

EU Policy Hub closely monitors EU integration process and the institutions involved in, focusing primarily on inter-institutional coordination among domestic governmental institutional bodies and their legal documents and reports. The monitoring indicators and the methodological guidelines include the enacted regulatory and/or legislative acts; the activities performed (no. of meetings, action plans, reports, strategies to address EC Report shortcomings, etc.); the evolution stage of draft instruments; and the institutional and public scrutiny over results achieved.

## PARLIAMENT'S ROLE IN THE EU INTEGRATION PROCESS: IN SEARCH OF A GENUINE CATALYST

**Gentiola Madhi**  
EU Policy Hub

### GENERAL OVERVIEW

Albania's accession to the European Union is a declared cross-party national priority, backed by a considerably high share of the domestic civil society. Per se, the progress of the country in the EU accession process is principally a responsibility of the government, although over time also the parliament has received a certain recognition for its contribution towards an all-inclusive achievement of this national goal. In general terms, the parliament's involvement is considered as a positive step in a two-fold manner, namely through the continuous exercise of its oversight functions over the government's performance, as well as through the opportunity to ensure a broad inclusion of opposition and other stakeholders in this major national process, bearing in mind its representative function.

Four years ago, the Albanian Parliament adopted the [law no. 15/2015](#), aiming at a further strengthening of its role and contribution to the EU integration process. The provisions of this law provide also for a better regulation of the relations between the parliament and government, as well as with the EU institutions in general over the accession process. The law includes also specific provisions for the establishment of a new cooperation mechanism entirely dedicated to the integration process, namely the National Council for European Integration (NCEI).

NCEI was established in May 2015 as the highest national advisory body on EU integration matters at the premises of the Parliament, aiming at providing strategic orientation and enhancing broad national consensus. It is a consultative mechanism that brings together representatives from political parties, public institutions, civil society organizations, business community and media. Its overall goal is to guarantee an all-inclusive cooperation, transparency and consensus building on EU integration matters.

In addition, the law 15/2015 reiterates that in the exercise of its functions on the country's integration process, the Parliament should participate and proactively contribute in the regional and European inter-parliamentary cooperation fora. In this regard, a clear reference is made to the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC), which has been established already in 2010 in the frame of the Stabilisation and Association Agreement. SAPC seeks to enhance inter-parliamentary and inter-party cooperation as well as to strengthen political dialogue for a comprehensive and sustainable EU reform agenda in the enlargement countries. SAPC is a consultative body that brings together representatives from the Parliament of Albania and European Parliament.

Over the past years, the performance of these two parliamentary cooperation

mechanisms has fluctuated as a result of the influence exerted by the political parties' own agendas. Hence, to a certain extent, these mechanisms have directly suffered from a polarized climate and continuous lack of dialogue among the Albanian political parties.

In front of this setting, this monitoring brief aims to assess the extent to which each of these cooperation mechanisms – NCEI and SAPC - have managed to unleash their embedded potential and contribute to the promotion of Albania's integration process. The focus of the present analysis will be the activities conducted by NCEI and SAPC during the years 2017-2018. This is a follow up performance assessment of the work of both NCEI and SAPC, published respectively in [2016](#) and [2017](#).

The present brief has been conceived in an optic of a two level game approach, seeking to shed light simultaneously on the internal and external dimension of parliamentary cooperation in Albania. Considering the on-going political disputes between the political parties at the domestic level, this brief will seek to analyse the internal dynamics within NCEI as well as the reflection of this internal division among the representatives of the Albanian parliamentary delegation during the meetings of SAPC with the colleagues from the European Parliament. This step is deemed essential for the broader understanding of the effective level of contribution of the Parliament in Albania's advancement in the EU integration path.

In methodological terms, this analysis is based on a detailed examination of the legal framework and official documents, beyond the review of public speeches, articles as well as minutes of the meetings of the bodies under scrutiny. It has mostly a qualitative nature, and the quantitative instrument has been included (where possible), so as to provide additional information to the purpose of this analysis.

Overall, the brief seeks to identify the major hurdles that inhibit a satisfactory contribution of the Parliament to the EU integration process, along with raising awareness among the different segments

of the society on the need to proceed with the adoption of additional reconciling measures at this stage of the process. The first part of the brief provides an overview on the political dialogue at national level during the considered timeframe, followed by a general assessment of the cooperation effectiveness at NCEI and SAPC level, highlighting the related key challenges and unused potential. Finally, a list of recommendations have been issued in order to address the identified hindrances.

