

**IPA 2009 National Programme for Albania**  
**Project Fiche N°15**  
**“Building an e-Government Infrastructure**  
**that is in line with EU Personal Data Protection standards”**

**1. Basic information**

- 1.1 CRIS Number: 2009/021-642
- 1.2 Title: Building an e-Government Infrastructure that is in line with EU Personal Data Protection standards
- 1.3 ELARG Statistical code: 03.10
- 1.4 Location: Tirana, Albania

**Implementing arrangements:**

- 1.5 Contracting Authority: Delegation of European Commission to Albania
- 1.6 Implementing Agency: Delegation of European Commission to Albania
- 1.7 Beneficiary: National Agency on Information Society/ Line Ministries  
/Data Protection Commissioner  
Main Contact person:  
Etion Kapedani, General Director NAIS

Back up person: Genc Radovicka Director, Project Coordination Department, NAIS

Address: Papa Gjon Pali i II street, Nr 3, Tirana

E-mail: [etion.kapedani@akshi.gov.al](mailto:etion.kapedani@akshi.gov.al), Tel: + 355 42 277 751, Fax: + 355 42 277 764

E-mail: [genc.radovicka@akshi.gov.al](mailto:genc.radovicka@akshi.gov.al), Tel: + 355 42 277 784, Fax: + 355 42 277 764

Contact person: Flora Çabej-Pogaçe, Data Protection Commissioner

E-mail: [flora.cabej@gmail.com](mailto:flora.cabej@gmail.com), Tel: +355 69 41 12 116, Mobile: +355 67 21 19 651

**Financing:**

1.8 Overall cost: 5.200.000 EUR

1.9 EC contribution: 4.000.000 EUR

1.10 Final date for contracting

Two years following the conclusion of the Financing Agreement.

1.11 Final date for execution of contracts:

Two years following the end date of contracting. These dates apply also to national co-financing.

1.12 Final date for disbursements:

One year following the end date for the execution of contracts.

## **2. Overall Objective and Project Purpose**

### **2.1. Overall Objective:**

The overall objective of this project is to build the e-Government Infrastructure that improves the efficiency and the transparency of public administration whilst ensuring personal data protection in line with EU standards.

### **2.2. Project purpose:**

The project purpose is to integrate all the existing Information Systems (Hardware and Software) into a single logical environment, which is fully interoperable at national and international level. This environment will enhance the services that the Government provide to citizens and businesses and at the same time will ensure that personal data of citizens are protected. This project aims also to create the interoperability framework for projects that will be developed in the future.

### **2.3. Link with AP / NPAA / EP/ SAA**

This project is in the spirit of the European Union information society "2010 Action Plan and eSEE Agenda+". The project aims to help in the fulfilment of two of the priorities of SAA, which are articulated in article 79 concerning the protection of personal data and in articles 103, 104 and 105 concerning Information society, electronic communications and information and communication.<sup>1</sup>

This project is in line with National Plan for implementation of SSA. At point 20 is defined as following:

“Based on Articles 102, 104 of SAA, Information Society Development, as regards taking measures to stimulate mutual information exchange, and in the frame of the National Information Technology Strategy, the Albanian Government is committed to an electronic communication legislation, which will be based on the EU Directives ...”

### **2.4. Link with MIPD**

In MIPD 2009-2011 reference is made to the following:

#### *2.2.2 Strategic choices for IPA assistance over the period 2009-2011*

##### *Component I - Support transition assistance and institution building*

###### *(1) Political Criteria*

###### *Objectives and choices:*

- *Public Administration: Support the implementation of the current reform of the public administration, including eGovernment; strengthen capacities of local governments; strengthening of European Integration structures and prepare for Decentralised Implementation System (DIS); support to customs services.*

---

<sup>1</sup> For more details please see annex IV

(3) Ability to assume the obligations of membership

*Objectives and choices:*

- *Data protection: Improve data protection and strengthen administrative capacities.*

## **2.5. Link with National Development Plan**

This project is in line with National Strategy for Development and Integration (NSDI) where in chapt. 3.2 “Democratisation and rule of Law” it is said:

✓ Anti-corruption, strategic priorities and policies<sup>2</sup>

*“Consolidation of transparency and integrity in public administration through free and full access to data on the activities of public institutions and realisation of e-government at the level of central government”*

✓ Information and communication technology, strategic priorities and policies<sup>3</sup>

*The priorities of the strategy in the field of public service provision, coordinated by the National Agency of Information Society, are:*

*- Utilise the inter-ministerial computer network in order to offer a series of services not only to government but also to citizens.*

*- Implement the recommendations of the eSEE and bSEE initiatives of the Stability Pact.*

## **2.6. Link with national/sectoral investment plans**

This project is in line with the Crosscutting Strategy for Development of Information Society that is approved by Albanian Government on January 2009, where it is said:

**Vision:** Albania’s progress towards an information economy through sustainable development of an information society.

**Mission:** Creating a conducive and supporting environment for the development of information society.

The accomplishment of the following strategic objectives is imperative to achieve the above mentioned vision and mission:

1. Further development of a competitive market for the electronic communications services.
2. Significant increase of the number of internet users.
3. Creating electronic public services.
4. Application of information society standards.

---

<sup>2</sup> National Strategy for Development and Integration Page 30.

<sup>3</sup> National Strategy for Development and Integration Page 57.

## 5. Strategy review in accordance with EU i2010 recommendations.

The development of an information society relies on the establishment of an IT infrastructure that is:

1. Modern, easily accessible and acceptable;
2. Available under the conditions of equality and non-discrimination;
3. Affordable internet access fees and access to other services for the electronic communication among private entities, citizens, public administration and nongovernmental sector.

### 3. Description of project

The present project regards the support to the NAIS (National Agency for Information Society) and the assistance to the Data Protection Commissioner Authority (DPC).

The support to NAIS is related to the provision of TA and equipment in order to develop a strategy for the provision of e-services by Governmental institutions, the design and implementation of an interoperable governmental electronic network and of a document management system.

