Albania's road to the European Union

A Study on Albanian Compliance with EU anti-corruption rules

Universiteit Leiden
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<u>**Master Thesis**</u>

Public Administration; International and European Governance

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Acknowledgements

The writing of this master thesis been exciting but also challenging. I would like to express my gratitude to my thesis supervisors, Dr. A.D.N. Kerkhoff, Dr. J.P. Beetz and Dr. S. Luitwieler MA, whose expertise and support has helped me through the writing and improving major parts of my thesis.

My sincere thanks also goes to the staff at the Embassy of the Netherlands in Tirana, with a special regard to Dewi van de Weerd and Gilles Bauwens, who provided me an opportunity to join their team as an intern. Without this precious support, it would not have been possible to conduct this research.

Furthermore, I would also like to thank the people whom I interviewed. I am grateful for their generosity in spending time to answer my questions.

Above all, I would like to thank my family: my parents, brothers, nephews and my sisters in law for supporting me spiritually throughout writing this thesis and my life in general

Abbreviations

ACER   Albanian Centre for Economic Research

CEECs   Central and Eastern European Countries

DIACA   Department for Internal Administrative Control and Anti-Corruption

EU   European Union

HIDAACI   High Inspectorate of Declaration and Audit of Assets and Conflict of Interest

SAA   Stabilization and Association Agreement

SAP   Stabilization and Association Process

SELDI   Southeast European Leadership for Development and Integrity

OSCE   Organization for Security and Cooperation in Europe

PHARE   Poland and Hungary Assistance for the Restructuring of the Economy

TCA   Trade and Cooperation Agreement

SFRY   Socialist Federal Republic of Yugoslavia

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Chapter 1: Introduction to the thesis

1.1. General context

Today's European Union (EU) is the product of an expansion from its six original members – Belgium, France, Germany, Italy, Luxembourg and the Netherlands – to 28 countries as a result of seven enlargements. These 28 countries do not mark the end of the EU's expansion. Currently, there are five candidate countries: Albania, Macedonia, Montenegro, Serbia, Turkey, and two potential candidate countries: Bosnia-Herzegovina and Kosovo, who are waiting to join the Union in the future and also are reforming their policies in the perspective of a possible EU membership (European Commission, 2015a).

EU membership is subject to conditionality measures and the EU enlargement policy is considered to be the most successful European foreign policy instrument promoting peace and stability throughout the European continent. Because of the attractiveness of EU membership, the EU is powerful in influencing policies in countries aspiring to become members (Schimmelfennig and Scholtz, 2008: 188; Vachudova, 2001: 7). This power is exercised by the EU through their conditionality instrument, meaning that in order to gain the EU membership there are various conditions which an aspiring country has to meet. The conditionality method is used by the EU to prepare candidate countries for achieving a desired level of development in important policy areas. Not only does the EU pursue, through this conditionality method, to prepare an aspiring country for the responsibilities belonging to EU membership, it also serves to prepare EU institutions and member states for the new enlargement (Schimmelfennig and Sedelmeier 2004: 669; Vachudova 2005).

Until 1993 the main eligibility criterion for EU membership status was formulated as "any European country complying with the EC standards and rules" (European Parliament, n.d.). However, in 1993 the conditionality method was extended and during the European Council meeting in Copenhagen it was formally initiated. The criteria in order to become an EU member state are also known as the Copenhagen criteria. They entail of an extensive array of conditions based on political, economic and legislative standards (European Commission, 2014a).

In order for us to learn from this process with an eye on future enlargements, it is necessary to study the Europeanization process of countries that are on their way to become an EU membership candidate. This learning perspective is especially concentrated on how EU policies regarding candidate countries can be best directed in the field of combatting corruption. Using Albania as our case is likely to ensure that the conclusions of this thesis are relevant also for other Balkan countries. This is especially important since most of these countries are the ones knocking on the EU doors for membership.

1.2 Problem analysis

Albania has been among the most isolated countries in Europe as a result of their communist background. Immediately after the fall of communist rule in the early nineties, all Albanian governments have emphasized the importance of joining the European Union in order to pursue the prosperity of the country (Stern and Wohlfeld, 2012: 7). This widespread ambition of Albanian governments to become an EU member state formally started in 1991 and is still present (European Commission, 2014d).

A flashback in history tell us that 1991 marks the start of diplomatic relations between Albania and the EU followed by the Trade and Cooperation Agreement (TCA) entering into force in 1992. Hence, the first steps towards EU integration were set. From then onwards, Albania enjoyed benefits from the Poland and Hungary Assistance for the Restructuring of the Economy (PHARE) program funds between 1992 and 2002 and from other funds and assistance up till now. In 1999, Albania also joined the Stabilization and Association Process (SAP) and in 2000, after the European Council meeting in Feira, Albania was granted the status of a potential candidate for EU membership. In 2003 the negotiations for a Stabilization and Association Agreement (SAA) between Albania and the EU started formally and by 2006 these negotiations were finished which led to the SAA entering into force in 2009. From 2009 onwards Albania has requested to become a candidate for EU membership three times. Finally, in the summer of 2014, Albania was granted this candidate status (Serjani, 2014).

Granting Albania with candidate status implies that the country is making substantive progress. This was also underlined by Enlargement Commissioner Fühle who stated that "Albania has delivered and so should we" (European Commission, 2013). With this statement Fühle underlined the importance of granting Albania candidate status following achievements the country had established up till then (Holman, 2013). Despite the distinctive progress during the past several years and thus by becoming more and more 'European' in the context of the EU rules and ideas, there are still many areas which Albania needs to work on in order to become eligible for membership status. Therefore, the EU has set conditions for the opening of the accession negotiations by indicating five key priorities for Albania to focus on: establishing a professional and depoliticized public administration; enhancing the impartiality of the judiciary and strengthening its independence, efficiency and accountability; intensifying the fight against organized crime; strengthening the fight against corruption and reinforcing the protection of human rights (European Commission, 2014a).

One of these key priorities, the fight against corruption, is the theme of this research. The word 'corruption' derives from the Latin term *'corrumpere'* which means to 'break into pieces', 'to ruin' or 'to destroy' (Wanjohi, 2012). Corruption is as old as human civilisation and it is subject to continuous change and redefinition (Mudzingiri, 2014: 333). It can be detected at various levels of society – public, private, domestic, international and so on (Hellman, 2012). Nonetheless, a general and complete definition of 'corruption' has not yet been formulated. However, the definition of Senturia (1931, 449) that corruption can be defined as 'the misuse of public power for one's own personal profit' is considered suitable for this thesis. This definition is widely used due to its general proposition of corruption and the applicability in many cases. In studying the political will to bring corruption measures in line with EU regulation, public officials (the Albanian government) will be the focal point of this research.

Whilst public officials are the important actors in the research, we need to take into account that they can form a constraint on the effectiveness of anti-corruption initiatives envisaged. This has to do with the inherent dilemma Fritzen (2005a: 100) came up in his writing by stating that "the very actors posited to be the source of the problem are those most critical to implementation success". In other words, this means that the governmental actors who are expected to adopt and implement the anti-corruption measures are also the ones who are affected by the new initiatives and therefore objectivity may be compromised by personal incentives deriving from these new rules. However, this dilemma does not mean that anti-corruption measures will fail inevitably. It is better viewed as a predictor of the existing conflict between the initiators of anti-corruption policies and the outcome which needs to be taken into account (Fritzen, 2005b: 81). This makes it very obvious that corruption remains difficult to curb. It takes place behind closed doors and therefore it is not visible to the general public. Beside acknowledging and

focusing on the problem of corruption, we should also take into account the role it plays in informal politics in our society. However, we should not tolerate it and therefore maintain the fight against corrupt practices (Von Alemann, 2004: 33).

As is widely known, the problem of corruption also exists in Albania, where it takes many different forms. Bribing public officials, monopolies of basic and common goods, discriminatory practices regarding laws and taxes, illegal funding of political parties, land grabbing and many more examples of corrupt behaviour can be found in the country. According to a study of the World Bank every second citizen has been exposed to or is actively involved in corrupt practices. Paying a bribe to a public official is common practice in Albanian society (Worldbank, 2011: 16). As will be explained later on in this thesis, Albania can be seen as a crucial case from a methodological point of view. This means that if undertaken measures work in Albania, being the least favourable case of corruption, these measures might also be effective in other cases in the Balkan where corruption is widely spread.

Although corruption still exists in Albania, it can be stated that the EU has acknowledged that Albania has taken significant steps, through granting the country official candidate status recently. Albania has shown political will to take action on fighting corruption problems within the country. Several important decisions on fighting corruption have already been taken, for example the implementation of anti-corruption measures in all line ministries. Moreover, the adoption of a National Anti-Corruption Coordinator was intended to improve the coordination of activities (European Commission, 2014c). Furthermore, in February 2015 the Albanian government presented a new national anti-corruption platform (www.stopkorrupsionit.al). This online portal made it possible for the citizens to report, if preferred anonymously, corruptive affairs within 11 key governmental areas. These are some recent examples that indicate the existence of political will in Albania to fight corruption and adopt reforms.

The EU supports these reforms and has expressed its contentment with the developments. However, in order to fulfil the EU accession criteria, even more serious reforms regarding anti-corruption need to be taken by the Albanian government. It is therefore interesting to study how the established improvements and measures can be best explained. By understanding how these reforms have been constructed and what incentives have played a major role, we can learn a lot that may be useful for future reforms that need to be undertaken. In the next paragraph the research aim and central question will introduce why and how this case will be studied.

1.3 Aim and research question

The main aim of this thesis is twofold. First, I want to gain knowledge on how to ensure compliance to EU rules in general. Secondly, I focus on the compliance of anti-corruption measures in specific. This means, the aim of this thesis is to learn how EU policy regarding candidate countries can be best directed when the EU is requesting actions in the area of anti-corruption. Said differently, I want to determine the influence of different incentives on the political will of the Albanian government to comply with EU anti-corruption rules. This will be done by studying the political will of the Albanian government. In my case political will is equated to compliance; this will be explained later on in the theory chapter of my thesis.

For an understanding on the earlier mentioned aim, the theory by Schimmelfennig and Sedelmeier and two of the three models they describe will be used; the external incentive model, according to which states comply with EU rules if the benefits or rewards from the EU exceed the adoption costs of a country, and the social learning model, according to which states adopt EU rules if they are persuaded of the appropriateness of these rules (2004). The third model will not be used for the purpose of this thesis. This is the lesson drawing model in which compliance with EU rules is explained according to the general assumption that a country will comply when there is domestic dissatisfaction with the status quo (Schimmelfennig and Sedelmeier, 2004). However, the model will be explained briefly in the theoretical framework in order to provide a complete picture but also to establish an understanding of the reasons to discard this model.

To sum up the above, the research question that arises is as follows:

What is the influence of the external incentive model and social learning model
on the political will of the Albanian government to comply with EU rules
regarding the fight against corruption?

As mentioned before, because of Albania's recently granted status as a candidate country of the EU, there are implications that Albania has already established some improvements on anti-corruption matters. However, are the improvements made so far resulting from the conditionality measures taken by the EU or are there other reasons why Albania is willing to comply with the EU rules on anti-corruption measures?

I want to find out whether the external incentive model and/or the social learning model can explain the political will of the Albanian government to fight corruption in their country. Being a least favourable case, my research might be relevant for future studies of the other countries in the Western Balkan region and their accession processes. This has to do with the similarities between Albania and the other countries in the Western Balkan region. Like Albania, the other countries in this region are in the process of accession to the EU. Moreover, corruption is a problem in the entire Western Balkan region. When comparing the EU member states from East Central Europe with the Western Balkan countries, problems of rule of law draw the key differences. The Western Balkan countries are rated as most problematic in the field of rule of law (Brusis and Thiery, 2006: 15). This supports the idea that a study on Albania's compliance to EU rules on anti-corruption might not only be of value for Albania but also for the other countries in the Western Balkan region.

1.4 Societal and academic relevance

As Albania finds itself in the Western Balkans, the location of this country is very important for the EU. The Western Balkans were the scene of serious tensions in the nineties. The outbreak of war which lead to the decomposition of the Socialist Federal Republic of Yugoslavia (SFRY) was one of the most tragic events to take place in Europe over the past decades. Even though Albania had not been directly involved in the conflicts, the country has been indirectly influenced as they had to face the widespread organized crime, poor economy and displacement of tens of thousands of persons resulting from the Yugoslav wars (Blockmans, 2007: 2). Furthermore, Albania has often been cited as one of the poorest countries in Europe with an abundant existence of corruption (Wolchik and Leftwich Curry, 2011: 369). Regarding the EU's wish to enhance and promote peace, prosperity and security within Europe (Blockmans, 2007: 297) the stabilization of Balkan region, and thus Albania, is of great importance.

Moreover, corruption negatively influences the daily lives of all citizens in Albania and a study on the main incentives to change this phenomenon will imply a positive effect on Albanian society. Furthermore, the more effectively measures are being taken by Albanian institutions in fighting corruption, the closer the country is getting to become a member state of the EU. This would influence European society directly due to the fact that a possible Albanian addition to the EU would have various implications.

Examples are the opening of borders and the full access of Albania to the free market of the EU but also an extended European territory from which all the EU citizens can benefit. All in all, corruption, being one of the main problems in Albania, needs to be tackled in order for the country to approximate the EU.

Also, one of the main reasons to conduct this study is supported by the belief that among all existing international organizations, the EU has the biggest role and the largest opportunities regarding its political position and available resources to face the challenges Albania is dealing with (Blockmans, 2007: 5). In this respect the societal reasons for this study are straightforward. Knowing how the political will regarding anti-corruption measures can be explained is of great importance in order for the EU to direct its policies towards Albania effectively. This is also in line with the aforementioned EU desire to enhance and promote peace, prosperity and security within Europe. Therefore, the double layered goal of the thesis supports its relevance. First, by gaining knowledge on how to ensure compliance to EU rules in general. Secondly, by focusing on the compliance of anti-corruption measures in specific. Both are goals in themselves but they also influence each other.

Not only societal reasons render this research important. From an academic point of view it is also interesting. Much research has already been conducted on Europeanization, and thus the compliance with EU rules, with a special focus on the Europeanization of countries already part of the European Union (Börzel, 1999; Bulmer and Burch, 2001; Checkel, 2001; Radaelli, 2000; Ladrech 2008). However, less research has been conducted on this topic focusing on the countries that are still on the accession path towards becoming an EU member state. So far, most research has focused on Europeanization and EU candidates of the post-communist countries of Eastern Europe. This study extends this focus to a EU candidate research further to the South-East corner of the continent, namely Albania. It is interesting to conduct research in order to determine the influence of different incentives on the political will of the Albanian government to comply with EU rules regarding the fight against corruption. This way a contribution to the existing literature will be achieved (See chapter 4).

Moreover, research regarding Europeanization mechanisms needs to be done in order to gain a better insight in what works in candidate countries – in this case specifically for Albania – and how this can be reached. For this reason, my thesis will also be academically relevant by contributing to the existing Europeanization literature on Western Balkan countries. This will be exercised by using the external incentive model and social learning model described by Schimmelfennig and Sedelmeier.

The external incentive model and social learning model have both been very helpful in explaining past cases regarding the Eastern enlargement topic (Schimmelfennig and Sedelmeier, 2004, 2005). Therefore, it is interesting to use those theories in the case of the Western Balkan countries like Albania. The literature overview will show that considerable research has been done in Europeanization studies that has led to many different theories. Schimmelfennig and Sedelmeier are the leading experts concerning enlargement conditionality and theoretical approaches to European integration, especially in the case of the Europeanization of the candidate member states. Therefore, their theory will be my guiding point during this research.

