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DIALOGUE WANTED: THE EXPERIENCE OF EU – ALBANIA INTER- PARLIAMENTARY COOPERATION

Gentiola Madhi
EU Policy Hub

INTRODUCTION

The European Parliament established in November 1994 its delegation for inter-parliamentary relations with the Western Balkan countries. This cooperation was then included within the Stabilisation and Association Process (SAP) framework, which started in early 2000s and aimed at bringing the Western Balkans closer to the European Union (EU), in view of their perspective membership.

Up-to-date, the inter-parliamentary cooperation between the EU and accession countries has progressed to becoming a [foundation for an experience-building process and gradual preparation for EU membership](#). The Union defines this cooperation with the accession countries' national parliaments as "[a framework within which controversial issues can be aired' with 'an element of transparency' and 'a test of how deep parliamentary democracy with pluralism \[has\] taken root'](#)". Moreover, acknowledging the limited role of national parliaments in the previous EU enlargement waves, the Commission has recently adopted a new approach, providing for new opportunities to candidate countries' parliaments to exert their potential in view of "[increas\[ing\] the 'ownership' of the reform process and alert the Commission to violations of compliance with EU rules](#)".

Following the entry into force of the EU-Albania Stabilisation and Association Agreement (SAA), in May 2010 it was established the Stabilisation and Association Parliamentary Committee (SAPC). SAPC marked for an upgrade in the status of inter-parliamentary relations, by institutionalizing the

regular cooperation between the European Parliament and the Parliament of Albania. It is a consultative body, focusing on all aspects of the bilateral relations, – ranging from political to mutual cooperation in different policy areas - and especially in overseeing SAA implementation. Additionally, SAPC is intended to serve as catalyst for cooperation, in order to improve the political dialogue on reform processes. Despite the overall purpose, the functioning of the EU-Albania inter-parliamentary forum has been hampered by continuous political polarisation within the Albanian context, accompanied by national parliamentary boycotts of the opposition¹ and redundant rhetoric on EU membership.

In front of this setting, this brief aims at shedding light on overall performance of the inter-parliamentary cooperation between EU and Albania. It focuses on the established legal and organizational framework, followed by a general assessment of the cooperation effectiveness and identification of key challenges. Moreover, the inter-parliamentary cooperation experiences of Montenegro and Serbia are briefly illustrated, as a comparative example that highlights the importance of political dialogue on country's progress towards EU membership. The analysis is based on a qualitative assessment of reports, declarations, press releases, along with SAPC minutes and final recommendations, issued per each country (i.e. Albania, Montenegro and Serbia) during 2010 – 2016.²

1. **Opposition** is used as a generalized term in this brief and it refers to both wings of the Albanian Parliament, for the timeframe (2010-2016) when each party has been respectively in opposition.
2. The minutes of the 11th meeting of EU-Albania SAPC have not been taken into analysis, since they have not been published yet. Due to operational procedures, the minutes will be approved during the forthcoming meeting of SAPC, as of autumn 2017.

THE OPERATIONAL FRAMEWORK OVERVIEW

In June 2006 Albania marked an important step in its integration path, by signing the Stabilization and Association Agreement with the EU. SAA is signed by each country of the Western Balkans with the EU and [it represents a multidisciplinary contractual framework](#) between the Parties, aiming at anchoring the accession country's economic and political reforms, besides supporting the transition towards a fully-fledged democratic regime. In specific, this agreement intends to support Albania's efforts [to reinforce democracy, rule of law, political, economic and institutional stability, along with providing an appropriate context for political dialogue and allowing the development of close political relations](#).

For the implementation of its norms and provisions, SAA foresees the establishment of three key bodies, namely: (i) Stabilization and Association Council (SAC), in charge of supervising SAA application and implementation; (ii) Stabilization and Association Committee³, assisting in the performance of duties of SAC; and, (iii) Stabilization and Association Parliamentary Committee, tasked to consider all aspects of relations between EU and Albania, and particularly the implementation of SAA. While the first two bodies are composed of representatives from the executive branch, SAPC focuses exclusively on the parliamentary dimension.

[According to SAA's article 122](#), SAPC serve as a forum of bilateral meetings and exchange of views between the members of the parliamentary delegations. As such, SAPC provides for an opportunity to exert a parliamentary oversight to Albania's integration process. Whereas the European Parliament - having a well-established practice on the appointment of inter-parliamentary delegations with third countries - points at shaping the Union's external relations.

SAPC operates according to its Rules of Procedures⁴, which were officially adopted by the members of the Albanian delegation on 3 May 2010 and by the Bureau of the European Parliament on 6 October 2010. Each Parliament nominates a delegation composed of 14 members, including one chairperson and one deputy chairperson, appointed

for a four-year period, in line with the respective parliamentary term of office. Some members of the Albanian delegation are also members of the national Parliamentary Committee for European Integration, which allows for a better coordination of their functions at the domestic level.