The assistance to the DPC regards mostly the strengthening of this institution, the support in training and the provision of equipment.

#### 3.1. Background and justification

Albania is committed to joining EU and therefore is undertaken all the necessary reforms required to be in compliance with the European standards. The European development model is closely interrelated with the economic development of an information society. By joining the other countries of SE Europe in signing the eSEE Agenda+ in October of 2007 Albania has thus reconfirmed its commitment towards the development and creation of a knowledge based economy. This common regional agenda was signed in the spirit of European Union information society i2010 Action Plan.

The Governments vision for the creation of an information society is an integral part of a broader vision for the **development of information society in the region**. Albania is a member of the **regional initiative e-SEE**, introduced in the framework of the Stability Pact<sup>4</sup> and other activities. The commitments made under this initiative will serve the overall development in Albania.

Ministers or their representatives from Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Serbia, Macedonia and Moldavia, recognising the successful implementation of e-Europe project, initiated by the leaders of EU in Lisbon in May 2000 and e-Europe+, initiated by the leaders of candidate countries in Goteborg in June 2001, have adopted a *joint declaration in Ljubljana in June 2002*, signed a eSEE agenda for the development of knowledge based society in October 2002 in Belgrade, adopted a *joint declaration in Budapest on the 26th of February 2004*, signed a *Memorandum of Understanding for the development of a broadband market entirely interconnected with European and global ones, the initiative bSEE, Salonika 2005* and recently on 28th -29th of October 2007 the eSEE agenda plus was signed in Sarajevo.

---

<sup>4</sup> Actually: Regional Cooperation Council

The document eSEE AGENDA+ contains the following priorities:

- i. ***Creation of a unique information area for the Southeast Europe***, which implies the development of Information Technology infrastructure, the use of broadband high-speed communication networks, adaptation of national networks to offer interoperability with European ones to ensure system cooperation and compliance.
- ii. ***Promoting innovation and investment in education and research*** includes computerisation and internet access in schools, the introduction of IT subjects in the curriculum, establishment of IT training centres etc.
- iii. ***Comprehensive Information Society*** that guarantees access and equal opportunities for all.

The implementation of eAgenda Plus will be accompanied by a platform offered by the eSEE initiative working group. During the implementation process of the eSEE Agenda+, the member countries will undertake joint actions and build a strong partnership with the EU countries. All the reforms will be implemented in accordance with harmonising regime of the *acquis communautaire* with respect to all commitments and obligations for membership in the EU.

The Albanian Government sees Information Communication Technology (ICT) development as an essential tool in building an information society, which in turn is fundamental to the rapid development of Albania and the region. Based on this commitment at the beginning of 2007 the establishment of the **National Agency on Information Society (NAIS)**<sup>5</sup> was decreed from the Council of Minister in April of 2007 as an organism with dedicated staff and allocated budget under the Council of Ministers and with the mission to promote the development of an Information Society in Albania by guiding the implementation of the National ICT Strategy and coordinating the development and administration of the state information systems.

Legislation protecting such data has been noted as a largely European phenomenon. Numerous other countries have adopted data privacy laws, as a response to the European Data Protection Directive. Also Albania passed on March 2008 the law No. 9887 “On the Protection of Personal Data”. This law establish the **Data Protection Commissioner** as the sole authority involved directly and foremost with privacy and data protection in the country. But as this institution is set up for the first time, it is easily understandable that support and professional expertise is necessary for the establishment and well functioning of this novel institution, within the Albanian legal and economic context.

### **3.2. Assessment of project impact, catalytic effect, sustainability and cross border impact**

The main impacts that will be received with the implementation of this project are:

- ✓ The project will make a clear contribution to good governance in Albania, and to the functioning of its democracy, through progress towards the completion of a public administration ICT system and improvement of the access to public information and services.
- ✓ The implementation of new portals for the central institutions will provide electronic access to public services, which will contribute in increasing the number of citizens that will access and use e-services. The aim here is to go beyond the first phase of electronic dissemination of information into offering electronic and interactive services.
- ✓ The project will create the safe environment for the communication between public services and the exchange of classified government information.

---

<sup>5</sup> More information for NAIS can be find in Annex III

- ✓ The project is intended to assist on the build up and enforcement of sublegal acts and other necessary legislation related to the data protection in Albania. It will increase the role and standing of the DPC as an institution that will be respected by public and private actors alike.
- ✓ The project aims also to align the new DPC institution with EU best practices in the field and establish cooperation among DPC and the Albanian Institutions and homolog authorities in EU.

### **3.3. Results and measurable indicators:**

The **main results** that are expected through the implementation of this project are:

#### Results activity 1

- ✓ Establishment of Interoperable Information Systems in national and international level.

#### Results activity 2

- ✓ Improvement of e-Government policy
- ✓ Improvement of services given by the official e-portal of the Albanian Government
- ✓ Implementation of basic public electronic services.

#### Results activity 3

- ✓ Implementation of document management systems and digital archives.

#### Results activity 4

- ✓ Improve the professional skills of the staff working for the DPC, Better functioning of the DPC and its interaction with other institutions.
- ✓ Implementation and improvement of data protection policies and data protection legislation
- ✓ Improvement of services given by the Commissioner for Data Protection
- ✓ Establishment of registration systems for data controllers and processors at national level.

#### Results activity 5

- ✓ Preparation of an action plan for awareness campaign
- ✓ Implementation of awareness campaign.

The **indicators** that will measure the successful implementation of this project are as following:

#### Indicators activity 1

- ✓ Number of systems that will be 100% interoperable.

