



The Engagement of Albanian CSOs in the EU Accession Process: CHALLENGES and OPPORTUNITIES

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EXECUTIVE SUMMARY

Civil society participation in EU processes, including accession negotiations, serves to expand the plurality of views in consultations and decision-making, to give presence to non-economic concerns, and to stimulate the development of healthy democracies. Thus, EU has given special consideration and dedicated support to civil society engagement in candidate countries.

This study investigates the role and practices of engagement of Albanian civil society organizations (CSOs) – including think tanks, watchdogs, community and service provision organizations, youth organizations, advocacy organizations and networks – in view of the country's opening of EU accession negotiations.

It makes use of lessons learned by the impact of EU support on the civil society organizations in previous enlargement countries to interpret findings of a survey of Albanian CSOs' perceptions of their own engagement in the EU accession negotiation.

Experiences from Eastern European enlargement countries show that EU support was only able to temporarily increase the engagement of civil society; it did not result in a lasting inclusion of non-state actors in decision-making processes in the post-accession period. Reports from other countries in the Western Balkans – particularly Croatia, Serbia, and North Macedonia – point out to similar risks. Lack of transparency around accession negotiations, including lack of clarity on the membership and roles in the negotiating structures, inconsistent publication of relevant documents, and limited information around progress in the process are inconducive to an effective engagement of civil society.

An online survey of 122 Albanian civil society organizations shows that 65.6% of those surveyed report to engage with the EU integration process primarily through project implementation, education and awareness raising on the EU integration process, and less so through research and policy analysis on the topic. A small number report to be involved in formal structures such as the National Council on European Integration (3%) and Civil Society Partnership Platform (11%). Involvement in the negotiation and integration processes happens through the networks that CSOs are part of, as well as by their own initiative. The main challenges faced by CSOs are related to the limited know-how and capacities for following the highly technical negotiation process. These are compounded by lack of information and lack of financial resources to expand capacities.

Across the board, results show that CSOs have big expectations on the impact that participation in EU accession negotiations and consultations will have on their operation and professionalization. At the same time, there is still cautious skepticism stemming from how the process has unfolded so far, i.e., not fully structured and without consolidated follow-up mechanisms.

Albanian CSOs represent an untapped resource for the country's accession efforts. They possess consolidated expertise on given chapters, have strong research and monitoring capabilities, and good outreach in the community. Their meaningful engagement can be a strong added value. Therefore, it is imperative to strengthen protocols for participation and role descriptions for all parties involved in the EU accession negotiations, ensure full transparency of the negotiation process, including accessibility and availability of data for monitoring the progress, and support CSOs capacity building efforts for contributing to policy decisions and accession negotiations.

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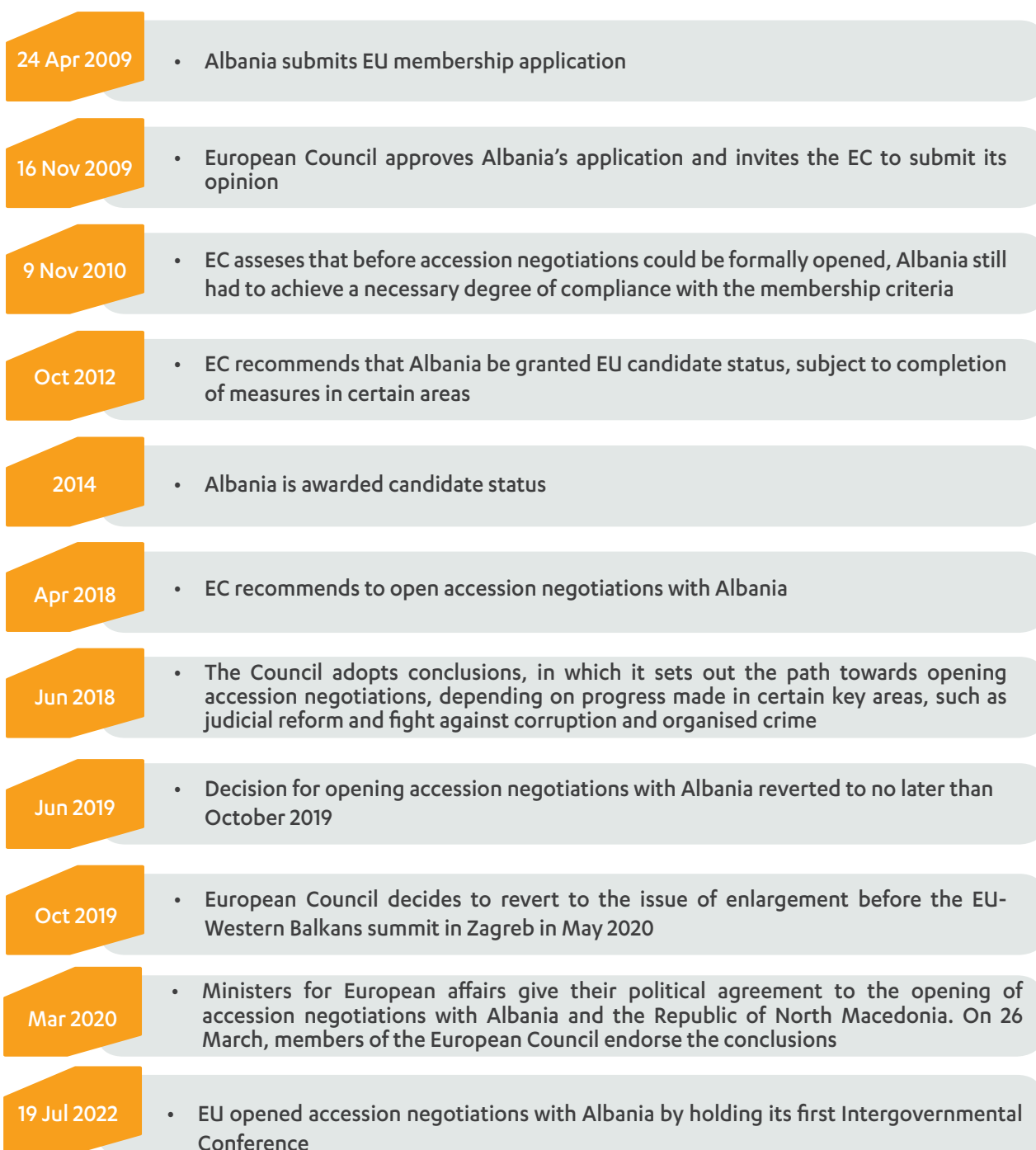
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1. INTRODUCTION

1.1 Rationale

EU accession has been a long-held aspiration for Albania and the overarching driving force behind democratization reforms in the country and the wider region. Starting in April 2009, when Albania submitted its application for EU membership, progress has been made, albeit at an uneven pace.

Figure 1. Timeline of Albania's progress in EU integration¹



¹ Retrieved from: <https://www.consilium.europa.eu/en/policies/enlargement/albania/>

Albania obtained candidate status in 2014, and managed to open accession negotiations in 2020, then holding its first Intergovernmental Conference in July 2022. During this period, to demonstrate its commitment towards EU integration and to speed accession once negotiations officially began, the Government of Albania has established various structures and initiated a pre-screening exercise, i.e., preparatory work that assesses the level of harmonization of national legislation with the *EU acquis*².

Among these, and as per EU requirements³, the inclusion of non-state actors, such as civil society organizations (CSOs), in the accession negotiation process has taken a prominent role. Civil society participation in Albania's EU integration process is reflected in a number of regulatory and policy documents. Most recently, the declaration on the general position of Albania in light of the first Intergovernmental Conference endorses the continuation of the dialogue with civil society in order to ensure public support for the accession process.⁴ Furthermore, in the guideline for an enabling environment for the development of civil society for the period of 2019-2023, the Government of Albania commits to actively involve civil society in setting the political agenda of the country, as well as in monitoring policies, particularly in light of the EU accession process.⁵

1.2 Research aim

The aim of the study is to investigate the role and practices of engagement of Albanian CSOs (think tanks, watchdogs, community and service provision CSOs, youth CSOs, advocacy CSOs and networks) in the EU accession process. It explores the expertise, type, frequency, and level of engagement of civil society organizations, while accounting for their capacities and resources, as well as partnership with state actors for policy dialogue and public engagement. The study assesses whether there is a risk of overreliance on EU leverage during the EU accession process that will then pose limits on CSOs relevance in the post-accession phase through a comparative glance at other countries that joined the EU after 2004.

1.3 Study structure

The study is structured as follows: in addition to an overview of CSO participation in the accession process in other countries, and a detailed legislative review of the frameworks that regulate CSO participation in Albania's path towards EU accession, a methodology section presents the research design, process, and methods used by considering both its limits and merits. Following, the findings of primary research on practices of CSO engagement are presented, in order to conclude with recommendations for future improvements.

2 European Movement in Albania [EMA]. (2020). Inclusion of Civil Society Organizations on the EU Integration process of the country. Policy Paper in the framework of the project "National Resource Centre for Civil Society in Albania"

3 Article 15 of the Treaty on the Functioning of the European Union stresses that, in order to advance good governance, the Union shall promote participation of the civil society.

Article 11 of the Treaty on the European Union stipulates that the institutions shall find appropriate means for exchange of information, shall maintain an open and transparent dialogue with citizens and citizens associations, and shall consult them in creation of European policies.

4 Decision of the Council of Ministers no. 424 dated 22.06.2022 "The first intergovernmental conference on the accession of the Republic of Albania to the European Union opening statement of the Republic of Albania, general position" para. 52

5 Decision of the Council of Ministers no. 539 dated 25.07.2019 "On the approval of the guideline on the policy of the government towards an enabling environment for the development of civil society 2019-2023, reviewed".

II. AN OVERVIEW

OF CSOs PARTICIPATION IN THE EU ACCESSION PROCESS

2.1 The relevance of CSOs involvement in the EU accession negotiations

The involvement of CSOs has been a key feature of the way EU institutions operate since the signing of the Maastricht Treaty in 1992, which recognized the notion of European citizenship, aiming to bring citizens closer to EU institutions⁶.

The objective of CSOs participation in EU processes, including accession negotiations, is to expand the plurality of views in consultations and decision-making, to give presence to non-economic concerns, and to stimulate the development of wide public engagement and a sense of ownership⁷. The underlying rationale is that a strong civil society is an indicator of a functional democracy.

In the accession negotiations in particular, civil society can provide relevant information, can hold a supervisory (watchdog) role, and can legitimize the process by ensuring representation of interest groups.⁸ Thus, the EU aims to foster cooperation between governments and civil society in candidate countries as a tool for improving domestic democratic processes.

At the pre-accession phase, the assistance that EU provides to candidate countries involves the creation of an enabling environment for civil society, financial aid and capacity development, and support for the establishment of coordination structures for periodic exchanges and consultation between state and non-state actors.

In February 2020, the European Commission presented a new methodology for EU accession of Western Balkans proposed focusing on more credibility, predictability, dynamism and political steer.⁹ According to the new methodology, credibility should be reinforced through an even stronger focus on fundamental reforms, starting with the rule of law, the functioning of democratic institutions and public administration as well as the economy of the candidate countries. Also, the negotiating chapters are grouped in six thematic clusters: fundamentals; internal market; competitiveness and inclusive growth; green agenda and sustainable connectivity; resources, agriculture, and cohesion; external relations. The process starts with the fundamentals cluster. As such, civil society places a more enhanced role in the process considering that it is primarily based on the fundamentals.

In June 2022, the European Commission published the Guidelines for EU Support to Civil Society in the Enlargement Region 2021-2027¹⁰, underscoring that EU support to civil society for this period will

6 Kohler-Koch, B. (2012). Post-Maastricht Civil Society and Participatory Democracy. *Journal of European Integration*, 34:7, pp. 809-824. DOI: 10.1080/07036337.2012.726016

7 Ibid

8 Jano, D. (2015). Albanian CSO Involvement at EU Accession Negotiations – Best Practices from Previous Accession. Occasional Policy Paper

9 Declaration, European Commission, available at

https://www.eeas.europa.eu/eeas/new-methodology-eu-accession-western-balkans-proposed-more-credibility-predictability-dynamism_zh

10 Guidelines for EU Support to Civil Society in the Enlargement Region 2021-2027, available here:

https://neighbourhood-enlargement.ec.europa.eu/dg-near-guidelines-eu-support-civil-society-enlargement-region-2021-2027_en

continue to focus on strengthening participatory democracies and the EU approximation and integration process in the Western Balkans and Turkey through a strengthened contribution from civil society.¹¹ EU support aims to achieve this by considering civil society as an essential player in the enlargement agenda that can support candidate countries to meet the targets and criteria set out in the EU conditionality.

