) the positions titles part of each category, class and group; d) the methodology for the classification of a position to a given category, class or a certain group.

**Article 20**  
**Principles of recruitment procedures to the civil service**

1. Recruitment to the civil service is based on the principles of equal opportunities, merit, professional capacity, non-discrimination and is performed through a transparent and fair selection procedure.
2. The selection procedure is based on the assessment of the professional skills of the candidates, through a national concourse, including a written test, an oral

test and other appropriate form of verification of skills as well as the assessment of the professional background of the candidates.

**Article 25**  
**Lateral transfer**

1. The vacant positions of expert level category, low and mid-level management category are first opened to the existing civil servant of the same category through a lateral transfer procedure.

2. Civil Servants fulfilling the conditions for lateral transfer and the specific criteria required by the vacant position are entitled to apply in accordance with paragraph 1 of this article, if they belong to the same category from the same or another institution.

3. The assessment of the eligible candidates is made by a permanent internal institutional committee through a procedure organized following the principles provided for by art 20/1 of this law

The representative of the responsible unit is part of the internal committee.

4. At the end of the evaluation the committee may decide to:

a) select the best suitable candidates to be appointed in the vacant position; b) conclude the procedure without a selectee in case none of the candidates does not fulfill the specific requirements for the vacant position.

5. The Council of Ministers approves:

a) the conditions and the detailed procedure of lateral transfer; b) the rules on the establishment and composition of the internal committee provided for by paragraph 3 of this article.

**Article 26 Promotion**

1. Promotion consists in a competition procedure organized by the responsible unit, for one or several vacant positions, based on the principles provided for by article 20 of this law. If a vacant position of middle or low level management category is not completed in accordance with article 25 of this law, it is filled through the promotion.

2. Civil servants in any institution belonging to a one-level lower category are entitled to apply for promotion in accordance with paragraph 1 of this article, if they fulfil the conditions for promotion and the specific criteria required by the vacant position.

3. If the vacant position is not filled through promotion, a new procedure of lateral transfer or promotion could be organized within three months. In the meantime the vacant position, if necessary, could be filled through a temporary transfer in the interest of the institution, as provided for by article 48/1, letter "a" of this law.

4. The Council of Ministers approves the conditions and procedural details for the promotion.

**Article 37**  
**Political rights**

1. Civil servants have the right to participate in political activities, outside office hours. Civil Servants shall refrain from expressing their political persuasions or preferences publicly. Civil servants in top level management category cannot be members of political parties. Civil servants of other categories are eligible to be members of political parties, but cannot be members of their governing bodies.

2. Civil servants have the right to run as candidates or be elected for the assembly of the Republic of Albania or for local government bodies. In this case a civil servant shall request for his suspension from the civil service.

**Article 41**  
**Right to information and appeal**

1. Civil servants have the right to be notified on the initiation of any procedure and any final decision related to their civil service relationship.

2. Civil servants have the right to inspect their personnel file and to request their modification.

3. Civil servants have the right to appeal to the competent court for administrative disputes against any action or inaction that violates the rights and legitimate interests in the civil service relationship.

**Article 43**  
**Obligation of accountability and refusal of illegal orders**

1. Civil servants bear full responsibility for the lawfulness of their action, while performing their duty in the civil service.

2. Civil servants shall comply with the orders of their superiors, in accordance with the law and internal regulations of the institution.

3. In case of doubts on the legality of the orders of the superior, a civil servant shall not implement the order, but without delay shall inform the superiors and ask a written confirmation of the order.

4. The civil servant is obliged to obey to the written order, in accordance with paragraph 3 of this article, except when its execution, would constitute a criminal offence.

**Article 44**  
**Obligation of transparency and confidentiality**

1. Civil servants shall perform their duties in the civil service with transparency and ensure to the parties involved as well as to the large public the requested information, except when such information is classified by law.

2. Civil servants shall not use information collected while on duty for purposes other than the ones establish by law. Civil servants have an obligation to ensure

the protection and distribution of personal data and those related to commercial or professional activities of persons protected by law, which come to his knowledge during the performance of his duties.