SAPC organizes systematic meetings ([twice a year](#)) on a rotational basis, in Tirana and in the seat of the European Parliament in Brussels or Strasbourg. This venue rotation allows closer contacts of the Albanian delegation with the European Parliament's work as well as for an equal distribution of the costs. The administrative work of SAPC meetings is performed by a joint secretariat, with staff provided by the European Parliament secretariat and officials designated by the Albanian Parliament.

As consultative body, SAPC can indirectly affect the policy-making process, by submitting (non-binding) recommendations to the European Parliament, Commission and Council, as well as to the Parliament and Government of Albania. Its work is characterized of transparency, as the minutes of the meetings and the final recommendations are published online. Moreover, members of both delegations issue public statements and press releases on the SAPC performance and faced hurdles.

EU-ALBANIA INTER-PARLIAMENTARY COOPERATION EXPERIENCE

EU integration process should be considered as a driving force for continued reforms in Albania. Since SAPC establishment, 11 joint inter-parliamentary meetings - focusing primarily on the oversight of the progress in meeting the accession criteria - have been organized between the delegations (see table 1).

Each meeting is conducted according to the draft agenda sent to the members of both delegations a fortnight in advance. The array of topics under discussion is agreed between the delegations. The structure generally includes the 5 key priorities⁵, in view of assessing Albania's preparation for the accession negotiations, followed by other policy areas/issues according to the specific context of the moment. During the analysed

3. The Stabilisation and Association Committee has also set up the necessary subcommittees for the adequate implementation of the SAA.
 4. The Stabilization and Association Parliamentary Committees operate according to the same Rules of Procedure for all the Western Balkan countries, save for the cases when they have been subsequently amended.
 5. Established in the European Commission's Enlargement package 2013-2014.

timeframe, SAPC has focused on the following key agenda items:

- Judicial reform and fundamental rights;
- Fight against organized crime and corruption;
- Political situation and parliamentary developments;
- Freedom of media;
- Economic developments;
- Electoral reform, etc.

Due to domestically-related concerns, the discussion on other policy areas, such as environment, energy, IPA funds, etc. has been rather limited.

Table 1: Schedule of SAPC sessions

No.	Date	Venue	Recommendations
I	3-4/05/2010	Brussels	Failed
II	4-5/11/2010	Tirana	Failed
III	14-15/06/2011	Brussels	Failed
IV	09/12/2011	Tirana	Adopted
V	11-12/07/2012	Brussels	Adopted
VI	28-29/10/2013	Tirana	Adopted
VII	12-13/03/2014	Strasbourg	Failed
VIII	16-17/03/2015	Tirana	Failed
IX	9-10/11/2015	Brussels	Failed
X	19-20/05/2016	Tirana	Adopted
XI	7-8/11/2016	Brussels	Adopted

Source: [European Parliament](#)

In addition to the members of the parliamentary delegations, the meetings see also the participation of ministers, head of EU delegation, representatives of the Commission, etc. The participants are expected to discuss over the implementation of the key priorities, express their concerns and provide for inputs through the final recommendations. The debates are based on speeches and are of an informative and monitoring nature.

Despite the non-binding nature of the recommendations, the members of the Albanian delegation have the opportunity to interact, impact and persuade indirectly their colleagues from the European Parliament in bringing forward Albania's accession process. However, this has not yet been the case for the EU-Albania SAPC. With exception of the adoption by consensus of all SAPC minutes, the Albanian delegation has constantly suffered from a conflictual internal dialogue and incapacity to find compromises. As shown in table 1, SAPC has managed to adopt only 5 final conclusions and recommendations. In two sporadic cases (respectively during the [7th](#) and [9th](#) [meeting](#)) the Albanian opposition has claimed the non-reception of the draft recommendations the night

before the meeting. Although the [internal inquiries](#) have found no basis for these claims, they contributed to hampering the negotiations on adopting the final recommendations.

In front of these perpetual communication difficulties, the European Parliament delegation proposed the amendment of the Rules of Procedure during the 9th meeting, as of November 2015. This revision aimed to "[introduce more clarity in the voting procedure and ensure smoother running of the meeting\[s\]](#)" of the inter-parliamentary forum. The amended rules clearly state that SAPC recommendations are considered adopted *only when the majority has been reached between the members of each parliamentary delegation present at the meeting*. The same is valid for the voting of the amendments to the recommendations: [each member of SAPC has a single, personal, non-transferable vote and the voting procedure is done by show of hands or electronically](#). Whereas the interpretation and implementation of the Rules of Procedure is done by the co-chairpersons or, at their request, by the Bureau.