### **THE HARSH WINTER OF POLITICAL DIALOGUE**

In the past decades, the work of the Albanian Parliament has been characterized of a lack of political dialogue and deeply contrasting positions between the governing coalition/party and the opposition. The extended boycotts of the opposition parties have hampered the overall capacity of the Parliament to properly monitor the implementation of the adopted legislation as well as the performance of the executive.

In this vein, during the past two years the Parliament has been facing the perpetual challenge of a highly confrontational political climate, which has directly hampered its efforts in the field of European integration. In particular, 2017 has been marked by a profound political crisis, with the right wing opposition boycotting the parliamentary activities. As shown in figure 1, the outgoing Parliament's paralysis has lasted de facto for nearly nine months and an international brokering was required in order to restore opposition's presence back on the dialogue track.

After an initial smoothing of the relations between the political parties at the beginning of the 9<sup>th</sup> legislature of the Albanian Parliament, the second semester of 2018 was again marked by a de facto boycotting of the activities by the centre-right opposition coalition. The effects of the ongoing political stalemate and paralysis of the parliamentary activity on NCEI and SAPC performance will be analysed separately in the following sections.

**Figure 1:** Opposition boycott timeline, 2017 – 2018



Source: Author's own elaboration

Due to this complex situation, the available oversight mechanisms have not sufficiently contributed in the satisfactory exercise of Parliament's functions. In particular, "[the work of inquiry committees \[has\] remained highly conflictual and lacked results](#)". In order to counteract this polarization, the [European Parliament](#) has made frequent appeals to the societal actors in Albania to actively participate in public consultation processes and contribute in strengthening local democracy, transparency and accountability. Although, in practice the enabling of such a space for participation of the non-political actors seems rather shrunk and difficult to recover in an ongoing politically polarized climate. Overall, the cross-party dialogue and cooperation in the Parliament have followed a worsening trend, hence obstructing the efforts to meet the political criteria and timely implement the key reforms. In absence of a constructive opposition work within the democratic institutions, there has remained available a limited prospect to bring forward the EU accession agenda and meet the expected deadline for the opening of the negotiations, as of 19 June 2019.

### NATIONAL COUNCIL FOR EUROPEAN INTEGRATION

The National Council for European Integration is a consultative forum, aiming at contributing to the achievement of a constructive and sustainable dialogue among the political spectrum and key societal stakeholders in Albania, in order to improve, enhance and advance the EU reform agenda. This mechanism is

mandated to foster all-inclusive participation and national consensus-building, along with providing for tailored recommendations on integration matters. NCEI operates on the basis of its [Rules of Procedure](#), which were adopted with the decision no. 67 of the Parliamentary Bureau, as of 4 May 2016. These provisions regulate the overall functioning of NCEI, providing so the necessary instruments for unleashing its potential and facilitating the establishment of a constructive and sustainable dialogue at cross-party level.

#### Box 1: NCEI's main competences and responsibilities

- Promote the cooperation between political parties and other interested stakeholders;
- Enhance debate on EU integration policies and monitors the progress of the accession negotiations;
- Assess existing normative framework and practices relating to the European integration process;
- Exchange information with the highest state institutions on EU affairs;
- Advice, issue opinions and adopt recommendations on the negotiation process.

As per these rules of procedure, NCEI is expected to hold its meetings at least once every two months, in presence of more than half of its permanent members. However, in practice this provision has not been respected due to the confrontational relations between the political parties and frequent boycotting of the parliamentary

activities by the opposition. The performance of NCEI during 2017-2018 has been to a certain extent seized by the continuous political struggles, creating so a direct dependency between NCEI ordinary functioning and presence of opposition in the parliamentary activities. To a certain extent this dependency is created by the fact that the meetings of NCEI are procedurally called by the Chair, who comes from the opposition (namely from the Democratic Party).

Focusing on NCEI's **activities** over the period under scrutiny, as shown also in table 1, there have been held only three *meetings*, out of which one meeting in early February 2017 and two in 2018. The *agenda* of the meetings has focused mainly in hearing sessions with the Minister / Deputy Minister in charge of European integration portfolio, on the implementation of five key priorities and steps forward to the establishment of the national negotiation structure.