**Article 45**  
**The obligation of good administration of state property and working time**

1. Civil servants shall manage in an appropriate way the state property assigned to them for the exercise of their duties and use it only for the purposes and destination as determined by law or internal rules of the institution.
2. Civil servants shall comply with the working hours and use working time efficiently and and work only for the performance of his duties.

**Article 46**  
**Conflict of interest**

1. Civil servants shall avoid any conflict between their private interest and the public interest during the exercise of their duties.
2. The legal regime of the conflict of interest is regulated by special law.

**Article 57**  
**Responsibility for disciplinary measures**

1. A civil servant is responsible for breaking by fault the civil servants obligations under the law. Violations in the civil service are divided into:
  - a) very serious offense; b) serious violations; c) minor violations.
2. More serious violations are:
  - a) serious breach of duty; b) repeated failure to respect time limits in performance, which have very serious consequences; c) failure to explicitly obey legal provisions for operational performance; ç) abandonment of work, or continuous and unexcused absence for 7 days or more, when the absence has very serious consequences in the performance of the institution; d) benefit directly or indirectly, gifts, favors, promises or preferential treatments, which are due to duty.
3. Serious violations are:
  - a) Failure of duties; b) abandonment of work or unexcused absence and continuing for 3 days or more, the absence has serious consequences; c) repeated violation of the rules of ethics in the civil service; d) damage of the state property, its use outside the official definition or misuse of state property; dh) abnormal behavior, repeatedly, during work with the superiors, peers, subordinates and the public; e) When repeated, within or outside office hours, the actions that violate the civil servant figure, the institution or civil service as a whole; ë) breach of the obligations set forth in this law.
4. Are minor violations:
  - a) unexcused absence from work for up to 3 days; b) violation of the rules of

ethics; c) irregular behavior during work time, with superiors, peers, subordinates and the public; ç) When, within or outside office hours, the actions that violate civil servant figure, institution or civil service as a whole.

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**Table 3. Decisions of Council of Ministers Following the Law “For the Civil Servant”**

Decision Number	Scope	Aim
<b>Decision of CM No. 108, Dated 26 February 2014</b>	ON THE ANNUAL RECRUITMENT PLAN TO CIVIL SERVICE	To determine the content, the deadlines of adoption and the manner of publication of the recruitment plans of the state administration institutions, independent institutions and local government units and the detailed procedures for drafting and adopting the general plan of recruitment for state administration institutions.
<b>Decision of CM No. 109, Dated 26 February 2014</b>	ON THE PERFORMANCE APPRAISAL OF CIVIL SERVANTS	This decision shall set out the procedure for the appraisal of civil servants performance in state administration institutions, independent institutions and local government units and the powers to conduct the appraisal.
<b>Decision of CM No 115 Date 05 March 2014</b>	ON DEFINING THE DISCIPLINARY PROCEEDINGS AND RULES OF ESTABLISHING, COMPOSITION AND DECISION-MAKING OF THE DISCIPLINARY COMMITTEE OF THE CIVIL SERVICE	The aim of this decision shall be to define the procedures of taking disciplinary measures, as well as to define the rules on the establish.
<b>Decision of CM No. 116, Dated 05 March 2014</b>	ON STATUS OF THE EXISTING CIVIL SERVANTS AND EMPLOYEES WHO BENEFIT THE CIVIL SERVANT STATUS UNDER LAW NO. 152/2013 “ON THE CIVIL SERVANT”	THE STATUS OF TMC MEMBERS IN THE STATE ADMINISTRATION INSTITUTIONS
<b>Decision of CM No. 117, Dated 05 March 2014</b>	ON THE KEEPING, THE PROCEDURE AND THE MANAGEMENT OF THE	All state administration institutions, independent institutions and local government units shall be obliged to establish and manage the personnel

PERSONNEL FILES AND CENTRAL  
PERSONNEL REGISTRY

file of each employee at their institution.

**Decision of CM  
No.118, Dated  
5.March.2014**

ON THE PROCEDURES OF THE  
APPOINTMENT, RECRUITMENT,  
MANAGEMENT AND TERMINATION  
OF CIVIL SERVICE RELATIONS OF  
THE TOP LEVEL MANAGEMENT  
CIVIL SERVANTS AND MEMBERS  
OF THE TMC

This decision shall define the rules for the following:

- a) Organization and functioning of the National Selection Committee for the TMC;
- b) Recruitment of TMC civil servants through ASPA, or directly;
- c) Appointment of members of the TMC
- ç) Recruitment of the civil servants of the top level management category in independent institutions and local government unit;
- d). Termination of the civil servile relations of the top level management civil servants and members of the Top Level Management Civil Servants Corpse.