1.5 Outline of the thesis

This study is divided in five chapters. In Chapter 1, I have started by providing the reader with a general outline of the case and explanation of the aim of the research. After putting forward my central research question, the relevance of the thesis from the societal as well as academic point of view are stated. However, in order to assess the selected case thoroughly, it is necessary to elaborate on the theories and concepts mentioned in my introduction. Therefore, in chapter 2, I will provide a theoretical framework including definitions of the main concepts. Here I will explain the different theoretical models and important literature that is connected to them. Logically following from this, the hypotheses will be presented in the research design chapter. Furthermore, in chapter 3, I will describe how I have conducted my research, what my variables and their indicators are, and how these variables were operationalized. Moreover, the data selection and case selection will be elaborated on in this chapter. In chapter 4, I shall address my findings on the Albanian case connected with the relevant models of the theoretical framework. I will test the hypotheses and describe how the fight against corruption in Albania is influenced by the external incentives model and social learning model. At last, the research question will be answered along with recommendations for further research which will be presented in the final chapter.

Chapter 2: Theoretical Framework

2.1 Introduction

For this study the aim is to determine the influence of different incentives on the political will of the Albanian government to comply with EU rules regarding the fight against corruption. The independent variables are the cost-benefit analysis and appropriateness which are respectively derived from the external incentives model and social learning model. Political will is the dependent variable and for the purpose of this research the terms "compliance" and "political will" are used interchangeably.

Variable	Causal relation	Description
Political will	Dependent variable	Political will of the Albanian government to comply with EU rules on fighting corruption
Cost-benefit analysis	Independent variable 1	Cost-benefit analysis derived from complying with EU rules on fighting corruption
Appropriateness	Independent variable 2	Appropriateness (by the Albanian government) of the EU rules on fighting corruption

Table 1: The dependent and independent variables, causal relation and main concepts

There are different models that attempt to explain the compliance of governmental actors with EU rules. These models will be elaborated on in the following paragraphs. Before describing the models, a literature review on relevant studies will be conducted. Furthermore, it is necessary to clearly state the definition of the general term Europeanization that is used frequently in the academic and societal environment explaining EU influence on state structures. Europeanization is used as a concept to explain the influence of the EU on domestic policies and therefore it is essential to start from this approach. At the end of the chapter an overview is provided showing the theoretical policy directions and logics of policy change combined with the models described by Schimmelfennig and Sedelmeier, illustrated by table 2.

Model of external governance	Policy direction	Logic of policy change
External incentive model	Top-down	Logic of expected consequences
Social Learning model	Top-down	Logic of appropriateness

Table 2: Models of external governance, policy direction and logics of policy change

2.2. Literature review

This literature review was done through a search on relevant literature studies on the topic. It will start-off from general Europeanization literature, zooming in into Western Balkan studies and at the end studies on Albania itself will draw a general conclusion.

A shift towards studies involving the impact of Europeanization beyond the formal borders of the EU is emerging. According to Schimmelfennig (2010: 12-15) this scientific change of interest has to do with the changed policy interest of the EU as a result of the development of the EU. First of all, the EU internal market has grown seriously and this has led to extensive power of the EU to shape policies among its partners. Secondly, with regard to the Eastern enlargements in 2004 and 2007 the EU got actively involved with Europeanizing these countries. Lastly, Europeanization beyond EU borders occurred due to institutional agreements with neighbouring states of the EU who are either on their way to EU membership or not eligible in the foreseeable future but where a mutual aim to cooperate continues to exist.

The main aim of scholars interested in Europeanization in candidate countries is to find out: "under what conditions are the EU's attempts to influence candidate countries effective?" (Sedelmeier, 2011: 9). Scholars trying to answer this question have been focusing on different points of reference. Some have argued that the historical legacy of the post-communist countries needs to be taken into account when the EU set their rules to be followed. When the EU requirements are not supported by the national identity, the effectiveness of these rules will be minimal (Freyburg and Richter, 2010). Freyburg and Richter empirically tested their ideas on the case of Croatia. They found out that when a state's national identity is not in line with the conditions set by the EU, the state will not comply (consistently) with the conditions proposed by the EU (2010: 280-283).

Besides national identity, the 'resonance' between the EU requirements and domestic regulations also influences the effectiveness of EU conditionality according to some scholars. Practical constraints such as administrative and technical capacity or the availability of a budget can influence compliance with EU rules. Research on the Eastern Balkan countries, also known as the Central Eastern European Countries (CEECs), has proven that due to the strong legacy of communist rule state institutions remain weak. This has resulted in informal networks acting as key mediating factors affecting whether compliance with EU rules will happen or not. However, strong state institutions as well as strong civil societies are required for the effective implementation of EU rules in these candidate countries (Schimmelfennig, 2006: Dimitrova, 2010: Börzel, 2010).

Literature on Europeanization of EU candidate countries shows us that conditionality has been a successful tool in Europeanizing the CEECs. Top-down induced measures based on a rational choice ideology seem to be more effective than rule transfers through socialization. Moreover, a credible prospect of EU membership in particular appears to be a valid incentive persuading candidate countries to comply with EU rules (Schimmelfennig, 2010: 22). Steunenberg and Dimitrova (2007: 3) also study the effectiveness of conditionality but they focus on the entire preparation period of a candidate country. They found evidence that EU conditionality is not equally effective during the entire preparation period of candidate countries. The change in effectiveness has to do with the setting of an accession date. Once the EU provides a candidate state with an accession date, it is very likely that the progress of adapting EU rules will slow down. Therefore, the EU should try to keep the period between signing and accession as short as possible and should therefore not communicate a date at an early stage. These studies can help us when studying new cases by providing background information. However, we need also to keep in mind the statement by Sedelmeier who wrote that the EU's influence is different from country to country and from issue to issue (2011). Therefore, we should not assume that the results from all previous enlargement studies are equally suitable for the use in future enlargement research projects.

Focusing more specifically on the Western Balkan, researchers have mainly been studying Europeanization from the perspective of the challenges it evokes. Many of these countries suffer from corrupt and weak public administrations. According to Vachudova (2014: 124), elites in those countries are in power and they could constrain the promotion of EU norms and values. Elbasani (2013: 1). referred to the current and potential candidates in the Western Balkans as "borderline cases of transition" due to the hardship to induce EU rules effectively in those states. Denti (2014) for example looked at the Europeanization of the countries which are now waiting at the doors of the EU to join. In his article he used two approaches derived from Europeanization and state building literature. Denti (2014: 20:21) claims that the lack of statehood in those countries constrains the usual mechanism of Europeanization and therefore he suggests that in these countries member-state building should be the focus. Member-state building has been described as "building functional member states while integrating them into the EU" (International Commission on the Balkans, 2005). According to this method, the EU should focus more on the characteristics of the specific country and offer different solutions instead of a single blueprint for all countries. Creating local ownership and legitimacy in these low statehood countries can therefore support local democracy which will benefit both the EU as well as the candidate countries. Denti (2014: 28) concludes by drawing attention to the need to make enlargement work, being "fundamental for the future shape of the relations between the EU and its neighbours, and for the identity of the Union itself".

Literature on Albania and its path towards EU membership follows the same proposition of the importance of enlargement as described above. Pengili (2014: 2) even states that "Europeanization is indispensable for the state and democracy's survival in Albania" Many articles on Albania and the EU focus on the importance for the Albanian state to join the EU. They are mostly descriptive in putting forward the reasons why Europeanizing is difficult and how it is emerging in Albania. These reasons are also addressed in general Western Balkan studies on Europeanization. Bogdani and Loughlin (2007: 226-227) for example claimed that in the Albanian case, as with all candidate countries, there exists an asymmetric relationship between the EU and Albania. Taking the 'goodness of fit' or misfit theory, Weykopf (2014: 9-10) found arguments to show the differences between the EU and Albania in the area of democracy and Rule of Law. According to her, a misfit of EU rules and existing rules in Albania led to the problematic feature of Europeanising Albania. Kodhel (2015) also took Albania as a case study in her Europeanization research. She focused on the educational system in Albania and the effect of Europeanization on it. From this study she also found proof that a top-down structure is prevalent. Though conditionality was mostly based on the cost-benefit calculation, also signs of Europeanization through socialization could be detected in her study. These examples show us that Albania is Europeanizing and that this is caused mainly by the potency of becoming an EU member state in the future. However, to what extend certain policies, actors or institutions are influenced and willing to change, cannot fully be drawn from the analysis of the researches described above.

2.3 Europeanization

As we have seen, most of the studies that focus on the EU impact on domestic policies and politics take the concept of Europeanization as a starting point. There is a broad variety of scholars who have done research on Europeanization and have attempted to come up with a definition of Europeanization (Börzel, 1999; Bulmer and Burch, 2001; Checkel, 2001; Radaelli, 2000). One among them is Radaelli (2000: 4) who defined Europeanization as:

"processes of (a) construction, (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, "ways of doing things", and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic discourse, identities, political structures and public policies"

As is clear, this definition is very comprehensive. Olsen (2002: 944) on the other hand defines Europeanization by using five possible moments at which Europeanization will occur. These are as follows; changes in external boundaries, for example enlargement, developing institutions of governance at the European level, central penetration of national systems, exporting forms of political organization and a political unification project. This definition is not without its critics. For instance, Radaelli (2004: 3) claimed that this approach appears to have little limitations, is too general to work with and because of the lack of clear boundaries it can also be discouraging to use.

Still, a single definition on the term Europeanization is absent, yet using the term requires a clear explanation before conducting research on it. I will use the definition by Börzel (1999:574) who stated that Europeanization can be described as "a process by which domestic policy areas become increasingly subject to European policy-making". In other words, this entails the belief that the European Union influences the domestic policy area. This definition is most useful for this research considering the aim of my study.

2.4 Top down / Bottom up

The first distinction is the one that uses the concept of compliance with EU rules by focusing on the factors whether policy changes are externally driven by the EU or internally driven by national actors (Major and Pomorska, 2005). Börzel (2002: 193-194) explains this by claiming that Europeanization can be described as a "two way process" involving the impact of the EU on the domestic sphere and vice versa. The externally driven dynamic is a top-down approach in which the EU influences domestic policy change (Major and Pomorska, 2005). This is also known as 'downloading' EU rules into the national system. In this perspective decisions are being made at the EU level and projected onto the domestic institutions. Factors increasing the efficiency of this approach are a clear and consistent formulation of the policy goals, a small number of veto players and domestic institutions supporting the changes as desired by the EU (Matland, 1995: 147).

On the contrary, the internally driven dynamic explains domestic policy change through a bottom-up approach in which the national actors are the drivers of policy change that fits within the EU framework. This is referred to as 'uploading' EU rules (Dyson and Goetz: 2003: 20; Major and Pomorska, 2005). In this case, states are not assumed to be subject to the European demands for domestic change. Member states are actively involved in shaping the EU policies to which they will have to adapt in a later stage (Bomberg and Peterson 2000; Héritier 1994). Because national governments feel pressure coming from their domestic actors, they will push the EU policy towards the preferences of the domestic actors.

In this perspective, Europeanization can therefore be seen as a process starting from the national actors who influence the EU policies for their own benefit. Successfully influencing EU policies would then lead to minimizing adaption costs for those states at a later stage (Börzel, 2002).

These two dimensions are not isolated phenomena. Top down and bottom up structures are not mutually exclusive and can together explain EU compliance in member states. However, in the case of applicant and candidate countries this does not seem to apply. These countries are subject to the EU due to power asymmetry in favour of the EU. Applicant states do not have a say in shaping EU rules and therefore there is no room for them to 'upload' their own preferences at the European level (Sedelmeier, 2006). As they are not playing a role in shaping EU demands but are only accepting and complying with those rules, only a top down approach is applicable in these cases (Denti, 2014: 17; Börzel, 2013: 173).

2.5 Logic of expected consequences versus Logic of appropriateness

Other ways in which Europeanization is thought to function focuses on two logics of actions that influence the behaviour of actors. Governmental decisions to induce reforms are connected to two different logics. Firstly, there is the logic of the expected consequences in which governments are described through their rational acting behaviour (Kříž and Urbanovská, 2013: 371-392). Governmental actions are not necessarily directed to reach a primary goal but may serve to achieve certain secondary goals and maximize profits (Regan, 2002: 39). Following this logic, governments will comply with EU rules based on a calculation of the benefits against the adoption costs that would result from complying with EU rules. Some conditions are important for these actors in order to choose which logics should be followed. The actors need to know what is possible within their power and capacity but they also need to know what their alternative options are. This way they can make the calculation in order to maximize their benefits (Nalbandov, 2009). To sum it up, according to the logic of expected consequences, governments will induce policy changes if they believe that the benefits will override the costs. This occurred for example very clearly in the case of Bulgaria. The World Bank claimed that during the accession process of Bulgaria incentives related to the promised EU membership as well as the accession to financial funds led to the intensification of Bulgaria's fights against corruption (Anderson and Gray, 2006: 81).

On the contrary, the logic of appropriateness emphasizes the values and norms of actors according to their social role and the social norms in a given situation (March and Olsen, 1998). Actions of governments are motivated by the idea that they are appropriate or driven by an exemplary conduct. The perception of an action as (in)appropriate is set by the actors themselves or by an institution in which they take part (Goldmann, 2005: 45) Taking into account their role and identity in society, the actions taken by the government are performed in order to meet their obligations. Summing this up, it means that according to this logic policy change will occur when governments perceive the EU rules as appropriately and legitimate in line with their set of norms, values and identity (March and Olsen, 1998; Goldman, 2005).

2.6 Models of compliance

Besides the top-down and bottom-up mechanism and the logics of actions described above, EU governance towards countries desiring to become a member state of the EU can also be described by using the comprehensive conditionality policy of the EU. The desires of countries to join the EU have influenced the EU in the restructuring of their domestic institutions and overall public policies (Schimmelfennig and Sedelmeier, 2004). From the many available theoretical assumptions on EU influence, this study will focus on the external governance and the influencing mechanisms of the EU regarding compliance with its rules.

