

Fostering the Development of Civil Society in Albania, the Role of the EU Policies.

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Abstract

The present study analyzes the current state of the civil society in Albania and the European Union policies concerning the integration of Albania in the EU. Despite the country in recent years has made significant progress towards achieving some of the requirements needed in order to proceed towards European integration, further improvements are needed in many areas. Among them, the development of civil society is one of the most complex and urgent. The process of fostering socio-economic development in the country is intrinsically related to the involvement of civil society in the public spheres. Greater participation of civil society organizations in public life improves the quality of democracy and helps to strengthen public support for EU membership.

Keywords: civil society, development, EU, Albania, Stabilization and Association Agreement

1. Introduction

On June 24, 2014, Albania has received the candidate status after a series of failed attempts. In the past years, Albania has gradually employed several policies under the Stabilization and Association Agreement. The SAA Agreement (SAA), signed in June 2006, establishes a formal framework for the fulfilment of mutual commitments on a wide range of political, trade and economic issues.

The country has been partnering the Stability Pact for South-eastern Europe and the EU Stabilisation and Association process for the Western Balkan since 2004, but the process has faced many challenges. There is somehow a political will to actively participate in high level dialogue meetings, as well as the related joint working groups. Anyway there are still obstacles in the path for membership of the European Union.

Since 2007, pre-accession financial assistance to the country has been guaranteed through the Pre-accession Assistance Financial Program (IPA), managed by the Delegation of the European Commission in Tirana. The main areas of intervention concern the strengthening of governance capacities, the improvement of the legislative framework in the field of public administration, the judiciary and the police, economic and social development and the democratic stabilization of the country. In 2009 the total budget allocated by the European Commission was 81.2 million euros. On 28 April 2009 Albania presented its application for membership of the European Union.

Although the country has made important progress in recent years towards the achievement of some necessary requirements in order to proceed on the path of European integration, further improvements remain essential in many sectors. Among these, the

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development of civil society is one of the most complex and urgent. Greater participation of civil society organizations in public life indeed improves the quality of democracy and helps to strengthen public support for EU membership.

Although civil society development and dialogue as part of the European enlargement process are not new phenomena, but date back to the 1990s, in the Western Balkans these processes have taken on a new dimension. In the 2007 Enlargement Strategy, the European Commission identified them as one of the fundamental reform priorities for the future accession of these countries ¹. Civil society is not only an essential element for democratic public life and for the proper functioning of institutions, but it is also a crucial player in building and strengthening public opinion support for reforms. In the past years, the concept of civil society has been embraced across the Eastern European countries to support the achievement of socio-economic development and the convergence toward EU legislation. Change imposed by external forces is not enough: in order to achieve the necessary requirements towards EU membership, the involvement, commitment and active participation of civil society are essential. Furthermore, the societies of potential candidate countries must be aware and ready to accept the costs of the reforms that the integration process entails. Despite opinion polls in Albania revealing that more than 90% of public opinion is in favor of joining ²the EU, does Albanian civil society have a real understanding and knowledge of the EU? Does it have the tools to play its role in the democratization process? Is it ready to face the costs of the reforms?

2. Civil society in Albania

The Progress Report of the Union for Albania in the year 2009 states that “as far as civil society organizations are concerned, progress has been recorded. Civil society relations with the government have improved. The Civil Society Foundation Creation Act went into effect. However, more efforts are needed to strengthen the non-profit sector and to consult civil society organizations on legal and administrative reforms.”³

In reality, the structure of civil society in Albania remains weak, characterized by low participation and poor relations between the actors that compose it. The NGO Sustainability Index, released annually by USAID ⁴, shows that there are only a small number of viable NGOs in the country, the overall environment is unfavorable, and the sector remains heavily dependent on aid. international.

Civil society is mainly represented by numerous small NGOs, largely fragmented and not connected to each other through national and international networks. Organizations' management and executive structures are often weak; due to limited

¹Communication from the Commission to the European Parliament and the Council, Enlargement strategy and main challenges 2007-2008 COM(2007) 663 final .

²European Policy Centre, *The Balkans in Europe: containment or transformation?* Twelve ideas for action, EPC Working Paper No.31, June 2008.

³Commission staff working document, *Albania 2009 progress report* (SEC(2009) 1337) accompanying the Communication from the Commission to the European Parliament and the Council “Enlargement Strategy and Main Challenges 2009-2010”, COM(2009) 533 final, p. 14.

⁴United States Agency for International Development (USAID), *The 2008 NGO Sustainability Index for Central and Eastern Europe and Eurasia*, 12th Edition, June 2009.

financial resources, personnel are often recruited on the basis of specific projects and staff are usually required to cover different roles and tasks, without a clear division of functions and responsibilities. These characteristics obviously have a significant impact on the professionalism of civil society actors.

