

## Ethics, an Article in the Law or Individual Behaviour? An Overview of the Legal Framework in Albania on the Prevention of Conflicts of Interest during the Exercise of the Public Sector Functions



Mirela Miti (Ujkani)<sup>1</sup>, Fatmir Bërdica<sup>2</sup>

<sup>1,2</sup>Department of Accounting, Faculty of Economy, University of Tirana, Albania

<sup>1</sup>[mirela.miti@unitir.edu.al](mailto:mirela.miti@unitir.edu.al)

<sup>2</sup>[fatmir\\_b@hotmail.com](mailto:fatmir_b@hotmail.com)

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**Abstract:** At the core of current discourse on good governance and institutional integrity rests the complex interplay between ethics as a legal norm and ethics as individual behavior. It is precisely this dual nature of ethics, sometimes expressed as an article in the law and sometimes as a moral guide in preventing conflicts of interest during the exercise of public functions, that constitutes the central focus of this paper. Through a qualitative analysis of the Albanian legal framework and institutional practice, the paper examines the effectiveness of existing provisions in identifying and preventing situations involving conflicts of interest. The scientific contribution of this paper lies in highlighting the gap between the formal legal regulation of ethics and conflict of interest and their practical implementation, showing that legal provisions alone are insufficient to ensure effective prevention. Although legislation attempts to codify ethical standards through clear rules, the analysis demonstrates that sustainable prevention is intrinsically linked to individual awareness, institutional culture, and the ethical conduct of public sector employees. The paper argues that effective prevention requires a combined approach, integrating legal instruments with internal ethical responsibility, continuous education, and institutional commitment. In conclusion, the study emphasizes that while the existence of a legal framework is a necessary condition for safeguarding public integrity, it is not sufficient on its own. The prevention of conflicts of interest ultimately depends on a consistent and enduring interaction between legal provisions and an ethical culture internalized by individuals entrusted with public responsibilities.

**Keywords:** ethics; conflict of interest; law; prevention.

**JEL Classification:** D02; K49; H83; Z19; A12.

### Introduction

Ethics has become one of the fundamental pillars of good governance and building citizens' trust in state institutions and the services they provide. At a time when integrity, transparency, and accountability represent core principles of administrative practice, the legal regulation of public officials' conduct faces the significant challenge of balancing legal norms with personal moral standards. Ethics in public service is not simply a matter of personal morality or internal organizational rules but increasingly constitutes a central component of the legal and institutional framework designed to safeguard the public interest and prevent corruption.

Even for Albania as a country aspiring to EU integration, the exercise of the profession by everyone with an ethical behavior by applying the fundamental principles of ethics, accompanied by the prevention of conflicts of interest that may arise, is essential for maintaining public trust, ensuring administrative integrity, and strengthening the fight

against corruption. In our context, there often arises an inevitable tension between official duties and the personal interests of public officials. This situation constitutes what is defined in the legal framework as a conflict of interest, a situation where decision-making can be influenced by private interests, in contradiction with public responsibilities.

An interest is a commitment, obligation, duty, or purpose associated with a particular social role or practice (Komesaroff, P.A.; Kerridge, I.; Lipworth, W. 2019). A conflict of interest arises when an individual or public official is subject to two simultaneous and opposing interests during the decision-making processes they are required to undertake. This issue is particularly significant, as under such circumstances the decision-making process may be disrupted or compromised in a manner that undermines the integrity or credibility of the outcomes, thereby producing adverse consequences for the public interest as well.

Albania, as a country that is working hard towards EU integration, one of the most sensitive issues of public administration is the exercise of the function of an official with integrity, which is associated with the widespread phenomenon of corruption as well as the emergence of conflicts of interest. The relationship between the legal norms governing ethics and conflicts of interest and the actual behavior of individuals holding public office became the central focus of this paper. The guiding research question of this study was: *"Is the regulation of ethics through legal norms sufficient to prevent conflicts of interest, or does the effectiveness of such prevention primarily depend on individual awareness, integrity, and will?"*

Therefore, this paper analyzes the content, clarity, and practical applicability of legal and sub-legal acts aimed at preventing conflicts of interest, identifying both formal oversight mechanisms and the structural or cultural deficiencies that undermine their effectiveness. It also evaluates the extent to which current legislation seeks to foster an institutional ethic, as well as its influence on the conduct of public officials. Through this analysis of Albania's legal framework, the paper argues that justice and public trust are sustained not solely through laws but through individuals who uphold them with integrity and a clear conscience.

To develop this analysis, the paper adopts a qualitative research approach, focusing on a review of the primary Albanian legal framework concerning conflicts of interest. This includes two foundational laws: Law No. 9131, dated 8.9.2003, "On the Rules of Ethics in Public Administration," and Law No. 9367/2005, "On the Prevention of Conflict of Interest in the Exercise of Public Functions," along with other relevant sub-legal acts. The analysis is further enriched by comparative assessments of European practices and the interpretation of administrative jurisprudence in this domain. Through this approach, the paper aims to identify not only the normative dimensions but also the practical challenges associated with implementing public ethics in Albania.

This topic takes on particular importance in the current context of public administration reforms and efforts to strengthen the rule of law and citizen trust in state institutions. Although the law attempts to provide a clear framework for identifying and managing conflicts of interest, its effective implementation is often hampered by institutional culture, political pressures, or a lack of individual ethical awareness.