Table 1: Intended Outcomes of the EU Guidelines for Civil Society Participation in the Enlargement Process¹²

<p>A conducive environment for civil society to carry out its activities</p>	<ul style="list-style-type: none"> ▪ An enabling legal and policy environment, for the exercise of fundamental freedoms and rights, with a focus on freedoms of association, assembly, and expression ▪ An enabling financial environment, which supports the sustainability of CSOs, with adequate funding and tax rules for civil society
<p>Strengthened cooperation and partnership between CSOs and public institutions</p>	<ul style="list-style-type: none"> ▪ IPA supported, public institutions include CSOs in decision and policy-making processes and oversight and, acknowledge the importance of CSOs in societal policy debate and EU integration processes. ▪ IPA beneficiary public institutions contribute to civil society strengthening by cooperating with civil society through strategic policy frameworks and relevant institutional mechanisms.
<p>Reinforced CSO capacity and resilience to carry out their activities effectively</p>	<ul style="list-style-type: none"> ▪ CSOs are capable, transparent, and accountable. ▪ CSOs’ work is vision-driven, strategic, and evidence based. ▪ CSOs work with adequate financial and human resources.

However, while conditionality can lead to a transformation of standards and practices of civil society engagement in policy making, evidence on the effects of various conditionality mechanisms on the patterns of civil society engagement in matters of policy in countries on the path to EU accession is still inconclusive.¹³ Arguably, the effectiveness of CSOs inclusion depends on the genuine commitment of governments towards proactive transparency and engagement. The accompanying risk is that governments offer merely a formal compliance with EU requirements that remains “only a window dressing exercise and a source of legitimizing authorities’ decision-making processes without empowering effects on domestic civil society actors.”¹⁴

Ongoing scholarly debates alert on the “possible trade-offs between participation as a means to enhance democratic accountability or a tool to improve the quality of outputs produced by intergovernmental organizations”, “how opportunity structures and financial support provided by the EU have shaped organized interests and their strategies at both the EU and the national levels”, and the opportunistic and/or self-interested involvement of CSOs in EU-related consultations / processes.¹⁵

11 TACSO. EU Civil Society Guidelines. <https://tacso.eu/eu-civil-society-guidelines/>. Accessed in November 2022.

12 Guidelines for EU Support to Civil Society in the Enlargement Region 2021-2027

13 Vidačak, I. (2021). The effects of EU conditionality on patterns of policy engagement of civil society organizations in candidate countries. *Southeast European and Black Sea Studies*, 21:4, 571-592. <https://doi.org/10.1080/14683857.2021.1951864>

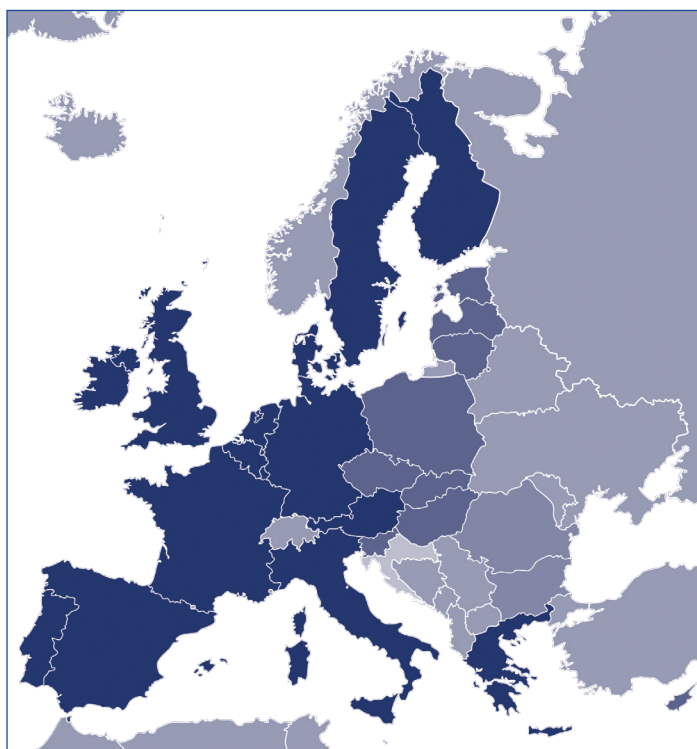
14 Ibid, pp. 573

15 Fagan, A. & Wunsch, N. (2019). Fostering institutionalisation? The impact of the EU accession process on state–civil society relations in Serbia. *Acta Polit* 54:607–624. <https://doi.org/10.1057/s41269-018-0093-1>

2.2 Experiences from Central and Eastern European enlargement countries

The EU accession process of Albania and other Western Balkans countries benefits from many of the lessons learned by the latest enlargements of the EU. In 2004, ten new members joined the Union, including Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.¹⁶ In 2007, they were joined by Bulgaria and Romania, and in 2013 by Croatia.

Figure 2: EU Enlargement¹⁷



- EU members prior to 2004
- Member states that joined on 1 May 2004 (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia)
- Member states that joined on 1 January 2007 (Bulgaria and Romania)
- Member states that joined on 1 July 2013 (Croatia)

Studies argue that, despite the support provided by the EU during the accession process, CSOs in Central and Eastern Europe (CEE) enlargement countries have remained weak compared to their counterparts in established democracies.¹⁸ They claim that EU's impact was highly ambivalent, that is, on the one hand EU-induced policy reforms levelled the way for the involvement of established actors in multilevel politics, and on the other, they reinforced some of the barriers to development that the CSOs already faced, such as the lack of sustainable income, of formalized interactions with the state, and of grassroots support. This is the result of an unfortunate interplay between various, often implicit mechanisms of the EU's enlargement regime and other problems inherited from state socialism and transition.¹⁹

Analysis of Hungary, Poland, and Romania shows that even when state and non-state actors shared incentives to cooperate, there was only limited evidence of sustained cooperation. This was likely due to low administrative capacities of state actors and the weakness of private interest and civil society organizations to contribute to policymaking.²⁰

16 Out of these countries, seven were part of the former Eastern Bloc – of which three were from the former Soviet Union and four are members of the Visegrád Group.

17 Public domain image image

18 Kutter, A. & Trappmann, V. (2010). Civil society in Central and Eastern Europe: The ambivalent legacy of accession. *Acta Politica* 45, pp. 41–69. DOI:10.1057/ap.2009.18

19 Ibid

20 Börzel, T.A. and Buzogány, A. (2010). Governing EU accession in transition countries: The role of non-state actors. *Acta Politica* 45, pp. 158–182. DOI:10.1057/ap.2009.26

Thus, the accession process was only partially able to improve the situation for CSOs in these countries. The EU introduced various incentives for empowerment, including raising awareness for informational and participatory rights, for social partnership, environmental and social policy issues; it provided funding for capacity building; and opened up opportunities for transnational networking. However, these measures did not tackle the underlying causes for the weakness of CSOs in CEE – lack of viable funding, lack of formalized interaction with state representatives, lack of mobilization and legitimization.²¹

Box 1: *The case of Croatia – A success story?*

Long considered as the success story that should serve as a blueprint for Western Balkan countries in the EU accession process, the case of Croatia is in fact a little more perplexing. Involvement of non-state actors, including CSOs, in the accession negotiations was relatively limited and the process of involvement was not transparent.²² Local non-state actors claimed that they struggled with a “discrepancy between stated political commitments to transparency and inclusiveness and the actual negotiation and policy-making practices which were driven by a sense of urgency and even fear that public disclosure of negotiation documents, public consultations on acquis-related legislation and extensive public debates might stifle the process, weaken Croatia’s position and create political resistances.”²³

Involvement of civil society in Croatia’s accession negotiations was possible through the negotiating structure adopted by the government, which included a Chief Negotiator and Negotiation Team consisting of 13 members, and 35 Working Groups (WG) for Preparation of Negotiations on the individual chapters of EU Acquis. Around 1800 experts were involved in these groups, with about 1/3 from non-state actors (CSOs, business sector and academia). WGs would participate in the screening process and in drawing up the draft proposals of negotiating positions, in dialogue with state administration and other bodies. However, WG members did not have clear role descriptions or guidelines for their engagement and contribution. In addition, there were cases when WGs contributed to the screening phase only for their input not to be included in the draft of the negotiation positions or in other elements of the process.

Communication with CSOs and the broader public was also erratic. A survey assessing the state of CSOs in Croatia in 2009 found that 44% of the respondents had not followed the negotiations process simply because they were not invited or informed to take part in these discussions. The other reasons for the lack of engagement included a lack of information concerning the EU accession process and the lack of expertise and capacities.

Similarly, the main documents of the negotiation process were not public; the space for debate and discussion among various parties and the wider public was limited. Reports indicate that citizens, too, considered themselves insufficiently informed about the accession. This was seen as a major factor for declining support of EU membership and the low turnout at the referendum on Croatia’s EU accession. It is estimated that only approx. 43.5% of citizens took part in this referendum, despite its relevance. Because of the above, Croatia’s EU accession process has been labeled as ‘elitist’ and unable to properly include non-state actors. The way the process was handled indicates that the main priority was speed, rather than transparency and inclusion.²⁴

21 Kutter, A. & Trappmann, V. (2010). Civil society in Central and Eastern Europe: The ambivalent legacy of accession. *Acta Politica* 45, pp. 41–69. DOI:10.1057/ap.2009.18

22 European Movement in Albania [EMA]. (2020). Inclusion of Civil Society Organizations on the EU Integration process of the country. Policy Paper in the framework of the project “National Resource Centre for Civil Society in Albania”

23 Skrabalo, M. (2012). Transparency in Retrospect: Preliminary Lessons from Croatia’s EU Accession Process. Discussion Paper. Retrieved from: <http://www.franziska-brantner.eu/wp-content/uploads/2012/11/Transparency-in-retrospect.pdf>

24 European Movement in Albania [EMA]. (2020). Inclusion of Civil Society Organizations on the EU Integration process of the country. Policy Paper in the framework of the project “National Resource Centre for Civil Society in Albania”

2.3 Experiences from Western Balkans countries

While the long-standing EU and international support to CSOs, prior to the granting of candidate status to the country where they operate, has certainly contributed to a professionalization of civil society, criticism regarding the sustainability of improvements in state–CSO relations in CEE countries, led to the EU revisiting its assistance strategy in candidate countries of the Western Balkans.²⁵ In fact, over the years the EU has increased the funding provided to organizations operating in the region and refining its instruments for assistance. In the period 2014 to 2020, the EU has provided around EUR 330 million in support for civil society through the Civil Society Facility and Media Programme. The amount planned for the period 2021-2023 is EUR 218 million²⁶.

Most recently, as mentioned earlier in this study, the new Guidelines for EU Support to Civil Society in the Enlargement Region 2021-2027 were published in 2022. These guidelines provide a tool for governments to improve cooperation with civil society and help to measure progress towards meeting conditions for EU integration. At the same time, their aim is to promote civil society’s role in monitoring impacts, reducing misinformation, defending the interest of the marginalized communities, and maintaining the focus on the longer-term challenges.²⁷

Box 2: *The case of Serbia*

Serbia opened EU accession negotiations and held its first Intergovernmental Conference in 2014. The involvement of CSOs in the process is already mentioned in the EU’s Negotiation Framework for Serbia. CSOs are expected to participate in the monitoring and consultation process.

At the time, it seemed that the Government of Serbia would have preferred for CSOs to only hold a “watchdog” role rather than engage formally and directly in the negotiation process. In response to this, Serbian civil society actors decided to self-organize into the so-called the National Convention on European Union in Serbia (NCEU), which considered all 35 chapters of the EU Acquis. This platform was based on the Slovak experience. It consists of around 700 civil society organizations, and it has established 21 Working Groups focused in one or more chapters.

In August 2015, NCEU was recognized by the Government of Serbia as a channel of information and consultation concerning the negotiation process. NCEU has proven to be an inclusive and transparent platform that has strengthened the dialogue between state and civil society actors.²⁸

25 Fagan, A. & Wunsch, N. (2019). Fostering institutionalisation? The impact of the EU accession process on state–civil society relations in Serbia. *Acta Polit* 54:607–624. <https://doi.org/10.1057/s41269-018-0093-1>

26 Civil Society in the Western Balkans and Turkey is More Important Than Ever for the EU Integration Process. (2022, Jun 9). TACSO. <https://tacso.eu/civil-society-in-the-western-balkans-and-turkey-is-more-important-than-ever-for-the-eu-integration-process/>. Accessed in November 2022

27 Ibid

28 European Movement in Albania [EMA]. (2020). Inclusion of Civil Society Organizations on the EU Integration process of the country. Policy Paper in the framework of the project “National Resource Centre for Civil Society in Albania”.

Box 3: *The case of North Macedonia*

In recent years, North Macedonia's progress in EU accession has been tied to that of Albania. The two countries were granted the opening of accession negotiations on the same day in 2020, even though North Macedonia obtained its candidate status in 2005. Just like the case of Albania, accession negotiations will be carried out based on the New Methodology of the European Commission.

North Macedonia recognizes civil society as an important actor that should be included in the negotiation process, with the government facilitating such inclusion. Like Albania, the country has established the National European Integration Council (NEIC) where representatives from legislative and executive structures and non-state actors, including CSOs, can contribute to the EU integration and accession negotiations. NEIC aims to strengthen dialogue and political consensus through its decision-making procedures.

Other bodies that CSOs and non-state actors can join to participate in EU accession-related processes include the Council for Cooperation and Development of Civil Society, the Council for Monitoring the Implementation of the Strategy on Judicial Reforms, the Council for Civilian Oversight of the Security Services, as well the working groups of line ministries and IPA sectoral groups. The role of CSOs is strengthened by the Strategy and its Action Plan for Cooperation between Government and Civil Society 2018-2020. Yet, despite their active engagement, efforts are needed to ensure a more meaningful and timely consultation process.