**Table 1:** Meetings of the NCEI, 2017-2018

No. meetings	Announcement date	Meeting Date	Agenda	Chair
I	2.02.2017	9.02.2017	<ul style="list-style-type: none"> <li>Hearing of Deputy Minister of European Integration on the implementation of five key priorities</li> <li>Discussions on European Summer School 2016 and strengthening of public administration capacities</li> </ul>	Majlinda Bregu (DP)
II	6.03.2018	26.03.2018	<ul style="list-style-type: none"> <li>Presentation of the Enlargement strategy by the Head of EU Delegation to Albania</li> <li>Hearing of the Minister for Europe and Foreign Affairs on the next steps towards the opening of the accession negotiations</li> <li>Discussions on European Summer School 2018 and renewal of CSOs' and media mandates</li> </ul>	Genc Pollo (DP)
III	26.11.2018	10.12.2018	<ul style="list-style-type: none"> <li>Hearing of the Minister for Europe and Foreign Affairs on the progress of the integration process and preparations for the establishment of the national negotiation structure</li> </ul>	Genc Pollo (DP)

Source: Parliament's website; author's own elaboration.

These meetings have been characterised by a fluctuating *attendance rate* of the permanent members, particularly with regards to the representatives from the opposition. The last meeting of NCEI was organized in complete absence of the opposition representatives (except for one MP from the Socialist Movement for Integration), because of the ongoing de facto boycott. On the basis of Art. 7 of the Rules of Procedure, this meeting was called upon a written requested signed by 1/3 of NCEI permanent members and was chaired by the Deputy Chair (from the Socialist Party). This constitutes an alternative solution to break the dependency of NCEI's operability from the boycotting agenda of the opposition. However, it still remains to be assessed to what extent this development will manage to bring forward

the correct fulfilment of NCEI's mission and the related effectiveness to the overall accession process.

The analysis of the minutes shows that the *quality of debates* during these meetings has been marked by a reiteration of political rhetoric, constant mutual charges, and replication of the debates that take place during the ordinary sessions of the parliamentary committees. This concern has been raised by the representatives of the civil society organizations and business community during the NCEI meetings, highlighting therefore the need to invest more in a correct *time management* and in enabling enough space for contribution from the participating non-political stakeholders. Although Mr. Pollo in his [first speech as NCEI chairman](#) underlined his commitment

to intensify the monitoring of the implementation extent of the EU integration reforms and holding of continuous debates with civil society on these matters, unfortunately this was not materialized in practice.

In general, over the period under scrutiny, there have been few opportunities to seriously invest in launching a thematic cross-party dialogue within NCEI and finding a compromise on the adoption of a joint declaration/conclusion – of a non-binding nature – at the end of each meeting. Since its establishment, NCEI has succeeded in adopting only one decision, by consensus (on 26 March 2018), on the publication of the call for applications for the renewal of the mandates of the civil society representatives.

Regarding the **contribution of the civil society and business community** at the National Council for European Integration, little space has been made available for their involvement and feedback during the meetings. The latter have repeatedly asked for the holding of more frequent and technical NCEI meetings, as well as for the adoption of a joint resolution on the opening of the accession negotiations (as of 8 March 2018). However, no follow up actions have taken place. So far, NCEI has not managed to assume the expected full-fledged role of a broad consultative forum on EU matters.

However, the involvement of the civil society in the work of NCEI remains still to be clarified and the appropriate instruments for their concrete inclusion need to be developed and adopted. The provisions in force state that NCEI should have three representatives with voting rights from the civil society organizations with a valid mandate of two years (renewable). Back in 2015 there were admitted all the six CSOs that applied for such participation at NCEI and no modification of the legal basis was made. Nevertheless, over time the number of CSOs raised to eight, without a clear rational and public explanation/evidence in the annual report.

Currently, the *mandate of the CSO representatives* has expired since May 2017, although they still seat in those few meetings of NCEI. In accordance with the [decision taken at the meeting of 26 March 2018](#), the technical secretariat proceeded with the publication of the call for applications for CSOs' representatives in April 2018 and 12 expressions of interest were received. However, so far the renewal of the mandates of the CSOs has not been included in the agenda of NCEI meetings and the issue is still pending.

Whereas, with regards to the *media representatives*, the call for applications for the renewal of the mandates has been published twice during 2018 and no expression of interest have been received. The media community has shown little interest for the work of NCEI and this was already visible in 2015 when the same difficulties were faced in order to have two media workers attending the meetings.

Lastly, focusing on NCEI's **activities**, the organization of the annual European Summer School constitute the real achievement of this national consultative mechanism. Its editions have been attended by professionals with different backgrounds and work experience. At the moment there has not been made public yet a follow up/impact assessment on the application of the acquired knowledge by these beneficiaries.

Regarding the yearly programming of NCEI activities, each year it has been made public together with the annual report. However, this planning calendar has faced difficulties in the implementation stage. For instance in 2017 or 2018 only few discussion meetings have taken place (as shown in table 2). It remains to be further investigated whether this underperformance is linked to a lack of prioritization of NCEI activities by the Chairman or a lack of organizational capacities and funding opportunities. In both cases, an appropriate analysis should have to be mentioned in the annual report that NCEI submits to the Parliament.