This paper contributes to the existing literature on public ethics and conflict of interest in three main ways. First, it provides a systematic analysis of the Albanian legal and institutional framework governing conflicts of interest, highlighting its evolution and degree of approximation with European standards. Second, it moves beyond a purely normative assessment by examining the practical effectiveness of these rules through institutional reports and implementation data, identifying key gaps between legal design and enforcement. Third, the paper advances the argument that legal regulation alone is insufficient, and that effective prevention depends on the internalization of ethical responsibility by public officials, supported by education, institutional culture, and credible sanctions.

The remainder of the paper is structured as follows. Section 1 reviews the relevant theoretical and empirical literature on conflict of interest and public ethics. Section 2 outlines the research methodology and data sources. Section 3 presents the main findings from the analysis of the Albanian legal framework and institutional practice. Section 4 discusses the results in a comparative and critical perspective, with reference to European standards. The final section concludes by outlining policy implications and directions for future research.

## 1. Literature Review

Definitions of conflict of interest are widely found in literature, but the main one that is used is *"A conflict of interest is a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest."* (Lo, Field 2009; Thompson 1993). According to Thompson (1993), secondary interests are usually not illegal in themselves and may indeed be a necessary and desirable part of

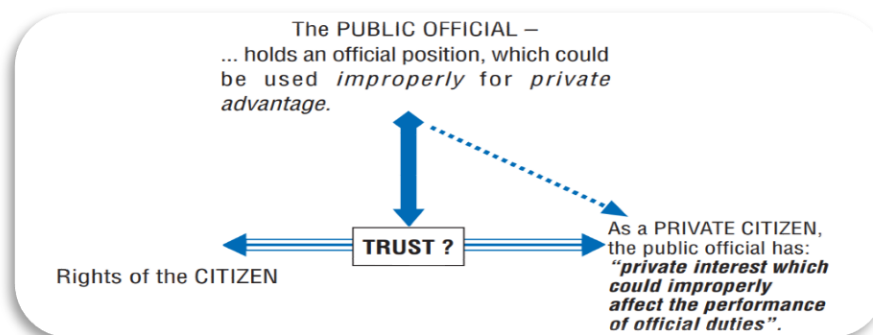
professional practice, but their relative weight in professional decisions is problematic. The aim is not to eliminate or necessarily reduce financial gain or other secondary interests but to prevent secondary factors from dominating or appearing to dominate the relevant primary interest in professional decision-making.

Conflict of interest rules in the public sphere focus mainly on financial relationships, as they are relatively more objective, interchangeable, and measurable, and usually include political, legal, and medical fields. As a result, the application of the principle of integrity plays a key role in the exercise of public function; therefore, Integrity is identified as a crucial aspect of good governance, but not the only aspect (Huberts L. 2014). Conflicts of interest have much in common with corruption and fraud but should not be confused with breaches of integrity (Huberts L. 2014).

In October 2016, the Congress of Local and Regional Authorities of the Council of Europe (31st session) adopted its roadmap, which identifies among the issues the promotion of public ethics and the preparation of a report on conflict of interest, to identify preventive measures and good practices in the fight against corruption. In the context of digitalization and internationalization and their intensification, new integrity risks are also being generated in the public sector. Current discussions about conflict of interest are about how important and effective identification and prevention policies and instruments are.

A key role in the public sector is also played by the OECD Guidelines for Managing Conflicts of Interest in the Public Service, which were initially adopted by the OECD Council on 28 May 2003. The Guidelines respond to a growing demand to ensure integrity and transparency in the public sector. They provide a framework of reference for stakeholders to review and modernize their public sector conflict of interest policies, defining "A conflict of interest involves a conflict between the public duty and private interests of a public official, in which the public official has private-capacity interests which could improperly influence the performance of their official duties and responsibilities". The guidelines also encourage partnerships between the public and private sectors and non-profits by suggesting the responsibilities of each sector for improving integrity and strengthening the business environment (OECD 2025).

Diagram 1. Conflict of interest



Source: OECD 2005 Managing Conflict of Interest in the Public Sector. A toolkit

The situation presented above is also called a real conflict of interest. At the heart of it is trust in the integrity of the official, which can be seriously damaged by the suspicion that the performance of official duties by the public official may be influenced by a personal conflict of interest. Every public official has private interests, these from his perspective as a private citizen; therefore, it is necessary to identify and manage conflicting interests whenever they arise, to maintain trust. Trust can be protected and enhanced in various ways and forms, which are presented in the OECD guidelines (2025), for example, by making the relevant private interests of the official known to the public.

Also, managing conflicts of interest is not simply a matter of ethical compliance, but a critical necessity to ensure transparent and equitable business practices. Ongoing commitment to managing conflict of interest is essential for protecting the principles of fair competition and supporting long-term economic growth and stability (Sewsankar G. 2024).

Managing conflict of interest requires interdisciplinary cooperation because it is a concept that combines law, politics, economics, sociology, organizational behavior and morality. This situation immediately raises the profound question of the limits of law and traditional compliance-based approaches. Therefore, when designing new rules, policies and approaches, consideration should be given to the early involvement of experts from different disciplines in

the early stages of political decision-making (European Union, 2020)<sup>1</sup>. EU member states have increasingly introduced monitoring and enforcement bodies with different and often overlapping roles.