**Decision of CM  
No. 138, Dated  
12.03.2014**

ON RULES OF THE ORGANIZATION  
AND FUNCTIONING OF THE  
ALBANIAN SCHOOL OF PUBLIC  
ADMINISTRATION AND TRAINING  
OF CIVIL SERVANTS

This decision shall regulate the organization and the functioning of the Albanian School of Public Administration (ASPA), the functions of ASPA's bodies, institutional relations with the Departmental of Public Administration (DoPA) and the basic rules for the provision of programs by ASPA and fees for these programs, as well as training of civil servants.

**Decision of CM  
No. 142, Dated 12  
March 2014**

ON THE DESCRIPTION AND  
CLASSIFICATION OF JOB  
POSITIONS IN THE PUBLIC  
ADMINISTRATION INSTITUTIONS  
AND INDEPENDENT INSTITUTIONS

This decision shall define the following:

- a) Classes applicable to each of the categories as defined in Article 19 of Law no. 152/2013, "On the Civil Servant";
- b) Generalized job description and the requirements for each category, class, group;
- c) Positions that fall into each category, class and group;
- ç) The methodology of the classification of a position into a certain category, class and group.

<b>Decision of CM No. 143 , Dated 12 March 2014</b>	ON THE PROCEDURES OF THE RECRUITMENT, SELECTION, PROBATION, LATERAL TRANSFER AND PROMOTION OF THE CIVIL SERVANT OF THE EXPERT, LOW AND MID LEVEL MANAGEMENT CATEGORY	<ol style="list-style-type: none"> <li>1. This decision shall regulate the procedure of recruitment, appointment and probation of the civil servants of expert category, in addition to the procedure of lateral transfer and promotion.</li> <li>2. For the process of recruitment, the local government units shall establish upon agreement of inter-communal cooperation between them the joint responsible unit, by means of which they may delegate partially or fully the functions of their responsible unit.</li> </ol>
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<b>Decision of CM No. 171, dated 03.26.2014</b>	ON THE PERMANENT AND TEMPORARY TRANSFER OF CIVIL SERVANTS, THE SUSPENSION AND DISMISSAL FROM CIVIL SERVICE	This decision shall regulate the procedures of the temporary and permanent transfer of civil servants, suspension from service of civil servants, dismissal from civil service of the civil servants of expert level, low level and mid level management.
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**Table 4. FDGs distribution according to selection criteria**

	<i>Participants gender</i>	<i>Participants level</i>	<i>Ministry</i>	<i>Number of participants</i>
<b>4 FGD-s</b>	Women	Entry level	Health	6-8
	Men	Middle management	Foreign Affairs	6-8
	Women	Middle management	Education	6-8
	Men	Entry level	Urban development and Tourism	6-8
<b>Total</b>				<b>24-32</b>



Table 5 In-depth interviews

In-depth interviews	<i>Institution</i>	<i>Number of interviews</i>
	Ministry of Health	2
	Ministry of Education and Science	2
	Ministry of Urban Development and Tourism	2
	Ministry of Foreign affairs	2
	Minister of State for Local Government (national coordinator of anti-corruption strategy)	1
	Minister of State for Public Administration and Innovation	1
	Department of Public Administration	1
<b>Total</b>		<b>11</b>

Table 6. Sample Gender Distribution

		<i>Frequency</i>	<i>Percent</i>	<i>Valid Percent</i>	<i>Cumulative Percent</i>
<b>Valid</b>	Male	51	49.0	50.5	50.5
	Female	50	48.1	49.5	100.0
	Total	101	97.1	100.0	
<b>Missing</b>	System	3	2.9		
<b>Total</b>		104	100.0		

Table 7. Sample Ethnicity Distribution

		<i>Frequency</i>	<i>Percent</i>	<i>Valid Percent</i>	<i>Cumulative Percent</i>
<b>Valid</b>	Albanian	101	97.1	99.0	99.0
	Albanian Roma	1	1.0	1.0	100.0
	Total	102	98.1	100.0	
<b>Missing</b>	System	2	1.9		
<b>Total</b>		104	100.0		