The distinction is made between internal and external governance. The first refers mainly to the drafting of rules and their implementation in member states while the latter, external governance, focuses on the transfer of EU rules and their compliance by countries from outside the Union (Schimmelfennig and Sedelmeier, 2004: 661). This external governance of the EU consists according to Schimmelfennig and Sedelmeier of two characteristics. Firstly, importance is assigned to the elements of policy that are exported and how these elements influence the policy making framework. By this, we understand the EU governance systems that are exported to external states (Peters 2000). The second focus is on how rule transfer occurs (Schimmelfennig and Sedelmeier, 2004: 661). How do candidate countries incorporate EU rules to their domestic policies? This second form of external governance of the EU will be the focus that was adopted for this research. Figure 1 is showing where the focus is put within the EU Governance spectrum.
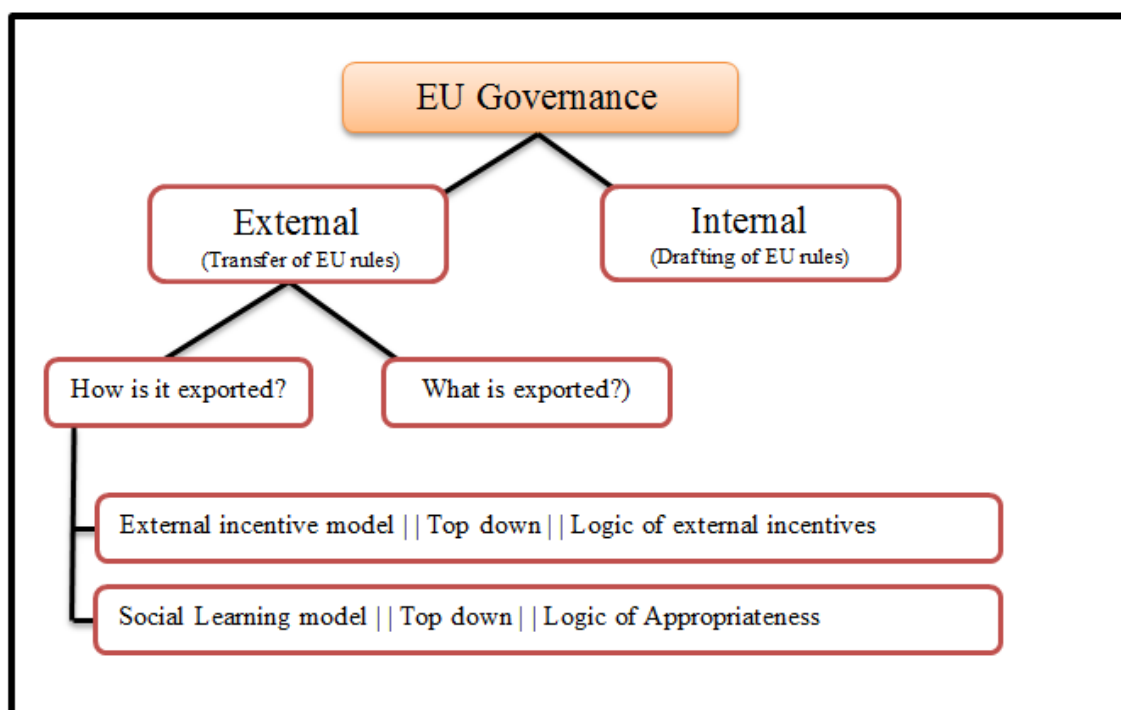
Figure 1: From EU governance to models of compliance

As mentioned before, I will use two models describing how this transfer of EU rules can be best explained; the external incentives model, and the social learning model, which will be elaborated on further in the next paragraphs. The bottom-up / top-down approaches and the logics of actions interconnect with those models which will be explained in the following paragraphs. This interconnection has been visualised in table 2.

2.6.1. External incentives model

The external incentive model focuses on the rationalist behaviour of actors and is assumed to be a bargaining model. It is based on the logic of external incentives which means that actors involved devise a cost-benefit calculation in order to maximize their interests (Schimmelfennig and Sedelmeier, 2005: 9). The outcome is derived from the relative bargaining power of the actors. A top down character describes the relation in which the EU sets the conditions for the candidate countries to fulfil in order for the candidates to receive benefits (Schimmelfennig and Sedelmeier, 2005: 210-218). These benefits consist of a set of tools ranging from trade and cooperation agreements to assistance in terms of expertise or funds to full accession and are specified in advance. The EU will provide benefits whenever applicant states comply with the conditions that have been set but will withhold benefits if conditions are not met. "A state adopts EU rules if the benefits of EU rewards exceed the domestic adoption costs" (Schimmelfennig and Sedelmeier, 2004: 671-672). However, the EU will not influence the target government by providing extra benefits or punishments in case the country does not comply to conditions that have been specified in advance (Schimmelfennig and Sedelmeier, 2004: 671-672).

The start of the bargaining process is identified by a status quo which diverges from EU rules. Therefore, the EU will introduce rules which need to be met. To make the compliance happen, positive incentives will be promised to the target government to be bestowed on them when the EU rules are met (Schimmelfennig, 2003: 4).

There are several factors for the external incentives model to operate as an effective model for EU conditionality; the determinacy of conditions, the size and speed of rewards, the credibility of punishments and benefits, and the level of adoption costs. This means that the incentives set by the EU to comply with and later to transfer the EU rules into domestic policy requires that the rules and the rewards need to be clear and determinate; the threat of not complying should be credible and adoption costs should be low, which includes as few veto players as possible in the policy field (Schimmelfennig and Sedelmeier, 2004).

In sum, the external incentives model depends on a rational ideology, implying that compliance will be most likely if the chance of accession to the EU is high and domestic adoption costs are low.

2.6.2. Social learning model

This model is the most prominent alternative to the rational explanations of conditionality while emphasizing the social constructivist reasons for candidate countries to comply with EU rules (Checkel, 2001; Kahler, 1992). The logic of appropriateness is leading in this model which states that candidate countries are influenced by internal identity, values and norms. This means that they prefer to choose from the range of policy options the most appropriate or legitimate one. Legitimacy and appropriateness are highly valued compared to bargaining about conditions and rewards (March and Olsen 1989). The EU is seen as a formal organization with its own specific identity composed of a set of common values and norms (Schimmelfennig 2003: 83–90). Like Schimmelfennig and Sedelmeier (2004: 675-676) wrote,

> "The Union is in this perspective an international institution that can be defined by a specific collective identity and a set of common values and norms. A target government adopts EU conditions if the government is persuaded of the appropriateness of EU rules and its demands for rule adoption is in the light of these common identities, values and norms".

Adopting EU rules happens, according to this approach, through intergovernmental interactions or through transnational processes via societal actors within the target state (Schimmelfennig and Sedelmeier, 2005, 11-18). Social learning occurs also due to the fact that governments are influenced through a socialization process because of their involvement in the EU institutional framework (Sedelmeier, 2011: 11). Instead of the bargaining process about benefits and costs advocated by the external incentive model, the focus of this model is more on a debate about the legitimacy of the rules and the appropriate action to take. Therefore, persuasion will be more effective than coercion to comply with EU rules (March and Olsen, 1998).

Three main factors are necessary within this model in order to achieve compliance and thus political will to adopt EU rules. First of all, legitimacy; embedded in the EU rules themselves as well as in the process of making those rules and complying with them. These rules need to be regarded as legitimate by the targeted government. Compliance with those rules will occur sooner if those rules are formal, subject to member states as well and accepted by other international organizations. Secondly, identity; compliance with EU rules will occur when government and society can identify themselves with the EU community. Memberships and signing of agreements with international organizations can indicate that states are sharing a collective identity, values and norms (Risse-Kappen, 1995). "In the sociological perspective, sharing a community of values and norms with outside states is both necessary and sufficient for their admission to the organization" (Schimmelfennig, 2001: 61). Thirdly, resonance; if the EU rules resonate with the domestic rules, political will to comply with those rules will be more likely (Schimmelfennig and Sedelmeier, 2004).

2.6.3. Lesson drawing model

This model implies that candidate countries might adopt EU rules without inducement from the EU. Furthermore, incentives or persuasions do not directly influence the compliance with EU rules. The willingness to adopt EU rules comes from within the candidate country itself as domestic reasons prevail, such as dissatisfaction with the status quo of policies. Moreover, there is a desire to transfer policies that are successful elsewhere by learning from abroad and incorporating them into domestic policies (Rose 1991: 10–12).

Compliance with EU rules would occur if the EU positively serves as a role model and the domestic actors believe that EU rules are in line with the solutions needed for the country. This can emerge either based on instrumental calculations or because the domestic actors see the EU rules as appropriate ones (Schimmelfennig and Sedelmeier, 2005). However, the EU cannot directly influence this process by inducement, incentives or persuasion, though indirectly it can back up the domestic actors who have preferences that are similar to those of the EU. The EU can strengthen the bargaining position of these actors by offering them resources (Rose, 1993).

The effectiveness of this model relies on specific conditions, as policy dissatisfaction must exist, the candidate country must have an EU-centred point of view on evaluating its policies, the rules should be possible to transfer and lastly the domestic society should be open to learning from abroad i.e. the amount of veto players is desired to be small (Schimmelfennig and Sedelmeier, 2005).

However, this model is not applicable in our case as it assumes policy changes occur from the bottom-up perspective. The enlargement policy of the EU is clearly top-down, implying an asymmetrical relation between the applicant state and the EU (O'Brennan, 2013). It is obvious that the relationship between the EU and a candidate state relies on an asymmetry of interdependence in favour of the EU. The EU is the one having all the benefits to offer (resources, assistance, accession etc.) while the applicant state does not have much to offer considering that their economic development is generally quite small. Also the bargaining position of applicant states is weak due to their generally much greater desire to join the EU than that of the member states to accept them (Grabbe, 2003; Dimitrova, 2002: 175). Therefore, the lesson drawing model will not be used for the purpose of this thesis.

2.7 Conceptualization

In table 3 you may find the variables which derive from the theories previously described. The causal relationship between those variables is illustrated below. I assume that the political will of the Albanian government to comply with the EU rules on fighting corruption is influenced by a cost-benefit analysis or the perceived appropriateness of the EU rules. In order to set up my research and discover the answer to my research question, a clarification on the main concepts used is needed. Therefore, you will find in this paragraph the explanations of the concepts I use. In the research design chapter an operationalization of the variables will take place in which I will elaborate on the indicators.

Variables	Concepts	Description	Indicators
Dependent variable Political will	Political will to comply with EU rules on fighting corruption	Political will of the Albanian government to comply with EU rules on fighting corruption	Ownership of the reform; Degree of analytical rigor of the policy; Mobilization of stakeholders;
Independent variable Cost-benefit analysis	Cost-benefit analysis derived from complying with EU rules	Cost-benefit analysis derived from complying with EU rules on fighting corruption	Funds, assistance, promises, withholding of promises, punishments
Independent variable Appropriateness	Appropriateness of the EU rules	Appropriateness (by the Albanian government) of the EU rules on fighting corruption	Normative reasons, perceived goodness of the EU rules, words as correct, adequate, justified, appropriate, legitimate, pressure from environment

Table 3: The dependent and independent variables, concepts, description and indicators

2.7.1 Defining 'Political will'

A lack of political will is an often heard complaint from society when their government does not take action when necessary. On the contrary also public officials use the term frequently when the reasons for political failure are unclear or even when they do not want to take full responsibility for it. This phenomenon is also argued by Hammergren (1998: 12) who stated that political will is "the sine qua non of policy success which is never defined except by its absence".

However, some authors have attempted to conceptualize the term by also using closely related aspects of the concept. Political will relates to the decision makers' capacity, willingness and commitment to improve the status quo (Post e.a., 2010: 656-658). Hammergren (1998: 45) for example defined political will as the 'likelihood of reform', meaning the possibility of a policy change at a certain moment in a certain place. Kpundeh (1993: 3) defined the concept in a more inclusive way by taking many actors into his definition and arguing that political will means a "demonstrated credible intent of political actors (elected or appointed leaders, civil society watchdogs, stakeholder groups, (ect.) to attack perceived causes or effects … at a systematic level".

A more useful definition for the purpose of this study has been drawn up by authors who focused on the commitment of decision makers to a policy change including the resources needed for those actions. Brinkerhoff (2000: 242) stated that political will is the "commitment of actors to undertake actions to achieve a set of objectives… and to sustain the costs of those actions over time". This definition seems to fit the aim of the research very well as it combines the commitment and thus the belief of the appropriateness of the policy change with the cost-benefit idea by taking into account the costs of the proposed actions. In my case this leads to the conceptualization of the variable 'political will' as the intent and willingness of the Albanian government to take actions on issues related to corruption and to keep doing this over time taking into account the costs of those actions.

2.7.2 Defining 'Cost-benefit analysis

The first independent variable is the cost-benefit analysis made by the Albanian government regarding compliance with EU rules on anti-corruption. The concept of cost-benefit is explained as an analysis made by actors to calculate their losses and/or benefits which will result from implementing a reform (Schimmelfennig and Sedelmeier, 2005).

Cost-benefit analyses are generally based on the idea that a decision to reform will be taken only when the benefits are higher than the costs of those reforms. This might sound very logical. For example, a project that has a lot of costs but minor benefits will not sound very interesting to undertake (Sen, 2000). However, not all costs and benefits can be estimated as easily as is assumed above. Costs and benefits may have a very diverse nature. They can be for example direct or indirect, social or financial. This influences the tangibility and comparative nature of the final calculation.

Despite this diversity, scholars agree on the usefulness of a cost-benefit analysis as a tool for program or project evaluation. Adler and Posner (2001: 351) for example, argue that analysing the costs and benefits of projects will result in improved decision making behaviour of public servants because they will be more likely to act without being influenced by political processes. This argument is defended by Adler and Posner (2001: 351), arguing that taking decisions from a cost-benefit point of view would imply a special focus on economic efficiency.

Cost-benefit analysis is thus explained as rationalist behaviour. In my case the actor is the Albanian government who calculates its situation before taking actions whether to comply with EU rules on fighting corruption or not. This calculation will be based on the benefits, meaning the rewards or positive incentives, and the costs, meaning the negative incentives of the taken reform which derived from complying with EU rules on curbing corruption in Albania. Logically following from this idea, reforms ought to have taken place whenever this calculation ended in a positive outcome, meaning that the expected benefits would overcome the expected costs.

2.7.3 Defining 'Appropriateness'

The second independent variable is the appropriateness of the EU rules as perceived by the Albanian government. As mentioned earlier, appropriateness with regard to this study follows the idea of the logic of appropriateness in a constructivist way (March and Olsen, 1998). According to this logic, rules are appropriate when they are perceived as "natural, rightful, expected and legitimate" (March and Olsen, 2004: 2).

Appropriateness has been defined by the Oxford English dictionary as "the quality of being suitable, acceptable or correct in the particular circumstances" (Oxford Advanced Learner's Dictionary online, 2015). The added value of this definition lies in the leeway it is giving the situation that is subject to the case due to the reference on 'particular circumstances' meaning thus not in all cases. This definition seems to fit this research as we have already stated that Albania, but obviously also other countries dealing with high rates of corruption, are special cases concerning the fight against corruption. Therefore, what is acceptable, suitable or correct in Albania or even in the whole Western Balkan, does not directly apply to any country.

Incorporating the abovementioned descriptions of appropriateness leads to the conceptualization of appropriateness in this study as follows; the Albanian government will comply with EU rules whenever they perceive these rules as suitable, correct or acceptable and believing in them in terms of the intrinsic 'goodness' of the rules. The Albanian government will therefore need to be persuaded into following the EU rules on combating corruption from a normative stance.

2.7.4 Causal relation between the variables

As described previously, compliance with EU rules, or said differently, political will to comply with EU rules, can occur based on different reasons and is explained by different mechanisms. The expectations that arise from the literature are now transformed into expectations which will be tested in order to answer the main question of this study;

What is the influence of the external incentive model and social learning model

on the political will of the Albanian government to comply with EU rules

regarding the fight against corruption?

Before drafting the hypotheses, the causal relationship between the variables is explained to give the reader a better insight. Summarizing the models by Schimmelfennig and Sedelmeier, mentioned previously, we can conclude that the top-down and bottom-up mechanisms and logic of the expected consequences and the logic of appropriateness can be connected to each other, which has been visualized above in table 2.