Financial management and managerial skills also need to be strengthened in order to ensure the future sustainability of the sector. The tax regime governing non-profit organizations remains unclear and a Code of Ethics for NGOs - which would set standards and enhance transparency - does not yet exist. Furthermore, in Albanian society the culture of volunteering is very scarce, if not almost completely absent. Most organizations are located in more developed urban areas and some marginalized groups, including ethnic and religious minorities, are under-represented, particularly when looking at management-level positions. The declared membership of numerous think tank leaders in political parties and their involvement in government bodies had initially been considered as positive factors, capable of contributing to the strengthening of civil society in the country by modernizing state institutions and influencing the political world from internal; however these results have not yet materialised ⁵.

One of the major problems of Albanian civil society is its weak relationship with state institutions. The small number of projects implemented in partnership by NGOs and government institutions, the few cases of procurement of social services to specialized NGOs, together with the fact that very few organizations are involved in the monitoring and advocacy activities on national policies, are clear elements which indicate the government's lack of a comprehensive strategy for cooperation with civil society. Although the government has started to consult third sector organizations in policy formulation and design, these coordination mechanisms are not formalized and remain weak ⁶. Among the government institutions, there is no specific department responsible for managing relations with civil society, whose participation in political life must be strengthened.

A further obstacle to the development of the civil sector in Albania is the low financial sustainability. In fact, since 2001, important donors interested in supporting civil society have significantly reduced their financial assistance and as a consequence many NGOs have become inactive while others are limited in their activities by the scarcity of resources. It is also interesting to note that even today the major financial resources come from international donors, while state, private sector and private citizen funding is almost totally absent ⁷. This lack of diversification in funds not only creates a strong economic

⁵European Movement Albania, Country Briefing for Albania, presented at the Conference "Strengthening the triangle CSOs-National Governments-European Commission. Reinforcing the Europe-wide Civil Society and Building Partnerships", Zadar, Croatia, 19-20 October 2009.

⁶ A significant example of the failure to build a satisfactory consultation process occurred in October 2007, when the government modified the legislative framework that regulates the activity of the third sector without any consultation with civil society. On the other hand, the third sector has not been able to take a common position on these amendments, demonstrating its weakness and fragmentation.

⁷ In March 2009, the Albanian Parliament adopted the Law on Organization and Functioning of the Civil Society Support Agency (Law No. 10093), which aims to provide financial assistance to support development and strengthening civil society. However, until December 2009

dependency, but also produces the so -called donor-driven agenda, with many organizations implementing projects based on priorities decided by external funders rather than local actors.

3. Relations between civil society and the European Union

The development of civil society is a key priority in the enlargement strategy and in recent years in Albania the EU has financially supported numerous NGOs dedicated to issues such as inter-ethnic relations , protection of minority rights, poverty reduction , the environment and social development. Financial assistance was allocated through the regional programmes, centrally managed by the European Commission, and through the national programs of the European Union Delegation in Albania.

Pre-Accession Assistance Financial Program (IPA), a new facility, called the Civil Society Facility (CSF), was created to promote development and dialogue with civil society. The CSF focuses on three areas of intervention: (i) support to develop the initiatives and capacities of local civil society, so as to strengthen its role; (ii) programs aimed at fostering the contacts of journalists, young politicians, trade union leaders, teachers and other representatives of civil society with the EU institutions; (iii) support for partnership building and networking between civil society organisations, businesses, trade unions and other social partners and professional organisations, both at national level and involving actors in other countries of the region and in the Member States of the EU. Under the Civil Society Facility, €2.7 million has been allocated for projects aimed at strengthening the capacity of civil society organizations for the period 2009-2011⁸. More precisely, 1.5 million euros of the IPA contribution is reserved for civil society organizations dealing with the fight against corruption, organized crime, human trafficking, environmental protection, education and poverty alleviation. 1.2 million euros funded through the European Initiative for Democracy and Human Rights (EIDHR) instead support actions aimed at the rights of minors, women, minorities, people with disabilities and mental illnesses.

Will the new CSF be able to contribute significantly to the development and strengthening of civil society in Albania? Certainly the EU should ensure that the Civil Society Facility responds to the needs identified by local actors and this objective can be achieved through the involvement of local civil society organizations in the design, implementation and evaluation stages of assistance programmes. Although the Delegation of the European Commission in Albania organizes biannual consultations (generally in March and October) with local NGOs to discuss and receive suggestions, in particular regarding the preparation of the Annual Report, there is still no formal mechanism to make this involvement official and permanent. IPA considers civil society actors as key partners and potential beneficiaries of European funding; however , one of the major criticisms of

the Agency was not yet operational. As far as the private sector is concerned, current tax legislation does not offer incentives for donations to NGOs.

⁸ Commission staff working document, Albania 2009 progress report (SEC(2009) 1337) accompanying the Communication from the Commission to the European Parliament and the Council “Enlargement Strategy and Main Challenges 2009-2010”, COM(2009) 533 final, p. 6

the EU's approach to civil society organizations is that they are viewed as a 'financier-beneficiary' relationship. Consequently, the Commission should ensure that local actors are consulted and involved in a permanent and meaningful way in the strategic planning of EU external assistance policies and programmes.