#### Indicators activity 2

- ✓ Increase minimum 50% the number of citizen access to Government by means of ICT
- ✓ Increase round 50% the number of services offered to citizens from the Government by means of ICT
- ✓ Number of new services offered to citizens or businesses

#### Indicators activity 3

- ✓ 50% of documents that will cross different institutions electronically

#### Indicators activity 4

- ✓ Number of Systems that gives information upon Personal Data Used
- ✓ Minimum 20 people from DPC staff trained

- ✓ Number of legal and sublegal acts for the better implementation and functioning of ICT and DPC
- ✓ Number of notifications for registration of controls at the Commissioner for Data Protection

Indicators activity 5

- ✓ Number of surveys made
- ✓ Number of citizen and business people interviewed (minimum 2000)
- ✓ Number of citizen/business people per region interviewed (minimum 100)

**3.4. Activities:**

In order to carry out the activities 1.1, 2.1 and 3.1 a specialised technical assistance team will be provided through one service contract. The financing of this service contract will be 100% covered by IPA funds (contract 1.1<sup>6</sup>).

Activities 1.2, 2.2 and 3.2 will be implemented through one supply contract. This supply contract is co-financed by the Government of Albania (GoA) through a separate contract (contract 1.2).

In order to carry out activity 4 a specialised technical assistance team will be provided through one service contract. The financing of this service contract will be 100% covered by IPA funds (contract 2.1<sup>7</sup>).

In order to carry out activity 5 a specialised technical assistance team will be provided through one service contract. The financing of this service contract will be 100% covered by IPA funds (contract 3.1<sup>8</sup>).

**Activity 1 - Development of Interoperable Electronic Systems Infrastructure**

The objective of this activity is to build a cheap, fast, secure and country-wide infrastructure providing to the end user interoperable and seamless access to data and services. A feasibility study regarding interoperability system requirements carried out by UNDP during 2009 will serve as the basis for implementing the interoperability system.

▪ **Activity 1.1 - Technical assistance for:**

- a. Preparation of the Terms of Reference (system requirements & technical specifications) for the development of administration system for the state information system, which will manage the metadata's of the various systems and databases of the state information system.
- b. Preparation of the Terms of Reference (system requirements & technical specifications) for the detailed design for the development of information systems data exchange layer, which is the environment that enables secure data exchange. During the preparations of Terms of References it will be taken in consideration the requirement to build a common data exchange environment, a common set of interfaces and a common authentication system. Here has to be taken in consideration that the physical layer, the Inter Institution Network so called GovNet, is under implementation and is foreseen to be operative in October 2009.

<sup>6</sup> Please refer to Indicative Budgeted Table at point 4

<sup>7</sup> Please refer to Indicative Budgeted Table at point 4

<sup>8</sup> Please refer to Indicative Budgeted Table at point 4

- c. Preparation of the Terms of Reference (system design, system requirements & technical specifications) for the IT infrastructure and related applications for DPC. During this stage it will be taken in consideration that the highest level of Information Technology Infrastructure is required in order to ensure the proper functioning of the institution of Data Protection Commissioner.
- d. Deliver training regarding interoperability systems for selected staff from NAIS, DPC and the line ministries

▪ **Activity 1.2 - Installation of Hardware and software in order to:**

- a. Develop and implement the administration system for the state information system, which will manage the metadata's of the various systems and databases of the state information system. The first input in this system will be all the existing information systems.
- b. Develop and implement the necessary interfaces and a common authentication system for the information systems data exchange layer into the existing environment of the GovNet infrastructure.
- c. Implement the IT infrastructure and related appliances/facilities for DPC, in order to provide the basis for the protection of personal data.

**Activity 2 - Development of the strategy and the environment of e-services**

The aim of this activity is to build the necessary environment that it is able to support the GoA in providing a number of services.

▪ **Activity 2.1 – Technical assistance for:**

- a. Preparation of service architectures, platforms, technologies, methods and tools that enable static and dynamic services.
- b. Preparation of the Terms of Reference (system requirements & technical specifications) in order to build the foundation of the Government's ICT architecture.
- c. Preparation of the service/software engineering approaches for development of processes, product lifecycle and tools for dynamically composed systems with dependable quality of service.
- d. Drafting the legal framework for the provision of e-services and functioning of the interoperability system.

▪ **Activity 2.2 - Installation of Hardware and software in order to:**

- a. Develop and implement the dynamic service for On-line application for Car Registration
- b. Develop and implement the dynamic service for On-line application for Driven Licenses
- c. Develop and implement the dynamic service for On-line application for Address Change

**Activity 3 - Document Management Systems and Digital Archiving**

The aim of this activity is to develop the Document Management Systems (DMS), for major line Ministries in view of replacing all the existing paper based process with the electronic records and exchange online documents with the other ministries DMS and with the System of e-Cabinet meeting.



▪ **Activity 3.1 – Technical assistance for:**

- a. Feasibility study for the detailed design of the document management system to be used within Governmental Institutions.
- b. Preparation of the Terms of Reference (system requirements & technical specifications) for the DMS.
- c. Develop guidelines for the integration of the DMS with the Central Archive Office.

▪ **Activity 3.2 - Installation of Hardware and software in order to:**

- a. Develop and implement the Document Management System.

**Activity 4 – Improving the functioning of the DPC**

The aim of this activity is to improve the functioning of the Data Protection Commissioner and the facilitation of the drafting of the related legal framework concerning its functioning. The activity will also aim at assisting the Data Protection Commissioner in targeting the main areas of capacity building of the staff of the Data Protection Commissioner and increasing the awareness of citizens on data protection issues.

Besides the assistance provided under Activity 1.2, this specific capacity building component is foreseen exclusively for the DPC. For this purpose a **specialised technical assistance team will be recruited for:**

- a. Legal expertise and assistance on the drafting of sublegal acts and regulations related to the well functioning of the Data Protection Commissioner (DPC), in order to be in line with EU standards;
- b. Workshops and/or workgroups with legal drafting stakeholders, (i.e. with the Ministry of Justice, Ministry of Integration and other stakeholders of the legal drafting process), to discuss possible procedures and methods of enacting sublegal acts and regulations with a view to the well functioning of the DTC and other involved institutions.
- c. Production of training materials for training of Data Protection Commissioner Staff and other concerned public officials of other target groups.
- d. Training session for Data Protection Commissioner staff on application and functioning of the DPC and its role in the protection of personal data.
- e. Training sessions for public/private entity staff on the data protection issue, legal framework and role and functioning of the Data Protection Commissioner.
- f. Study visit for Data Protection Commissioner staff in other data protection authorities to gain ground experience on the functioning and procedures involved in the data protection processes.