In view of the above, the most important regulatory instrument of institutions are codes of ethics. Every individual accountant, auditor, lawyer, etc., while practicing their profession in both the private and public sectors, must understand and learn that there is a Code of Professional Ethics which also includes the International Independence Standards (IFAC 2025 for accountants and auditors but not only). These codes clearly identify how a profession should be practiced with ethical principles and norms, as well as the circumstances when a conflict of interest may arise and how it can be avoided.

Meanwhile, regarding transparency, institutions are increasingly paying attention to the conflict-of-interest register, in which public officials' declarations of interest are recorded.

In Albania, starting from the beginning of democracy (1992) and until the early 2000s, there was a lack of a clear legal regulation on conflict of interest, as well as no independent institutions for asset declaration or for monitoring ethics in the public service. Initially, the control of assets and the identification of conflict of interest was carried out by the Albanian Supreme Audit Institution<sup>2</sup>, and then an independent institution was created to control and monitor conflict of interest, the High Inspectorate of Declaration and Control of Assets and Conflict of Interest (ILDKPKI in Albanian and in English (HIDCACI)).

The basic laws were:

- Law no. 8270, dated 23.12.1997 "On the Supreme State Audit", which through audit processes aimed not only at auditing the state budget but also at identifying individual benefits during the abuse of official function. It currently functions based on law no. 154/2014, dated 27.11.2014 "On the organization and functioning of the Supreme State Audit".

- Law no. 7903, dated 8.3.1995 "On the declaration of assets of elected officials and certain public service managers and employees" (repealed in 2003)

- Law No. 9049/2003 "On the Declaration and Control of Assets of Public Servants" was the first concrete step towards the control of private interests and assets. However, it did not clearly address conflict of interest situations.

- Law No. 9131, dated 8.9.2003 "On the rules of ethics in public administration", through which the rules of conduct of public administration officials were determined. The avoidance of conflict of interest referred to in the law was carried out in accordance with the Code of Administrative Procedures.

- Law No. 9367/2005 "On the Prevention of Conflict of Interest in the Exercise of Public Functions" laid the foundations of the legal framework in this area. It clearly defined the concept of actual, potential, and apparent conflict of interest, as well as established the obligation to self-declare and prohibit the exercise of function in cases where a conflict is established.

The creation of two laws (2003/2005) also led to the creation of the High Inspectorate for the Declaration and Control of Assets and Conflict of Interest (ILDKPKI /HIDCACI) as an independent body. Its role was to control the assets of senior officials, monitor conflicts of interest, advise officials, and issue administrative measures. The implementation of basic laws and the economic, political and social developments themselves brought about the need for many reforms to strengthen the legal and institutional framework. As a result, during the years 2016-2020, Law no. 9367/2005 was amended several times, specifying the procedures and role of the HIDCACI, while Law no. 9049/2003 was repealed and replaced with Law no. 42/2017 "On the declaration, origin and control of assets and private interests of public officials". This law expanded the scope of subjects and modernized the declaration of asset declarations through the electronic system. Below is a table of the main acts over the years.

As can be seen from the table, a key role is also played by the Public Administration Agency (DAP), which is responsible for drafting, coordinating and supervising the implementation of ethics policies in public administration. Its activities are based on the following acts:

- Law no. 9131, dated 8.9.2003 On the rules of ethics in public administration

- Law No. 152/2013 "On Civil Servants", which defines the objectives of professional civil service, moral integrity and political impartiality.

<sup>1</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/651697/IPOL\\_STU\(2020\)651697\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/651697/IPOL_STU(2020)651697_EN.pdf); visited on 21.7.2025

<sup>2</sup> <https://www.klsh.org.al/wp-content/uploads/2025/05/Historiku-i-Kontrollit-te-Larte-te-Shtetit-1925-2012.pdf>

Table 1. Legal acts over the years in the field of "conflict of interest"