The 'political will' as the dependent variable is influenced by the independent variables 'cost-benefit analysis' and 'appropriateness' of EU rules to fight against corruption. This idea has been pictured in the figure below.
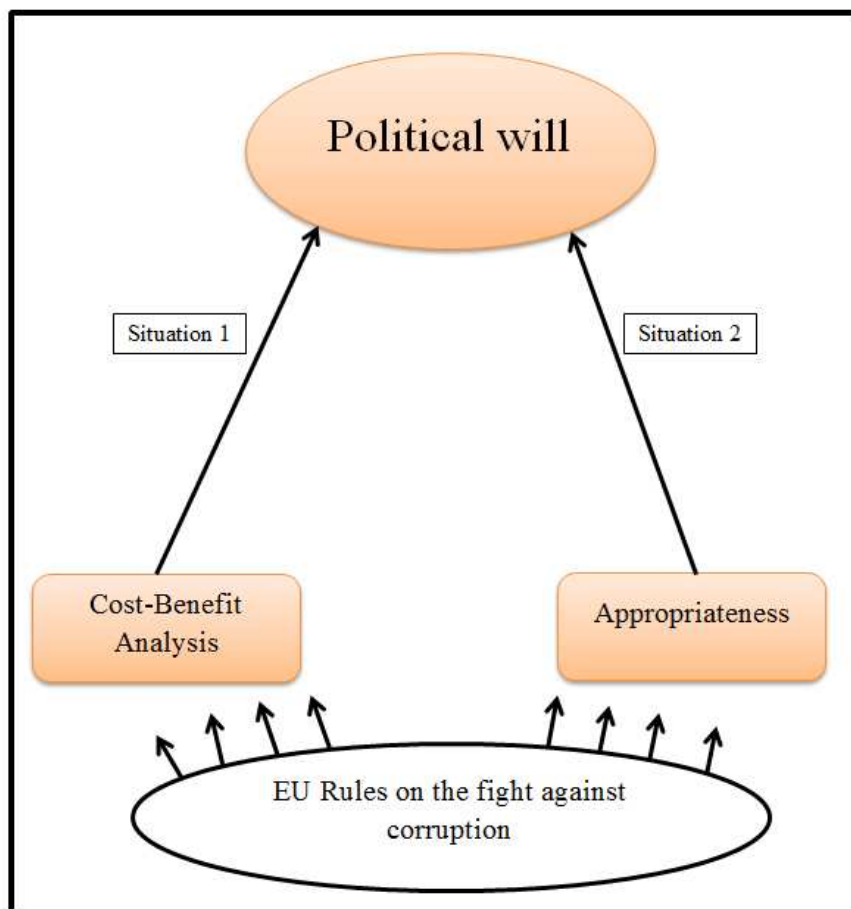
Figure 2: Causal relation between the variables.

Looking at figure 2, we can see that two different situations are possible. Since Albania has shown political will by implementing reforms to tackle corruption, we can rightly assume that political will has been achieved for the corruption reforms taken so far. However, the interesting part of this thesis is to find out what path has been taken to reach this outcome. This is important in order for the EU to learn how EU policy regarding candidate countries can be best directed when the EU is requesting actions in the field of anti-corruption.

2.7.5 Hypotheses

The external incentive model can be connected to the externally driven dynamic in which compliance would occur through a top-down approach of EU preferences that influence the domestic environment. This occurs according to the logic of expected consequences. This is a logical connection as the external incentive model is based on the direct and sanctioning impact of the EU on the targeted state. Incentives such as financial aid, market access and visa liberalization are used as conditions (benefits) to be supplied by the EU when the targeted state follows the EU's demands to adopt their rules. Contrary to these benefits, the targeted state will take the adoption costs of compliance with EU rules into account (Schimmelfennig and Sedelmeier 2005, 12–16).

In the first situation, derived from figure 2, the causal relationship between the variables cost-benefit analysis and political will is illustrated. It shows us that when the positive incentives are higher compared to the negative incentives (costs), this would lead to political will to comply with EU rules. The hypothesis that derives from this situation is:

H1 The more the benefits of compliance outweigh the costs, the more political will and therefore compliance of the Albanian government with EU anti-corruption measures.

Secondly, the social learning model implies that the EU persuades the targeted government that the EU rules are appropriate and stimulates them to therefore comply with them. Instead of directly manipulating or indirectly influencing them through cost-benefit calculations, the EU puts an emphasis on the intrinsic rightness of its policies (Schimmelfennig and Sedelmeier, 2004).

The second situation shows us how political will is achieved following from the assumptions of the social learning model. According to this model, it is assumed that political will is more likely when the targeted government finds itself in a novel and uncertain environment, and identifies with, and aspires to belong to "Europe" (Checkel 2001: 562–563; Risse 2000: 19). The second model therefore can also be seen as a top-down approach but operating from a logic of appropriateness. The hypothesis that derives from this model is:

H2 The more the Albanian government is persuaded of the appropriateness of the EU anti-corruption measures, the more political will and therefore compliance of the Albanian government with EU anti-corruption measures.

Following the operationalization of concepts, theoretical model and hypotheses, the next chapter provides a clarification on how this research will be conducted in order to find out which situation best explains the established reforms in Albania.

Chapter 3: Research Design

3.1 Introduction

The purpose of this research is theory testing. As explained previously, the theoretical models described by Schimmelfennig and Sedelmeier are subject to testing. By testing these models, my aim is to gather information about the incentives that play a major role in establishing reforms in candidate countries. Albania will be the case study of this research and more specifically the battle of the Albanian government against corruption.

I want to find out whether the compliance of the EU rules on fighting corruption by the Albanian government, can be explained by one of these models. By testing the models, we will hopefully gain a better understanding of the most important incentives to fight corruption that are driving the Albanian government. This learning perspective is important for the European Union, in order to get acquainted with the effective modes for transferring its rules into the systems of the candidate countries.

In this chapter I will elaborate on the choice to take Albania as the research case as well as the methods of how my research will be conducted. Moreover, I will also explain what data will be used to be analysed and defend the choices I have made regarding the research design of this thesis. Moreover, the operationalization of the variables will also take place at the end of this chapter.

3.2 Case Selection

Albania is one of the most corrupt countries in Europe (Albanian Government, 2015). Corruption is manifesting in many layers of the society. Moreover, Albania has taken the first place within Europe regarding the number of companies being corrupt in terms of securing themselves a public contract (Business Anti-Corruption Portal, 2014). Additionally, the ordinary citizens are also affected by corruption. According to Transparency International's 2013 Global Corruption Barometer, many Albanian services are dealing with high rates of public perceptions of corruption. The services that are being perceived to be most connected to bribes were: judiciary (81%), health (80%), education (70%), police (58%) and civil services (52%). Citizens' trust in the improvement of the system remains very low (Transparency International, 2013). Furthermore, even regionally, with a score of 31 out of 100, Albania remained the worst in combating corruption in 2014 (Transparency International, 2014).

On the basis of the above, it is clear that corruption is dominating many layers of the Albanian society. Therefore, Albania can be seen as a crucial case from a methodological point of view. This means that if corruption measures in Albania work, being the least favourable case of corruption, these measures might be effective also in other Western Balkan countries for this specific problem. This has to do with the similarities that are existing between Albania and the other countries of the Western Balkan region as explained in the introduction. Crucial cases are especially well-suited to test theories (Eckstein, 1975: 132) and as Gerring (2007: 115) argues, they provide "the strongest sort of evidence possible in a non-experimental, single-case study". Non-experimental designs are research strategies that collect information and data in order to test hypotheses and make causal inferences. This is the case in small N-designs, where the researchers focus on one or a number of cases and study them in detail (Johnson and Reynolds, 2007: 148).

This applies to this study as well. I am taking Albania as a single case study. A single case study with an in-depth analysis of the issue of combating corruption in Albania will be conducted. The causal inference I am aiming to detect is explained by the models in which political will to comply with EU rules, derives from either a cost-benefit analysis or a perceived appropriateness of the EU rules.

3.3 Method of analysis

The most direct way to assess the political will is to study statements and arguments made by the Albanian government, asking them about their motives. However, in these cases there might be doubts about the sincerity of the answers. This might be solved by conducting anonymous surveys. This has not been covered in this research due to the limited amount of respondents and the limited timespan of the research. Besides the abovementioned constraints, the probability of getting appointments with the key decision makers acts as a major practical constraint. Therefore, we also need to find out the motives of political will in a more indirect way.

As a result, political will could indirectly be detected by examining the statements, policies and actions of political leaders. An extensive analysis of the available documents will be covered by this study. This might entail a study on the statements made by the national leaders in national newspapers. However, we need to take into account that these statements might show verbal support for the reforms, but fail afterwards to convert this into action. Therefore, it is also necessary to examine if the leaders have established policies and allocated budget and expertise to actually make their statements work in reality.

I will focus at the process of Europeanization of Albania, with a specific focus in the area of anti-corruption measures. By using a process tracing method, I will explore the causal relation between

Europeanization (the set of EU rules on corruption) and the political will of the Albanian government to comply with those rules. 'Process tracing' is an important way of conducting a qualitative research and has been defined as the "systematic examination of diagnostic evidence selected and analysed in light of research questions and hypotheses posed by the investigator" (Collier 2011: 823).

From this perspective a within-case analysis is well-suited. Within-case analyses focus on the causal relationships between a specific case and the various aspects involved with it (Mahoney, 2000). George and Bennet (2005) agree on the above stated assumptions and argue that in order to examine the causal relation of the variables in a small or single case, process tracing is the best way to carry out a study.

Thus, to get an in-depth look into the motivations of the key actors in the field, elite interviews as well as a document analysis will be conducted. Interviewing has the advantage of asking open-ended questions, in which the respondents can talk freely without being limited by fixed answers. This way valuable information can be collected about the thoughts and attitudes of key actors. The most important reason to conduct interviews when using the process tracing method of research, has to do with the advantage that the key actors, the series of decisions, and choices of a certain reform/change of policy can be reconstructed (Tansey, 2007). Information that cannot be retrieved from official and formal documents, becomes available to the researcher.

For the purpose of this research, semi-structured questions will be set up. Because of the timespan and the limited possibility to meet with the interviewees, it is important to prepare the questions ahead of time. This way I will increase the possibility to get the most valuable information from the respondents, while maintaining the flexibility to direct the conversation during the interview.

While interviews seem to be the best approach to gather information in the process tracing method, some pitfalls need to be addressed. For example, interviewees can misrepresent their own positions due to their political background or to minimize/maximize their own role in an event. Furthermore, as time passes by, valuable information can be lost, changed or forgotten by the interviewees. These factors might damage the reliability of the research.

To tackle this problem, the necessity of collecting data from document analyses is important. This is covered by this study. By combining the data collection with document analyses, the research will enjoy the benefits of triangulation. According to Mathison (1988: 13) triangulation is an appropriate strategy for improving the validity and reliability of a study. In other words, the robustness and credibility of the findings will increase, due to the use of multiple sources (Davies, 2001).

3.4 Data collection

A study of the *Inter-Sectorial Strategy Against Corruption 2015-2020* (the anti-corruption strategy) as well as the *National Action Plan of the Inter-Sectoral Strategy against Corruption 2015-2017* (the anti-corruption action plan) from the Albanian government, will be used to assess information on the reforms the Albanian government is planning to undertake. Besides these documents, the EU recommendations derived from the Annual progress reports from the European Commission as well as the recommendation derived from the "High Dialogues on the Key Priorities" between the EU and the Albanian government will be a valuable source for information.

I have decided to analyse the recent anti-corruption strategy and anti-corruption plan in this thesis. While these documents have recently been adopted by the Albanian government, it is clear that it will be easier to find and retrieve information about these reforms than about older reforms. This choice is necessary due to the difficulty of finding governmental documents from a previous government after a change of government in Albania. Therefore, there would be little availability of governmental documents on fighting corruption before 2013, especially when taking into account the timespan of this research. An important advantage that stems from this choice is that by looking at these recent reforms, it will be possible to gather information from the decision makers who initiated these reforms through elite interviews and other available documents on their motivation.

In order to conduct the interviews, I will take into account the purpose of process tracing. According to Tansey (2007: 765), process tracing tries to collect data about "specific and well-defined issues". Therefore, the most desired sampling procedure needs to take into account the key political actors involved in these issues. In line with the idea of process tracing, the aim is not to find a sample that represents a full population's perception, but to focus on the central actors of the issue, in this case the part of the Albanian government that has been dealing with the corruption reforms. As random sampling might be excluding important actors, in a process tracing research, non-probability sampling will be the most appropriate method to determine the interviewees in order to reduce randomness as much as possible (Tansey, 2007: 769).

The usefulness of conducting elite interviews to find out a causal process has also been supported by Tansley. In table 4 the different uses of elite interviews are put forward.

1. Corroborate what has been established from other sources
2. Establish what a set of people think
3. Make inferences about a larger population's characteristics/ decisions
4. Reconstruct an event or set of events

Table 4: Uses of elite Interview (Tansley, 2007: 767)

Interviews with key players are valuable in order to corroborate the information from other findings. This way elite interviews will contribute to the robustness of the arguments. Furthermore, by conducting interviews the researcher is able to ask questions about the respondents' ideas and beliefs. This information might be hard to find from other sources. The goal of this research is to discover the influence of different incentives on the political will of the Albanian government to comply with EU anti-corruption rules. However, it is not possible to interview every single individual that belongs to this group.

By conducting elite interviews, the research would be able to make generalizations about the group and reconstruct a process in which elements that are not written down in primary documents can be detected (Tansley 2007, 765-767). While the number of interviewees is limited, the strength of the interviews in this thesis is due to the chosen interviewees. All of the interviewees are closely related to the task of fighting corruption in Albania.

I have chosen to interview people from the legal institutions like the General Prosecution Office as well as the Serious Crimes Prosecution Office. Moreover, my respondents are also employed at the Ministry of Local Affairs within the Office of the National Coordinator against corruption and the Department for Internal Administrative Control and Anti-Corruption.

3.5 The dependent and independent variables

The following categorization of concepts will be used to structure my research:

Variables	Concepts	Indicators
<u>Dependent variable</u> Political will	Political will to comply with EU rules on fighting corruption	Ownership of the reform; Degree of analytical rigor of the policy; Mobilization of stakeholders;
<u>Independent variable</u> Cost-benefit analysis	Cost-benefit analysis derived from complying with EU rules	Funds, assistance, promises, withholding of promises, punishments
<u>Independent variable</u> Appropriateness	Appropriateness of the EU rules	Normative reasons, perceived goodness of the EU rules, words as correct, adequate, justified, appropriate, legitimate, pressure from environment

Table 5: The dependent and independent variables, concept and indicators

The assumption of this study is that political will is influenced by the cost benefit analysis and/or by the appropriateness of the EU rules. This means that we need to assess whether there is political will. Although several documents, including the ones from the European Union, have put forward the existence of political will in the recent years, we will assess this by using the indicators from current literature as well. After detecting the existence of the political will from the Albanian government to comply with EU rules against corruption, the need is to find out whether it was achieved from a set of motives derived from the external incentive model or the social learning model. In order to do so, an understanding on how to measure the variables is needed to establish. In this regard, an operationalization of the variables will be taking place.

3.5.1 Operationalizing the dependent variables

In order to prove whether there was political will in the reforms undertaken by the Albanian government, it is necessary to come up with an idea how political will can be detected. Brinkerhoff (2000: 239) established a framework of five characteristics indicating political will when dealing with anti-corruption measures. The characteristics of political will according to Brinkerhoff are: 1) ownership of the reform, 2) degree of analytical rigor, 3) mobilization of support, 4) application of credible sanctions and 5) continuity of effort. To measure the presence of political will in my case, I will use the first three indicators. I decided not to use the other two due to their momentum in the policy cycle. As the first three indicators should exist in the beginning stages of a reform, they are applicable in my case. The remaining two indicators of Brinkerhoff, the application of credible sanctions and the continuity of effort take place at a later stage of the policy cycle and do not apply to my case.

To measure the existence of political will, I will take a look into the **ownership of the reform**. In this case, it is important to find out where the initiative for the chosen reform initially comes from. Are the reforms taking place through actions from an external group instead of the Albanian government? If this can be detected from the data, it tells us a lot about the ownership of the reform. Signs showing a lack of ownership from the Albanian government will indicate a dissatisfaction regarding the reforms, blaming for example the EU for their existence instead of emphasizing the need for these reforms by Albania itself.