Table 8. Sample Distribution According to Level of Position Held

		<i>Frequency</i>	<i>Percent</i>	<i>Valid Percent</i>	<i>Cumulative Percent</i>	<i>% of F</i>
<b>Valid</b>	Top level management	1	1.0	1.0	1.0	100
	Middle level management	11	10.6	11.3	12.4	45.5
	Low level management	20	19.2	20.6	33.0	35
	Expert level	65	62.5	67.0	100.0	53.1
	Total	97	93.3	100.0		
<b>Missing</b>	System	7	6.7			
<b>Total</b>		104	100.0			

Table 9. Household Monthly Income

		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	Up to 40.000	6	5.8	6.1	6.1
	40.001-60.000	15	14.4	15.3	21.4
	60.001-100.000	36	34.6	36.7	58.2
	Over 100.000	41	39.4	41.8	100.0
	Total	98	94.2	100.0	
<b>Missing</b>	System	6	5.8		
<b>Total</b>		104	100.0		

Table 10. Results on “general opinion” disaggregated by gender

	<i>Male</i>		<i>Female</i>	
	<i>yes</i>	<i>no</i>	<i>yes</i>	<i>no</i>
A civil servant accepting gifts or hospitality	87.5	12.5	93.6	6.4
Taking supplies or materials from work for home use	66	34	58.7	41.3
Using public funds for personal gain	100	0	97.9	2.1
Paying or receiving rewards for keeping silent about workplace issues.	90	10	95.8	4.2
Performing or receiving sexual favors in exchange for recruitment, promotion or other work-related benefits.	85.7	14.3	89.6	10.4
Paying or receiving payment for a promotion or a job within the civil service	95.9	4.1	95.8	4.2
Paying or receiving a payment for awarding contracts or positions.	96	4	95.8	4.2
Not declaring a conflict of interest when recruiting staff or awarding contracts	82	18	83.3	16.7
Not working required hours.	20.4	79.6	31.9	68.1
Leaving work early without permission	24	76	34	66
Flirting with a colleague.	16.3	83.7	25	75
Asking friends who are well connected for favors to help complete your own government work.	44	56	47.9	52.1
Claiming reimbursements to attend private functions hosted by a work colleague.	72	28	78.7	21.3
Leaving work to participate in political parties activities or organizing such activities during the working day schedule	38	62	60.4	39.6
Pressuring civil servants to award public contracts or undeserved/unfair benefits to someone	92	8	89.6	10.4

Table 11. Individual attitudes by gender

	Male		Female	
	yes	no	yes	no
A civil servant accepting gifts or hospitality	94	6	93.9	<u>6.1</u>
Taking supplies or materials from work for home use	77.6	22.4	63.3	<u>36.7</u>
Using public funds for personal gain	100	0	98	<u>2</u>
Paying or receiving rewards for keeping silent about workplace issues.	98	2	95.9	<u>4.1</u>
Performing or receiving sexual favors in exchange for recruitment, promotion or other work-related benefits.	87.8	12.2	89.6	10.4
Paying or receiving payment for a promotion or a job within the civil service	96	4	95.9	<u>4.1</u>
Paying or receiving a payment for awarding contracts or positions.	98	2	98	2
Not declaring a conflict of interest when recruiting staff or awarding contracts	86	14	83.7	<u>16.3</u>
Not working required hours.	30.6	<u>69.4</u>	39.6	60.4
Leaving work early without permission	30.6	<u>69.4</u>	38.3	61.7
Flirting with a colleague.	20	<u>80</u>	30.6	69.4
Asking friends who are well connected for favors to help complete your own government work.	50	<u>50</u>	51	49
Claiming reimbursements to attend private functions hosted by a work colleague.	71.4	<u>28.6</u>	85.4	14.6
Leaving work to participate in political parties activities or organizing such activities during the working day schedule	52	<u>48</u>	65.3	34.7
Pressuring civil servants to award public contracts or undeserved/unfair benefits to someone	96	4	89.8	<u>10.2</u>





# RESEARCH REPORT Gender and corruption in the Albanian civil service