Years	Legal act (Responsible institution)	Purpose and role
1992	Law No. 7597 dated 31.8.1992 "On the State Audit Service" (SAS)	Control and monitoring of the state budget. The ALSAI was independent. The ALSAI drafted a Code of Ethics for employees, a copy of which in English was sent to INTOSAI <sup>3</sup> .
1997	Law No. 8270, dated 23.12.1997 "On the Supreme State Audit" (KLSH in Albanian and in English ALSAI)	The name of the institution was changed to KLSH (ALSAI) and brought changes that fully complied with international principles and standards in the field of auditing, approved by INTOSAI and the SAIs of EU countries.
2003	Law No. 9049/2003 On the declaration and control of assets, financial obligations of elected officials and certain public servants, as amended (HIDCACI)	Declaration of assets of public servants
2003	Law No. 9131, dated 8.9.2003 On the rules of ethics in public administration. (DAP)	It defined the rules of conduct for public administration employees. Avoidance of conflict of interest is carried out in accordance with the Code of Administrative Procedures.
2005	Law No. 9367/2005 (HIDCACI)	Prevention of conflict of interest in official functions. The independent institution HIDCACI was established
2008	Law No. 9887/2008 "On the Protection of Personal Data" (Commissioner)	Personal data protection and transparency
2012	Law No. 90/2012 "On the organization and functioning of the state administration"	Organization and functioning of state administration. Responsibility of civil servants and division of powers
2013	Law No. 152/2013 "On Civil Servants" (DAP)	Code of ethics and responsibilities of civil servants
2014	Law No. 119/2014 "On the Right to Information"	Right to information and transparency
2014	Law No. 154/2014, dated 27.11.2014 "On the organization and functioning of the Albanian Supreme Audit Institution"	Through audits, it aims to use public funds, public and state property effectively, efficiently and economically, develop an appropriate financial management system, properly perform administrative activities, and inform public authorities and the public through the publication of its reports.
2017	Law No. 42/2017 "On the declaration, origin and control of assets and private interests of public officials" (HIDCACI)	Electronic declaration of assets and interests
2013	Council of Minister's Decision (VKM) 830/ 2013 On the approval of the Ministerial Code of Ethics.	Establishment of the Ethics Commission. The Code aims to define the rules of ethics that will guarantee the conduct of a member of the Council of Ministers in the exercise of his function as a member of a collegial body or as an individual body, as well as in his personal capacity, in accordance with the legitimate public interest and the government program.
2014+	Council of Minister's Decision (VKM) 874/2021 Code of Ethics in the Civil Service (various decisions of the Council of Ministers)	Ethical standards and rules of conduct
2016+	Justice reform	Vetting, integrity verification for judges and prosecutors
2024+	Decision No. 50/2024 of the Parliament of Albania "On the establishment of the Special Parliamentary Committee "On deepening reforms for good governance, the rule of law and anti-corruption for Albania 2030 in the European Union"	Establishment of a Special Parliamentary Committee to monitor and identify the effectiveness of institutions (including the issue of conflict of interest)

Source: The authors based in the law frameworks in Albania for years.

<sup>3</sup> <https://www.klsh.org.al/wp-content/uploads/2025/05/Historiku-i-Kontrollit-te-Larte-te-Shtetit-1925-2012.pdf>; page 106.

- Decisions of the Council of Ministers (for example: No. 109/2014, 125/2016, etc.) regulating disciplinary procedures, appointment, transfer and evaluation of civil servants.
- DCM No. 874/2021 which determines the principles of ethics, the classification of external activities and the value of gifts that may be accepted by administration officials.
- Orders / Manuals (2025) drafted by DAP which include: “Practical Ethics Manual”, instructions for implementation by human resources and disciplinary procedures. These documents aim to provide practical orientation on ethics in the daily work of the administration.

Therefore, it is concluded that a series of reforms have been undertaken in Albania, centered on Law No. 9131, dated 8.9.2003 on the rules of ethics in public administration, Law No. 9367/2005 “On the prevention of conflict of interest in the exercise of public functions”, as well as legislation that accompanies and complements them in the field of asset declaration, transparency and access to information. These reforms have been undertaken in cooperation with international organizations.

But there is still work to be done to approximate and harmonize it with European standards and the EU acquis. The coherence of the legal and institutional framework for the prevention of corruption and the integrity of public officials will need to be increased, as it is very complex, especially regarding high-level officials. The legislative framework on conflict of interest needs to be approximated with European standards and the EU acquis (Screening Report 2023).

## 2. Research Methodology

This study adopts a qualitative research design based on a legal institutional analysis. The analysis focuses on the regulatory framework governing ethics and the prevention of conflicts of interest in public administration in Albania, with particular emphasis on the interaction between formal legal norms and their practical implementation. The qualitative approach is appropriate for assessing the coherence, clarity, and effectiveness of legal and institutional mechanisms, as well as their alignment with European standards. The selection of Albania as the case study is justified by its ongoing public administration reforms and its European Union accession process, which requires the approximation of national legislation with EU standards on integrity, transparency, and good governance.

The analysis concentrates on the core legal instruments regulating ethics and conflict of interest, namely Law No. 9131/2003 “On the Rules of Ethics in Public Administration” and Law No. 9367/2005 “On the Prevention of Conflict of Interest in the Exercise of Public Functions”, as well as their related by-laws. These acts were selected because they constitute the backbone of the Albanian legal framework in this field. The legal and institutional analysis covers the period from 2003 to 2024, corresponding to the adoption and subsequent amendments of the main laws on ethics and conflict of interest. Quantitative and institutional data drawn from official reports are analyzed for the period 2013–2023, which represents the timeframe for which consistent annual reports from the High Inspectorate for the Declaration and Control of Assets and Conflict of Interest (HIDCACI) are publicly available. The study is based on the analysis of primary legal sources, including laws, sub-legal acts, and decisions of the Council of Ministers regulating ethics and conflict of interest. In addition, secondary sources are used, such as annual reports and statistical data published by the HIDCACI, reports from international organizations (OECD, SIGMA, European Union), and relevant academic literature. Comparative references to European standards and best practices are employed to assess the degree of alignment of the Albanian framework with international integrity principles. The analysis combines doctrinal legal analysis with an institutional assessment of implementation practices. Legal provisions are examined in terms of their content, scope, and enforcement mechanisms, while institutional reports are analyzed to identify trends, gaps, and practical challenges in the identification and prevention of conflicts of interest. This combined approach allows for the identification of discrepancies between normative regulation and institutional practice.

This study is subject to certain limitations. It relies primarily on publicly available legal documents and institutional reports, which may not fully capture informal practices or unreported cases of conflict of interest. The absence of primary empirical data, such as interviews or surveys with public officials, limits the ability to assess individual perceptions and behaviors. Furthermore, incomplete transparency regarding some recent institutional reports constrains the depth of the quantitative analysis.