Secondly, the degree of **analytical rigor** will indicate the existence of political will as well. This derives form the idea that decision makers need to analyse the issue in depth, including the costs of maintaining the 'status quo' and imposing the reforms. In order to assess the analytical rigor, I need to find out through interviews and document analysis if the Albanian government has assessed a study why a reform would be beneficial to the country. Analytical rigor of reforms results in governmental actors who will be more deliberate for a policy change due to the expert information they have received.

Mobilization of support, acts as the third indicator in which the willingness and ability of the decision makers to find support for their ideas is central. Public reports on the progress, successes, failures and other efforts to establish support for the reforms determine the level of this indicator and thus the level of political will as well. Therefore, I will have to figure out if a mobilization of support for combating corruption in Albania has taken place.

3.5.2 Operationalizing the independent variables

This part of the study elaborates on how I measure my independent variables. The independent variables are the *cost-benefit analysis* and the *perceived appropriateness*. I will look for evidence supporting the explanation of the reforms from the external incentive model and social learning model by Schimmelfennig and Sedelmeier for my case. I want to find out the reasons why the Albanian government makes decisions to take on anti-corruption reforms. This will be done through studying official documents, policies, analyses and other studies, statements made by the Albanian government, elite interviews with relevant decision-makers and other local experts, as well as representatives of international organisations.

Evidence supporting the external incentive model is based on the perceived costs and benefits derived from complying with the EU rules. Therefore, evidence supporting this model is connected to perceived benefits such as **funds and assistance** allocated from the EU, as well as signs that show us that Albania has been **promised** a new EU agreement or getting closer to a **possible membership** due to having

complied with the EU rules. Costs are related to **withholding promises** or other **punishments** in terms of **lowering** the benefits, funds and assistance from the EU to Albania. During the study, other indicators, which I have not previously mentioned, could arise. Figure 3 below shows the indicators for this independent variable. The box with the question marks leaves room for possible other indicators which might follow from the study at the end.
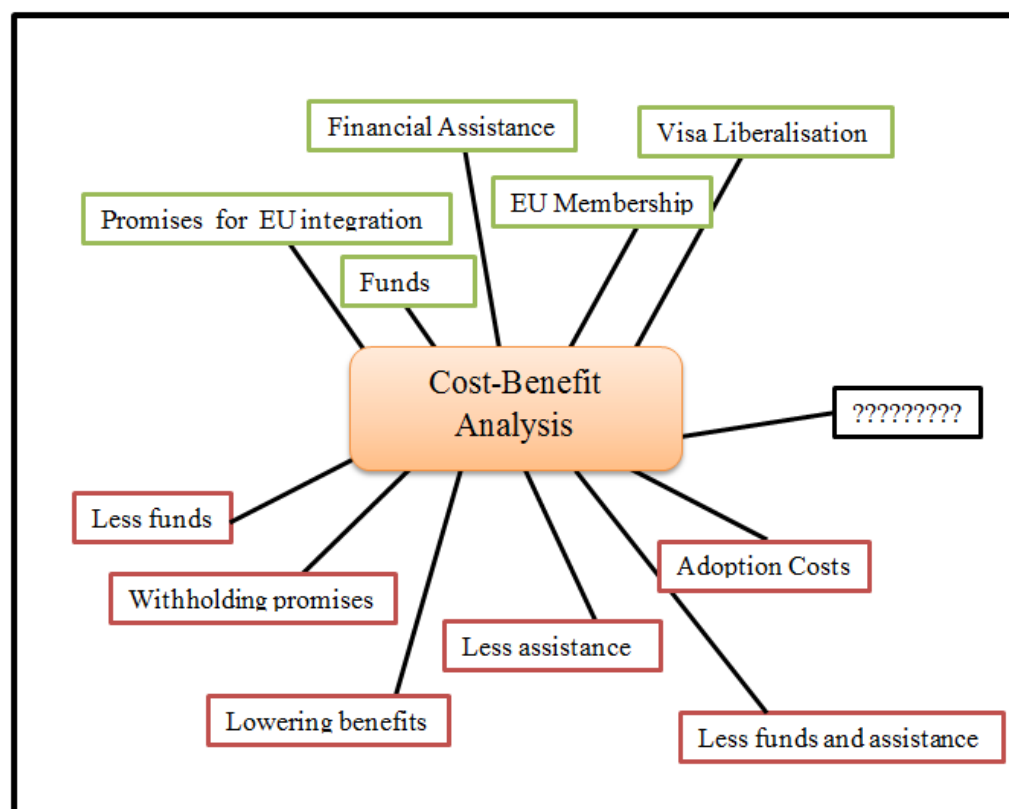

Figure 3: Indicators of the independent variable Cost-Benefit Analyses.

In sum, signs of benefits are referring to funds allocated (rewards), assistance provided or reasons to implement or initiate an anti-corruption reform in order to get closer to the EU membership (showing the conditionality method being in practise). In addition, cases in which (adoption) costs and other negative outcomes are mentioned, will be taken into account as costs of complying with the EU rules. In the end, I will be giving an explanation on decision making process how the political will of the Albanian government in their fight against corruption is influenced. If the benefits do exceed the costs, this might indicate that the decisions were taken following a cost-benefit analysis, underlining the external incentive model as an effective tool for compliance.

Finding proof and establishing indicators that show us the level of the perceived appropriateness of the taken reforms, is expected to be more difficult to assess. Collected information will be contributing to the social learning model if we find evidence that emphasizes on the **normative reasons** for implementing the anti-corruption reforms in Albania. This means that information indicating the importance of the reforms due to the **goodness of the rules,** will be pointing towards the model of appropriateness being in

practise. Therefore, words as 'correct', 'justified', 'appropriate', 'legitimate' etc., will be indicators showing the perceived appropriateness, as well as statements which support this idea, such as the reforms are 'in line with EU values', 'Necessary to enhance our democracy' and 'suitable to come closer to the values and norms of the EU'. Moreover, also membership to the same international organizations as the EU indicates the sharing of a collective identity. Due to the fact that the appropriateness of the rules can be expressed through various ways, a box with question marks is included. This way, after conducting the interviews and researching the relevant documents, additional indicators might be taken into account.

Figure 4: Indicators of the independent variable Appropriateness.
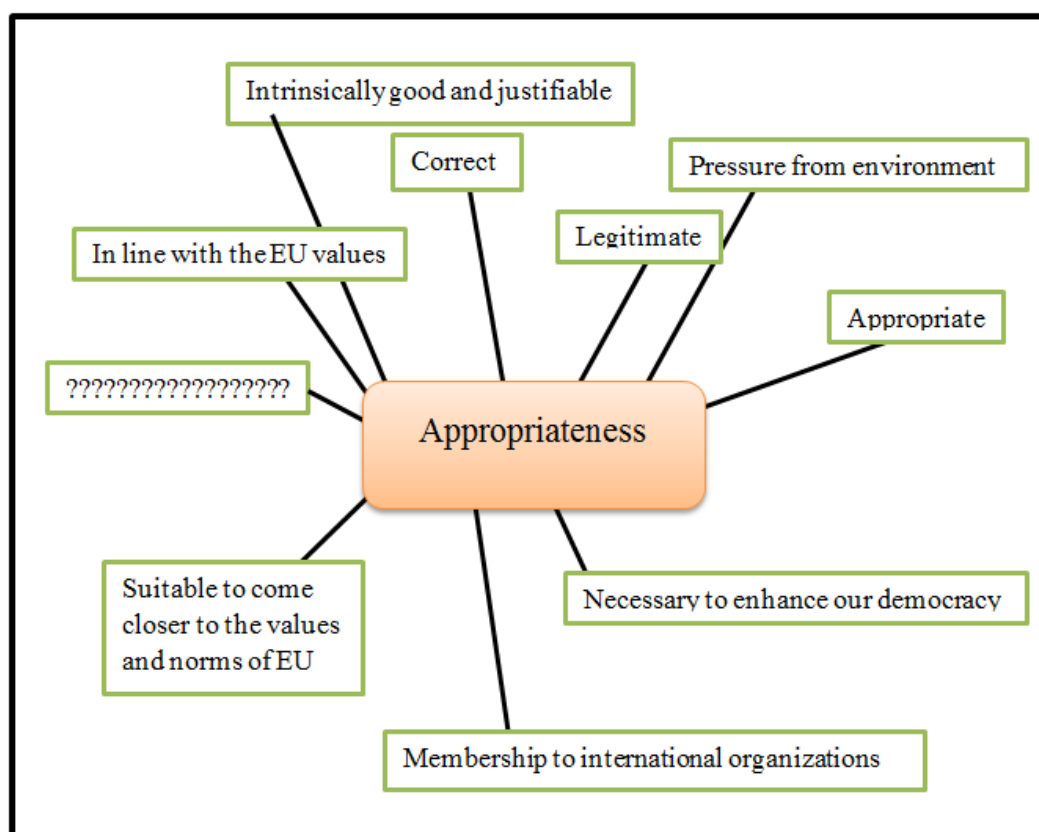
In the end, a conclusion will be drawn to summarize whether the researched elements are a product of either the external incentive model and/or the social learning model. From this conclusion, we will therefore be able to draw recommendations for future requirements of the EU for Albania, regarding anti-corruption measures and possibly for the other CEECS as well.

Chapter 4: Case and Findings

4.1 Introduction

Several steps are required to answer the main research question: What is the influence of the external incentive model and social learning model on the political will of the Albanian government to comply with EU rules regarding the fight against corruption? First, it is necessary to discover the EU rules regarding the fight against corruption in the case of Albania. Second, an understanding of the degree of compliance with those EU rules is necessary in order to determine whether those EU rules are motivated by political will from the Albanian government. Last, if there is political will, how did this happen, and what has mostly influenced the political will to comply with EU rules? In conclusion, did the Albanian government comply with the EU rules because of reasons explained by the external incentive model or the social learning model? These are the elements discussed in this chapter.

Background information on the development of the anti-corruption policies of the EU and Albania is provided in order to explain the choice of which documents are considered important for the analysis. The EU progress reports, as well as other available documents, were used to gain an understanding of what the EU requires from Albania. Furthermore, by comparing the progress reports from the last few years (2013-2015), it was possible to determine whether compliance occurred. Last, elite interviews were conducted, as well as an in-depth analysis of several documents, with the objective of finding elements that explain the political will to comply. The two hypotheses posed earlier were tested to answer the main research question.

4.2 The development of EU anti-corruption policies in candidate states

There was a time when the EU was not actively involved in the fight against corruption. There was no legal ground and, therefore, no requirements to pressure member states to enforce rules and legislation regarding corruption measures. In other words, the EU had no clear legal competence to act in this policy area within the member states (Craig and de Búrca, 2003: 132: Szarek-Mason, 2010: 266). Although the EU became more active in the area of anti-corruption during the last decade, anti-corruption policy remained mostly within the sovereignty of the member states since there was no political will in the member states to give up this competence. The reluctance of member states to give up this competence means that the EU initiatives regarding corruption could have only minimal influence on its members states (Szarek-Mason, 2010: 87).

For the candidate countries, however, the EU's influence on anti-corruption policies has been increasing during the pre-accession process of the CEECs. Because of the extent of corruption in those countries, the fight against corruption turned out to become one of the main criterion for EU membership. It forced the EU to develop an anti-corruption policy for acceding countries. With the introduction of "The Ten Principles for Improving the Fight against Corruption in Acceding, Candidate, and other Third Countries", which the Commission presented to the candidate countries in 2003 (see Appendix 1), the EU introduced the main anti-corruption rules for the first time. In this document, the EU set forth the rules that the candidates needed to comply with in order to proceed with their accession. The European Commission emphasized in this document the importance of preventive measures in the national anti-corruption policies. It also mentioned transparency of policies, merit-based placements in public administration, clear and honest declaration of assets for public and private figures and political parties and the need for legislation protecting whistle-blowers.

The ten principles of anti-corruption rules were followed up by several other EU documents focused on the corruption problem. However, it is believed that the EU rules on fighting corruption were not presented clearly and coherently and that the EU member states still lack the political will to address corruption (Szarek-Mason, 2010: 133; European Commission, 2014e: 2, 39). By learning lessons from previous enlargements, the EU is becoming more experienced in setting anti-corruption standards for candidate countries (Szarek-Mason, 2010: 130).

This has resulted in extensive anti-corruption policy in which the national policies of the candidate states are examined more carefully. The candidate countries of today are being given an extensive array of EU anti-corruption standards with which to comply. Moreover, the extent of corruption and the existing legislation in candidate states differs from state to state. The EU has set custom-made criteria that require reforms in different parts of the public administration for each country. The EU framework for fighting corruption is different for every country. For Albania, the EU framework for fighting corruption is communicated through recommendations derived from the EC progress reports and High Level Dialogues between Albanian and EU representatives.

4.3 Albania's fight against corruption

Having described in general terms the development of the EU's anti-corruption framework for candidate countries, it is appropriate to conduct an assessment of the Albanian government's progress in tackling corruption as well. During the past decade, the fight against corruption in Albania has become one of the main policy areas of their country's decision makers. Several Albanian governments have focused on this issue and committed themselves to raise awareness about the problem (United Nations Office on Drugs and Crime, 2011).

Albanian governments have taken important actions to curb corruption. Likewise, the ratification of several international conventions manifested the improvement of the legal framework in Albania. In 2001, Albania ratified the Council of Europe's (CoE) Civil Law Convention on Corruption and Criminal Law Convention on Corruption, and since 2006, Albania has also taken part in the United Nations Convention against Corruption. These conventions form the basic framework for the Albanian National Anti-Corruption Strategy (Republic of Albania Council of Ministers, 2013: 18).

During the last decade, the Albanian government screened existing legislation. Necessary amendments to the national legal framework for combating corruption have been approved and new laws were drafted. These anti-corruption efforts resulted, for example, in the inclusion of corruption within the scope of the national law on the 'Prevention and Fight against Organized Crime' also referred to as the 'Anti-Mafia' law (Independent Balkan News Agency, 2014). This change, together with the constitutional amendments limiting the immunity of the judges, has improved the ability of the Serious Crimes Prosecution Office to investigate cases of corruption within the judiciary (Interview transcript 1: 2).

Furthermore, Albania also revised the 'Law on Conflicts of Interest and Asset Declaration' (Mujaj, 2013: 38) and drafted the 'Law on Whistleblowers' and the 'Civil Service Law' (SELDI and ACER Report, 2013: 23-24). These are a few examples of legislative actions taken by the Albanian government that demonstrate their aim to curb corruption in Albania.

In June 2013, national general elections took place in Albania, which resulted in the change of the political party coming to power. Like the previous government, the new government continued fighting corruption. The new government demonstrated its interest in enforcing the laws by supporting the existing anti-corruption institutions or even setting up new ones that were seen as necessary to carry out the reforms. The main institutions are the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest (HIDAACI), the Anti-Corruption Task Force, the Department for Internal Administrative Control and Anti-Corruption (DIACA) and the Anti-Corruption Unit at the Serious Crimes Prosecution Office.