North Macedonia's negotiating structure includes a Working Committee for European Integration; an EU Accession Negotiations Committee; a State Delegation for EU Accession Negotiations of the Republic; an EU Accession Negotiations Group; an Office of the Chief Technical Negotiator; Working Groups (WGs) for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and the development of the negotiating positions for membership negotiations with the EU. The members of the Working Groups for preparation of NPAA will not only be representatives from state authorities, but also by civil society, academia, local governments, business community and chambers of commerce and other interest groups.

Lack of clarity on the membership procedure in the negotiating structure is a concern for civil society actors. They request increased transparency from government actors, which would benefit not only CSOs, but also the wider public.²⁹

Though this study will not explore the regional dimension of CSO engagement, it is important to note that EU's support to civil society in the Western Balkans is also complemented by the related Berlin Process, an initiative that began in 2014 to boost regional cooperation among the Western Balkan countries and their European integration.³⁰ The Civil Society Forum of the Western Balkans (CSF WB) is a platform that brings together think-tanks and policy-oriented civil society organizations from the region, which came to life as part of the Berlin Process. Its purpose is to contribute to regionally relevant political processes by communicating the latest expertise and field findings to decision-makers, and by engaging in public advocacy campaigns. CSF WB has been contributing to the Berlin Process through policy recommendations and CSF WB policy briefs, prepared at annual, interim, and working groups meetings, in online consultations and at joint sessions with officials of the governments involved in this process.³¹

29 European Movement in Albania [EMA]. (2020). Inclusion of Civil Society Organizations on the EU Integration process of the country. Policy Paper in the framework of the project "National Resource Centre for Civil Society in Albania"

30 See more <https://wb-csf.eu/>

31 Some of the policy contributions can be found here: <https://wb-csf.eu/csf-publications>

III. METHODOLOGY

3.1 Approach

We use a combined qualitative and quantitative methodology for this study. A thorough literature review was conducted about the role of civil society in the EU accession process in other countries, by referring to academic articles, reports, and secondary resources. The aim was to investigate the role that CSOs have played during and after the accession process in other countries.

Secondly, the research utilized document analysis, including legal documents, reports of the National Council for European Integration, EU integration Parliamentary Committee, Civil Society Council, European Commission Reports, and related documents, to gauge the type of contribution made by CSOs to the accession process.

Thirdly, primary quantitative data was collected through an online survey for CSOs at the national level. Online administration of the survey allowed for the development of a database of CSOs contacts and to perform a statistical analysis of the sample of respondents. Quantitative findings are interpreted within the frame of the literature review, leading to the identification of recommendations for improvement.

Figure 3: Research design process



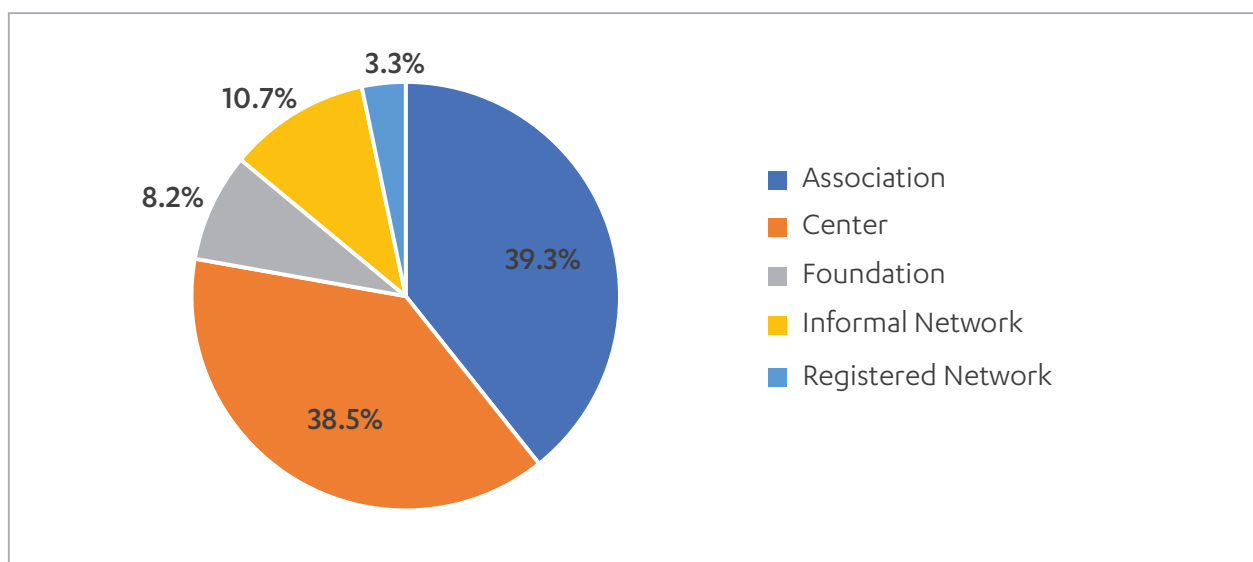
3.2 Online survey sample characteristics

The CSO questionnaire was intended for civil society organizations, formal or informal groups, and civil society networks in Albania. It was designed to collect information on the engagement opportunities and challenges of civil society organizations in the process of EU accession negotiations. The purpose was to disseminate this questionnaire to all civil society organizations existing in the country. The sample size is 122 CSOs that responded to the online survey in the timeframe of three weeks in October – November 2022. A detailed account of sampling is presented in Annex 1 - Sampling for online survey.

The majority of CSOs that participated in this online survey have been active for more than 6 years (61.48%) and about one third of them have been working for a period of 2-5 years (30.33%), only 8.2% have been running for less than a year. Of the 122 responding CSOs, 50% of them are situated in Tirana and the other half spread out in the rest of the country: Vlorë, Korçë, Shkodër, Elbasan, Kukës, Peshkopi and others.

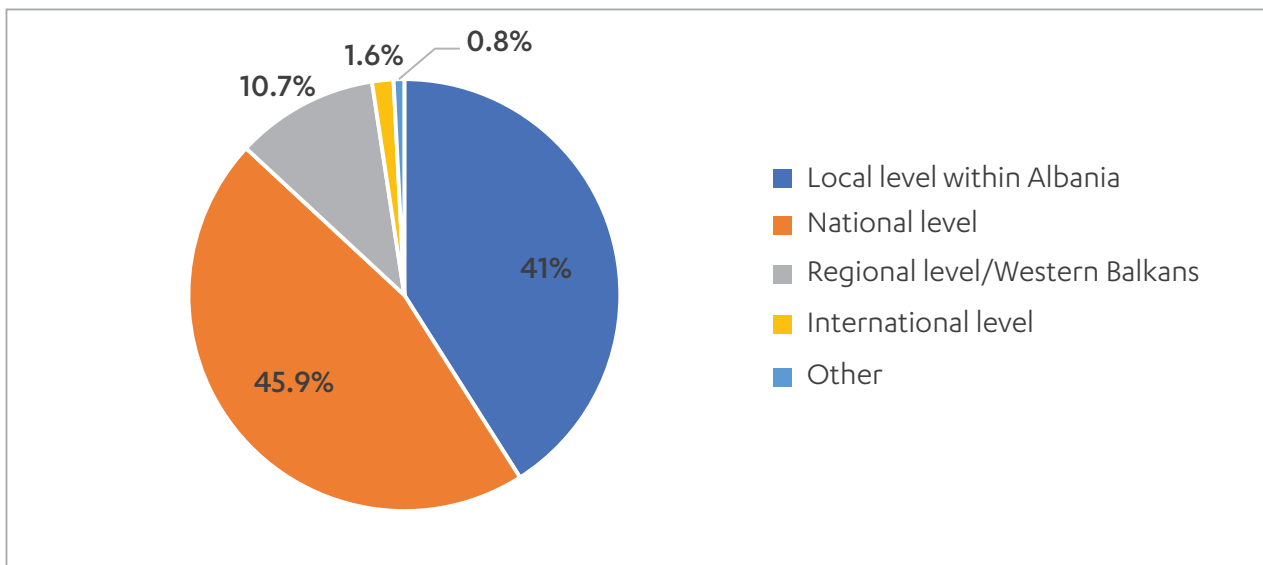
Regarding organisation modality, 39.3% of the surveyed CSOs are associations, 38.5% are centres, 10.7% are informal networks, 8.2% are foundations and 3.3% are registered networks.

Figure 4: Type of CSOs (in%)



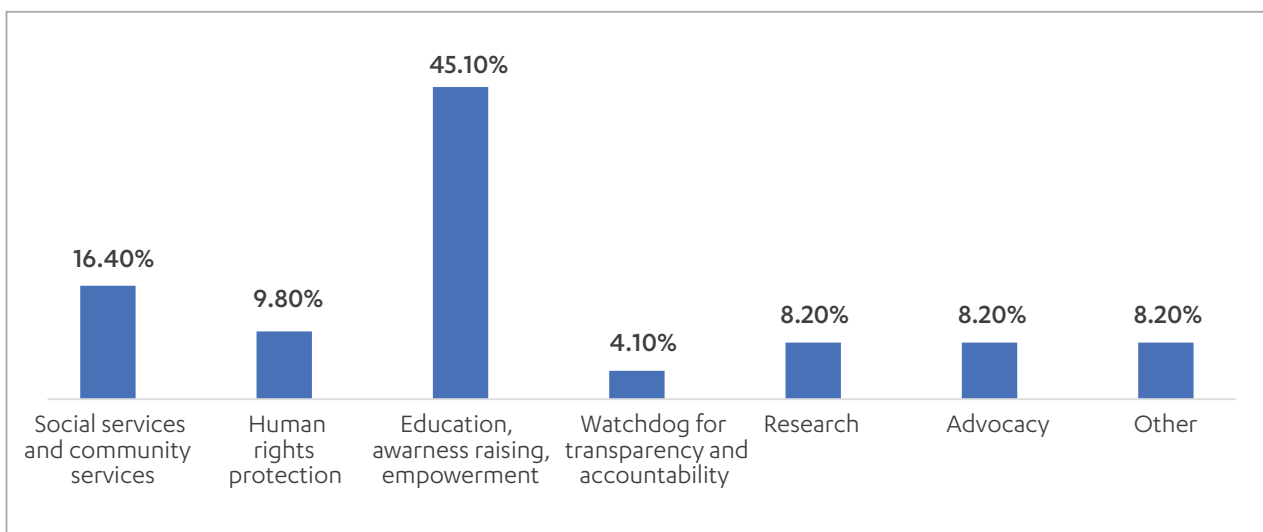
Almost half of the surveyed CSOs operate at the national level (45.9%) and about 41% operate at the local level. Only 10.7% operate at the regional level and very few at an international level.

Figure 5: Level of operation of CSOs (in %)



45.1% of responding CSOs operate primarily in the area of education, awareness raising, and empowerment including youth and marginalized communities and minorities. For 16.4% of them, the main area of work is provision of social services and other services in the community. Another 9.8% work primarily on human rights and protection of freedom.

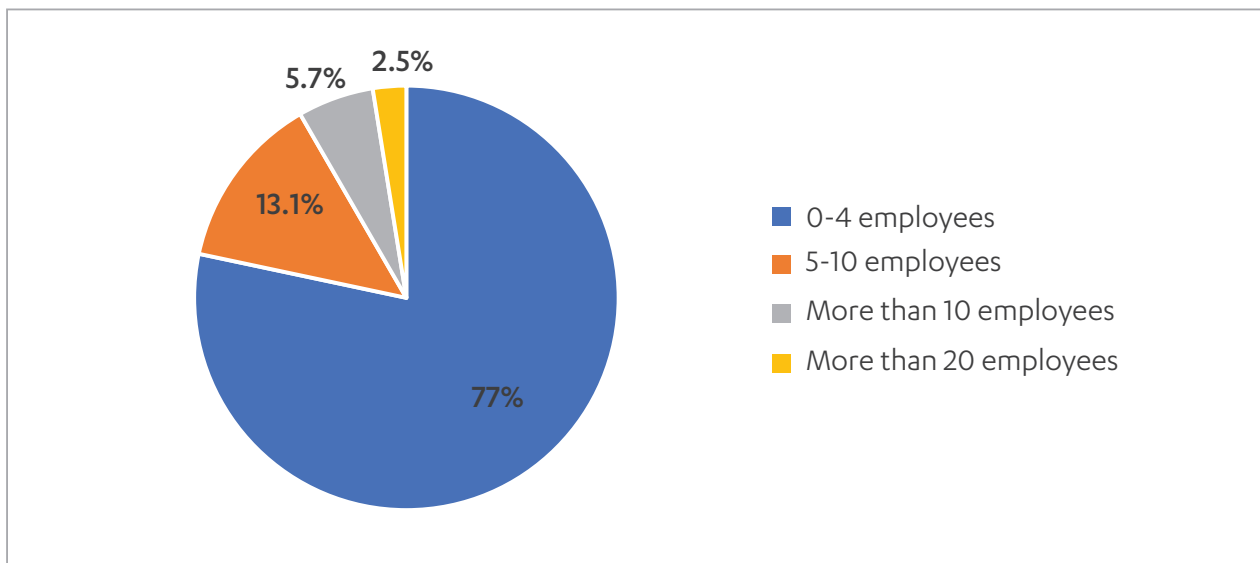
Figure 6: CSOs primary area of work



For 23% of the responding CSOs advocacy is their second most important area of work; 11.5% work on a watchdog role for transparency and accountability. Few organizations in the sample work exclusively on research and advocacy. The sample is thus a suitable representation of the profiles of CSOs in Albania: think tanks, watchdogs, community, and service provision CSOs, youth CSOs, advocacy CSOs and networks.