## 3. Research Results

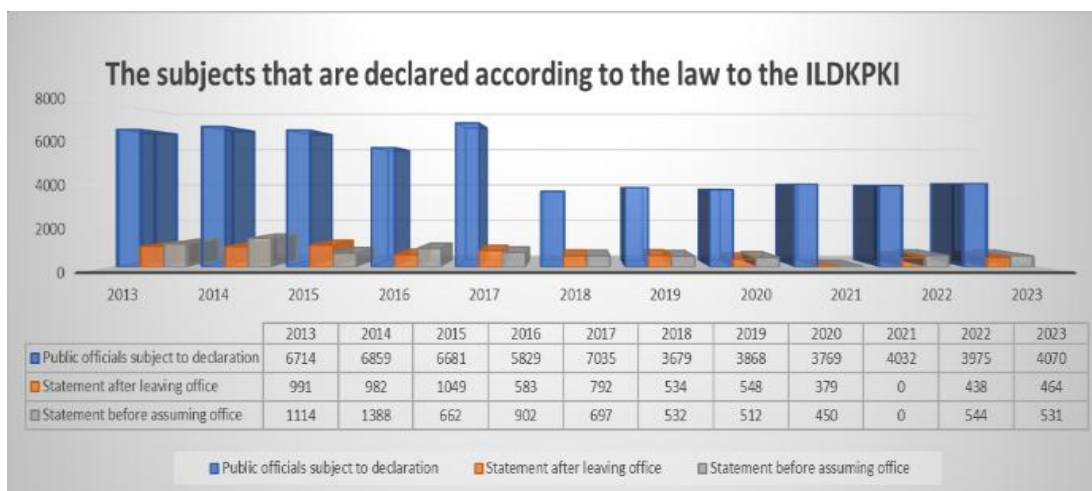
In addition to the legal framework over the years in the field of ethics and conflict of interest, our research also continued with the identification of quantitative data. During the period 2013-2023, from the annual reports and statistical data of

the HIDCACI (ILDKPKI) it is concluded that there is no clear and accurate report related to the identification and prevention of conflict of interest<sup>4</sup>. At the beginning of the implementation of the law, a very low number of cases of conflict of interest were found, and even the annual reports found that although suspicion was raised in 46 cases of conflict of interest, none of them were approved and were not transferred to administrative investigation (Annual Report 2013). Although there are improvements in the regulatory framework in line with international recommendations, the identification and prevention of conflicts of interest remain at a minimal level.

Also, reports from OECD or SIGMA have highlighted that there is no history or data on its implementation<sup>5</sup>, and the law also lacks post-employment rules or restrictions<sup>6</sup>.

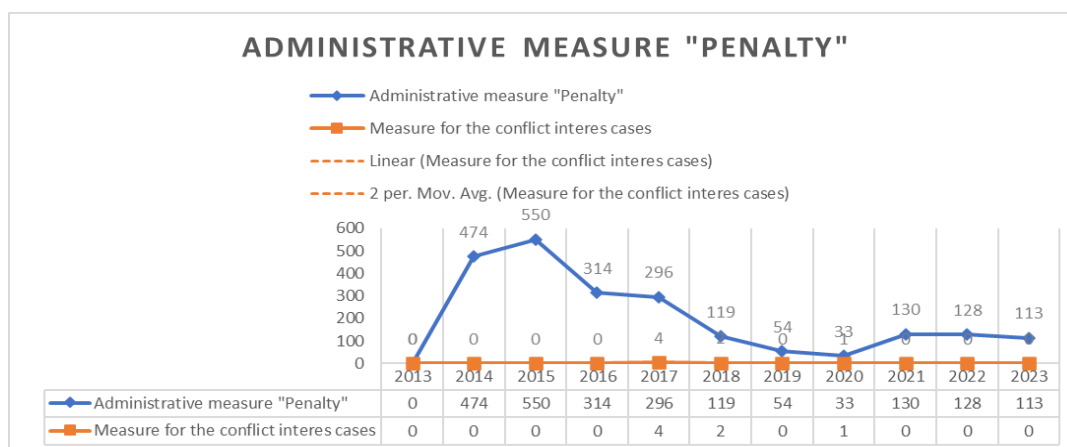
Below is the data of the reporting entities for the period 2013-2023. (The 2024 annual report has not been made transparent on the official website.)

Table 2. The subjects that are declared according to the law to the ILDKPKI (HIDCACI)



Source: The authors based on annual reports by ILDKPKI (HIDCACI)

Table 3. The administrative measure "penalty" and treatment of the conflict interest cases.