Institution	Launched on	Main task/duty
HIDAACI	2003	Declaration of Interests "Under the responsibility of the Inspector General, administers the declaration of assets, financial obligations, the audit of this declaration, according to the specifications made in the laws of declaration and conflict of interests. HIDAACI collaborates with audit structures and other institutions responsible for the fight against corruption and the economic crime. Preventing Conflict of Interests "leads and improves the policies regarding prevention of conflict of interests; offers technical assistance to advice and support law initiatives undertaken by public institutions for preventing conflict of interest; monitors, audits and evaluates the exercise of this laws" (HIDAACI, 2011)
The Anti-Corruption Task Force	2005	"a political body at ministerial level and it is mainly responsible for defining strategic objectives, priorities and measures in the fight against corruption and also for ensuring consistency between anti-corruption entities and policies within the different ministries" (Regional Anti-Corruption Initiative, 2015)
DIACA	2006	"to perform verification (administrative investigation), check lawfulness and process reports on abusive, corruptive or arbitrary practices; to identify public administration employees who through acts or failure to act have violated legal acts and provisions in force; to develop recommendations for specific cases, including the type of measures against offenders and to raise awareness among public institutions in the fight against corruption" (Republic of Albania Council of Ministers, n.d.)
Anti-Corruption Unit at the Serious Crimes Prosecution Office	2014	"Focus on cases of organized crime and corruption. The jurisdiction of this unit covers the corruption of the judges, prosecutors and other officials of the justice system, the High State officials and representatives of the local authorities" (Interview transcript 1: 2)

Table 6: Main anti-corruption institutions in Albania

Since Albania lacked a single agency responsible for the fight against corruption, a National Coordinator for Anti-Corruption was appointed at the end of 2013. All the organizations mentioned in Table 6 are important for the fight against corruption in Albania. These institutions did not cooperate effectively together and no other institution had been set up to coordinate the fight against corruption on a national level. With the appointment of a national Anti-Corruption Coordinator, this problem has been solved. In general, the tasks of his office are to coordinate all the anti-corruption activities in Albania at the central and local levels. Also, the establishment of a network of focal points in all line ministries and independent institutions was set up to monitor and guide the relevant officials implementing the National Anti-Corruption Strategy and Action Plan (Regional Anti-Corruption Initiative, 2015).

The office of the National Coordinator for Anti-Corruption is also tasked with drafting the National Anti-Corruption Strategy and Action Plan. According to the researchers at SELDI (2014: 39), "the purpose of anti-corruption strategies was to demonstrate intentions for reform, commonly referred to as 'political will' and to guide efforts over the long term and across election cycles". The National Anti-Corruption Strategy is, therefore, seen as the core document in which the political will of the Albanian government regarding the fight against corruption, is reflected.

The new Anti-Corruption Strategy for the years 2015-2020 has been drafted in cooperation with the OSCE. The OSCE presence in Albania provided technical assistance in preparing a working document for the coming years. Compared to the previous strategy, this one is much shorter and more straightforward. The strategy focuses on three approaches: Prevention, sanctions, and raising awareness about corruption. Public complaints, as well as statistics, analyses, and track records on corruption, are seen as crucial factors in the fight against corruption. Moreover, Albania has, for the first time, introduced an overall assessment of how corruption-proof legislation is, and values such as transparency and public accountability are given a higher level of appreciation (Republic of Albania Council of Ministers, 2015).

4.4 Analysing Albanian compliance with EU anti-corruption rules

As background information the emergence of EU rules on anti-corruption for candidate countries as well as the general anti-corruption framework in Albania has been described above.

To start the analysis of how the political will of the Albanian government to comply with EU rules on fighting corruption is influenced, the first step is to show whether compliance has indeed been detected. Several members of the Albanian government, international organizations, and EU representatives have stated that Albania is making progress in the fight against corruption. For example, EU Enlargement commissioner Hahn welcomed the improvements made by the Albanian government during the fifth High Level Dialogue in Albania (European Commission, 2015b). Also earlier, during the third High Level Dialogue Fühle, EU Commissioner for Enlargement and European Neighborhood Policy, said the following:

> "based on our findings we confirm, beyond any doubt, with no conditionality or reservations, the recommendation that the member states should grant Albania candidate status. We have based this recommendation on the continued political will to act decisively in the fight against corruption and organized crime and on the commitment to a comprehensive judicial reform" (European Commission, 2014f).

After detecting the existence of the political will of the Albanian government, the external incentive model, as well as the social learning model, will be used to analyse the case.

4.4.1 Political will

From the aforementioned, one can infer that political will (my dependent variable) is present in the case of fighting corruption in Albania. This idea is also supported by an in-depth analysis of the EU annual progress reports for Albania, given in Appendix 3, which clearly indicates whether compliance with the recommendations has been achieved (green), not achieved (red), or partly achieved (orange). As shown in my analysis in Appendix 3, Albania's compliance to the EU rules regarding corruption is still an ongoing process. While in some areas Albania has clearly made progress, such as in raising awareness and the development of HIDAACI, there are still many remaining challenges. The latter are mostly connected to the implementation of proposed reforms. The remaining challenges are also supported by the documents in which improvements on the EU path are acknowledged but that more must be done (European Commission, 2015a). This assertion was also echoed in one interview where a respondent said the following:

> "Therefore, even though many improvements have already been established, the situation asks for more necessary actions from the government to take and decrease the level of corruption. This means, Albania needs more legal, structural, preventive and punitive measures to combat corruption" (Interview transcript 2: 8).

While more efforts are needed to fight corruption in Albania, this statement makes it clear that there is some political will. The indicators of political will, according to the literature, are: 1) ownership of the reforms, 2) mobilization of support, and 3) analytical rigor. These indicators show that political will is evident in the fight against corruption in Albania. With regard to the first indicator, one might assume that the EU pressure is the reason why these reforms have taken place. To have ownership of the reforms requires that the reforms not be forced on the Albanian system. The main document showing political will in Albania, the anti-corruption strategy, has been drafted mainly by the Albanian partners. Although the drafting process has been conducted in cooperation with the OSCE Presence in Albania, their assistance has been technical (OSCE, 2014). Furthermore, the anti-corruption strategy has also been drafted and developed through broad consultation with the civil society including the main players in the fight against corruption in Albania. These efforts have supported the second indicator of 'mobilization of support'. Last, in terms of analytical rigor, the anti-corruption strategy has had the benefit of the OSCE's expertise through its work with its Albanian counterparts, resulting in an in-depth analysis of the problems and a search for the best solution in the case of Albania. This is also supported by an expert working at the Albanian government in the field of anti-corruption who stated: "together with the expertise from the OSCE and the support of the civil society, we have recently drafted a very comprehensive strategy in

which the measures to fight corruption in Albania have been made concrete" (Interview transcript 4: 23). Therefore, no signs of copy-paste reforms are present, which suggests that the plans in the anti-corruption strategy are specifically targeted to solve the anti-corruption problems in Albania.

One of the respondents explicitly referred to the political will during the interviews by stating, "In Albania the approved anti-corruption strategy laws are of a very good quality. The real problem is the lack of political will to implement the rules" (Interview transcript 2: 11). This statement shows that political will is not always present in Albania and that the Albanians regard it as a problem hindering the anti-corruption measures. Therefore, I need to focus on the events that show there has indeed been political will, and even more importantly, how this political will has been achieved.

4.4.2 External incentive model

In the next part of the analysis the first hypothesis will be tested: *H1 The more the benefits of compliance outweigh the costs, the more political will and therefore compliance of the Albanian government with EU anti-corruption measures.*

The cost-benefit analysis is central to this hypothesis. There is material showing that the political will to comply with the EU rules regarding the fight against corruption in Albania is influenced by costs and benefits. The positive cost-benefit analysis has, therefore, led to the acceleration of the many important reforms that took place in Albania to fight corruption. According to the literature, the external incentive model focuses on a rationalist behaviour of actors and is assumed to be a bargaining model (Schimmelfennig and Sedelmeier, 2005: 9). The top down relationship between the EU and Albania describes the events in which the EU sets the conditions for Albania to fulfil in order to receive benefits (Schimmelfennig and Sedelmeier, 2005: 210-218).

This brings me to the point that it is clear that the EU has been playing a major role in the fight against corruption in Albania. EU pressure, ranging from positive to negative incentives, has resulted in a political will in Albania to change the situation. Positive incentives include assistance and institutional ties with an eventual EU membership as the ultimate goal and negative incentives include criticism of the corruption and attention for improving the situation. The importance of combating corruption in order to reach an eventual EU membership is explicitly mentioned several times in Albania's anti-corruption strategy. For example, "The fight against corruption is one of the five policies that our country is advised to pursue as a priority in the country's European integration process" is written in the strategy (Republic of Albania Council of Ministers, 2015: 4). Moreover, the national anti-corruption strategy mentions the EU 33 times in which the Albanian government

stressed the importance of the EU for Albania's prosperity which shows that Albania is being influenced by the EU's demands for reform in order to become a member. A top down relationship in which the EU has set the conditions to be met by the Albanian government is visible. For this thesis, the interesting part is what kind of influence the EU is having on Albania. Can this influence be explained by the models of Schimmelfennig and Sedelmeier?

Not only from the document analysis is the influence of the EU made clear. When looking at the answers from the interviews, a general conclusion could be drawn from the overall opinion that being granted EU candidate status has been encouraging to the Albanians and their government:

> "We have never had these statistics before, and we expect to have more by the end of the year. I am not sure whether this is a result of having the candidate status. But we will certainly be more willing to fight against the problems in our system for the sake of coming closer to EU membership" (Interview transcript 1: 4)

and

> "Obtaining the status of EU candidate country has been very crucial and decisive for Albania's institutions…Right after achieving the candidate status, the government adopted a strategy against corruption. Furthermore, a parliamentary commission has been established that is working on judicial reform. These are very important elements in the fight against corruption" (Interview transcript 2: 10).

The literature states several factors that are important for the external incentive model to operate effectively; The size and speed of rewards, the determinacy of conditions, the credibility of punishments and benefits, and the level of adoption costs. This means that the incentives set by the EU to comply with the rules and later to transfer the EU rules into domestic policy requires that the rules and the rewards need to be clear and determinate; the threat of not complying should be credible and adoption costs should be low (Schimmelfennig and Sedelmeier, 2004).

In terms of rewards or benefits, the major reward is becoming an EU member state (Schimmelfennig, 2010: 22). Being granted candidate status has been viewed by a majority of the Albanians as a sign that Albania is making progress with regard to the necessary EU rules. Therefore, a future within the EU seems to have become an even more realistic dream, which

encouraged the Albanian government's reform making process. EU membership is important to Albanians: 87% of the population is in favour of EU membership and accepts the reforms that are needed in order to become an EU member (EU Observer, 2013). This sentiment has also been echoed in many different statements by Albanian leaders, like Prime Minister Edi Rama, who stated, "Achieving the status of candidate country has been a priority for our government and the people of Albania for a long time and I hope we can rejoice in this moment" and "this is not the end of the road for the EU accession process but it is a very important step in the right direction" (Balkan Insight, 2014). Moreover, Albania's European Integration Minister Gjosha described the integration with the EU as follows: "The EU is a driving force for transforming our society. Albania is trying so hard. A few years ago, Europe was a dream. Now there's no going back." (EU Observer, 2013).

In addition to the prospect of EU membership, other benefits that result from complying with the EU rules have also played a major role in the decisions of the Albanian government. This is supported by interviewees' statements, such as "Besides the ideal of becoming an EU country, the technical and financial assistance given by the EU has encouraged our government to listen to the EU" (Interview transcript 3: 15) and

> "their financial support for projects fighting corruption has been enormous. They have also provided logistics and training to our staff to improve their ability to fight corruption. In these ways the EU has been trying to help the Albanian system improve" (Interview transcript 1: 3).

Both statements clearly imply that financial assistance and training are needed to fight corruption in Albania. In terms of the determinacy of the EU rules, one of the interviewee's stated:

> "The European Union standards in the fight against corruption have become part of the Albanian anti-corruption strategy and concrete measures are being taken against corruption. The European Union has been very specific in recommendations towards Albania in the fight against corruption. The EU recommendations given are specific, detailed and clear". (Interview transcript 2: 2)

This statement has also been echoed in the national strategy in which the Albanian government put forward that the recommendations from the EU have been a leading factor for the proposed reforms. (Republic of Albania Council of Ministers, 2015: 4).

The literature also explains that when the benefits exceed the costs, the state will adopt EU rules. There is, however, one point that needs to be taken into consideration. Assistance, be it financial or technical, is seen as a benefit from the EU to Albania. Albania received much assistance since it started the process of EU integration. This assistance, and more that is to come, is a major incentive to continue the reforms. Assistance is however also seen as a necessary condition to continue reforming. This necessity is because of the following: from the document analysis, as well as from the interviews, it is clear that one of the main issues constraining the fight against corruption is the lack of resources, such as expertise, training, materials, and financial grants. Albania is only able to provide 49% of the necessary budget for the national anti-corruption strategy. The difference has to be filled by the EU and other international donors (Republic of Albania Council of Ministers, 2015: 20). In other words, Albania lacks the financial resources to fight corruption. This is also supported by the interviewees, who stated, "We need funds and expertise. It is very difficult to investigate a corruption case. It is a very sophisticated crime… At this moment we rely heavily on the police to investigate, but they are poorly equipped" (Interview transcript 4: 22). Because of the lack of resources in Albania, assistance from international actors, such as the EU, is an important incentive that is essential if the Albanian government wishes to continue the reforms to fight corruption. The costs of adopting reforms are not seen as a constraint to the willingness to reform which was claimed by one of the interviewees: "The problem of corruption is not a problem of adoption costs, but a lack of political will" (Interview transcript 2: 11).

Another interesting point of view emerges when analysing the possible cost-benefit calculations of the Albanian government. This view concerns the long history of Albania aiming to become an EU member. As soon as Albania became a democracy, all its governments have supported joining the EU. They have, therefore, been imposing reforms to that end. As a result, a disruption on their path toward joining the EU will mean that all the effort and resources spent so far would have been wasted. Although one might object that the reforms would have been necessary anyhow, even if Albania will not join the EU, it is clear that at this moment, the EU is the driving force behind the reforms because of the Albanians' ultimate goal to become an EU member state. The costs of reforming are, therefore, seen as legitimate and necessary to reach this goal. This is supported by the interviewees when asking about the adoption costs and whether those costs have influenced the Albanian government's willingness to comply with EU rules to combat corruption. One of the interviewees said, "They have not contributed at all for constraining the anticorruption reform implementation in Albania…it is needed to focus on increasing the political will in order to fight corruption more effectively" (Interview transcript 2: 11). Another interviewee states that the lack of resources is the major constraint the government is dealing with in Albania. "Costs are influencing

the decision-making process because there are too much challenges to deal with for the Albanian government compared to the resources available" (Interview transcript 4: 21).

Taking all of the above into account, the first hypothesis can be regarded as justifiable and applicable to the case of Albania. Indeed, it seems true that the Albanian government is acting from a rationalist cost-benefit analysis. The Albanian government is aware of the serious corruption problems in Albania and supports the reforms for the sake of obtaining more benefits than the initial costs of imposing the reforms. In all documents used and interviews conducted, the importance of EU membership as the major and essential benefit was clearly indicated.

4.4.3 Social Learning model

The next hypothesis to be tested has been formulated as follows: *H2. The more the Albanian government is persuaded of the appropriateness of the EU anti-corruption measures, the more political will and therefore compliance of the Albanian government with EU anti-corruption measures.*

Here, the aim is to discover whether the EU is influencing the Albanian government from a different angle. The cost-benefit analyse is not central in this hypothesis. Instead, the EU's persuasion on the appropriateness of the EU rules on anti-corruption is. From this perspective, it is believed that the Albanian government will act and impose reforms when the reforms are perceived appropriate to them. Several elements in Albania's anti-corruption strategy support the idea that the social learning model is influencing the Albanian government. For example, the Albanian government has been clearly stating that corruption is a serious problem in the country, which constrains its political, economic, and social development (Republic of Albania Council of Ministers, 2015: 4). Following the logic of appropriateness, bargaining about the costs and benefits plays a minor role in the government's decisions. Government actions are driven from an appropriate and legitimate motive.