**Activity 5 – Public awareness and surveys**

The aim of this activity is to inform Citizen and business about the provision of new e-services and to receive feedback about their use by the public. A number of surveys will be carried out by the TA recruited for this activity. For the implementation of accurate surveys a minimum of 2000 citizen and business people have to be interviewed and the interviews have to be made randomly in the country. On the basis of these surveys an action plan for awareness raising will be prepared and subsequently an information campaign will be implemented.

For the implementation of this activity specific **technical assistance will be recruited for:**

- a. **E-Government Survey**, which will measure the quality of government services and products offered to citizens and businesses. This Survey will concentrate on the following:
  - ✓ Measurement of the access to the services by citizens or businesses.
  - ✓ Measurement of the quality services delivered.
  - ✓ Measurement of the interaction of GoA with citizens and business
- b. **The Web Measure Index Survey**, which will measure the presence/absence of specific electronic facilities/services and also the stage in which is delivered.
- c. **The e-Participation index Survey**, which assesses the quality and usefulness of information and services provided by the government for the purpose of engaging its citizens in public policy through information and communication technologies.
- d. **Preparation of the public action plan information campaigns.**
- e. **Public information campaign.** Based on the results of the surveys, a nationwide public information campaign will be developed and implemented.

All contracts implementing the financing agreement will be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

### **3.5. Conditionality and sequencing.**

Before the signature of any contract for the implementation of the above mentioned activities the following conditions should be fulfilled:

- ✓ The internet penetration index in Albania has to reach minimum 30%.
- ✓ The Government has to set out the legislative framework to ensure that document management systems are connected and obligatory to use.
- ✓ DPC must have suitable permanent and operational office premises, staff employed in line with approved structure and operational budget.
- ✓ The Government should make available the respective budget of 2010 -2012 the allocation of the necessary funds to NAIS and DPC, which are foreseen into the medium term project budget.

### **3.6. Linked activities**

National Agency on Information Society, as a representative of the Government of Albania, has benefited during 2008 from CARDS 2005 program “Administration reform at the centre of government, component IV: Improvement of transparency and efficiency of public administrative procedures through ICT” a project of 1 million of EUR with the specific objective to enable an ICT-supported environment. This project was implemented into two component, enhancement of IT base infrastructure for Public Administration (800.000 EUR) and Technical assistance for the Strategies and Legislation department of NAIS (200.000 EUR).

Also UNDP Albania has launched in June 2008 an assistance project with a value of 200 000 EUR for NAIS. This project provides technical assistance and carries out capacity building activities, with expertise from the Estonian e-Governance Academy and experts in order to consult the NAIS in the following areas:

- i. ICT organisational, policy and action plans and their implementation, auditing and benchmarking in line with relevant EU benchmarks.
- ii. ICT architecture and standardisation framework development and implementation.
- iii. Guidance for preparation of Terms of Reference for electronic records and document management systems and digital archiving solutions in line with the international best practice.
- iv. Education for ICT and curricula development.
- v. Training of NAIS staff.

In the period 2008-2009 NAIS is involved in the project of implementation of the Document Management System for the Council of Minister, that will manage all the documentation that is prepared for the meeting of Council of Ministers (e-session), and also in piloting DMS in 2 line ministries (that is foreseen Ministry of Integration and Ministry of Justice) during 2009.

With the support from EU and UNDP was also allowed the development of the first module of the Government Network. This proposal provides support to the public administration in implementing e-Government services.

Furthermore during 2009 UNDP will undertake a feasibility study regarding the development of the Interoperable Electronic System in the Albanian Government. The interoperability roadmap and the action plan for implementation produced by this study will constitute the basis for the further implementation of the interoperable electronic system within this programme.

Also other various activities in Albania linked to the ICT field are supported by EU and other international donors support. The OSCE and the Council of Europe, funded also by the EU, are conducting a project to modernise Albania's address and civil registration system. This work is relevant for the issue of electronic documents as well as databases. The Council of Europe (CoE) is currently implementing the EU funded project "On personal data protection" in the framework of the Civil Registry Project, implemented by OSCE. In the framework of this project, CoE has worked closely with the Ministry of Justice by providing thorough expertise on the drafts of the law "On protection of personal data". In the period June-December 2007, several experts meetings were organised on a regular basis and assistance was provided with materials and research on the models of laws of other countries, according to the specific needs of the Working Group. Convention 108 and its Additional Protocol on Supervisory Authorities and Trans-border Data Flows were the main text of reference during the consultations. The European Communities Directive 46/95 was also taken into consideration

In the last quarter of 2008 the Council of Europe further supported the strengthening of the newly appointed Data Protection Commissioner (DPC). Several meetings, focused on developing a functional organisational structure and defining the main responsibilities of each particular directorate were held with the Commissioner. Also technical issues regarding the registration and notification process, and possible exemptions to the process, were discussed with the Commissioner. The organisational structure, number of staff and budget for 2009 of the DPC has been approved by the Assembly in November 2008. The number of staff approved by the Parliament for this institution is 30. It is foreseen that the DPC will have appropriate and operational premises and select its staff by early 2009.

In March 2008, USAID through MCATA helped renovate 400m2 of NAIS premises. They also provided 30 PC, a couple of servers and printers, as well as 1 photocopy machine.

Lastly, also another project funded by GTZ provided support in dealing with electronic signature issues. The law on electronic signatures is in force but until it is properly implemented many other aspects regarding e-commerce, e-documents, e-government and related issues may be delayed or hindered. Even if the GTZ project as such ended in summer of 2008 some activities were still under implementation at the end of 2008.