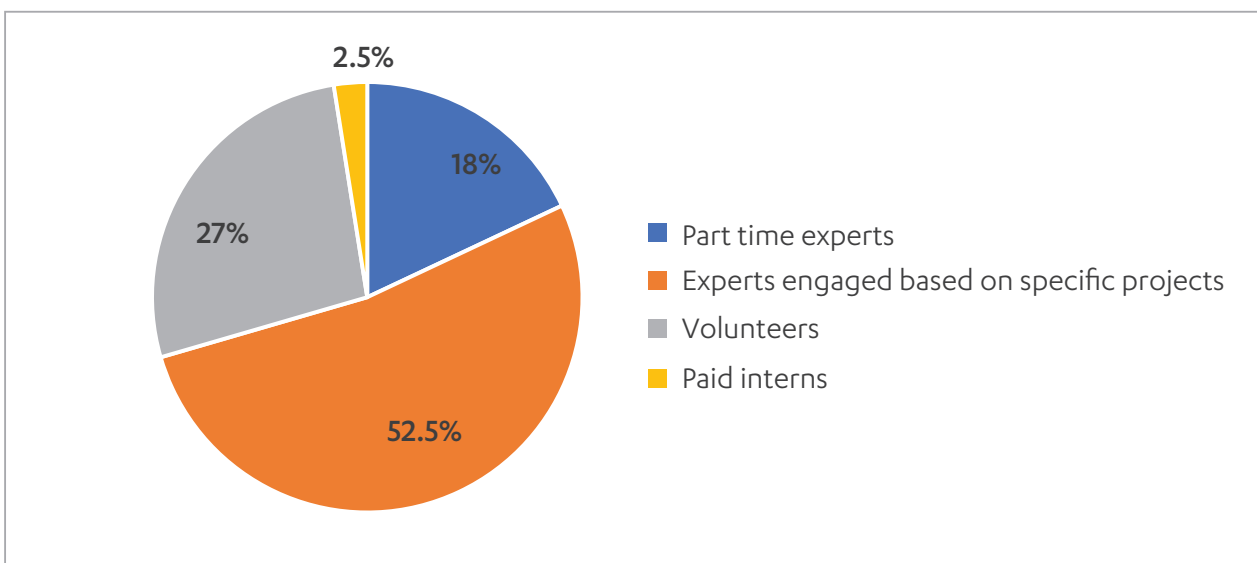
In terms of size, 77% of the CSOs responding to the online survey are small, with only 0-4 full time employees; 13.1% have 5-10 full time employees. Only very few CSOs that have responded to this survey can be classified as large organisations with more than 20 employees. Thus when reading the results, one needs to take this into account that the survey represents smaller CSOs.

Figure 7: Number of employees per CSOs (in %)



Slightly more than half of the CSOs participating in this study engage experts based on specific contracts and projects in addition to their full-time staff. Further, 27% engage volunteers and 18% engage part time staff on an ongoing basis. Very few CSOs have an established practice for paid interns.

Figure 8: Other employees of CSOs (in %)



The size of the CSOs and their human capital constitute key challenges for their effective engagement in the EU accession negotiation process, as will be discussed in the following section.

3.3 Merits and limits

The study takes a comprehensive approach to examining the engagement of CSOs in the EU integration process by thoroughly reviewing the legal and institutional mechanisms in place. It builds on extensive literature review, which is complemented with quantitative data.

One of the merits of the study is that it offers an overview of the perceptions and self-awareness of CSOs regarding their role in the EU accession process, their expectations and suggestions. This data can later serve as a baseline to measure CSO engagement in the course of the EU accession process. Also, the study provides concrete recommendations and hopes to serve as an added value to the existing knowledge on the role of CSOs in the integration process.

In terms of limits, the study competes in an overcrowded space of research on the role of CSOs in the EU integration process. Notwithstanding, the study acknowledges this previous research and aims to advance earlier findings. Thus, it updates information on the legal and institutional mechanisms for CSOs participation in EU integration process while giving insight in the own CSO perspective of CSO in how they view their engagement in the process. In so doing the study paves the way for further assessment and follow ups.

IV. THE LEGAL AND INSTITUTIONAL

FRAMEWORK FOR CSO PARTICIPATION IN THE EU ACCESSION AND INTEGRATION PROCESS IN ALBANIA

4.1 Framework for CSOs participation in the accession negotiation process in Albania

Several Albanian institutions acknowledge the importance of civil society involvement in the EU integration process in a declaratory nature. However, it is mechanisms in place that enable the participation of civil society in the integration process, which afford actual meaning and attribute practical value to the involvement of CSOs in the EU integration process. For the purpose of this study, the focus is on those structures and mechanisms that explicitly recognize and allow for the involvement of Albanian civil society in the said process.

The involvement of civil society in the EU integration process of Albania happens at the legislative and executive level. It can take place within specifically determined structures, as well as under the general rules applicable for the consultation processes at large.

At the legislative level, in its strategic plan of 2020-2025, the Parliament of Albania strives towards an increased cooperation between the Parliament and civil society, aiming to create facilities to reflect the contribution of civil society and interest groups as active participants in decision making.³² In recent years,³³ starting out already in 2018, the Parliament has reiterated the importance of the involvement of the civil society sector in the integration process, and its readiness to foster this cooperation. In 2020 in its resolution on the opening of negotiations for the accession of the Republic of Albania in the European Union the Parliament called upon civil society and all social actors to get substantially involved in the discussions of the National Council on European Integration (NCEI) as well as other platforms.³⁴

As far as consultations are concerned, Law no. 146/2014 provides for the rules applicable within the executive, whereas the Parliament has its own manual³⁵ that regulates the involvement of the public in the decision-making processes of the Parliament. This manual sets a thorough procedure that enables the involvement of interested parties and civil society to engage in the law-making process of the Parliament through the latter's consultative sessions. The Parliament has a designated website for online consultation,³⁶ as well as a register of civil society organizations whom it invites to participate in consultative processes.

At the executive level, the Guideline for an enabling environment for the development of civil society for the period of 2019-2023 of the Government of Albania³⁷ acknowledges that, as the EU integration

32 Decision of the Assembly no. 56/2021 dated 14.06.2021 "On the approval of the strategic plan of the Assembly of Albania 2020-2025"

33 Resolution of the Assembly dated 24.05.2018 "Recommending to the European Commission opening of accession negotiations between the European Union and Albania" para.4. Resolution of the Assembly dated 03.10.2019 "On supporting the process for starting the talks on the accession of the Republic of Albania in the European Union" para. 7

34 Resolution of the Assembly dated 24.09.2020 "On the opening of negotiations for the accession of the Republic of Albania in the European Union and the plan of measures for the fulfillment of the priorities set by the Council of the European Union" para. 15

35 Manual on the participation of the public in the decision-making process of the Parliament, 2022

36 See more at <http://konsultimi.parlament.al>

37 The Guideline report available here: https://resourcecentre.al/wp-content/uploads/2022/07/RoadMap_EN.pdf

process continues with the opening of the negotiation talks, closer cooperation and coordination with civil society will be necessary. It has three strategic pillars:

- i. an institutionalized government - civil society cooperation in policy making and EU Integration;
- ii. an enabling legal environment and data governance; and
- iii. an enabling fiscal and funding framework.³⁸

4.2 Civil society participation and the Parliament

Under Law no. 15/2015 the Parliament, with respect to European matters, cooperates with civil society and interest groups,³⁹ whereby the latter are defined among others as “*any non-profit organization that has a common interest in the field of European integration.*”⁴⁰ The Parliament has also at its disposal an internal permanent body, the Committee on European Integration, that is responsible for European integration issues, approximation of legislation with the EU, monitoring of commitments under the Stabilization and Association Agreements, as well as the financial assistance of the EU⁴¹.

The Committee is responsible for cooperating with civil society organizations to ensure their involvement in the European integration process⁴². In this light the Committee invites interest groups, pursuant to their field of expertise, to participate in hearing sessions that deal with the integration process, as well as in the approval process of a given legal framework that aims approximation of Albanian legislation⁴³.

As per law no. 15/2015, the Parliament has in place rules on cooperation with civil society to ensure transparency of its activity on matters of European integration and inclusion of interest groups in this process. In addition, the website of the Parliament contains a special section for informing the public on matters of European integration⁴⁴.

Another instrument in support of the EU integration process is the National Council of European Integration (NCEI), the highest national advisory structure on European integration established next to the Parliament.⁴⁵ The NCEI is also recognized as a special consultation mechanism by the Parliament which explicitly states that the involvement of civil society in the NCEI plays an important role.⁴⁶

The scope of the NCEI is to encourage and guarantee an all-inclusive cooperation between political powers, public institutions, and civil society in the EU integration process of Albania. It also serves to ensure continuous discussion with civil society and other bodies, on European integration policies implemented by state institutions.⁴⁷ The NCEI operates under a regulation approved by the Bureau of the Parliament.⁴⁸ This regulation sets out the competences, scope, internal structures, and procedures in the framework of which the NCEI carries out its function.

38 “Për miratimin e udhërrëfyesit për politikën qeverisëse drejt një mjedisi mundësues për zhvillimin e shoqërisë civile 2019 –2023, available here: <https://qbz.gov.al/share/Gz6YWy0kSBOPHiQH8F8cog.p.8274>.

39 Law no. 15/2015 dated 05.03.2015 “On the role of the Parliament in the integration process of the Republic of Albania in the European Union” Article 11

40 Ibid, Article 4

41 Ibid, Article 10

42 Ibid, Article 14

43 Ibid, Article 22

44 Ibid, Article 23

45 Ibid, Article 6

46 Manual on the participation of the public in the decision-making process of the Parliament, Chapter VI, pp. 17

47 Law no. 15/2015 dated 05.03.2015 “On the role of the Parliament in the integration process of the Republic of Albania in the European Union” Article 7

48 Decision of the Bureau of the Parliament no. 67 dated 04.05.2016 “On the approval of the regulation of the National Council of European Integration” and more updates <http://www.parlament.al/struktura/cb7c3a17-5b45-42db-9d58-a866b432345a>

The composition of NCEI, renewed in 2022, can be found in Table 2.⁴⁹ In December 2021, the Parliament opened a call for applications for CSOs and media representatives to apply to join the NCEI. In 2022, the NCEI has held regular meetings, most of which have been public meetings livestreamed on the Parliament’s social media and other media platforms. In addition, the NCEI presents an annual report to the Committee for European Integration and the Assembly.⁵⁰

Table 2: The composition of the NCEI 2022

Members of Parliament	26
Representative of the Office of the President	1
Representative of the Office of the Prime Minister	1
General Prosecutor	1
Ombudsperson	1
Civil society organisations	17
Permanent Guests: Commissioner for the Protection Against Discrimination, Commissioner for the Right to Information and Data Protection; Commissioner for Civil Service Supervision; High Inspectorate of Declaration and Control of Assets and Conflict of Interest	4
Representatives from the Academy of Sciences and public universities (No voting rights and upon invitation for specific topics)	4
Representatives from business organizations, chambers of commerce and trade unions (No voting rights and upon invitation for specific topics)	5
Representatives of international organizations and the diplomatic corps: EU and OSCE	2

In addition to the above permanent members, the regulation provides that other civil society organizations, business organizations, chambers of commerce and trade unions can participate in the meetings of the NCEI where difficult chapters of the *acquis* as well as matters of special interest, are being discussed. The purpose of their involvement is to offer their technical expertise on the given topic.⁵¹ A significant contribution of the NCEI in the integration process is the opinion that it provides to the negotiation positions that are submitted to the EU by the negotiating group. The opinion of the NCEI in this process is mandatory.⁵²

Nevertheless, fundamentally the NCEI is a consultative body. It monitors the EU integration process, analyses the existing normative framework, provides recommendations and opinions on the negotiations, etc., ensuring cooperation between the permanent parliamentary committees of the Parliament and other institutions responsible for EU integration. As a result, the NCEI plays a support role to those institutions and structures that are tasked with the integration process itself.

49 List can be found here: <http://www.parlament.al:5000/Files/202211041144382022P%C3%ABrberja%20e%20KKIE.pdf>

50 See more at <http://www.parlament.al:5000/Files/202211071107096081Raporti%20Vjetor%20i%20KKIE%202021.pdf>

51 Regulation of NCEI: <http://www.parlament.al:5000/Files/202205191420269676Rregullorja%20e%20KKIE.pdf>

52 Decision of the Council of Ministers no. 422 dated 06.05.2020 “On the composition, rules of procedure and financial treatment of the negotiating group and the tasks of the chief negotiator for carrying out the accession negotiation of the Republic of Albania in the European Union” Section II, para. 1(g)

4.3 Civil society participation and the Government

The structure responsible for the negotiation process, is regulated by Decision of the Council of Ministers no. 749 dated 19.12.2018 “On the creation, organization and functioning of the government structure, responsible for negotiating and entering in the Accession Treaty of European Union for the Republic of Albania”. According to this decision the negotiating structure consists of (i) the Government Committee on European Integration, (ii) the Government Delegation, (iii) the Negotiating Group, (iv) the Albanian Mission to the EU, (v) the Secretariat of European Integration, and (vi) the Interinstitutional Working Groups, which includes the European Integration Partnership Platform.

