

STAKEHOLDER FEEDBACK: GENERAL IDEAS

NAME/SURNAME

NAME OF THE ORGANIZATION

Anti-Corruption

Corruption is the abuse of entrusted power for private gain. Corruption erodes trust, weakens democracy, hampers economic development and further exacerbates inequality, poverty, social division and the environmental crisis. Examples of corruption include:

- public servants demanding or taking money or favours in exchange for services;
- politicians misusing public money or granting public jobs or contracts to their sponsors, friends and families;
- corporations bribing officials to get lucrative deals

Corrupt practices impact millions of people worldwide, as tax dollars meant for vital public goods and services disappear. Low-income individuals and families and under-represented minorities are most negatively affected. Corruption also adversely impacts the business environment. Evidence shows that transparent governments improve business efficiency and spur economic and investment opportunities.

Types and Examples of Corruption¹

Base Erosion and Profit Shifting (BEPS)	The process when multinational companies shift the profits generated in the country outside and into jurisdictions such as offshore financial centres with lower or zero tax to minimise their tax burden is addressed.
Beneficial Ownership Secrecy	A beneficial owner is the real person who ultimately owns, controls or benefits from a company or trust fund and the income it generates. Beneficial ownership secrecy is when the legal or nominee company owners and with trustees, all of whom might be registered the legal owners of an asset without actually possessing the right to enjoy its benefits. Complex and opaque corporate structures set up across different jurisdictions make it easy to hide the beneficial owner, especially when nominees are used in their place and part of the structure is in a secret jurisdiction.
Conflicts of Interest	Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organisation, is confronted with choosing between the duties and demands of their position and their own private interests.
Extortion	Act of utilising, either directly or indirectly, one's access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.
Facilitation Payments	Facilitation Payments are small bribes, also called a 'facilitating', 'speed' or 'grease' payment; made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.
Fraud	Fraud is the offence of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).
Grand Corruption	The abuse of high-level power that benefits the few at the expense of the many, and causes serious and widespread harm to individuals and society. It often goes unpunished.
Illicit Financial Flows	The movement of money that is illegally acquired, transferred or spent across borders. The sources of the funds of these cross-border transfers come in three forms: corruption, such as bribery and theft by government officials; criminal activities, such as drug trading, human trafficking, illegal arms sales and more; and tax evasion and transfer mispricing.
Lobbying	Any activity carried out to influence a government or institution's policies and decisions in favour of a specific cause or outcome. Even when allowed by law, these acts can become distortive if disproportionate levels of influence exist – by companies, associations, organisations and individuals. When lobbying is non-transparent and unregulated, problems

¹ Adapted from Transparency International <https://www.transparency.org/en/corruptionary>

	arise and measures must be taken to ensure its accountability and openness
Nepotism	Form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving.
Offshore Financial Centres	Countries or jurisdictions, sometimes called 'fiscal paradises' or 'tax havens', provide financial services to non-residents on a disproportionate scale to the domestic economy as a result of financial incentives, such as minimum government interference and very low or zero tax rates
Solicitation	The act of a person asking, ordering or enticing someone else to commit bribery or another crime.
Shell Company	A shell company or corporation is a limited liability entity having no physical presence in their jurisdiction, no employees and no commercial activity. Its main or sole purpose is to insulate the real beneficial owner from taxes, disclosure or both.
Patronage	Form of favouritism in which a person is selected, regardless of qualifications or entitlement, for a job or government benefit because of affiliations or connections.
Petty Corruption	Everyday abuse of entrusted power by public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.
Political Corruption	Manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth.
Political Contributions	Any contribution, made in cash or in kind, to support a political cause. Examples include gifts of property or services, advertising or promotional activities endorsing a political party, and the purchase of tickets to fundraising events. Contributions can be corrupt when they incentivize corrupt practices.
Tax Evasion	Tax evasion is the illegal non-payment or under-payment of taxes, usually by deliberately making a false declaration or no declaration to tax authorities – such as by declaring less income, profits or gains than the amounts actually earned, or by overstating deductions.
Tax Haven	Jurisdictions, including cities, states or countries that grant favourable tax treatment which can benefit non-residents. They attract relocation of economic transactions to their territory by applying no or minimal tax rates.
Revolving Door	The term 'revolving door' refers to the movement of individuals between positions of public office and jobs in the same sector in the private or voluntary sector, in either direction. If not properly regulated, it can be open to abuse.