Due to limited information provided in the minutes of the SAPC meetings, it is impossible to assess whether the members of the Albanian delegation make use of any strategy during the negotiation of the final recommendations. However, in the case of adoption of the amendments of the Rules of Procedure, it can be noticed that the European Parliament delegation consensually agreed the amended version. Meanwhile the Albanian delegation followed a heterogeneous path, as [7 members of the delegation voted in favour, 2 abstained and 5 members did not vote at all](#). Obviously this is an intentional strategic move of the Albanian delegation, which shows the predominance of specific priorities over the national one and demonstrates that 'politics is still a game in town'.

LESSONS FROM THE REGION

Considering that Montenegro and Serbia are the forerunners in the EU accession process, this section aims at showing that despite the domestic challenges, both countries under scrutiny show a similar performance path at SAPC level. All meetings and recommendations share some common features on the functioning of judiciary, human rights protection, fight against corruption, IPA funds, etc., besides raising a common concern on the freedom of media.

EU-Montenegro SAPC was established in September 2010 and up-to-date there have been organized [12 meetings](#). All meetings have been concluded with the adoption of the final [recommendations](#), which are characterized of a general positive tone and show that there is a domestic political consensus on EU integration path. The analysis shows that most of SAPC meetings perform a follow up of the previously issued recommendations, keeping thus track of the progress achieved. Moreover, considering the [official status of Montenegro as an ecological state](#), specific attention is paid to debating on environment protection and tourism.

Meanwhile Serbia held its first SAPC meeting in November 2013. So far 5 meetings have taken place and all the final [recommendations](#) have been adopted. They are characterized of quite a positive tone, acknowledging SAA smooth implementation and steady progress of the EU-reform agenda. A particular focus is reserved to the dialogue with Pristina, resolution of bilateral disputes and overall inter-ethnic relations.

Differently from the Albanian case, the analysis shows that there is a consensus within the national parliamentary delegations of Montenegro and Serbia on the EU agenda and the meetings focus mostly on the achieved progress and challenges ahead. In some cases, there have been prolonged discussions on the amendments to the draft recommendations; however, a consensual final output has been agreed.

INSTEAD OF CONCLUSIONS

The experience of the joint inter-parliamentary cooperation is intended to serve as cooperation catalyst, so as to enhance ongoing political dialogue on reform processes. This should serve to local politicians as prospect to get acquainted with European Parliament's work and strengthen connections with related political groups.

However, the analysis of the EU-Albania SAPC meetings shows that the ongoing country's political polarisation is persistently risking to jeopardising and undermining the EU integration efforts. The work of this inter-parliamentary forum has been hampered by continuous political polarisation, parliamentary boycotts of the opposition (being that the left or the right wing for the respective timeframe in opposition), and lack of spirit of cooperation, compromise and flexibility within the Albanian delegation. The

conducted observations show that the Albanian political groups tend to stick to their positions, avoiding any bargaining opportunities. Hence, the heated debates during SAPC meetings have resulted in shifting priorities, counter-productive outcomes and negotiation deadlocks 6 times over 11 (table 1). Consecutively, the fluctuating domestic political situation has not allowed for a regular *modus operandi* of SAPC vis-à-vis the follow-up of the previously issued recommendations.

Despite the regular calls for an appropriate conciliatory language and extension of the constructive political dialogue to the SAPC sessions,⁶ the Albanian delegation has not managed to exploit its full capacity and engagement to achieving a constructive dialogue and democratic political culture. The same situation is reflected also within the political groups composing the national parliament. Although the Commission and European Parliament have brokered several times for the establishment of a healthy political climate in Albania, no sustainable results have been achieved by the local political elites.

The analysis shows a mismatch between the official declarations of the party leaders on the national EU-reform agenda and the political practices on the ground. The formal commitments have resulted in pure political rhetoric and have not been yet converted into effective changes of the parliamentary behaviours.

In front of a fierce inter-party competition and recurrent boycotts, it is urged for an immediate mobilization of local stakeholders in order to deliver on new achievements in the integration path. Recognizing that [parliamentary scrutiny in the Balkans is still inadequate](#), both the Union and civil society should strongly push for the inclusion of media, NGOs and trade unions in the improvement of the political climate and reinforcement of their role as supervisory bodies in the conduct of reforms. Moreover, the [National Council for European Integration, as the highest national advisory body providing strategic directions and fostering all-inclusive cooperation between political parties, public institutions and civil society](#), should take a clear stance on the present political stalemate, before the state of affairs become detrimental for Albania's European integration process.

6. This is showed by the analysis of both SAPC final recommendations and European Parliament annual resolutions.