### **3.7. Lessons learned**

The new Strategy for Development of Information Society, approved by the Albanian Government, foresees the use of information technologies in public administration activities as a tool of good governance, enhancing efficiency and transparency in government activities and information/service delivery to the public. Therefore future assistance should continue to aim at aligning the capacity and structures of the Albanian public administration to the new priority objectives and strategies adopted by the Government.

The Council of Europe (CoE) is currently implementing the EU funded project “On personal data protection” in the framework of the Civil Registry Project, implemented by OSCE. In the framework of this project, CoE has organised several awareness raising conferences starting from June 2007. Representatives of main institutions in the public (relevant ministries and public institutions) and private sectors (banks, telecommunication companies, media, travel agencies, schools and universities, etc.) were made aware of the need for data protection rules and of the changes in the legislation. The target groups have expressed interest and asked for additional training on how the new legal framework would concretely affect their activity.

#### 4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION	NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION		
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1.1, 2.1 and 3.1			650.000									
contract 1.1 (service)	X	-		650.000	12.5	0	0	0	0	0	0	-
Activities 1.2, 2.2 and 3.2			3.650.000					0				
contract 1.2 (supply)	-	X		2.450.000	47.1	0	0	0	0	0	0	-
contract 1.3 (supply)		X		0	0	1.200.000	23	1.200.000	0	0	0	
Activity 4			700.000									
contract 2.1 (service)	X	-		700.000	13.4	0	0	0	0	0	0	-
Activity 5			200.000									
contract 3.1 (service)	X			200.000	3.8	0	0	0	0	0	0	
<b>TOTAL IB</b>			1.550.000	1.550.000	29.8	0	0	0	0	0	0	
<b>TOTAL INV</b>			3.650.000	2.450.000	47.1	1.200.000	23	1.200.000	0	0	0	
<b>TOTAL PROJECT</b>			<b>5.200.000</b>	<b>4.000.000</b>	<b>76.9</b>	<b>1.200.000</b>	<b>23</b>	<b>1.200.000</b>				

## 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 Technical Assistance	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2011
Contract 1.2 and Contract 1.3 System Tender and Implementation in Line Ministries	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010	4 <sup>th</sup> Quarter 2011
Contract 2.1 Technical Assistance for DPC	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2011
Contract 3.1 Public awareness and surveys	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011

## 6. Cross cutting issues (not applicable)

### 6.1 Equal Opportunity

The principle of equal opportunities between women and men will be taken into account during all phases of the implementation of this programme.

### 6.2 Environment *(not applicable)*

No issues of this project have impact on the environment so this issue is not applicable for it.

### 6.3 Minorities *(not applicable)*

This project has no aspects that can influence minorities so this issue is not applicable for it.

**ANNEX 1: Logical framework matrix in standard format**

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number	
BUILDING AN E-GOVERNMENT INFRASTRUCTURE THAT IS IN LINE WITH EU PERSONAL DATA PROTECTION STANDARDS	Contracting period expires <b>2 years following the conclusion of the Financial Agreement</b>	Disbursement period expires <b>1 year following the end date of the execution of contracts</b>
	Total budget : <b>5.200.000</b>	IPA budget: <b>4.000.000</b>

Overall objective	Objectively verifiable indicators	Sources of Verification	
The overall objective of this project is to build the e-Government Infrastructure that improves the efficiency and the transparency of public administration whilst ensuring personal data protection in line with EU standards.	<ul style="list-style-type: none"> <li>▪ No. of citizen access to Government by means of ICT</li> <li>▪ No. of services offered to from the Government through ICT</li> <li>▪ Number of Systems that gives information upon Personal Data</li> <li>▪ Number of legal and sublegal acts entry in force for the better functioning of DPC</li> </ul>	<ul style="list-style-type: none"> <li>▪ National and International Surveys like: <ul style="list-style-type: none"> <li>○ e-Government Survey.</li> <li>○ Web Measure Index</li> <li>○ e-Participation index</li> <li>○ internet penetration index</li> </ul> </li> <li>▪ Registers of the Data Bases and Information Systems</li> <li>▪ Parliament of Albania and official gazette</li> </ul>	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
<ul style="list-style-type: none"> <li>▪ Development of electronic systems infrastructure fully interoperable in order to support e-services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Development of the interoperability roadmap.</li> <li>▪ Development of administration system for the state information system.</li> <li>▪ Development of information systems data exchange layer.</li> <li>▪ Build of the Infrastructure and related appliances/facilities for DPC.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Interoperability roadmap will be part of the Strategic Documents that has to be approved by the Government of Albania on ICT field</li> <li>▪ Number of systems that will be 100% interoperable.</li> <li>▪ The possibility of DPC to monitor on-line the data privacy, in any IT systems</li> </ul>	

<ul style="list-style-type: none"> <li>▪ Development of the strategy and the environment of e-services that are user-centred, scalable, easy integrated with other services, easy accessible, comprehensive, easy to understand in terms of language and structure from all members of the intended target groups,</li> </ul>	<ul style="list-style-type: none"> <li>▪ Allowing the creation of dynamic services capable of interoperation</li> <li>▪ Increased efficiency and productivity in software development.</li> <li>▪ New opportunities for service development for administrative state information system</li> </ul>	<ul style="list-style-type: none"> <li>▪ The increase of the software development and implementation market.</li> <li>▪ Number of e-government services available for the Citizens</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Development and implementation of the Albanian Government Document Management Information System.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Build Document Management System for major line ministries</li> <li>▪ Link the Ministries Document Management System with each other and with e-Cabinet System</li> </ul>	<ul style="list-style-type: none"> <li>▪ Number of Ministries where is Implement the Document Management System</li> <li>▪ % of Paper documents versus e-doc. has to be less than 30%</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Better functioning of the DPC through the improvement of the professional staff skills, the facilitation of the well functioning of the DPC and its interaction with other institutions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Number of legal and sublegal acts prepared and entry in force regarding the functioning of DPC</li> <li>▪ Numbers of Data Base Systems Register and monitored</li> </ul>	<ul style="list-style-type: none"> <li>▪ Parliament of Albania and official gazette</li> <li>▪ Registers of the Data Bases and electronic systems</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>



Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p><i>Results activity 1</i></p> <ul style="list-style-type: none"> <li>▪ Establishment of Interoperable Information Systems in national and international level.</li> </ul> <p><i>Results activity 2</i></p> <ul style="list-style-type: none"> <li>▪ Improvement e-Government politics</li> <li>▪ Improvement of services given by the official e-portal of the Albanian Government</li> <li>▪ Implementation of basic public electronic services.</li> </ul> <p><i>Results activity 3</i></p> <ul style="list-style-type: none"> <li>▪ Implementation of document management systems and digital archives.</li> </ul> <p><i>Results activity 4</i></p> <ul style="list-style-type: none"> <li>▪ Improve the professional skills of the staff working for the DPC, Better functioning of the DPC and its interaction with other institutions</li> <li>▪ Improvement of data protection policy and legislation</li> <li>▪ Improved services provided by Data Protection Commissioner</li> <li>▪ Establishment of registration system for a data controllers</li> </ul> <p><i>Results activity 5</i></p> <p>Preparation of an action plan for</p>	<p><i>Indicators activity 1</i></p> <ul style="list-style-type: none"> <li>▪ Number of systems that will be 100% interoperable.</li> </ul> <p><i>Indicators activity 2</i></p> <ul style="list-style-type: none"> <li>▪ Increased by 50% the number of citizen access to Government by means of ICT</li> <li>▪ Increased by 50% by number of services offered to citizens from the Government by means of ICT</li> <li>▪ Number of services offered to citizen or business</li> </ul> <p><i>Indicators activity 3</i></p> <ul style="list-style-type: none"> <li>▪ 50% of document will cross different institutions electronically</li> </ul> <p><i>Indicators activity 4</i></p> <ul style="list-style-type: none"> <li>▪ Number of Systems that gives information upon Personal Data Used</li> <li>▪ Number of legal and sublegal acts for the better implementation and functioning of ICT and DPC</li> <li>▪ Minimum of 20 people from DCP staff trained</li> <li>▪ Number of notifications for registration of controls at the Commissioner for data protection</li> </ul> <p><i>Indicators activity 5</i></p> <p>Number of surveys made  Number of citizens and business people interviewed  Number of people informed about e government services</p>	<ul style="list-style-type: none"> <li>▪ Publications of informative notes by Ministries</li> <li>▪ e-Government Survey <ul style="list-style-type: none"> <li>○ Web Measure Index</li> <li>○ e-Participation index</li> <li>○ internet penetration index</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>▪ e-Government Survey</li> </ul> <ul style="list-style-type: none"> <li>▪ Surveys reports</li> </ul> <ul style="list-style-type: none"> <li>▪ News paper and TV advertising</li> <li>▪ Government Survey.</li> </ul>	

awareness campaign			
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
Activities 1.1 , 2,1 and 3,1 Contract 1.1	<b>Technical Assistance</b>	<b>650.000 EUR (IPA funds)</b>	Feasibility study regarding interoperability system requirements carried out by UNDP during 2009
Activities 1.2 , 2,2 and 3,2 Contract 1.2 and Contract 1.3	<b>Supply and Installation of HW and SW</b>	<b>3.650,000 EUR</b> (2.450.000 IPA funds, contract 1.2 + 1.200.000 GoA co-financing, contract 1.3)	
Activity 4 Contract 2.1	<b>Technical Assistance</b> for Improving the functioning of DPC	<b>700.000 EUR (IPA funds)</b>	
Activity 5 Contract 3.1	<b>Technical Assistance</b> for public awareness and surveys	<b>200.000 EUR (IPA funds)</b>	

**ANNEX II: amounts (in EUR) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	1 <sup>st</sup> Quarter 2010	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	3 <sup>rd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011
Contract 1.1			650.000					
Contract 1.2				2.450.000				
Contract 2.1			700.000					
Contract 3.1						200.000		
<b>Cumulated</b>	<b>0</b>	<b>0</b>	<b>1.350.000</b>	<b>3.800.000</b>	<b>3.800.000</b>	<b>4.000.000</b>	<b>4.000.000</b>	<b>4.000.000</b>
<b>Disbursed</b>	1 <sup>st</sup> Quarter 2010	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	3 <sup>rd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011
Contract 1.1			200.000	200.000	250.000			
Contract 1.2				400.000	650.000	700.000	700.000	
Contract 2.1			200.000	150.000	100.000	150.000	100.000	
Contract 3.1							100.000	100.000
<b>Cumulated</b>	<b>0</b>	<b>0</b>	<b>400.000</b>	<b>1.150.000</b>	<b>2.150.000</b>	<b>3.000.000</b>	<b>3.900.000</b>	<b>4.000.000</b>

## ANNEX III: Description of the Institutional Framework

### 1) Description of National Agency for Information Society (NAIS)

NAIS was created by the Council of Ministers Decision nr. 248 date 27 April 2007. It became operational in September 2007, and currently has a staff of 20 and its main duties are divided in 3 pillars:

1. Policymaking<sup>9</sup> process which till the end of 2009 is composed of:
  - Proposing the National Strategy on Information society
  - Drafting the following legal acts in order of priority:
    - ✓ Amendments to the Penal Code in order to implement the convention on Cybercrime the GoA has signed and Parliament has ratified.
    - ✓ Law on Electronic Documents
    - ✓ Law on Public Information
    - ✓ Legal framework on state databases and registers
    - ✓ Legal Framework on e-Commerce
2. Coordinating all ICT related projects within the central government. Many actors of the international community have, and are currently supporting Albania in the ICT field. The task of NAIS is to synchronise all GoA activities in this field with the aim to avoid overlapping and maximise benefits.
3. Standardisation and Technical Assistance is also in the focus of NAIS.
  - ✓ By standardising the Technical Requirements for PCs, Servers, Printers, Scanners and Photocopies, NAIS will provide other GoA institutions with up to date knowledge on hardware and software.
  - ✓ In addition to the standardisation process, there might be cases where Information Systems are very specific to the task that they want to accomplish. In such instances, NAIS will offer technical assistance to other GoA institutions in solving their main technical issues.