**Table 2:** Yearly working programme of NCEI, 2017-2018

	2017		2018	
	Planned	Realized	Planned	Realized
Periodic meeting	4	1	4	2
Discussion meeting	1	3	0	1
Roundtable/conference	3	0	3	0
Summer school	1	1	1	1

Source: Parliament’s website; author’s own elaboration.

Focusing on NCEI’s **annual report** issued by the technical secretariat, it does not reflect accordingly all the developments that have affected or are related to the correct functioning of this consultative mechanism. The report misses a standardized structure which allows for a thorough analysis of the yearly planned activities, faced challenges and related non-realization, along with other practical details like the current structure of the technical secretariat. The report provides only a [general description of the achievements](#) of the National Council for European Integration, such as for instance “[t]his structure has further strengthened the oversight role of the Assembly in the European integration process, by enabling the continued empowerment of its role as an important actor in monitoring the obligations of membership”. It is yet unclear how this has been made possible, considering that NCEI has convened only once in February 2017.

Moreover, there is a disproportionate coverage of certain issues (e.g. length of descriptive coverage of the 2017 edition of the summer school is 4 pages out of 11 in total) and an exclusion of others. For instance, the annual reports of 2017 and 2018 do not mention the parliamentary boycott of the opposition and how it has affected the respective compliance of NCEI’s provisions in force.

Overall, the performance of NCEI during the past two years has not succeeded in achieving the settled objectives and its activities have been undermined by the political parties’ own agendas. Compared to the previously issued monitoring report ([as of October 2016](#)), NCEI has experienced a setback and due to the present unfavourable climate it

risks to become an obsolete consultation mechanism.

### EU-ALBANIA INTER-PARLIAMENTARY COOPERATION

The inter-parliamentary cooperation between the European Parliament and the Assembly of a membership-seeking country has proved to be a useful opportunity for experience-sharing among the members of the parliaments as well as for the enhancement of local ownership on the reform processes. Back in 2010, it was institutionalized the EU-Albania Stabilisation and Association Parliamentary Committee, as a consultative cooperation mechanism dedicated to all aspects of mutual relations, especially with regards to the implementation of the Stabilisation and Association Agreement. Based on the past experience, SAPC was further recognized by the provisions of the law 15/2015 as a joint body of the Albanian Parliament and European Parliament, which seeks to serve as a cooperation catalyst for the improvement of political dialogue on the country’s EU agenda.

In principle, the Stabilisation and Association Parliamentary Committee holds two meetings per year, which allow for an updated mutual exchange among the members of the Parliaments on the undertaken reforms at the domestic level, faced challenges and planned steps ahead. In the Albanian case, this cooperation mechanism has not managed to operate accordingly in the past two years. The political developments have not allowed to enhance mutual cooperation with the members of the European Parliament, although their role has been essential in the resolution of the domestic political disputes in Albania. In particular, during 2017 it was

not possible to hold any SAPC meetings because of the opposition boycott of the Parliament activities during the spring session (resolved thanks to an internationally-mediated agreement) and due to the newly established Albanian Parliament's legislature in autumn of the same year. Whereas, in 2018 EU-Albania SAPC reconvened with the ordinary meeting procedures (as shown in table 3).

**Table 3:** Schedule of SAPC sessions, 2017-2018

No.	Date	Venue	Recommendations
	2017	No meeting was held.	
XII	12-13/02/2018	Tirana	<a href="#">Adopted</a>
XIII	15/10/2018	Brussels	<a href="#">Adopted</a>

Source: European Parliament

In terms of *content*, the analysis of the minutes, mission report and streaming session of the two meetings of 2018 shows that the topics under discussion have evolved around five macro-areas, which correspond also to the five key priorities that Albania should fulfil in order to open the accession negotiations. The focus has been appointed particularly on the following areas: (i) state of play of EU-Albania relations; (ii) judicial and home affairs issues; (iii) domestic political dialogue; (iv) electoral reform; and, (v) other issues like fundamental rights, media freedom, etc.

