

Role and the Impact of Albanian CSOs in EU Integration

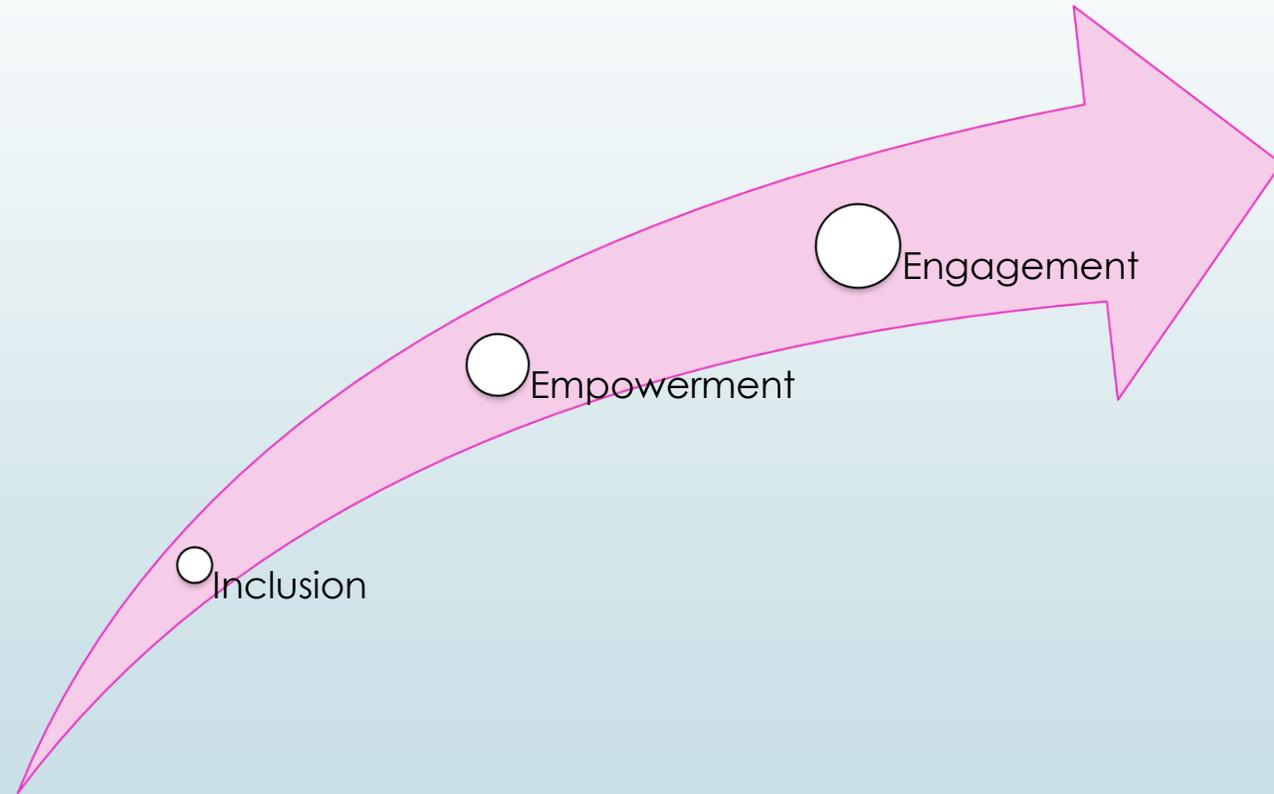
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Accession Negotiations

- ▶ Accession negotiations between Albania and European Union have been opened due to the Council decision of 25 March 2020
- ▶ This was the decision of the Council which was analysed as a political decision, while the real opening of negotiations become possible only after the negotiations framework of the Commission adopted and the First Intergovernmental Conference between EU and Albania organized.

Phases of the CSOs involvement





Inclusion

- ▶ **Self-inclusion approach:** Law no. 119 “On the establishment and functioning of the National Council for CSO” – 2015 – mechanism of cross-sectoral dialogue between the government and CSOs.
- ▶ **A National Council for Civil Society** expected to become operational at 2016, has started functionality in December 2017. CS sector encounters obstacles such as: the shortcomings created by the legal framework in force, with the challenges of the sector in which civil society organizations operate, as well as with the institutional capacities to ensure a selection process of representatives of this sector in a comprehensive and transparent manner.
- ▶ **The National Resource Centre of CSOs** has organized informative sessions (since the preliminary phases) to create a clear understanding on EU legislation and standards divided in 35 chapters and the role that CSOs should have in the negotiation process, in order to be prepared to sit in consultations with the government and discuss specifically for the Chapters.



► CONCRETIZATION OF THE ACTIONS: Road Map for the Government policy towards more enabling environment for CS development 2013-2017

► Nature of the Council: collegial, advisory, autonomous body near the Council of Ministers

► Objectives:

a) Advise and issue recommendations to the government on public policies that impact on the development of CSOs and its involvement in cross-sectorial cooperation;

b) Advise the government on legislative improvements that promote the development of CSOs and its involvement in decision-making processes;

c) Issue opinions to the government and CSOs on priorities' planning related to the distribution of public funds, EU funds and other donors.