Decision no. 749 also stipulates the European Integration Partnership Platform as the main mechanism dedicated to informing, consulting, communicating with and involving civil society, interest groups, trade unions, academia, and local government in the negotiation process of EU accession. The involvement of the above sectors shall serve to monitor public policies during the negotiation process as well as provide expertise in their area of competence⁵³.

All the other configurations of the state structure responsible for the negotiation process, have technical attributes within the functioning of the executive and hence do not provide room for the involvement of civil society in the process. The only exceptions in this regard are the Interinstitutional Working Groups (IWGs) and the Negotiation Group, to a lesser extent.

The IWGs are responsible for the bulk of work undertaken by the negotiating government structure. There is a group for each chapter of the *acquis*, with which they work with thoroughly, preparing analyses of applicable policies, legislation, investments, harmonization level of domestic legislation, drafting of the negotiation position, reporting on opening and closing benchmarks, etc.

In this core role played by the IWGs and the technical nature of their work, a small space has been granted to civil society involvement in this process, whereby paragraph 9 of the Order of the Prime Minister⁵⁴ that establishes the IWGs stipulates that civil society can be invited in the meetings of the IWGs, as needed, based on the assessment of the chair of the given IWG. As regards the Negotiation Group, if necessary, upon invitation of the Chief Negotiator, experts can participate in the meetings of the Negotiation Group. They participate in the discussion but do not have a voting right⁵⁵.

As a result, the main instrument available to civil society in the EU accession process at the level of the executive is the European Integration Partnership Platform (the Platform).⁵⁶ The functioning of this Platform is regulated by Order of the Prime Minister,⁵⁷ which provides that the aim of the Platform is to inform on the negotiation process and the progress made in each phase, by enabling the uptake of local expertise in specific fields. The Platform also aims to support an all-inclusive representation of all public and private partners in the stabilization-association process and Albania’s membership in the European Union. However, of most importance for the scope of this paper, is the aim of the Platform to enable access to civil society, among others, for consultation and monitoring in the phases of programming and implementing EU’s assistance in the European integration process.

The Platform carries out the information and consultation process with regards to (i) the draft negotiating position of the Republic of Albania for the relevant chapter of the *acquis*, (ii) the programming and

53 Decision of the Council of Ministers no. 749 dated 19.12.2018 “On the creation, organization and functioning of the state structure, responsible for negotiating and entering in the Accession Treaty of the European Union for the Republic of Albania”, Section IX

54 Order of the Prime Minister no. 94 dated 20.05.2019 “On the establishment, composition and functioning of the Interinstitutional Working Groups on European Integration” Section IV, para. 7

55 Decision of the Council of Ministers no. 422 dated 06.05.2020 “On the composition, rules of procedure and financial treatment of the negotiating group and the tasks of the chief negotiator for carrying out the accession negotiation for the Republic of Albania in the European Union”

56 More <http://integrimi-ne-be.puneteshajshme.gov.al/strukturat/platforma-e-partneritetit-per-integrimin-evropian/>

57 Order of the Prime Minister no. 113 dated 30.08.2019 “On the organization and functioning of the European Integration Partnership Platform”

implementation of EU assistance, (iii) the drafting of the National Plan on European Integration or other plans related thereof, and (iv) other issues that should be consulted with non-government public representation structures in light of the accession and integration process.

The Platform is organized in two levels, namely the Steering Board and the Discussion and Consultation Tables. The Steering Board is composed of 15 members. It is chaired by the Prime Minister and the Minister for Europe and Foreign Affairs. Other members of the Steering Board, include the Chief Negotiator, directors responsible for IPA funds, and two representatives each for the associations of local government, business community, employee's associations, academia, and civil society. The Steering Board is the highest structure of the Platform and guarantees institutional cooperation with interest groups and assesses their opinions, positions and expertise on the European integration process. The civil society members of the Steering Board are selected by all the members of the Discussion Tables, for a renewable mandate of three years.

The Discussion Tables (the Tables), as per the name, are the forum which discuss, examine, take positions, and provide recommendations to institutions, the European Integration Secretariat as well as other responsible structures of the European integration process on the specific fields they cover. These Tables are composed of representatives from civil society, local government, business community, employer's associations, academia, media and interest groups. Inclusion in the Tables is based on an application process that consists of a CV and a letter of interest, showcasing the required expertise or interest of the applicant to contribute to the specific Table(s). There are 33 Discussion Tables, corresponding each to a chapter of the *acquis*. Currently there are a number of these Tables, established and running.⁵⁸

Although the Platform for the strict purpose of EU integration is considered as the main structure of civil society involvement it is worth mentioning another mechanism that grants access to CSOs in consultative and decision-making processes within the executive⁵⁹. The National Council on Civil Society (NCCS) is an autonomous, collegial advisory body next to the Council of Ministers. As such it proposes to the latter the main programs on sustainable development of civil society and its involvement in the EU integration process.⁶⁰

From a framework perspective the NCCS is also responsible for advising the Council of Ministers on legislative initiatives that enable the involvement of civil society in public decision making. Therefore, the NCCS has the necessary mechanisms at play to further the role and position of civil society in the European integration process, as it is assigned by law to help improve the involvement of civil society in decision making practices. Likewise, the NCCS can advise also on the use of EU funds that impact the development of civil society. However, the ability of the National Council for Civil Society to voice priorities of CSOs in policy-making processes remains weak. The Law on the National Council has still not been amended to reflect changes in ministerial portfolios and representation in the Council, and to improve its functioning.⁶¹

The overarching instrument of the Government is the Roadmap for an enabling environment for civil society 2019-2023, which includes three strategic directions and nine priority areas that take into account the principles and objectives set out in the EU Guidelines on Support to Civil Society, aiming at establishing an institutional infrastructure for an institutionalized Government-Civil Society dialogue and cooperation.⁶²

58 More can be found at National Resource Center for Civil Society, available at <https://resourcecentre.al/policy-paper-consultation-process-in-albania-under-eu-integration-process-what-role-for-civil-society/>

59 Law no 119/2015 dated 16.11.2015 "On the creation and functioning of the National Council for Civil Society" Article 8

60 Ibid

61 EC Progress Report 2022, Albania, https://ec.europa.eu/commission/presscorner/detail/en/COUNTRY_22_6091 p. 13.

62 Roadmap Progress https://resourcecentre.al/wp-content/uploads/2022/07/RoadMap_EN.pdf

The key achievements, as reported by the government in the NCCS meeting in June 2022, of the Roadmap regarding the first pillar include drafting the Platform of Civil Society Involvement in the accession negotiation process of the Republic of Albania in European Union and involvement of CSOs in the accession process in accordance with the European Integration Partnership Platform.⁶³ Also the monitoring shows some progress regarding participation of CSOs in the management of the EU pre-accession instrument based on the principle of partnership, coordination of funding and EU programs for the development of civil society and enable effective involvement of CSOs in the work of the National Council for European Integration (NCEI).⁶⁴

Meanwhile, in all recent years reports on the monitoring of the enabling environment for civil society in Albania,⁶⁵ in the European Union's Progress Report for Albania 2022,⁶⁶ and other reports that focus on this issue, it has been emphasized that there is limited progress made to implement the roadmap on creating an enabling environment for civil society.⁶⁷ For instance, the EC Report underlines that the involvement of development partners, local governments and civil society organisations in sectoral dialogue still needs some improvement and that public consultations remain formal.⁶⁸ However, at the same time, civil society has been a strong partner in advancing the priority areas of the fundamentals agenda.⁶⁹

63 The Guideline report available here: https://resourcecentre.al/wp-content/uploads/2022/07/RoadMap_EN.pdf

64 Partners Albania, Comparable Table on achievements of the Roadmap, available at: https://resourcecentre.al/wp-content/uploads/2022/07/Tabela_ENG.pdf

65 Monitoring Matrix on the Enabling Environment for Civil Society Development, https://resourcecentre.al/wp-content/uploads/2022/07/MM-Report_2021.pdf

66 EC Progress Report 2022, Albania, https://ec.europa.eu/commission/presscorner/detail/en/COUNTRY_22_6091

67 Ibid. p. 3.

68 Ibid. p. 120 and p.9.

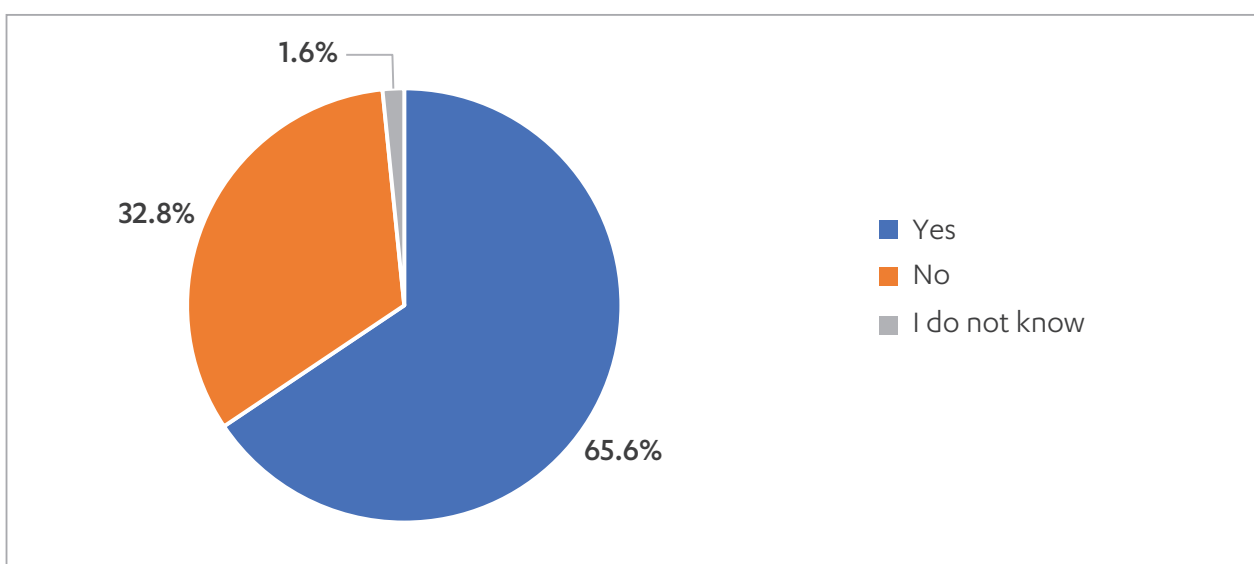
69 Ibid. p. 128.

V. EXPERIENCES OF CSO PARTICIPATION IN THE EU ACCESSION AND INTEGRATION PROCESS IN ALBANIA

5.1 Participation practices and challenges

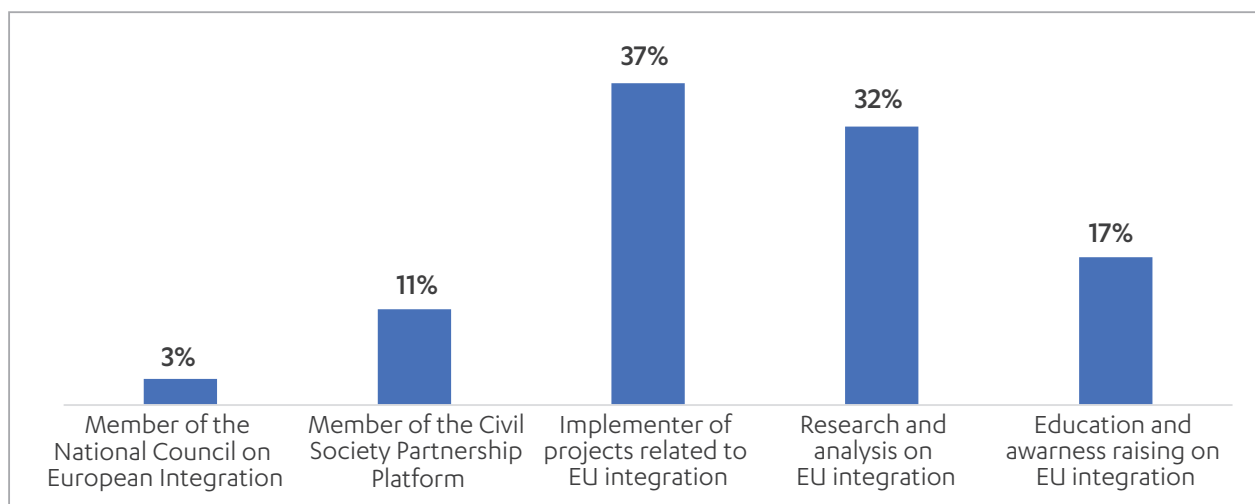
The survey indicates that only 65.6% of the responding CSOs claim to engage in the EU accession and integration process; 32.8% report that they do not engage directly in the EU accession and integration process.