One way to discover if this is the case in Albania is by looking at the Corruption Perception Index (CPI) collected by the institution Transparency International. Transparency International collects the data gathered for this index. The Index captures the experiences of corruption by people on a day-to-day basis. The CPI is mainly based on observations and views from experts and business people and their experiences with corruption in their state. This results in that the individuals' views are not explicitly reflecting the Albanian public, but still the CPI can be used as an indicator in this study. The choice to use the CPI is defended by the fact that the Albanian government refers to this

index in its own anti-corruption strategy as an indicator for the perception of corruption in the country.

"In 2013, for the third year in a row, based on the corruption perception index, Albania was positioned last among other countries of the region, being thus marked as the most corrupt country in Europe." (Republic of Albania Council of Ministers, 2015: 4)

Moreover, the Albanian government also refers to this score for eventually evaluating its anti-corruption reforms (Republic of Albania Council of Ministers, 2015: 23), which suggests that the CPI scores influence the Albanian government in its anti-corruption fight.

The CPI scores from the last few years can be compared with each other to establish whether the perception of corruption is increasing in Albania. I can then use the social learning model to explain that because of the CPI level, the Albanian government's need for reform can be influenced. This idea is based on the idea that states will be persuaded to act when pressured by their society because of high CPI scores. The CPI score is, therefore, an extra indicator derived from the social learning model, which has been visualized in Figure 4 by question marks. An increase in the CPI would suggest that the Albanian government's actions might be related to the pressure exerted by their society.

Figure 5: Albania, Corruption Perception Index. Source: Transparency International.

As shown, the CPI has not changed much since Albania's integration process into the EU began in 2008. Figure 5 shows the levels of corruption perception in the Albanian public sector on a scale from 0 (highly corrupt) to 100 (very clean). A rating of approximately 30 shows that the public sector is rated as corrupt. Therefore, it seems that the Albanians do regard corruption as a problem in their society, even with the many reforms that have taken place.

In addition to the possible public pressure caused by the negative CPI scores, another important element in the social learning model is identity. Policy change will occur when governments perceive the EU rules as appropriate, legitimate, and in line with their set of norms, values, and identity (March and Olsen, 1998; Goldman, 2005). Albania is a member of many international organizations, such as the United Nations, the Council of Europe, the International Monetary Fund, and the OSCE. These organizations share common values with the EU and its member states as most, if not all, of the EU countries are also members of these organizations. These memberships to international organizations might show that Albania is starting to share the same values as the EU. From the interviews, we also found a general feeling that Albania belongs in the EU for ideological reasons. One interviewee said,

> "So, if I think Albania could be a country fitting in the EU standards, certainly it does. All those values are also important to the Albanians and our government and we do our best to reach the same level as the other EU countries" (Interview transcript 3: 16).

This statement indicates that fighting corruption in Albania could also be influenced by the EU through social learning. The EU might focus on rules against corruption that emphasize its legitimacy and represent values that are close to the Albanian and EU ideology.

Since the relationship between the EU and Albania is different from the relationship between the EU and its member states, the EU is in a situation where it can ask for much more from the Albanian government than vice versa. After all, it seems that an EU membership would be more beneficial to Albania than it would be for the EU. Because of the top down approach from the EU to Albania, the EU believes that it has the legitimate right to demand such comprehensive reforms in the Albanian government. This idea has also been supported by the Albanian government. For example, the anti-corruption strategy states the following: "The established commitments and objectives of this document are in line with the obligations stemming from the Stabilization and Association Agreement and the CE recommendations for Albania's membership to the EU"

(Republic of Albania Council of Ministers, 2015: 4). This statement shows us that the Albanian government acknowledges the EU's recommendations as legitimate and is willing to use them as the underlying material for its action plans.

In the social learning model, appropriateness and legitimacy of the EU rules are regarded as the main drivers for a policy change, which means that appropriateness and legitimacy of EU rules on anti-corruption should be the main drives for the Albanian government to impose anti-corruption measures in the country. Aforementioned are signs that the Albanian government might have been influenced by social learning motives. The main driver to impose anti-corruption measures, however, seems to be the EU membership status. EU integration is mentioned much more often as a motive for reforming than other motives, such as the extent of the corruption, the perceived pressure from the public, or the need to fight corruption for the sake of the country's development. Therefore, with regard to the second hypothesis, the appropriateness of the EU rules plays less of a role in the Albanian government's decision to comply with the EU rules than does the cost-benefit analysis.

Chapter 5: Conclusion and further remarks

In this last chapter the conclusion of this thesis will be presented as well as limitations and recommendations for future research.

EU enlargement policy is considered the most successful European foreign policy implemented so far. Because the EU membership is extremely attractive to the countries outside the EU, the Union is powerful in influencing the changes of policies in those countries aspiring to become members (Schimmelfennig and Scholz, 2009; Vachudova, 2001: 7). In order to gain EU membership there are various conditions, the Copenhagen criteria, which need to be met by an aspiring country. (Schimmelfennig and Sedelmeier 2004; Vachudova 2005).

For Albania, to fulfil the EU accession criteria, reforms are needed in order to become eligible for the membership status. Therefore, the EU has set conditions for the opening of the accession negotiations by indicating five key priorities for Albania to focus on (European Commission, 2014). One of these key priorities, the fight against corruption, has been the case used for this research. The recently granted EU candidate status suggests that the country is making progress reforming in various areas, including its fight against corruption.

In order to fulfil the EU accession criteria, even more serious reforms to curb corruption are needed. This study has focused on how to explain the established improvements and measures taken in Albania regarding the fight against corruption. Are the improvements implemented so far a result of the conditionality measures taken by the EU or are there any other reasons why the Albanian government is willing to comply with the EU rules on anti-corruption measures?

Schimmelfennig and Sedelmeier's theory including two of the top down models they described has been used for this study: The external incentive model in which states comply with EU rules if the benefits of the rewards from the EU exceed the adoption costs of a candidate country as well as the social learning model where a state will adopt EU rules if it is persuaded of the appropriateness of these EU rules. Both models have been helpful in explaining past cases regarding the Eastern enlargement topic (Schimmelfennig and Sedelmeier, 2004, 2005). The research question was indicated as follows: *What is the influence of the external incentive model and social learning model on the political will of the Albanian government to comply with EU rules regarding the fight against corruption?*

By testing these models, a better understanding of the most important incentives driving the Albanian government to comply with EU rules regarding anti-corruption could be obtained. The aim of this thesis was to learn how EU policy regarding candidate countries can be best directed when the EU requests actions in the area of anti-corruption. This goal was accomplished by determining the influence of different incentives on the political will of the Albanian government to comply with EU anti-corruption rules. In this perspective, the political will was the dependent variable. The independent variables were the cost-benefit analysis and appropriateness, which were, respectively, derived from the external incentives model and social learning model. By testing the models, a better understanding of the most important incentives to fight corruption driving the Albanian government was hopefully obtained. This learning perspective is important for the European Union, in order to become acquainted with the most effective models for transferring its rules into the systems of the candidate countries.

Once the different theoretical models and important literature used was elaborated on, the research design chapter provided an explanation of my variables and the indicators used. Moreover, in this chapter I provided an explanation of the data selection and case selection in which I explained the reasons to conduct an extensive document analysis and elite interviews in order to find an answer to my research question.

I decided to analyse the recent anti-corruption strategy and anti-corruption plan of the Albanian government. In order to conduct the interviews, I took into account the purpose of process tracing. According to Tansey (2007: 765), process tracing tries to collect data about "specific and well-defined issues". Therefore, the most desired sampling procedure needs to take into account the key political actors. In line with the idea of process tracing, the aim is not to find a sample that represents a full population's perception, but rather to focus on the central actors of the issue, in this case the part of the Albanian government that has been dealing with the corruption reforms. Interviews with key players are valuable in order to corroborate the information from other findings. While the number of interviewees was limited, the strength of the interviews in this thesis was because of the chosen interviewees. All of the interviewees were closely related to the task of fighting corruption in Albania.

The information acquired from the elite interviews and documents helped me to find the following answer on the main research question:

It seems that the EU is an important player influencing and supporting the comprehensive measures taken in Albania regarding the fight against corruption. In other words, the EU is indeed influencing the political will in Albania to comply with EU rules regarding the fight against corruption.

The influence of the external incentive model and social learning model on the political will of the Albanian government to comply with EU anti-corruption rules was different when looking both at the external incentive model and the social learning model. In this regard, this influence can be better explained by the external incentive model than the social learning model described by Schimmelfennig and Sedelmeier. It seems to be true that the variable cost-benefit analysis results in the main reasons for the Albanian government to comply with the EU rules regarding anti-corruption. This compliance resulted from the lack of resources available in Albania. One interviewee said, "Costs are influencing the decision-making process because there are too much challenges to deal with for the Albanian government compared to the resources available" (Interview transcript 4: 21). Sufficient assistance, in financial as well as in technical terms, to cope with the corruption in the country is missing in Albania. Assistance, is what the country needs the most from the EU and also how the EU is pressuring the country. Therefore, social learning elements, such as the goodness of the EU rules and their appropriateness, is of a minor factor compared to the more calculative reasons. Moreover, according to the external incentive model, the EU membership is the ultimate benefit that could enormously pressure candidate states to comply. Not surprising, this is also the case in Albania. The anti-corruption strategy, and all other anti-corruption efforts, are established mostly from the perspective of becoming a member state of the EU in the end.

The theory has shown that, in Albania's case, the membership objective is indeed the most influential incentive from the EU. Therefore, the EU is in a position to demand reforms that might not be popular in Albania. These measures need to be taken in order to become an EU member, and the targeted government is able to explain the necessity of the reforms to the public, which is clear from the positive public perception toward EU membership in Albania. Adoption costs do not pose a major constraint to anti-corruption measures. The problem is the lack of resources, which puts Albania in a position to be dependent on EU benefits. This study has, therefore, supported the idea stemming from the external incentive model. For the EU, this result means that, when applying pressure to Albania, the most effective way to do so seems to be based on a cost-benefit analysis. Albania is in need of financial and technical assistance and, even more important, is the eagerness of the Albanian government to become an EU member in the future. In order to influence the

political will of the Albanian government to comply with EU rules, the EU can best apply the elements stemming from the external incentive model by imposing rewards and punishments.

Limitations and recommendations

This thesis suffers from some limitations which led to recommendations for future research. These limitations and recommendations are split in two categories. First, I will elaborate on technical limitations and recommendations which can improve future research. Second, I will focus on matters of substance derived from this study which might enhance future research as well.

A technical limitation of the thesis has been the accessability of the elites to be interviewed. While during the preparation time many were willing to support me, in the end most let me down by either indicating they were too busy or not letting me know anything. Therefore, a timely schedule and more back-up plans are recommended when conducting research including elite interviews. In this way, the researcher is able to anticipate to sudden changes, such as, non-availability of the interviewees.

The generalizibility and validity are important for the reliability of a research. Regarding the generalizabilty, using Albania as my only case might suggest a limited scope of the research. Therefore, additional research on the other Balkan countries is recommended in order to strengthen the generalizibilty of my research. However, because of the similarities between Albania and the other countries in the Balkan region, the conclusions of this thesis might be relevant to other Balkan countries as well. Like Albania, the other countries in this region are EU minded and have more or less the same problems in fighting corruption. These countries are also in the process of integrating into the EU, which supports the idea that a study on Albania's compliance to EU rules on anti-corruption might not only be of relevant for Albania but also for the other countries in the Western Balkan region. However, this does not mean that my results apply one-for-one to the other countries in the Balkan. Regarding the validity, a limited amount of interview data might have been a limitation of my study. This has been dealt with by combining the data collection with interviews and document analyses. According to Mathison (1988: 13) triangulation is an appropriate strategy for improving the validity and reliability of a study. This research has enjoyed the benefits of triangulation. In other words, the robustness and credibility of the findings increased, due to the use of multiple sources (Davies, 2001).

When focussing on matters of substance derived from this study several possibilities are worth mentioning. First, the anti-corruption process in Albania is still ongoing which means that the results and reasons why Albania has been complying so far might change in the future during the accession process. Another possibility for follow-up research is to focus on the actual implementation of EU anti-corruption rules instead of only the adoption of the EU rules. Additionally, research on other policy areas, such as the justice or rule of law, might also be interesting to conduct. Moreover, more research might be needed to involve the cultural dimension into the EU compliance theories. It is necessary to more clearly determine to what extent culture also influences the political will. This has unfortunately not been covered by this study.

This study has shown the relationship between the political will of the Albanian government to comply with EU anti-corruption rules and the external incentives imposed by the EU. To a lesser extent, a relationship between the appropriateness of the EU rules and the political will of the Albanian government to comply with EU anti-corruption rules has also been detected. Because the relationship seems to be influenced mostly from the external incentive model, it leads to the recommendation towards the EU to focus more on policy that is derived from the external incentive model. This means that, in the Albanian case, the EU should focus on benefits as a result of Albania's compliance with the EU recommendations and punishments (or disregarding benefits) when compliance is not happening.

For the Albanian government, the recommendation following from this study, is slightly different. While being aware of its position of dependence on the EU, the Albanian government needs to find a way to become more independed in order to achieve a widespread public support for the recommendations. Independence from the EU is important to strengthen the indicators that influence the political will: (1) ownership of the reform, (2) degree of analytical rigor, (3) mobilization of support. Since the outcome of this study has been that the Albanian government is more sensitive to costs and benefits in order to impose anti-corruption reforms, the Albanian government must not forget that, in the end, these reforms also need public support to survive. Focusing on social learning elements, such as the appropriateness of the reforms and their legitimacy, is, therefore, evenly important for the sake of improving its countries' status regarding corruption.

All in All, regarding the EU's wish to enhance and promote peace, prosperity and security within Europe (Blockmans, 2007: 297), the stabilization of Balkan region, and thus Albania, is of great importance. This means that the EU and the Albanian government are aiming for the same goal, be it stemming from external incentives or social learning elements. Both entities aim to enhance and secure the prosperity of their territories and therefore it is important to bear in mind this collective goal.

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Appendix 1

10 PRINCIPLES FOR IMPROVING THE FIGHT AGAINST CORRUPTION IN ACCEDING, CANDIDATE AND OTHER THIRD COUNTRIES[1]

1. To ensure credibility, a clear stance against corruption is essential from leaders and decision-makers. Bearing in mind that no universally applicable recipes exist, national anti-corruption strategies or programmes, covering both preventive and repressive measures, should be drawn up and implemented. These strategies should be subject to broad consultation at all levels.

2. Current and future EU Members shall fully align with the EU acquis and ratify and implement all main international anti-corruption instruments they are party to (UN, Council of Europe and OECD Conventions). Third countries should sign and ratify as well as implement relevant international anti-corruption instruments.

3. Anti-corruption laws are important, but more important is their implementation by competent and visible anti-corruption bodies (i.e. well trained and specialised services such as anti-corruption prosecutors). Targeted investigative techniques, statistics and indicators should be developed. The role of law enforcement bodies should be strengthened concerning not only corruption but also fraud, tax offences and money laundering.

4. Access to public office must be open to every citizen. Recruitment and promotion should be regulated by objective and merit-based criteria. Salaries and social rights must be adequate. Civil servants should be required to disclose their assets. Sensitive posts should be subject to rotation.

5. Integrity, accountability and transparency in public administration (judiciary, police, customs, tax administration, health sector, public procurement) should be raised through employing quality management tools and auditing and monitoring standards, such as the Common Assessment Framework of EU Heads of Public Administrations and the Strasbourg Resolution. Increased transparency is important in view of developing confidence between the citizens and public administration.