As previously underlined, relations between state institutions and the civil sector are weak and substantially superficial. The European Union in the Multiannual Indicative Planning Document (MIPD) 2009-2011 defines the "support to civil society in order to create a genuine partnership between the authorities and civil society in the democratic stabilization and in the economic and social development of the country" ⁹as one of the objectives under the political criteria. In this context, the EU should (a) urge national authorities to respect the obligation to consult civil society in the design and implementation of national policies and plans; (b) strengthen mechanisms to hold national authorities accountable for achieving civil society development as a necessary criterion for the integration process; (c) invite the government to develop a long-term approach aimed at strengthening the third sector, which also includes legislation conducive to its development and sustainability; (d) urge the government to create a permanent dialogue forum with civil society.

In Albania most civil society organizations lack the knowledge, skills, experience and resources to actively participate in the consultation process. Another important area that would require greater intervention efforts by the EU is therefore represented by the training of civil society actors. In particular, it is necessary to improve project management skills, providing the basic tools for preparing reports, writing project proposals, conducting needs assessments and monitoring and evaluation actions. Basic training is also required in areas such as communication, networking, mediation and negotiation; specific training on the procedures and requirements for submitting project proposals in the context of EU tenders is essential.

The European Union should also improve its communication. According to a recent study done by the Human Development Promotion Centre¹⁰ in fact, 58% of the interviewees declared that they did not know if EU programs exist in Albania aimed at financing civil society and 17% declared that Europe does not finance civil society. As far as knowledge of the procedures for applying for European funding is concerned, 65% of the interviewees admitted to having partial or even no knowledge about it. 84% of those who have some understanding of the law consider it very complex.

Another important success factor for the development of civil society is represented by the creation and strengthening of national and regional networks. These

⁹Commission Decision C(2009)5911 of 31/07/2009 on a Multi-annual Indicative Planning Document (MIPD) 2009-2011 for Albania, p. 13.

¹⁰Human Development Promotion Center (HDPC), Third Sector Development in Albania: challenges and opportunities, p. 46. This study was conducted within the project "Building from Within: Reuniting Europe by Strengthening and Connecting its third sector" funded by the British Foreign and Commonwealth Office (FCO) and implemented by the Euclid Network and its partners in Albania, Kosovo and Montenegro.

networks foster the exchange of information and experiences, helping third sector organizations to become more organised, influential and able to exert greater pressure on the government to carry out the necessary reform process of the sector. Furthermore, the cooperation between the different partners of the network would allow to make the best and most productive use of the opportunities, programs and funding provided by the EU.

Another aspect of the EU's complex relationship with civil society is its "relationship" with the Albanian population. Again the Commission should strengthen and improve its communication, making sure that the benefits and challenges of enlargement are understood by citizens. In this regard, the Delegation of the European Commission in November 2009 inaugurated a new EU Information Center in Tirana; as well as providing materials and information on issues related to enlargement policy and the Union, the center will also host information events in cooperation with civil society actors.

A further area that deserves special attention is the promotion of people-to-people contacts between Albania and European countries. These initiatives – which allow Albanian citizens to get to know the European Union better and directly, its values, its rules and its lifestyle – should be further strengthened, in particular in favor of the younger generations. Important examples include student grants, cooperation in science and research, increased participation in community programs and agencies, support for youth exchanges and activities, and the visa liberalization process.

In recent years, the Commission has extended educational cooperation and mobility opportunities for Albanian university students, offering an increasing number of scholarships under the Tempus and Erasmus Mundus programmes. Participation in Community agencies and programs has proven to be a useful tool to facilitate integration, cooperation and policy-making. Albania currently participates in the Seventh Research Framework Program under a Memorandum of Understanding signed in December 2007. The country also participates in the Entrepreneurship and Innovation Framework Program and the Europe for Citizens Programme. Particular support to young Albanians is provided through a specific "window" of the "Youth in Action" Program which provides for different activities, including youth exchanges, European Voluntary Service projects, training and networking.

The EU should continue to invest in these areas, as people-to-people contacts are an important means of promoting better understanding of different realities and overcoming prejudices. Here too, communication is essential, as information about these initiatives is often scarce and most of the population is unaware of them.

The EU advocacy toward the civil society involvement in the public spheres has forced the Albanian government to integrate the participation of the civil society in the Action Plan addressing the priorities indicated in the EC Opinion on Albania's application for membership to the European Union.

4. Conclusions and Recommendations

Despite some undoubted improvements, civil society organizations in Albania are still weak and it is therefore essential to create conditions conducive to the further expansion of their activities. The European Union could improve its approach and policies in favor of the development of civil society:

- consulting and involving local actors in a permanent and significant way in the strategic planning of external assistance policies and programmes;
- supporting the creation of a genuine partnership between state authorities and civil society; providing civil society actors with training opportunities in areas such as project management, communication, procedures for submitting project proposals in the context of EU tenders.
- improving communication and dissemination of information;
- continuing to promote initiatives aimed at strengthening interpersonal contacts between Albania and European countries.

Importantly, national authorities and third sector actors have significant responsibilities to improve the situation of civil society in the country. In particular, civil society organizations should increase their professionalism, improve their technical skills and competences through better training and effective knowledge sharing action. They also have an obligation to actively cooperate with both the European Commission and national authorities, and to step up efforts to secure more stable and varied sources of funding.

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