Figure 9: CSOs engagement in the EU accession and integration process (in%)



Modality of engagement. Out of the CSOs that do engage in the EU accession and integration process, 55% declare to have been engaged in more than one modality, including implementation of specific projects, education and awareness of the public or specific groups regarding the EU integration process, as well as conducting analysis or studies on this process and its impact. Other responders engage in the process only in one modality: specifically, 37% of respondents in this group engage primarily as implementers of projects related to EU accession and integration; 32% conduct research and analysis on the process and its impact; 17% work primarily on education and awareness raising and communication about the EU and its programmes.

Figure 10: Type of engagement in the EU accession and integration process



11% of responding CSOs are part of the European Integration Partnership Platform, the key mechanism for civil society to contribute to the EU accession negotiation process. About one fourth of the CSOs stated that, despite their interest, they lacked information on how to participate in the Civil Society Partnership platform and roundtables. However, representatives of public institutions claim that its CSOs that do not express an interest in participating.⁷⁰

At the same time, despite for the appreciation for the revitalization of the National Council for European Integration as a monitoring mechanism and advisory functions for negotiations during the last year, only 3% of responding CSOs reported to be part of it. Clearly, there is a need for better communication and facilitation to create an enabling environment for an effective CSO engagement in civil society partnership forums.

Box 4: Type of engagement in EU accession and integration process*

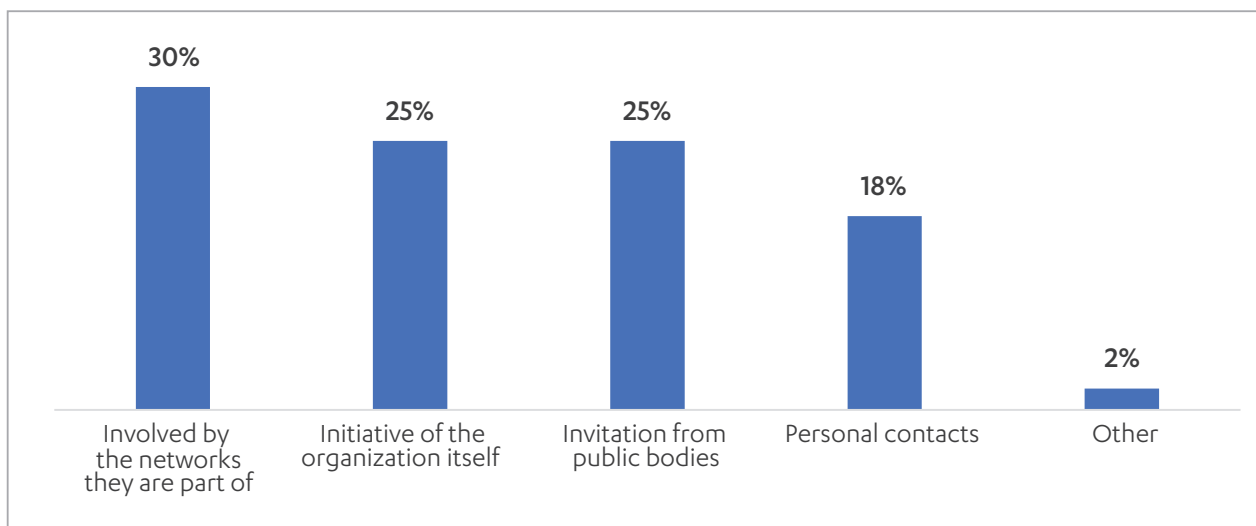
- Recommendations on improvement of the living conditions of minorities to be provided in the process of preparation of the EU progress report
- Educating and informing the community about the process of European accession and integration, our rights and obligations as citizens.
- Education and awareness of youth groups
- Fulfilment of EU directives on issues of environmental protection, protected areas, cultural heritage, entrepreneurship, development of the agricultural sector, etc.
- Implementation of projects affecting European accession and integration
- Member of the advocacy group in the Parliament of Albania on amendments to the law on issues of employment at the local level
- Consultation of institutions on issues of harmonization (approximation) of legislation
- Drafter of the first alternative (shadow) progress report on Chapter 27
- Involvement in the education of health professionals, mainly those who work in primary healthcare for the provision of quality and standard health services in health centers or in patients' homes.

* This box presents some of the most frequent responses on the type / content of CSO contribution, without differentiating on the modality of their engagement.

70 Feedback from public roundtables on multilateral policy dialogue

When considering only the responding CSOs those organizations that reported to be involved in accession related processes, results show that 30% were involved through the networks they are part of, 25% were involved on the initiative of the organization itself, 25% were involved upon invitation from public bodies, and 18% were involved through personal contacts. These figures corroborate once again the importance of CSO networks to empower them for participation in consultative processes.

Figure 11: Participation in consultation processes



It is a positive sign that a quarter of the organizations had participated in consultation processes proactively, that is, on their own initiative. It demonstrates their continued commitment, not tied to any short-term project. At the same time, it is important to note that almost one fifth of the organizations participated in consultations through their personal contacts and acquaintances, indicating the role that informal networking plays for engagement in these processes.

Frequency of consultation. When speaking about the frequency of consultations, 27.5% of CSOs report to have been consulted only occasionally, when the topic of the consultation matched their area of work; 20% had been consulted in all cases when the topic of consultation matched their area of work. Only 5% reported to have been consulted in all consultation instances. On the other hand, 36.3% of CSOs stated that they have been consulted only sporadically and about 10% declared to have never been invited to any consultation. This data gives some positive signals on the frequency with which public institutions embark on consultation processes on integration issues. However, about 33% of responding CSOs declared that in 2022 they were not involved in any EU accession and integration consultation process. Therefore, there is a need for processes to be more institutionalized, structured, and comprehensive. This is in line with recommendations of the European Commission progress report on Albania,⁷¹ which advise that the consultation process should be carried out in a structured and substantial manner in order to have meaningful impact on decision-making.

Engagement with community. Engagement in the EU accession and integration process requires civil society organizations to also have strong ties and maintain ongoing dialogue with the community or groups they represent and other stakeholders. When asked about this aspect of engagement, 57% of responding CSOs declared that they consulted with more than one stakeholder, primarily listing local communities, partner organizations, and experts of the related fields. Only a small number of responding CSOs consult with academic institutions (2%) and even fewer with local or national authorities. Indeed, these data point out the need for CSOs to strengthen their ties with the community, the groups they

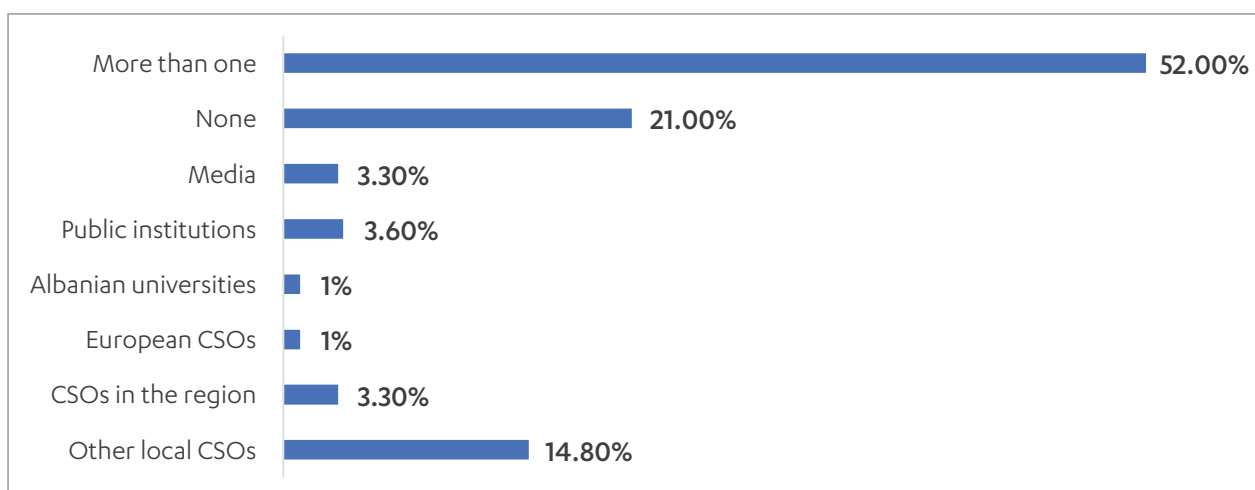
71 Albania Report 2022. Retrieved from: https://neighbourhood-enlargement.ec.europa.eu/albania-report-2022_en

represent, their members, and to build partnerships with academic institutions or other local and national stakeholders to implement adequate and well-targeted integration interventions or projects, as well as to create a critical mass when lobbying for issues in their field of operation.

Networks and partnerships. Membership in networks has typically been a factor in boosting CSO participation in EU accession and integration processes. 39% of responding CSOs declared that they were part of more than one network. However, 29% declared that they were not part of any network related to EU integration, which is especially challenging for small organizations or CSOs in remote and rural areas.

However, responding CSOs had tried to build partnerships with other actors. Specifically, 52% confirmed that they had established partnerships with more than one type of actor, primarily with other local organizations, regional organizations, and local institutions. Very few organizations had partnerships with universities, media, or European organizations. While 21% of the CSOs reported to have no partnerships with listed actors.

Figure 12: Partnership building with other actors on EU accession and integration

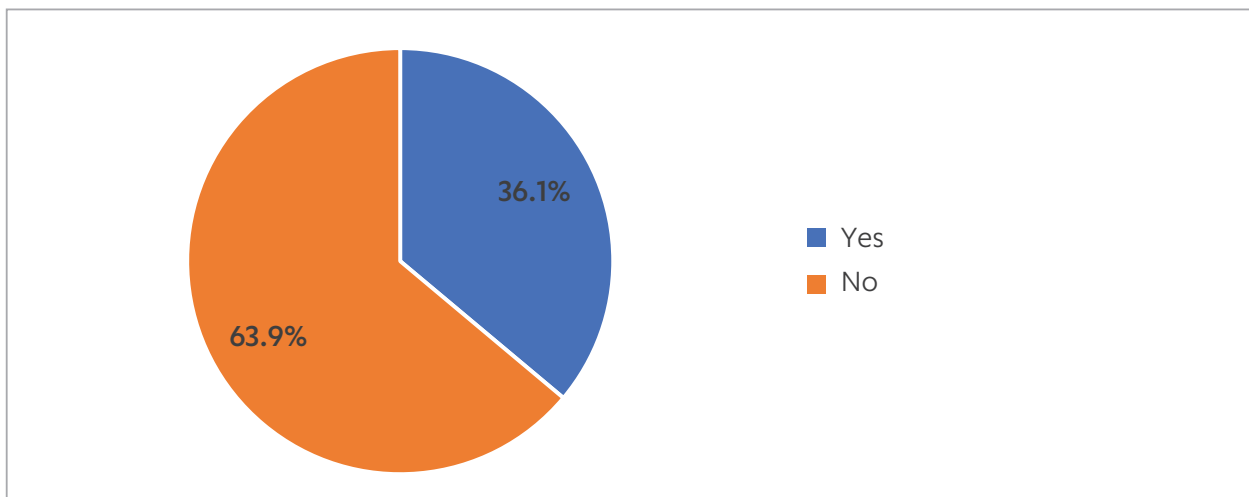


Building stable and mutually beneficial partnerships helps to strengthen CSOs' capacities to actively participate in the integration process. In addition to conventional partnerships with other organizations, CSOs can also explore the possibility of creating partnerships with academic institutions to obtain expertise as well as with the media to give voice to their work.

When talking about knowledge or experience sharing on EU accession with other organizations in the region or EU, only 36% of CSOs reported to have done so; 64% of CSOs reported to not have had such exchanges.

Lessons from other EU enlargement countries show that experience sharing is an instrument that helps to increase the capacities of CSOs, to better understand the process, the challenges, the opportunities it offers, and connects them with their sister organizations, thus opening up new opportunities for engagement and empowerment. As such, there is a need to strengthen formal or informal networking to support organizations with fewer resources and access opportunities.

Figure 13: Experience sharing with CSOs in the region and EU (in%)



Challenges for effective engagement. Finally, the questionnaire asked CSOs to reflect on the main challenges for engagement in the EU accession and integration processes. For 80% of responding CSOs, the three main challenges that prevent their effective engagement include (i) the limited human capacities in the organization to follow the process, (ii) institutional capacities that do not enable sustainability of engagement, and (iii) limited or scarce financial resources. The other 20% of the surveyed CSOs stated that the three main challenges they faced included (i) the lack of legal expertise for the process, (ii) the difficulty and complexity of the process, and (iii) the lack of information or the difficulty to locate information regarding the process, the composition of roundtables of discussions, the impact of the consultations and so on. Thus, there is a multitude of factors related to the context and environment in which CSOs operate and their internal challenges that condition effective and sustainable engagement in the European integration processes. Some of these challenges need to be addressed by the CSOs themselves, while others can be addressed through process facilitation by state actors.