Cross-department activities, in cases where the outcome should be a composite of legal and technical knowledge, are very common. For example:

- ✓ Policy Document on e-Mail
- ✓ Policy Document on GoA official websites
- ✓ Policy Document on user-names and passwords
- ✓ Policy Document on ICT architecture (or interoperability framework) of Government information systems
- ✓ Other Policy Documents that might be deemed necessary.

Although there cannot be end-results, because the technology is continuously changing, the immediate goals of NAIS are to:

- Draft and propose to the Council of Ministers, and further to the Albanian Parliament the above mention laws regulating the activities in the field of Information and Communication Technologies

---

<sup>9</sup> As per Stabilisation and Association Agreement, all legal acts must be in compliance with *Acquis Communitarian* (Law 9590 dates 27.7.2006)

- Draft and propose to the Council of Ministers the above mentioned policy documents and/or regulations that will standardise and guide the development of ICT within GoA.

## **2) Description of the Data Protection Commissioner (DPC)**

Albania adopted law No. 9887 “On the Protection of Personal Data” (hereinafter referred to as the DPC law) in March 2008.

This law sets up the Data Protection Commissioner (DPC) as the sole authority involved directly and primarily with privacy and data protection in the country.

The DPC is a supervising authority, independent, which is responsible for the protection of personal data in accordance with its legal framework. The DPC acts in keeping with the laws and importantly it respects and protects human rights and freedoms. The DPC has the necessary competences towards the public and the private sectors, as well as the necessary financial and human resources for the current situation.

The DPC law sets clearly the functions and competences of the Commissioner, with its rights and responsibilities, the cooperation with other institutions as well as other aspects correlated with the exercise of its functions. According to the DPC law, the Commissioner has his own independent budget, which is financed from the State Budget and various donations.

The Commissioner and the organisational structure of the DPC have been appointed by the Assembly through decisions no. 211, dated 11.9.2008 and no. 225, dated 3.9.2008 on the structure of the Office of the Commissioner for Data Protection.

The DPC law is supported by the following legal framework:

- Law no. 9288, dated 7.10.2004 “On the ratification of the Convention for the protection of individuals from automatic processing of personal data”.
- Law no.9287, dated 7.10.2004 “On the ratification of an additional protocol of the Convention for the protection of individuals from automatic processing of personal data, in connexion with supervising authorities and the trans-border flow of personal data”.
- Article 35 of the Constitution of the Republic of Albania which contemplates that:
  - No one may be compelled, except when the law requires it, to make public data related to his person. The collection, use and making public of data about a person is done with his consent, except for the cases provided by law.
  - Everyone has the right to become acquainted with data collected about him, except for the cases provided by law.
  - Everyone has the right to request the correction or deletion of untrue or incomplete data or data collected in violation of law.

Other laws related to data protection issues:

- Law no.8950, dated 10.10.2002 “On the civil status”.
- Law no.9154, dated 6.11.2003 “On archives”.
- Law no.9296, dated 21.10.2004 “On the verification and identification of citizens”
- Law no.8951, dated 10.10.2002 “On the identity number of citizens”.
- Law no. 7703, dated 11.5.1993 “On social insurance”.
- Law no.7845, dated 13.07.1994 “On the social security number”.
- Law no.8485, dated 12.05.1999 “On the right to be informed”.
- Law no.9723, dated 3.05.2007 “On the National Centre of Registration”.
- Law no.9614, dated 21.09.2006 “On electronic certificates of the judicial status”.
- Law no.9049, dated 10.04.2003 “On the declaration and control of assets”.
- Law no.8389, dated 5.08.1998 “On Albanian citizenship”.
- Law no.8756, dated 26.03.2001 “On civil emergencies”.
- Law no. 8927, dated 25.07.2002 “On the Prefect”.
- Council of Ministers’ Decision (CMD) No. 134, dated 7.03.2003 “On the attestation and legalisation of documents”
- CMD No.596, dated 7.09.2006 “On the use, safeguarding and administering of identity documents”

The structure of the DPC is as follows:

- The Commissioner
- An adviser
- Directorate of Registration
- Directorate of procedural and legal issues and international relations
- Directorate of investigations and inspections
- Directorate of public relations
- IT sector
- Directorate of services and support

## **ANNEX IV: Reference to laws, regulations and strategic documents.**

### **i. Stabilisation and Association Agreement/Interim Agreement;**

- **Article 79 Protection of personal data**

“... Albania shall harmonise its legislation concerning personal data protection with Community law and other European and international legislation on privacy upon the date of entry into force of this Agreement. Albania shall establish independent supervisory bodies with sufficient financial and human resources in order to efficiently monitor and guarantee the enforcement of national legislation on personal data protection. The Parties shall cooperate to achieve this goal. ...”

- **Article 103 “Information Society”**

“Cooperation shall primarily focus on priority areas related to the Community Acquis regarding the information society. It shall mainly support Albania's gradual alignment of its policies and legislation in this sector with those of the Community.”

“...to further developing the Information Society in Albania. Global objectives shall be preparing society as a whole for the digital age, attracting investments and ensuring the interoperability of networks and services.”

- **Article 104 “Electronic Communications Networks and Services”**

“...in the area of electronic communications networks and associated services, with the ultimate objective of the adoption by Albania of the Community Acquis in these sectors...”