Source: The authors based on annual reports by ILDKPKI (HIDCACI)

<sup>4</sup> Annual report of HIDAACI/ ILDKPKI for the periods 2013-2023 <https://www.ildkpi.al/raporte-vjetore/> as well as the analytical darft prepared by the group of experts appointed by the parliament of albania (page 55) [https://masl.al/wp-content/uploads/2025/03/Dokumenti-Analitik\\_Antikorrupsioni.pdf](https://masl.al/wp-content/uploads/2025/03/Dokumenti-Analitik_Antikorrupsioni.pdf)

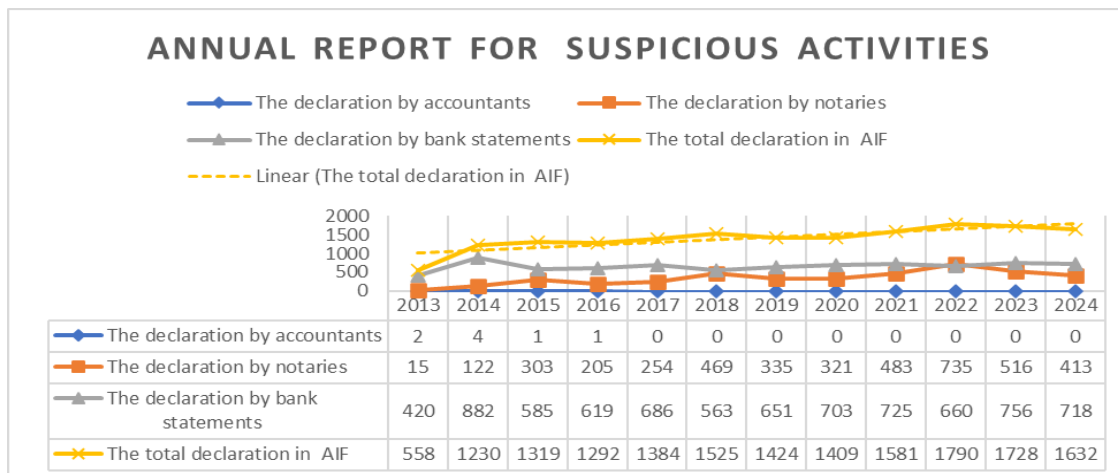
<sup>5</sup> OECD (2024) Western Balkans Competitiveness Outlook, Albania pg 102

<sup>6</sup> OECD (2024) Western Balkans Competitiveness Outlook, Albania 2024, pg 103

The reports also found that in cases of whistleblowing in accordance with legal acts, the competent bodies are informed according to the issues raised by the whistleblowers, such as the Supreme Audit Institution; Police structures: the Financial Intelligence Agency (AIF former DPPP); the Procuracy, etc. But it is found that even though the number of trainings is high, the number of alerts remains at very low levels (Annual Reports 2019-2023 ILDKPKI (HIDCACI)).

If we also study the annual reports of the Financial Intelligence Agency, which receives cases reported as suspected of money laundering, it is again found that the number of reports of events and suspected transactions by legal and accounting professionals is extremely small. (Miti M. *et al.* 2023; 2024). Although training continues, reporting still has a very low weight (table no. 4). These professions are key factors in controlling declarations of conflicts of interest and assets that arise from unintelligent behavior of any individual in general and an official in particular.

Table 4. The declaration in AIF



Source: The authors based on annual reports

If we examine the legal acts and specifically in Article 19 of Law No. 9131, dated 8.9.2003 on the rules of ethics in public administration, disciplinary measures are found, which states that civil servants who violate the principles of ethics, defined in this law, when their actions do not constitute a criminal offense, are punished with disciplinary measures, according to the procedure defined in the legislation on the status of civil servants. The measures must also be registered in the National Register of Public Administration (currently the Central Personnel Register). Meanwhile, Article 16 of the Council of Ministers No. 874, dated 29.9.2021 "On the approval of the rules for the implementation of the principles of ethics, the classification of external activities and the value of gifts that may be accepted during the activity of an administrative employee", provides that disciplinary measures due to ethical violations are extinguished after the expiry of the deadlines set out in their respective legislation, and are removed from both the central personnel register and the personnel file.

From another perspective, based on studies conducted in Albania, there is a high level of corruption (Miti M. *et al.* 2023:2024:2025), which mostly comes from individuals who practice their profession in the public sector.

The European Union does not have a single law on conflict of interest that is binding on all member states, but has a combination of directives, recommendations and institutional rules that aim to prevent conflicts of interest at the level of European institutions and in public administrations at the national level, such as:

Regulation 2018/1046 (EU) on public finances (Financial Regulation) sets standards for the transparent and accountable management of European funds, including the prevention of conflict of interest in procurement processes and grant management.

Regulation 2018/1725(EU) on the protection of personal data in the EU institutions, which is closely related to transparency and the prevention of conflicts of interest.

The European Commission's Code of Conduct and similar documents of EU institutions for public officials set out clear rules for preventing conflicts of interest and declaring personal interests.

Based on these directives and codes, the main principles that the EU promotes for the prevention of conflict of interest are (i) prevention of situations where conflict of interest may arise, through clear rules for the declaration of interests and the disallowance of participation in decision-making where there is a conflict; (ii) transparency which is

manifested by the obligation to publish information related to the financial and private interests of persons exercising public functions; (iii) independence and integrity of public officials which is ensured by promoting ethical behavior and responsibility that they are not influenced by private or business interests: (iv) and last but not least is responsibility and punishment by establishing mechanisms and instruments for punishing violations of conflict of interest rules.

Even in Albania, these directives and principles are integrated into legal and sub-legal acts and even into the National Strategy for Albania 2030, as well as continuing with reforms to improve the legal framework and harmonization with EU directives.