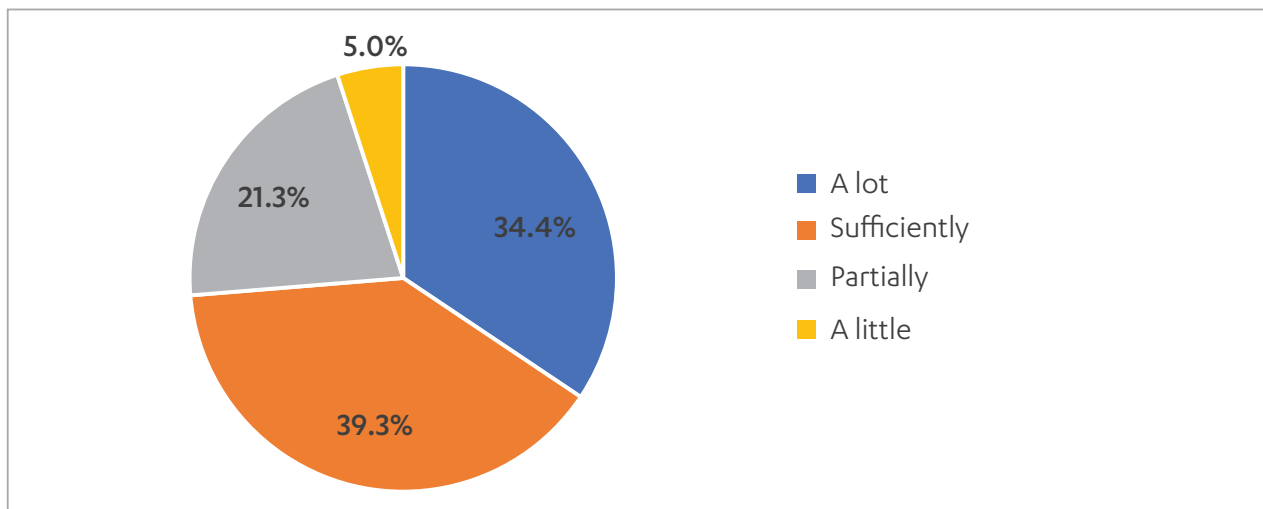
For 75% of responding CSOs there are three main needs for enhancing contribution and engagement in the negotiation process, namely: a) capacity building on the negotiation process and techniques, b) strengthening capacities for data analysis and processing, and c) strengthening capacities for advocacy and lobbying with local and central public institutions, but also with regional and international actors. Specifically, 5.5% of CSOs stated that the main priority is the capacity building on techniques of the negotiation process, which also coincides with CSOs that declared that they participate in civil society partnership roundtables. Other needs identified by CSOs include capacity building in communication (10%), policy making (4.5%), and more effective cooperation with other organizations (5%).

5.2 Expectations of CSOs from participation in the EU accession and integration process

The survey asked responding CSOs to reflect on the impact they expected participation in EU accession consultations to have on their own operations and capacities.

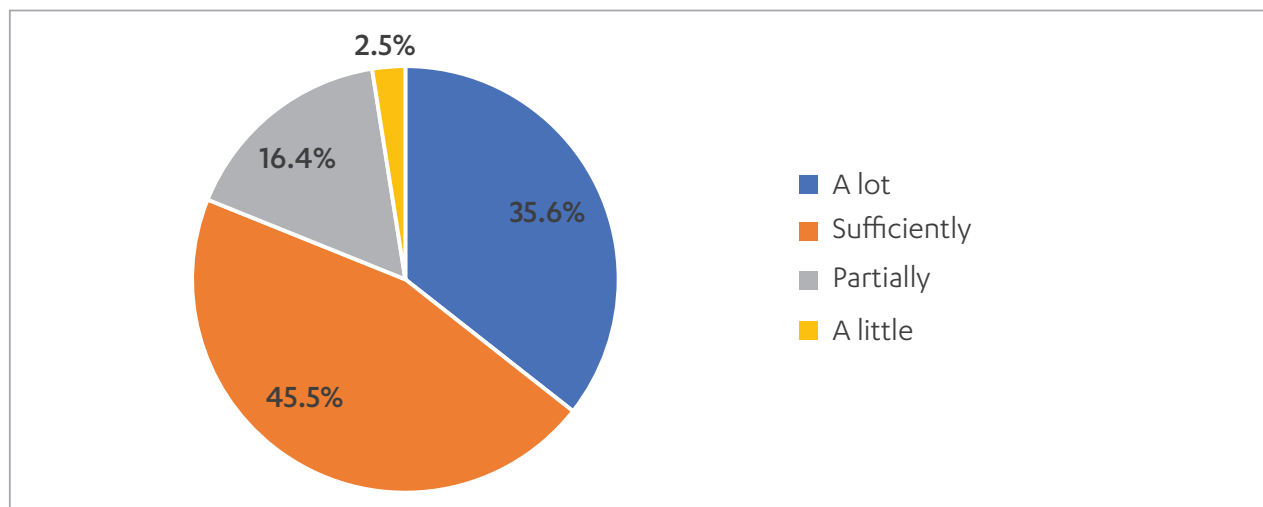
Policymaking. 34.4% of responding CSOs believe that engagement in the accession negotiation process would considerably increase the organization's participation in policymaking, while 39.4% think that it would increase it sufficiently.

Figure 14: Expectations on effect of participation in accession negotiations on policymaking



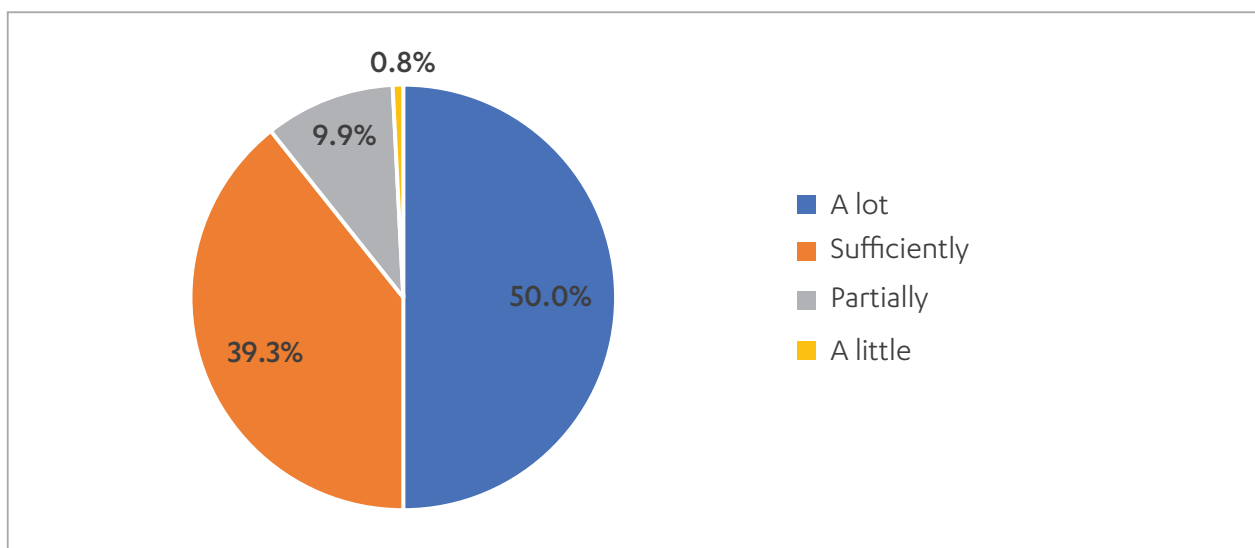
Capacity development. 35.6% of responding CSOs believe that engagement in the accession negotiation process would considerably increase their capacities, while 45.1% deemed that it would increase them sufficiently.

Figure 15: Expectations on effect of participation in accession negotiations on capacity development



Networking and partnership building. 50% of responding CSOs believe that engagement in the accession negotiation process would considerably expand their network and partnerships.

Figure 16: Expectations on effect of participation in accession negotiations on networking and partnership building



When asked in which EU accession and integration consultation platform or process CSOs would like to be involved in the future, the vast majority (64.2%) confirmed their interest in being involved in the entire process as per their area of work. More specifically, 22% would like to be included in the process of developing the European Integration Action Plan. The interest to be involved in the consultations for the approximation of legislation is lower due to the complexity and legal expertise required for this process.

In general, responding CSOs expect the EU accession and integration process to provide more opportunities for capacity development and to improve standards and enforcement of legislation pertaining to civil society. In fact, the vast majority expect that the process will ensure more accountability from local and central institutions. Some expect that the integration process will increase networking and partnership building opportunities.

Table 3: Expectations from state actors and donors in the EU accession and integration process

Expectations from state actors	Expectations from donors
<ul style="list-style-type: none"> ▪ Accountability and transparency in the decision-making process ▪ Increased involvement of CSOs in the integration process ▪ Increased involvement of civil society in policy making ▪ More Financial support and capacity building to CSOs ▪ Fight against corrupt practices 	<ul style="list-style-type: none"> ▪ Programs based on concrete needs ▪ Training of civil society organizations on funds absorption ▪ Financial support ▪ More projects allocated throughout the territory (and in rural areas) ▪ Funding of initiatives in line with priorities for integration ▪ Donors should audit the efficiency of development of their projects in the field of Albania’s integration in the EU

These results show that CSOs have big expectations on the impact that participation in EU accession negotiations and consultations will have on their operation and professionalization. At the same time, there is still cautious skepticism stemming from how the process has unfolded so far, i.e., not fully structured and without follow-up mechanisms.

Finally, in open-ended questions, responding CSOs list several areas for support. On the one hand, they refer to the need for financial support and capacity building for financial management (including information on available funding and fund absorption). On the other, they express the need for programmatic and networking support. CSOs would benefit from capacity building on (i) how to address the needs of vulnerable and marginalized groups, (ii) how to provide competent opinion on processes and policies, (iii) how to improve their communication strategies and develop/strengthen communication platforms, (iv) strengthen cooperation with central authorities, and (iv) build partnerships with other organizations operating in the EU.

V. IMPROVING CSO PARTICIPATION IN THE EU ACCESSION NEGOTIATION PROCESS IN ALBANIA

6.1 Discussion on the effective engagement of CSOs

With the opening of the negotiation talks with Albania, EU accession issues will only intensify. It is therefore essential to assess the efficiency and success of the existing consultative structures and contribution of CSOs in the process so far. This would allow to draw lessons from the experiences to date and, where necessary, to reconceptualize the involvement of CSO in the process, in a way that would better benefit the latter.

Albanian CSOs represent an invaluable resource in the EU accession and integration process. They bring in subject matter expertise to specific chapters. They can complement resources of state actors in view of the voluminous work that goes into the preparations for chapter negotiations. Even though very few CSOs possess the highly technical know-how that goes into approximation and harmonization of legislation, many CSOs can contribute with field research, data collection, and monitoring. In addition, CSOs are a great bridge between state actors and the wider public. Through their proximity to the community, CSOs provide the platform for conveying important messages to citizens. They can inform, raise awareness, and educate community groups through a variety of tools. They can also facilitate the public access to the policy making process and channel the concerns and needs of their communities to the decision makers. Moreover, CSOs can also provide the opportunity to connect and engage with the diaspora, in ways that have not been fully utilized in the EU accession and integration process so far.

Yet, despite the seemingly strong political will, effective civil society engagement in the EU accession negotiations is still a work-in-progress. Several structures/mechanisms for CSO participation (outlined earlier in the report) are already in place. The current challenge is to streamline their functioning, make information as transparent as possible, and monitor both the contribution of CSOs, as well as progress in the overall integration process.

6.2 Recommendations

Based on the findings of this research, the following recommendations are put forward to ensure public ownership and meaningful participation of civil society in the EU accession and integration process, not only in legitimizing it, but also in shaping this challenging and at times unpredictable process.

Recommendations for state actors

State actors must improve **awareness raising** efforts on the EU accession and integration process through informative campaigns. Their communication should inform all actors about the stages of the process and the available relevant structures where they can get involved. Messaging should clearly demonstrate and advocate for the role of civil society actors in the process.

CSOs should be seen as partners in the EU integration process. To that end, public institutions must **ensure full transparency of the negotiation process, including accessibility and availability of data for monitoring the progress.**

A **policy on public disclosure of information and documents directly linked to the negotiation process** should be mutually agreed and adopted by all parties involved in the negotiations. This would help to reconcile overarching public interest and the right of citizens to know what governments are negotiating about, with distinctive interests for each party.⁷²

To boost CSOs participation, it is paramount that they fully understand the process before they can contribute meaningfully. Thus, **protocols for participation and role descriptions for all parties involved in the EU accession negotiations should be articulated and made available.** Similarly, the full lists of the European Integration Partnership Platform must be made accessible and publicly available, including procedures of selection of CSOs and other interest groups. It is equally important to have regular reports on the work of this platform, their achievements, and challenges.

A tool that can support the above is the establishment of an *interactive website coordinated by the European Integration Partnership Platform*.⁷³ Documents, summaries, reports that are produced during the Discussion and Consultation Tables should be published on it. This will increase transparency and give all stakeholders and interested parties the opportunity to have information on the progress of the process.⁷⁴

Monitoring of the institutional performance on public consultation should be improved through thoroughly following the procedure and methodology for an effective and successful consultation process and monitoring periodically the Action Plan on Public Consultation.