- **Article 105 “Information and Communication”**

“... take the measures necessary to stimulate the mutual exchange of information. Priority shall be given to programmers aimed at providing the general public with basic information about the Community and professional circles in Albania with more specialised information”

### **ii. Albania 2007 European Partnership**

- **3.1. Short-term priorities**

***Anti-corruption policy (page 8)*** – Clarify rules related to the public access to information in line with international standards.

***Information society and media (page13)*** – Ensure that electronic communications legislation is in line with the *Acquis* and is enforced and take measures to achieve a competitive market for electronic communications networks and services.

***Protection of personal data (page 16)*** – Establish an independent data protection supervisory authority with sufficient powers over the public and private sectors and sufficient financial and human resources.

- 3.2. Medium-term priorities

*Protection of personal data (page 23* - Ensure the efficient monitoring and enforcement of national personal data protection legislation.

iii. Albania 2008 Progress Report

- 4.1.8. Employment and social policies

“There has been some progress in the area of **employment policy**. ...A computer-based information system is being developed in the head office of the national employment service and in two regional offices. Databases on vacancies, jobseekers and training activities have been established. However, the system is not yet extended to all offices. In general, the link between the vocational training offered and the labour market demand is not sufficient, and the capacity of the labour offices to carry out labour market surveys is not strong enough.”

- 4.2.6. Information society and media

“There has been some progress in the area of **electronic communications and information technologies**. The new primary legislation on electronic communications, aimed at transposing the 2002/2003 EU regulatory framework, entered into force in June 2008. ...

... There has been some progress as regards **information society services**. The National Agency on Information Society (NAIS) became operational in September 2007. Its main objective is the co-ordination of all activities in the field of information and communications technology, and currently it has a staff of 20. The law on e-signature was adopted in February 2008. However, the implementing legislation for the law on e-signature, and for data protection, as well as legislation on e-commerce and e-documents, has not yet been finalised. The national strategy for information society is still in preparation and there has been no progress as regards legislation on conditional access. Preparations in the area of information society services are at an early stage.”

- 4.3.6. Protection of personal data

“There has been progress in the area of protection of personal data. The new Law on protection of personal data entered into force in April 2008. In September 2008, the Commissioner for Data Protection was appointed by parliament and the structure for the independent data protection supervisory authority was agreed. Overall, preparations in the field of protection of personal data are advancing ...”



## **ANNEX V: Details per EU funded Technical Assistance contracts.**

A) Under the **Technical Assistance** contract 1.1 (650.000 EUR) **funded by the EU to carry out the activities 1.1, 2.1 and 3.1** the implementation of the below tasks is expected from the contractor:

- Preparation of the Terms of Reference (system requirements & technical specifications) for the development of administration system for the state information system, which will manage the metadata's of the various systems and databases of the state information system.
- Preparation of the Terms of Reference (system requirements & technical specifications) for the detailed design for the development of information systems data exchange layer, which is the environment that enables secure data exchange. During the preparations of ToRs it will be taken in consideration the requirement to build a common data exchange environment, a common set of interfaces and a common authentication system. Here has to be taken in consideration that the physical layer, the Inter Institution Network so called GovNet, is under implementation and is foreseen to be operative in October 2009.
- Preparation of the Terms of Reference (system design, system requirements & technical specifications) for the IT infrastructure and related applications for DPC. During this stage it will be taken in consideration that the highest level of Information Technology Infrastructure is required in order to ensure the proper functioning of the institution of Data Protection Commissioner.
- Deliver training regarding interoperability systems for selected staff from NAIS, DPC and the line ministries
- Preparation of service architectures, platforms, technologies, methods and tools that enable static and dynamic services.
- Preparation of the Terms of Reference (system requirements & technical specifications) in order to build the foundation of the Government's ICT architecture.
- Preparation of the service/software engineering approaches for development of processes, product lifecycle and tools for dynamically composed systems with dependable quality of service.
- Drafting the legal framework for the provision of e-services and functioning of the interoperability system.
- Feasibility study for the detailed design of the document management system to be used within Governmental Institutions.
- Preparation of the Terms of Reference (system requirements & technical specifications) for the DMS.
- Development of guidelines for the integration of the DMS with the Central Archive Office.

B) Under the **Technical Assistance** contract 2.1 (700.000 EUR) **funded by the EU to carry out activity 4** the implementation of the below tasks is expected from the contractor:

- Legal expertise and assistance on the drafting of sublegal acts and regulations related to the well functioning of the Data Protection Commissioner (DPC), in order to be in line with EU standards;
- Workshops and/or workgroups with legal drafting stakeholders, (i.e. with the Ministry of Justice, Ministry of Integration and other stakeholders of the legal drafting process), to

discuss possible procedures and methods of enacting sublegal acts and regulations with a view to the well functioning of the DTC and other involved institutions.

- Production of training materials for training of Data Protection Commissioner Staff and other concerned public officials of other target groups.
- Training session for Data Protection Commissioner staff on application and functioning of the DPC and its role in the protection of personal data.
- Training sessions for public/private entity staff on the data protection issue, legal framework and role and functioning of the Data Protection Commissioner.
- Study visit for Data Protection Commissioner staff in other data protection authorities to gain ground experience on the functioning and procedures involved in the data protection processes.

C) Under the **Technical Assistance** contract 3.1 (200.000 EUR) **funded by the EU to carry out activity 5** the implementation of the below tasks is expected from the contractor:

- E-Government Survey, which will measure the quality of government services and products offered to citizens and businesses. This Survey will concentrate on the following:
  - Measurement of the access to the services by citizens or businesses.
  - Measurement of the quality services delivered.
  - Measurement of the interaction of GoA with citizens and business.
- The Web Measure Index Survey, which will measure the presence/absence of specific electronic facilities/services and also the stage in which is delivered.
- The e-Participation index Survey, which assesses the quality and usefulness of information and services provided by the government for the purpose of engaging its citizens in public policy through information and communication technologies. Preparation of the public action plan information campaigns.
- Public information campaign. Based on the results of the surveys, a nationwide public information campaign will be developed and implemented.