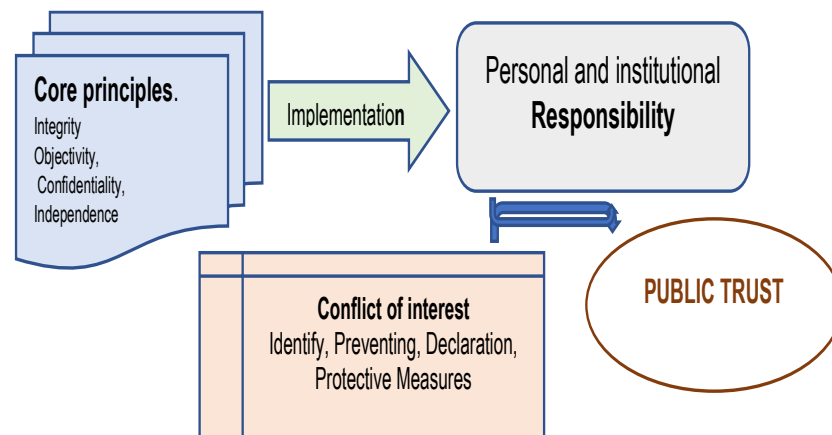
#### 4. Discussions

Our research question is whether it is sufficient for ethics to be regulated through legal norms to prevent the phenomenon of conflict of interest or does the effectiveness of this prevention depend mainly on the awareness, integrity and will of the individual? They often put us in discussions and why not in various dilemmas. Although the literature review shows that the discussions are different, the position in the end is the same. Standards and rules are necessary, but they must also be accompanied by the awareness of everyone to increase public trust, to exercise official functions with integrity. Regulations do not necessarily lead to less corruption, for example, most Nordic EU member states have much fewer rules and standards in place than other member states, but at the same time have relatively low levels of corruption and bribery (Zibold F. 2013).

In Albania, legal acts in the field of ethics in general and conflict of interest are formalistic and declarative but not always followed by real actions or effective punishments (see institutional annual reports). Institutional culture and political pressure often weaken the power of supervisory institutions. The reforms undertaken and that continue to be undertaken often aim at harmonization with EU directives, but again the low levels of reporting on unethical and unintelligent behavior with conflicts of interest cast doubt on their correct implementation if we look at the high level of corruption in Albania, or the universally recognized facts of punishment of high public officials who are also linked to obvious conflicts of interest with family members or persons related to business or profession.

If the basic principles of ethics and guidelines based on international independence standards (IFAC 2024) were implemented correctly, then everyone would be clothed with a personal and institutional responsibility that is correct and fair, leading to the strengthening of public trust. The declaration at every step of the professional life of each of us not only of wealth but also of potential or apparent conflicts of interest would bring not only public trust, but the creation of a Generation of Integrity where the Rule of Law is the basis of a free and democratic life, a life that each of us has dreamed of since childhood.

Figure 1. The relationship between core principles of ethics and conflict of interest in public trust



Source: The authors

Based on our study we suggest the following:

- **Transparency and public accountability**

Transparency and accountability as basic principles should not remain only in laws but should be implemented carefully. Therefore, the publication of periodic reports on the state of conflict of interest and the measures taken is now an indispensable need. Involving the media and civil society in oversight and building a culture of accountability.

- **Strengthening mechanisms for identifying and declaring conflicts of interest**

This can be achieved by continuing to implement the electronic and integrated system of self-declaration of assets by public officials, expanding the range of scope. This means that the declaration should be made by every individual who is an active force to work and not only by senior officials. Continuous monitoring by the responsible institution should be carried out with a focus on apparent or potential conflicts of interest. The obligation to declare assets should continue, not only by the official but also by people related to him, which according to the law extends to family members. In fact, people who have business and professional ties with public officials that may affect objectivity should also declare. The database should also be made transparent for the public and other supervisory institutions, but access should be limited and regulated by legal or sub-legal act.

- **Raising awareness and ethical education**

In the modern and digitalized world, basic and continuing education takes on a special importance, therefore the development of mandatory annual training for all public officials and civil servants on the principles of professional ethics, conflict of interest and ways of its management is considered an added value. Institutional cooperation also takes on importance, as the drafting of annual training plans by coordinating the actions of higher education institutions (universities), the Albanian School of Public Administration (ASPA), and responsible institutions would also be an added value. Annual training plans for public administration on compliance with codes of ethics and conflict of interest, should be established as an obligation in the respective laws and monitored by the Albanian Parliament as the main body for monitoring the implementation of the law.

- **Development of management and prevention measures**

Legal acts should clearly define measures to avoid conflict, such as the separation of duties, limiting involvement in decision-making and, when necessary, removal from position. Continue to establish internal procedures in institutions for reporting conflicts of interest and HIDAACI to continue monitoring and consulting, thus strengthening effective monitoring of their implementation.

- **Improving the supervision and punishment system**

Although punishment is seen as a negative phenomenon, it is a necessary need in conditions where respect for the law must prevail. As a result, stricter penalties should be provided for violations of the law on conflict of interest, including fines, suspension from duty and disciplinary measures. Protection measures should also be provided for whistleblowers who report conflicts of interest.

In conclusion, we can say that these policies aim to build a comprehensive and functional system, based on the best international practices, integrating IFAC ethical standards and European Union requirements. With this approach, Albania can advance in building an administration with integrity, accountability, and trust for citizens.