Both meetings have been concluded with the adoption of final recommendations, which have a non-binding nature and are considered relevant in the spirit of good cooperation and dialogue between the participating parliamentary delegations. These recommendations follow a standardized structure, by addressing quite similar pressing challenges in Albania, highlighting the points that need major attention and enhanced intervention, as well as commending those achievements in the field of EU accession path of Albania, especially with regards to the vetting process. Focusing in particular on the role and contribution of the Albanian Parliament in the European integration process, these recommendations strongly reiterate the

need to establish a constructive political dialogue, and sustainable cross-party cooperation, accompanied by a serious commitment of both government and opposition. The representatives of the European Parliament have continuously condemned the prevalence of political infighting and persistent polarization, as a key hinder of the progress of the country in the accession process.

Despite the repeated calls for dialogue and "[cross-party consensus on the reform agenda over short-term political interests](#)", the relations among the Albanian delegation, as well as between the political parties at the domestic level have not manage to improve over the past two years. Up-to-date there is a visible political rhetoric, lack of willingness to sit into the dialogue table and demonstrate maturity and flexibility over the major national priority like the EU accession process. This domestic deconstructive climate undermines the EU integration efforts and it is reflected also during the meeting with the EU representatives. It was visible also during the [last meeting of SAPC in Brussels](#), where a representative of the Albanian opposition had an unpleasant verbal dispute with the chairwoman of the European Parliament's delegation, followed by the decision of the representatives of the opposition to boycott the meeting.

In front of this sharp polarisation, it is difficult to foresee a viable solution and pertinent recommendations that would allow for the restoration of dialogue. In 2019, the EU-Albania SAPC will not hold any meeting, as the present domestic political stalemate does not allow to during the spring session and because of the start of the new legislature of the European Parliament in autumn of the same year.

### CONCLUSIONS AND RECOMMENDATIONS

The role of the Albanian Parliament, and particularly of two of its consultative mechanisms, has not managed to succeed in the establishment of a sustainable political dialogue on the major country's priority, namely the EU accession process. The activities of these two mechanisms

have continuously been hampered by the fierce political rhetoric, single party's interests and visible lack of willingness to cross-party dialogue and cooperation. The sequencing of Parliament's activities boycotting during the past two years seriously undermines the reform efforts and citizens' ambitions to join the European Union in the next decade. It is difficult to foresee at this stage the green light from the EU side to the opening of the accession negotiations with Albania, having in mind the low credibility of the political parties. However, it is important to continue with the strengthening of the democratic institutions and related mechanisms, through a wider participation of the non-political stakeholders. Their involvement and direct contribution is essential for greater transparency and accountability, and should serve as a counterbalancing measure to potential attempts for democratic setbacks. Therefore, the National Council for European Integration should continue to hold its periodic meetings and organized joint awareness-raising activities, through the direct involvement of all the permanent members, and not restricted only to the Chairman/Deputy Chairman's participation.

**Firstly**, the NCEI should proceed with the revision and improvement of the legal basis on the inclusion of the civil society actors, followed by the duly conclusion of the selection process of CSOs and media representatives. Moreover, a list of practical instruments should be elaborated in order to allow for a concrete materialization of the collaboration with the civil society.

**Secondly**, NCEI should hold an internal consultation process on the potential formats of collaboration that positively contribute to the breaking of the dependency link between the political disputes and council's performance. An alternative solution would be the increase of the number of non-political permanent members and co-chairing of the meetings.

**Thirdly**, NCEI should internally agree on the issuing of final conclusions,

statements and/or recommendations at the end of each periodic meeting. This would allow for a better orientation of the topical discussions during the meetings as well as higher contribution and leverage of this mechanism in front of the government and general public.

**Fourthly**, the technical secretariat should invest more efforts in the standardization of the reporting tools, planning of activities as well as higher transparency on the work of the council. Moreover, the promotion of the work of NCEI and advocacy efforts should be made also from the technical secretariat through direct participation in public events, information campaigns, Europe day, etc. The structure of the technical secretariat should be made public, along with the allocated annual budget.

**Fifthly**, as underlined also in the 2016 monitoring brief, NCEI should ensure higher transparency and better communication with the public. The assigned section on the website of the parliament is not user-friendly and difficult to be traced. The provided information on the website is limited to the list of members, legal basis and minutes of the meetings – excluding materials provided by the guest speakers during the meetings. Due to incongruences in the provided minutes, it is impossible to state the number of times a member has attended the meetings.

**Sixthly**, NCEI should publish online a registry of the requests for information/updates that it sends to the different state institutions dealing with the EU integration process. This registry would allow keeping trace and assessing NCEI's monitoring activity on EU affairs and overall timely responsiveness of related public institutions.

**Seventhly**, the Rules of Procedures should include specific measures for the members who do not attend the meetings for a specific period of time. Moreover, incentives should be foreseen for the participation and qualitative contribution of the members during these meetings.