6. Codes of conduct in the public sector should be established and monitored.

7. Clear rules should be established in both the public and private sector on whistle blowing (given that corruption is an offence without direct victims who could witness and report it) and reporting.

8. Public intolerance of corruption should be increased, through awareness raising campaigns in the media and training. The central message must be that corruption is not a tolerable phenomenon, but a criminal offence. Civil society has an important role to play in preventing and fighting the problem.

9. Clear and transparent rules on party financing, and external financial control of political parties, should be introduced to avoid covert links between politicians and (illicit) business interests. Political parties evidently have strong influence on decision-makers, but are often immune to anti-bribery laws.

10. Incentives should be developed for the private sector to refrain from corrupt practices such as codes of conduct or "white lists" for integer companies.

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[1] Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee - On a comprehensive EU policy against corruption (COM(2003) 317 final) http://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=URISERV:l33301

Appendix 2

<u>Interview Protocol</u>

First I would like to thank you for your time. Furthermore, I would also like to introduce myself.

I am Vanesa Berisha. I have been an intern at the Dutch Embassy in Tirana for 6 months until July this year. I am a student in European Governance and International Administration at Leiden University in the Netherlands. This interview will be part of my research focusing on the incentives that are driving the Albanian government to comply with EU demands in the fight against corruption in the country.

With this research I want to find out how EU policy regarding candidate countries can be best directed when the EU is requesting actions in the field of anti-corruption. Said differently, I want to find out on what we, as the EU, should concentrate on in order to establish effective anti-corruption measures.

My expectation is that this interview will last about 30 to 40 minutes. If you do not have a problem with it, I would like to record the interview. This way I would be able to rewrite it more precisely. I will send you the text of the interview for approval afterwards. If preferred, I will not use your name when publishing this research in the end. My first question is if you can explain what your job is. What is your position and what are your main tasks?

- My first question is if you can explain what your job is. What is your position and what are your main tasks?

- Could you explain the importance of the anti-corruption measures for Albania according to you?

- How do you feel about the determinacy of the EU rules regarding the fight against corruption? Can you explain how specific the EU has been in explaining the actions that needed to be taken?

- Could you explain the consistency of the EU in their expectations towards the Albanian government, concerning the need of anti-Corruption measures, and if possible with regard to the need for the undertaken reforms?

- Please elaborate on potential reasons why the reforms taken by the Albanian government are connected to any promise of the EU in terms of financial or technical assistance?

- Could you explain how the EU has influenced the decision-making in the Albanian government on combating corruption in terms of giving punishments / rewards for action/ inaction?

- Can you explain if and how the official candidate member status has influenced the Albanian government's willingness to comply with EU rules to combat corruption?

- Could you explain how the adoption costs of imposing the anti-corruption measures have influenced the decision making process?

- What are your perceptions about the quality of the EU rules focusing on the necessary steps to reform regarding corruption affairs in Albania?

- What are your perceptions about the adopted measures taken in Albania, for example..?

- What is your perception on the Anti-corruption framework and strategy of the Albanian government? Is it focusing on the priorities pointed out by the EU in their progress reports?

- What are your perceptions of Albania being a European country fitting in the EU standards of values, norms, and beliefs?

- Can you think of any pressure the Albanian government might be having from their domestic environment to fight corruption in the country?

- Can you think of any pressure the Albanian government might be having from their international environment to fight corruption in the country?

Could you please rate the following answers from 1 to 4 being 1 the most important.

- Is there anything else you might want to add that you regard as interesting for the theme?

- Is there anyone else that you recommend me to contact?

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
General judgement on the fight against corruption	There were improvements in the fight against corruption, a key priority of the Opinion. .	Albania has taken further steps and has demonstrated continued political will to prevent and combat corruption.	Albania has reached some level of preparation in the fight against corruption.
	Corruption remains a particularly serious problem and is prevalent in many areas, including law enforcement institutions		
	Implementation of the anti-corruption strategy progressed.	Corruption remains prevalent in many areas and remains a particularly serious problem.	However, corruption is widespread and more efforts are needed
Track record / (proactive) investigations / prosecution / convictions / investigative capacity	The short-term challenge is to step up proactive investigations based on systematic risk assessment, as a prerequisite to building up a track record of effective prosecution at all levels, particularly in those areas where there is a strong public perception of corruption.	HIDAACI will also need to remove obstacles to conduct proactive, efficient investigations of inexplicable wealth and corruption related offences, including via the effective use of financial investigations, leading to a credible and solid track record of prosecutions and final convictions in corruption cases, notably at high levels.	Cases involving abuse of office or public tenders referred to prosecutors by the HSC have led to very few investigations and no convictions.
			The number of corruption-related cases referred to the prosecution service has increased.
	Initial track records cover a variety of sectors and levels, including high-level corruption, and show an increase in convictions.	Albania will also need to further develop the track record of investigations, prosecutions and convictions in corruption cases, notably at high level	The investigation, prosecution and judgment of corruption-related offences needs to be improved by ensuring sufficient autonomy and stability of police and prosecution staff, and clear jurisdiction over corruption related crimes, especially for the highest state officials
	The number of corruption cases investigated by the Joint Investigative Units increased by 28% in 2012 compared to 2011, whereas the proceedings sent to court increased by 52% in 2012.		Proactive investigations — based on thorough risk analysis need to be increased substantially to develop a solid track record of investigation, prosecution and final conviction in corruption cases.
	A track record of disciplinary measures against judges has started to be built.	Existing obstacles to proactive investigations need to be removed	Albania's track record of investigation, prosecution and conviction in corruption cases remains limited.

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
Greco	All recommendations of the third GRECO evaluation round were completed in a satisfactory manner.	Recommendations of the GRECO June evaluation report on corruption prevention in respect of judges and prosecutors should be implemented.	Recommendations made by the Group of States against Corruption (GRECO) in its fourth round evaluation report on preventing corruption among MPs, judges and prosecutors have yet to be fully implemented
Judiciary / Judges / inspection / Ministry of Justice	A more streamlined cooperation between law enforcement bodies.	Legal amendments to address corruption offences by high-level state officials have been adopted. Albania should now focus on their enforcement	The next steps should include strengthening the investigative capacity of law enforcement agencies and conducting proactive and effective investigations by amending the Criminal Procedure Code in relation to interceptions and surveillance, time limits for investigations, and admissibility of evidence before a court
	The memorandum of understanding (MoU) between the High Inspectorate for Declaration and Audit of Assets (HIDAA) and the High Council of Justice is still pending.	As regards the legal anti-corruption framework, in March, amendments to the Criminal Procedure Code transferred the jurisdiction of cases involving active and passive corruption by judges, prosecutors, justice officials, high-level state officials and locally elected representatives to the Serious Crimes Prosecution Office and the Serious Crimes Court.	Further efforts are needed to strengthen the role of the High State Control (HSC) in the overall anti-corruption framework by setting up an effective mechanism for parliament and the government to follow up its findings.
	Following the constitutional amendments limiting the immunity of judges and high officials measures are needed to clarify investigative procedures.	The MoU between the HIDAACI and the High Council of Justice is still pending.	The memorandum of understanding between the Ministry of Justice and the HCJ on inspections continued to be implemented smoothly.
Access to information / law on the right to information		The new law on access to information has been adopted in September.	Regarding access to information, 214 complaints were registered at the Commissioner for Access to Information and Data Protection Office. A system that captures the overall number of requests made to public institutions remains to be established
		Access to information and the transparency of policymaking and legislation need to be further improved.	Implementing legislation for the law on the right to information was adopted in January.

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
Resources for anti-corruption bodies	Risk analysis and the use of criminal intelligence have been enhanced, partly through international cooperation.	Sufficient resources, training and specialised staff need to be ensured to improve the efficiency of investigations and to develop a convincing track record of investigations, prosecutions and convictions at all levels.	The Joint Investigative Units, the Serious Crimes Court and Prosecutor's Office, and the HIDAACI have yet to be guaranteed sufficient human and financial resources and training.
		The functioning of the judicial system continues to be affected by politicisation, limited accountability, poor interinstitutional cooperation, insufficient resources, lengthy proceedings and backlogs.	Bodies involved in the fight against corruption continue to suffer from inadequate allocations from the state budget.
		To cope with the growing workload in prosecution offices and the courts and to address disruptions caused by lack of judges in some courts, the resources available need to be reviewed and increased.	Sufficient human resources need to be ensured for the anti-corruption portal, and its scope and cooperation mechanisms with law enforcement bodies need to be defined so that complaints can be properly handled. The reporting mechanism has yet to demonstrate its effectiveness and impartiality.
		The School of Magistrates continues to face problems due to limited budgetary resources.	Jurisdiction over corruption offences is unclear, human and technical resources are inadequate.
		The administrative capacity in the tax office's internal audit service needs to be increased.	The Albanian State Police has 9 997 police officers, 228 per 100 000 inhabitants. Its management of human resources has improved, while its command structures and capacities need to be consolidated
Awareness raising	Some measures taken in key sectors testify to increased awareness of corruption / Provision of public services online and awareness-raising measures in various sectors have created conditions for more transparency and accountability of public administration.	The General Directorate continued its awareness-raising activities through public events and the publication of its decisions and activities on its website.	The General Directorate pursued awareness-raising activities, and saw an increase in the number of companies registering their trademarks.
	The number of contact points (green lines, e-mail addresses) for citizens to provide information on corruption cases has increased. There is a need to evaluate their effectiveness and the action taken on the information provided		The HCJ launched a website which enables the filing and monitoring of complaints against judges. This was accompanied by an awareness-raising campaign on disciplinary complaints against judges
Whistle-blowers		New legislation on protection for whistleblowers is yet to be adopted.	The law on the protection of whistle-blowers remains to be adopted.

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
HIDAACI / general performance / budget / selection / public officials / prevention	The numbers of asset investigations, seizures and cases sent to courts have increased.	As a positive step towards increased transparency, the 2012-13 asset declarations by senior officials have been published by the High Inspectorate for Declaration and Audit of Assets and Prevention of Conflict of Interest (HIDAACI).	The performance of the HIDAACI improved considerably
			HIDAACI's cooperation and data exchange with other institutions improved, and an electronic system to manage conflict of interest and asset declarations set up.
	There is a need to improve HIDAA's audit capacity.		Prevention of conflict of interest requires greater awareness-raising, in particular in high-risk areas for corruption.
	HIDAA also continued detecting cases of suspicious asset declarations. However, overall, the number of investigations and convictions remains low.	The HIDAACI's audit capacity needs to be significantly improved and the number of inspectors increased.	The process for selecting which public officials' asset declarations to check has yet to ensure a sufficient sample of high-state officials, including members of parliament, ministers and judges. administrative, technical and financial capacity need to be further strengthened.
			The HIDAACI's remit and capacity also need to be strengthened

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
Inter institutional cooperation	There is also a need to improve cooperation with independent control bodies such as the State Audit Institution.	Interinstitutional cooperation needs to be enhanced.	Concerns remain over weak cooperation between anti-corruption institutions and insufficient exchange of information.
		An assessment of the implementation of existing interinstitutional memoranda of understanding (MoUs) was completed.	Inter-agency cooperation needs to be further developed. Cooperation between prosecution and police needs to be improved
	Implementation of the agreement on exchange of information with the customs service and the Directorate General of Road Transport Services is progressing smoothly	Regarding interinstitutional cooperation, monthly meetings began in May, chaired by the General Prosecutor and the director general of the police, to improve proactive investigations.	Some progress has been made with the upgrade of the integrated case management information system ICMIS and the introduction of a case management system in some prosecution offices.
		Interinstitutional communication, cooperation and coordination need to be improved and further work is needed on sanctioning processes if MoUs are not complied with.	Inter-agency cooperation needs to be further developed. Cooperation between prosecution and police needs to be improved.
	Coordination among institutions and further investigation of cases needs to be stepped up.	Interinstitutional communication, cooperation and coordination need to be improved and further work is needed on sanctioning processes if MoUs are not complied with.	Effective cooperation and trust between the police and prosecutors are lacking, and there is not enough cooperation and exchange of information with other institutions.

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
Proactive investigations at tax and custom services	The use of a 24-hour camera monitoring system has been extended to all customs border points.	The use of proactive investigations and risk assessment in the tax and customs services needs to be increased.	Corruption in the tax and customs administration remains an issue of concern.
	The use of proactive investigations and risk assessment in the tax service needs to be enhanced.		The use of proactive investigations and risk assessment in the tax and customs services has increased..
	Corruption in the tax service remains an issue of concern		
Internal Control and Anti-Corruption Unit of the Ministry of Interior / Internal Administrative Control and Anti-Corruption Unit (UIACA, previously DIACA Department instead of Union)	Inspections carried out by the Department of Internal Control and Anti-Corruption (DIACA) have continued. Nevertheless, there is a need to clarify the role of DIACA and to enhance capacity in this area.	Regarding internal control mechanisms, inspections carried out by the Internal Control and Anti-Corruption Unit have continued.	Regarding internal control mechanisms, inspections carried out by the Internal Control and Anti-Corruption Unit of the Ministry of Interior need to substantially increase.
		Internal control by the Ministry of Interior needs to be strengthened.	UIACA's recommendations have been implemented overall.
		Internal control standards to fight corruption and mismanagement should be further improved	UIACA's role needs to be further clarified, and corruption prevention should be streamlined.
Central Election Commission / political party financing	Albania completed implementing all recommendations of the third-round evaluation of the Group of States against Corruption (GRECO), in particular by strengthening the legal framework on transparency of the funding of political parties.	Regarding political party funding, the audit processes provided for in the legislation have yet to be effectively implemented.	Regarding political party financing, vacancies on the Central Election Commission (CEC) board have been filled.
		The Central Election Commission needs to launch substantial inspections, going beyond a purely formal approach	The CEC needs to establish clear internal responsibilities for overseeing party finances and go beyond purely formal checks of statements by the political parties. Gaps in the legal and institutional framework need to be urgently addressed, including the need to provide for regular monitoring and reporting on expenditure during election campaigns and the public disclosure of preliminary election campaign finances prior to election day.

Subjects	EU Progress Report Albania 2013	EU Progress Report Albania 2014	EU Progress Report Albania 2015
Anti-corruption strategy / action plan / policies	There are still serious gaps, e.g. in monitoring local government corruption. There is a need to ensure effective reporting, policy coordination and monitoring at central level.	The 2014-20 anti-corruption strategy and action plans remain to be adopted	In March, the cross-sectoral strategy (2015-20) and action plan (2015-17) against corruption were adopted. Both documents were widely consulted, including the preparation of the budget for the action plan measures.
	An anti-corruption coordinator with a strong mandate should be appointed to do this.	policy coordination and monitoring at central level improved	In January, the government launched an online portal for complaints of corruption.
	An assessment of the over-all set-up of the institutions involved in the prevention and fight against corruption, including the role, operation and impact of the relevant institutions and their coordination, needs to be undertaken.	Reporting, policy coordination and monitoring at central level have improved through the appointment of a National Anti-Corruption Coordinator and the establishment of a network of anti-corruption focal points in all line ministries.	A mechanism to monitor implementation of the action plan is provided for, but the monitoring framework and the body responsible have yet to be set up. Representation of civil society organizations in the monitoring mechanism is planned.
	State institutions dealing with the fight against corruption remain vulnerable to political pressure and influence. It is particularly important to ensure transparent and merit-based criteria for appointments and dismissals.	Albania needs to take measures to enforce the legislative framework and adopt the 2014-20 anti-corruption strategy and action plans	The capacity of the anti-corruption network in line ministries and at local level needs to be strengthened