## Conclusions and Further Research

In conclusion, we firmly believe that preventing conflict of interest is not just an article in the law or a matter of written norms, but a dynamic process that requires a sustainable interaction between the legal framework, institutional will, and personal and professional ethics. Building an ethical culture within public administration requires the strengthening of independent institutions, as well as fostering a climate that values integrity above personal or political interest. In this way, ethics turns from an article in the law into a real standard that inspires public service in the function of civic trust and democratic development.

The paper will serve for further studies by researchers in the respective field, but above all, the reform undertaken in Albania for European integration, based on the initiative of the Albanian Parliament, which increasingly focuses on scientific research and the absorption of experts in the field, as well as on the empirical analysis of public officials' perceptions of ethics and conflict of interest.

## Declarations

### Credit Authorship Contribution Statement:

**Mirela Miti:** Conceptualization, Investigation, Methodology, Data curation, Review and editing, Funding acquisition.

**Fatmir Bërdica:** Investigation, Methodology, Formal analysis, Writing original draft, Data curation, Validation, Visualization, Funding acquisition.

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**Declaration of Use of Generative AI and AI-assisted Technologies:** The authors declare that they did not use generative AI and AI-assisted technologies during the preparation of this work.

## References

- Demmke, C. H., Paulini, M., Autioniemi, J., & Lenner, F. (2020). *The effectiveness of conflict-of-interest policies in the EU member states*. European Parliament, Committee on Citizens' Rights and Constitutional Affairs. [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/651697/IPOL\\_STU\(2020\)651697\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/651697/IPOL_STU(2020)651697_EN.pdf)
- Huberts, L. (2014). *The integrity of governance: What it is, what we know, what is done, and where to go*. Palgrave Macmillan. <https://doi.org/10.1057/9781137380814>
- Hoxha, K. A., & Miti, M. (2025). Transparency, information, sustainability interaction with citizens vs. the fight against corruption, and their role in the public sector auditing: Evidence from Albania. *Theoretical and Practical Research in Economic Fields*, 16(2), Article 12. [https://doi.org/10.14505/tpref.v16.2\(34\).12](https://doi.org/10.14505/tpref.v16.2(34).12)
- International Federation of Accountants (IFAC). (2024). *Handbook of the International Code of Ethics for Professional Accountants*. <https://www.ethicsboard.org/publications/2024-handbook-international-code-ethics-professional-accountants>
- Komesaroff, P. A., Kerridge, I., & Lipworth, W. (2019). Conflicts of interest: New thinking, new processes. *Internal Medicine Journal*, 49(5), 574–577. <https://doi.org/10.1111/imj.14233>
- Kongresi i Autoriteteve Vendore dhe Rajonale të Këshillit të Europës. (2018). *Konfliktet e interesit në nivel lokal dhe rajonal*. <https://rm.coe.int/booklet-a6-conflicts-of-interest-sqi/1680a5a10a>
- Law No. 7903, dated March 8, 1995. (1995). *On the declaration of assets of elected officials and public service leaders and employees* (repealed 2003).
- Law No. 9049. (2003). *On the declaration and control of assets of public servants*.
- Law No. 9131, dated September 8, 2003. (2003). *Rules of ethics in public administration*.
- Law No. 9367. (2005). *On the prevention of conflict of interest in the exercise of public functions*.
- Lo, B., & Field, M. J. (2009). *Conflict of interest in medical research, education, and practice*. National Academies Press. <https://www.ncbi.nlm.nih.gov/books/NBK22942/>
- Miti, M., & Çika, N. (2024). Financial reporting, criminal-judicial protection, and corruption in Albania. *Revista de Gestão Social e Ambiental*, 18(1). <https://doi.org/10.24857/rqsa.v18n1-135>
- Miti, M., Çika, N., & Dhamo, S. (2023). The role of accounting profession in the fight against corruption. *European Journal of Multidisciplinary Studies*, 8(1), 51–66.
- OECD. (2005). *Managing conflict of interest in the public sector: A toolkit*. [https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/08/managing-conflict-of-interest-in-the-public-sector\\_g1gh5807/9789264018242-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/08/managing-conflict-of-interest-in-the-public-sector_g1gh5807/9789264018242-en.pdf)
- OECD. (2025). *OECD guidelines for managing conflict of interest in the public service*. <https://legalinstruments.oecd.org/public/doc/130/130.en.pdf>
- Sewsankar, G. (2024). The extent to which conflict of interest in the public sector affects private sector functioning. *International Journal of Innovative Science and Research Technology*, 9(8). <https://doi.org/10.38124/ijisrt/IJSRT24AUG823>
- Thompson, D. F. (1993). Understanding financial conflicts of interest. *The New England Journal of Medicine*, 329(8), 573–576. <https://doi.org/10.1056/NEJM199308193290812>

- Williams, A., & Parker, L. (2020). Developing comprehensive conflict of interest policies: Best practices for organizations. *Journal of Business Ethics*, 163(3), 615–630.
- Zaçaj, E., & Miti, M. (2024). Using financial statements analysis as a tool on identifying the solvency of SMEs and its relationship with forensic accounting: Evidence from Albania. *Revista de Gestão Social e Ambiental*, 18(5). <https://doi.org/10.24857/rgsa.v18n5-144>
- Zibold, F. (2013). *Conflicts of interest in public administration*. Library of the European Parliament. <https://www.europarl.europa.eu/document/activities/cont/201302/20130221ATT61562/20130221ATT61562EN.pdf>