2 main problems addressed during the meetings of Council members:

❖ Lack of common understanding between CSOs members (for the position of the deputy chairman)

❖ Replacement of the institutions' representatives with those with lower level and lack of decision-making powers



Role in the consultation and decision making process

- ▶ CSOs are prescribed as crucial actors of the public consultation process.
- ▶ **In most cases, the consultation process is FORMAL (check in the box!)**
- ▶ The CSOs invest time and HR in addressing technical opinions and expertise in the policy making process, but they don't get feedback on the level of the acceptance or reasoned refusal of their recommendations/suggestions addressed.
- ▶ The contribution of CSOs in meantime is not evaluated or promoted as influencing the drafting of approved acts with an impact on the European integration process, but only the consultation process is promoted as a result reached out.
- ▶ The local communities including local CSOs, and local government face the challenge of not being properly and fully informed about the process, making really difficult and almost impossible for them to be engaged and to contribute in this process.



NEEDED...

- ▶ Operational Standards of Good Cooperation and/or
- ▶ code of good practice for civil participation in the negotiations process would oblige the state administration bodies and negotiations team to respect the minimum standards regarding consultations with the public and CSOs (Lazarević et. al. 2014: 42).



Empowerment- Donor Driven

- ▶ There are more than 7 600 non-for-profit organizations registered in Albania, yet their high number is not guarantee for their development and strength
- ▶ As the 2020 Report of European Commission emphasises: “No progress has been made on the implementation of the roadmap on an enabling environment for civil society”, while: “Substantial efforts are needed to ensure meaningful and systematic consultations with civil society as part of an inclusive policy dialogue for reforms”.
- ▶ Albanian CSOs is functioning under UNSTABILITY – Donor Driven, strategies which are not always linked on EU negotiation process
- ▶ The CSOs who tend to use social or ‘civic’ arguments are less in number, and located mostly on urban areas (rural areas are mostly excluded, due to the lack of technical expertise)
- ▶ Furthermore, because in Albania CSOs sector may be weak and not consolidated, CSOs or individual experts may either be part of the working groups (provided that they are qualified and their expertise justifies so), allowing them to contribute to the shaping of the negotiation documents and policies or to follow the process through monitoring and/or commenting on already prepared acts.



Example: Albanian Helsinki Committee and Partners of CSOs* MATRA Project (Cluster One Negotiation Platform)

- <http://cluster1albania.com/>
- The **general objective** of the project is to support Albania's EU accession negotiations related to Cluster One chapters (fundamentals first) through improved policy debate and strengthened accountability and CSOs role in the process.
- The Fundamentals Cluster contains following chapters:
- **23 – Judiciary and fundamental rights,**
- **24 – Justice, Freedom and Security,**
- **5 – Public procurement,**
- **18 – Statistics, and**
- **32 – Financial control,**
- **as well as economic criteria; functioning of democratic institutions, and public administration reform.**

- This Cluster will be opened first and closed last.

Amendments on the LAW 15/2015 "On the role of the Assembly in the process of integration of the Republic of Albania into the European Union"

- 1. The consideration in this draft law of some suggestions made earlier by the AHC, but it is not seen positively that civil society actors have not been considered in the article that defines the relations of the Assembly for the European integration process.
- 2. The number of organizations operating in our country in the scope of each chapter should be better studied, in order to determine the number of representatives of civil society in the composition of **National Council for the European Integration near the Albanian Parliament.**
- 3. AHC has previously proposed the possibility of the Council coming up with draft resolutions on issues of special importance related to the integration process, which can also measure the impact of its work, but this proposal was not taken into account in this bill.
- 4. On AHC' demand, it is estimated that there should be a coherence between the provisions made in this draft law regarding the parliamentary commissions that are created, and the provisions of the Rules of the Assembly, which, unlike this draft law, requires an absolute majority to was approved/amended.

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- 5. The draft law should better clarify the competences of the Council as well as explain how the Council, as a collegial body with a significant number of members, will decide on the recommendations that will be addressed to the Parliamentary Committees.
 - 6. Legal provisions that do not provide enough time for the issuance of opinions by the Council, as an important advisory body on European integration issues, should be avoided, turning their issuance into a formal process without impact.



Engagement

- ▶ Information, consultation, communication and involvement of civil society, interest groups, the academic world, and local government in the process of negotiations for membership in the European Union as well as in the Stabilization-Association process is carried out through the **Partnership Platform for European Integration and Consultation Tables**.
- ▶ For each Chapter of the Acquis (33 in total in case of Albania) is established an Inter-Institutional Working Group (IIWG) responsible to specifically scrutinize the state of policies; legislation; administrative procedures; partnership and collaboration between actors of the respective chapter.
- ▶ CSOs engagement on EU integration process has been important in Albania, but so far CSOs action in this regard has been fragmented and discontinued. The opening of the accession negotiations and the ensuing processes demand an increased focus and continuity of action, particularly with regard to ensuring accountability of political and public institutions which remains one of the weakest links.

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- ▶ Most of the Ministries shared this open call on their official websites, but this method was not successful, because the number of organization and interested reached was very limited and applications submitted were very little.



Future - Recommendations

- ▶ Civil society sector should increase their human capacities
- ▶ CSOs should proactively participate in the discussion tables organized in the framework of the EU Platform
- ▶ CSOs should be more engaged relating their watchdog role – assessment of the baseline situation through monitoring; addressing suggestions and recommendations; follow up the activity plan drafted on fulfilling the recommendations
- ▶ CSOs should promote informative/sensitizing activities/campaign focusing on citizens and public interest
- ▶ Partnership and bridges of cooperation among the sector, as well with the institutional actors should be strengthened