Ways to Reduce Corruption²

While there are many ways to reduce corruption, as listed below, the OGP focuses in particular on the role of:

- Political Integrity
- Beneficial Ownership
- Open Procurement and Contracting

Asset Recovery	The legal process through which a country, government and/or its citizens recover the resources and other assets that were stolen through corruption from another jurisdiction.
Audit	An internal or external examination of an organisation's accounts, processes, functions and performance to produce an independent and credible assessment of their compliance with applicable laws and regulations.
Automatic Exchange Of Information	When the tax authorities of two or more states share financial information related to all types of wealth (including immovable property such as houses or land) and taxable activity (e.g. dividends, interests, royalties, salaries, pensions, Value Added Tax refunds, etc.) on an automatic, periodic basis.
***Beneficial	The real person who ultimately owns, controls or benefits from a company or trust fund and the income it generates. Mandatory public registers that disclose the beneficial ownership of trust funds and companies. Public registers of

² For more information see OGP <https://www.opengovpartnership.org/policy-area/anti-corruption/> and Transparency International <https://www.transparency.org/en/corruptionary>

<u>Ownership***</u>	beneficial ownership would allow dirty money to be more easily traced and make it more difficult and less attractive for people to benefit from the proceeds of corruption and crime.
Debarment	Debarment is when companies and individuals are excluded from participating or tendering projects. Governments and multilateral agencies use this process to publicly punish businesses, NGOs, countries or individuals found guilty of unethical or unlawful behaviour.
<u>***Integrity***</u>	Behaviours and actions consistent with a set of moral or ethical principles and standards that is embraced by individuals as well as institutions. Integrity create a barrier to corruption. Providing for transparency in the funding of campaigns, political parties, and democratic politics is an essential accountability mechanism for democratic government.
Mutual Legal Assistance	The formal process of cooperation between two or more jurisdictions, for example on cross-border money laundering, asset recovery and tax evasion cases. Through this cooperation, which is usually enacted through a treaty, a state can ask for and receive assistance in gathering information and evidence from private and public sources for use in official investigations and prosecutions.
<u>***Open Procurement and Contracting***</u>	Open contracting is a suite of complementary policies that improve transparency, participation and accountability in the procurement process. It helps governments to combat corruption and increase integrity. Open contracting also helps governments to understand and improve their financial positions as buyers, create fairer and more accessible markets, and collaborate with civil society to monitor public services more effectively.
Transparency	Being open in the clear disclosure of information, rules, plans, processes and actions. Financial institutions should make a commitment to report annually on the measures they are adopting to strengthen risk management, especially in relation to bribery and corruption.
Whistle-blower Protection	Whistle-blowers are individuals who attempt to reveal neglect or abuses within the activities of an organisation, government body or company that threaten public interest, its integrity and reputation. Governments should also enact strong laws protecting whistle-blowers from retaliation and harm. Companies and organisations should empower whistle-blowers who experience or witness bribery and corruption through effective whistle-blower policies and procedures.

Identifying Key Issues for Anti-Corruption:

What do you think are the most important issues the Albanian Government should prioritize to address corruption and why?

1.

2.

3.

Ideas and Solutions to Support Anti-Corruption

Please propose any ideas or solutions you may have to support Anti-Corruption efforts. These suggestions can be simple – the details can be discussed in later consultations:

Idea 1

1. Briefly describe the overall idea

2. What is the problem the idea will address?

3. Main objective of idea

Idea 2

1. Briefly describe the overall idea

2. What is the problem the idea will address?

3. Main objective of idea

Idea 3

1. Briefly describe the overall idea

2. What is the problem the idea will address?

3. Main objective of idea

Idea 4

1) Briefly describe the overall idea

2) What is the problem the idea will address?

3) Main objective of idea

Idea 5

1. Briefly describe the overall idea

2. What is the problem the idea will address?

3. Main objective of idea

Improving participation

1) Please provide any feedback on how we can support more participation and engagement from civil society on this and other initiatives

Responder Information

If you would like to include information on the type of organization you are affiliated with please answer the following question, your responses will remain anonymous and are to help ensure that the process takes in ideas from all institutions and viewpoints:

What kind of institution are you affiliated with:

- Prefer not to say
 - University
 - Charity
 - Development NGO
 - Community group
 - Women's organization
 - Marginalized community organization
 - Faith-based organization
 - Professional association
 - Trade union
 - Social movement
 - Coalition or advocacy group
 - Other (please state)
-

What is the primary aim of your institution?

- Prefer not to say
 - Please describe
-

Many thanks for you participation!
All of your answers will remain anonymous.
Your honest ideas and feedback are crucial for this project!