Similarly, **monitoring of progress on the EU integration process** should also be reported periodically, in order to inform and educate the public about this complex and long-term EU accession journey.

The **National Council on European Integration** should continue to strengthen further its role of monitoring but also consultative body for the EU integration process. Recently, it has established good practices of engagement, openness and transparency and should reinforce them further.

More broadly, existing structures such as the **National Council for Civil Society** must address its challenges and become effective including holding regular meetings, making public its work and reports, and pressuring the government for a more enabling environment for civil society.

Recommendations for civil society organizations

CSOs should **actively participate** in the EU integration process, **effectively using the space they have in the European Integration Partnership Platform and other consultative mechanisms as well as the NCEI.** However, CSOs should not be limited to use only those mechanisms specifically geared towards EU accession. Increasing broader participation in consultative mechanisms expands the possibilities for any CSO to indirectly influence the EU accession process even when the organization itself does not have a seat in EU consultative structures.

72 Skrabalo, M. (2012). Transparency in Retrospect: Preliminary Lessons from Croatia's EU Accession Process. Discussion Paper. Retrieved from: <http://www.franziska-brantner.eu/wp-content/uploads/2012/11/Transparency-in-retrospect.pdf>

73 European Movement Albania [EMA] (2021). Policy Paper – Consultation process in Albania under EU integration process – what role for civil society, available at: <https://resourcecentre.al/policy-paper-consultation-process-in-albania-under-eu-integration-process-what-role-for-civil-society/>

74 Ibid.

CSOs should also **increase participation in networks and knowledge sharing opportunities** with other organizations in Albania, at the regional level and with the CEE and EU. They should aim to go beyond conventional partnerships with other similar organizations, and venture into partnerships with academic institutions and media.

CSOs should invest in **building capacities** in order to play their role as a monitoring and evaluation actors for the EU accession and negotiations process of Albania. This can be made possible through trainings, through cooperation with other national and regional CSOs, through shared experiences and know-hows from countries already in EU.

When capacity building opportunities are limited, CSOs should leverage their networks and partnerships with academic institutions to obtain expertise.

CSOs should **improve their strategic communication** with citizens on the EU accession and integration process. Partnerships with media can give voice to their work.

Consolidated CSOs with more capacities and resources as well as expertise in EU integration process should strive to support smaller CSOs or CSOs in the periphery (for lack of a better term) in this process by providing networking opportunities, mentoring, capacity building, joint initiatives, and facilitation of their access to donors or other means of funding.

Recommendations for EU and other donors

EU should continue to **support and encourage a structured policy dialogue between state and non-state actors** and should monitor the process and provide recommendations and best practices from other EU countries.

The support should embed mechanisms that incentivize and reward structures for civil society inclusion in decision-making not only in the accession process, but also beyond.

Financial support should continue while implementing the new elements introduced by the New Methodology, focused on the continuous support of the Civil Society sector and on the system of awards in those cases where the process goes smoothly and when there is tangible success.⁷⁵ This could be coupled with technical assistance and **capacity building activities for CSOs to improve absorption and management of this financial support**.

International partners should **promote knowledge sharing and exchange opportunities** between CSOs in Albania, the region, and the EU. These would not require the creation of additional platforms, but rather the optimization of existing structures. Exchanges should address CSO needs for:

- increased capacities and know-how on the negotiation process and techniques,
- improved capacities for providing policy advice, advocacy, and lobbying with state institutions,
- deeper understanding of support needs of vulnerable and marginalized groups,
- better targeted communications strategies.

⁷⁵ European Movement Albania [EMA] (2021). Policy Paper – Consultation process in Albania under EU integration process – what role for civil society, available at: <https://resourcecentre.al/policy-paper-consultation-process-in-albania-under-eu-integration-process-what-role-for-civil-society/>

Annex 1 - Sampling for online survey

The CSO questionnaire is intended for civil society organizations, formal or informal groups and networks in civil society in Albania. It was designed to collect information on the engagement, opportunities, and challenges of civil society organizations in the process of EU accession negotiations. The purpose was to disseminate this questionnaire to all civil society organizations existing in the country. This begs the question: How many CSOs are there in Albania?

The sources used include two main sources for the number of CSOs in Albania: According to the Report on “2020 Civil Society Organizations Stability Index”⁷⁶, the Judicial District Court of Tirana states that some 11,962 CSOs are registered in Albania by the end of 2020. This figure includes 6,331 associations, 1,442 centres and 742 foundations. In 2020, a total of 223 new organizations were registered (138 associations, 63 centres and 22 foundations). But what is important to point out is that by the end of 2020, 4,972 CSOs, including 175 newly registered organizations, were registered with the tax authorities. According to the “Monitoring Matrix on Enabling Environment for Civil Society Development, Country Brief for Albania 2021”⁷⁷, indicates that the number of CSOs registered in 2021 in Albania was 12,240, of which 278 were registered in 2021 (156 associations, 73 centres and 49 foundations). In the meantime, the number of employees working in these organizations was 9,872.

This means that only 4,972 CSOs are financially active and have shown financial sustainability. Other organizations have found it impossible to continue their activity due to the lack of funding. If we add the number of CSOs registered in 2021 to the number of active CSOs, it turns out that the maximum number of active NPOs reaches 5,250 (4,972+278).

Given that the questionnaire has been disseminated by email, only those CSOs that have functional email addresses were considered, using the public databases of the Agency for the Support of Civil Society (ASCS), the National Resource Centre for Civil Society in Albania, and other platforms.

Considering the population of CSOs operating in Albania, which are active and have an email address, a total 400 (available at the time of this study) emails were sent out to all the above addresses, but 225 emails bounced back with the “failure delivery” notice. Thus, in conclusion, one can consider N=175 as the number of the population of active CSOs in Albania.

The data are cross-sectional (photographed at a certain point in time) and it is crucial to calculate the sample size properly in order to ensure that the result is representative of the population.

76 2020 Civil Society Organizations Stability Index, available at <https://idmalbania.org/sq/prezantimi-i-indeksit-2020-raporti-per-shqiperine/>

77 Monitoring Matrix on Enabling Environment for Civil Society Development, Country Brief for Albania 2021, available at <https://resourcecentre.al/wp-content/uploads/2022/08/Monitoring-Matrix-on-Enabling-Environment-for-CSOs-Development-Country-Report-for-Albania-2021.pdf>

When using Yamane's formula for sample size (1967), for a margin of error of $e = 0.05$, we have:

$$n = \frac{N}{1+N*e^2} = \frac{175}{1+175*0.05^2} = 122$$

Also, using Cochran's formula (1963):

$$n_0 = \frac{z^2pq}{e^2}$$

where, p -estimated proportion of the attribute present in the population (in our case $p=0.5$ because we do not have data on it), $q = 1-p = 0.5$, e - margin of error is 0.05 and $z=1.96$, for a confidence level of 95%. Thus,

$$n_0 = \frac{z^2pq}{e^2} = \frac{1.96^2 * 0.5 * 0.5}{0.05^2} = 385$$

In the case of a small population, the following correction is applied:

$$n = \frac{n_0}{1 + \frac{n_0-1}{N}} = \frac{385}{1 + \frac{384}{175}} = \frac{385}{3.194286} = 121$$

The sample population is 122 CSOs responded to the online survey in the timeframe of three weeks in October – November 2022.

Annex 2 - Questionnaire for Civil Society Organizations

This questionnaire is conducted by SCiDEV as part of the study on the opportunities of civil society organizations (CSOs) in the negotiation process for membership to the European Union with the support of FES Albania. The questionnaire addresses CSOs, as well as formal or informal groups or networks in civil society throughout Albania and takes only a few minutes to complete. The data is only for use for the study.

Thank you!

SCiDEV

General data

1. Since how many years is your organization in operation?

- 0-1 year
- 2-5 years
- More than 6 years

2. Which city is your organization located in?

3. What kind of entity is your organization?

- Association
- Foundation
- Center
- Trade Union
- Informal group
- Network
- Registered network
- I don't know
- Other: _____

4. What level does your organization work in?

- At the local level domestically
- Nationally
- At regional level / Western Balkans
- Internationally
- Other: _____

5. What is the main area of your organization's activity?

Select only one that constitutes the primary field of operation

- Social services and services in the community
- Human Rights Protection
- Education, awareness, empowerment
- Watchdog for Transparency and Accountability
- Research
- Advocacy
- Other: _____

6. What is the secondary area of your organization's activity?

Select only one that constitutes the secondary field of operation

- Social services and services in the community
- Human Rights Protection
- Education, awareness, empowerment
- Watchdog for Transparency and Accountability
- Research
- Advocacy
- Other: _____

7. How many full-time employees are there in your organization?

- 0-4
- 5 -10
- More than 10
- More than 20
- I don't know

8. In addition to full-time staff, my organization also engages:

- Part-time experts
- Experts based on project and specific contracts
- Volunteers
- Paid interns

Experience with the process of negotiations for EU accession

9. Does your organization engage in the EU accession negotiation process?

- Yes Skip to question 11
- No Skip to question 14
- I don't know Skip to question 11

10. If so, how do you engage?

Check all that apply.

- The organization does not engage in the EU integration process
- Member of the National Council for European Integration
- Member an Implementing Cluster of EU accession
- Civil Society Partnership
- In the structures of the Berlin Process
- Specific project implementers
- Research and analysis on integration process, effects, impact, etc.
- Education, awareness of the public or various interest groups
- Other: _____

Engagement in the accession process

11. Briefly explain the commitment of your organization or network or group in the EU integration process.

12. Do you consult in your work on integration with any of the following actors?

Check all that apply.

- Local communities
- Partner organisations
- Members

- Local authorities
- National Authorities
- Donor
- Academic Institutions
- Other: _____

13. How is your organization or network or group involved in consulting processes?

Mark only one.

- At the initiative of the organization itself
- By invitation from public bodies
- Through networks where you are part of
- Through personal contacts (of management and/or staff)
- We are not involved
- Other: _____

Involvement in the consultation processes

14. How often do state institutions consult you on the EU accession / integration process?

Mark only one.

- In some of the cases when the topic of negotiation is consistent with our area of work
- In all cases when the topic of negotiation is consistent with our area of work
- Always, regardless of the topic of discussion
- On sporadic occasions
- Never
- Other: _____

15. How is your organization or network or group involved in the consultation processes?

Mark only one.

- At the initiative of the organization itself
- By invitation from public bodies
- Through networks where you are part of
- Through personal contacts (of management and/or staff)
- We are not involved
- Other: _____

16. Which consultation processes were you involved in until October 2022?

Check all that apply.

- Drafting the European Integration Action Plan
- Drafting the Roadmap
- Approximation of legislation
- Use of European Union funds
- None
- Other: _____

17. How often do state institutions consult you on the EU integration process?

Mark only one.

- In some of the cases when the topic of negotiation is consistent with our area of work
- In all cases when the topic of negotiation is consistent with our area of work
- Always, regardless of topic of discussion
- On sporadic occasions

- Never
- Other: _____

18. In which of the consultative processes would you like be involved in the future?

Check all that apply.

- Drafting the European Integration Action Plan
- Drafting the Roadmap
- Approximation of legislation
- Use of European Union funds
- None
- Other: _____

Membership in networks

19. Is your organization a member of any of the following types of civil society networks for EU integration?

Check all that apply.

- Formal network
- Informal network
- National network
- Local network
- Regional network
- International network

20. Have you held exchanges of experience with CSOs in the region or the European Union regarding the integration process?

Mark only one.

- Yes
- No

21. Has your organization engaged in partnership with any of the following actors for EU integration?

Check all that apply.

- Other local organizations
- Organizations in the region
- European organizations
- Albanian Universities
- Foreign Universities
- Public Institutions
- Private Sector
- Media
- None

22. What are the main challenges you face for getting involved in the EU integration processes?

Check all that apply.

- The human capacities of our organization/network/group are limited
- The institutional capacities of our organization/network/group are limited
- Our financial resources are scarce
- Legal expertise lacks
- Difficulty and complexity of process
- Lack of information

- Time
- Other: _____

23. Explain briefly about the challenges your organization/network/group faces to engage in the EU accession negotiation process?

24. What can your organization offer for the negotiation process?

25. What type of support would you need to strengthen this contribution/commitment?

Check all that apply.

- Capacity building on negotiation techniques
- Capacities for data analysis and processing
- Capacity building for advocacy and lobbying
- Capacity building for effective co-operation with other organizations
- Capacity building in policy design
- Capacity building in communication
- Organizational skills
- Other: _____

26. Explain further the needs of civil society to engage in the EU accession negotiation process.

27. What are your expectations from the engagement in EU accession negotiation process?

28. Assess the following statements:

- Engagement in the EU accession negotiation process increases/would increase the organization's participation in policymaking
- Engagement in the EU accession negotiation process adds/would add to the capacities of the organization where I work.
- Engagement in the EU accession negotiation process increase/would increase the networking and construction of the organization's partners where I work.

29. What are your expectations from the integration process?

30. What are your expectations from state actors?

31. What are your expectations from donors?

32. What are your recommendations for the future?

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