



TEXTS ADOPTED

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2015 Report on Albania

European Parliament resolution of 14 April 2016 on the 2015 Report on Albania (2015/2896(RSP))

The European Parliament,

- having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part,
- having regard to the Presidency conclusions of the Thessaloniki European Council of 19-20 June 2003 concerning the prospect of the Western Balkan countries joining the EU,
- having regard to the European Council decision of 26-27 June 2014 to grant the status of candidate country for EU membership to Albania and to the Council conclusions of 15 December 2015,
- having regard to the seventh meeting of the Stabilisation and Association Council between Albania and the EU, held in Brussels on 18 May 2015,
- having regard to Albania's accession to the North Atlantic Treaty Organisation (NATO) on 1 April 2009,
- having regard to the Final Declaration by the Chair of the Vienna Western Balkans Summit of 27 August 2015 as well as the Recommendations of the Civil Society Organisations for the Vienna Summit 2015,
- having regard to the Commission Communication of 10 November 2015 entitled 'EU Enlargement Strategy' (COM(2015)0611), accompanied by Commission Staff Working Document entitled 'Albania 2015 Report' (SWD(2015)0213),
- having regard to the Joint Conclusions of the fifth High Level Dialogue on the Key Priorities adopted in Tirana on 24 March 2015,
- having regard to the Final Report of the OSCE/ODIHR Election Observation Mission concerning the 21 June 2015 local elections, dated 8 September 2015,
- having regard to the ninth meeting of the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC) held in Brussels on 9-10 November 2015,

- having regard to its previous resolutions concerning Albania,
 - having regard to the work of Knut Fleckenstein as the standing rapporteur on Albania of its Committee on Foreign Affairs,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Albania has made steady progress on its path to EU accession;
 - B. whereas (potential) candidate countries are judged on their own merits and the quality of the necessary reforms determines the timetable for accession;
 - C. whereas challenges still persist and need to be addressed swiftly and efficiently in order to make further progress on its path to EU accession;
 - D. whereas consistent adoption and full implementation of reforms on the five key priorities as well as sustained political commitment are essential to further advance in the EU accession process;
 - E. whereas the protection of religious freedom, cultural heritage and the administration of property in accordance with the rule of law are fundamental values of the European Union;
 - F. whereas constructive and sustainable political dialogue between political forces on EU-related reforms is essential to making further progress in the EU accession process; whereas fair play, constructive dialogue, cooperation and willingness to compromise between government and opposition is vital for a successful and sustainable reform process;
 - G. whereas there exists political consensus and wide public support for the EU accession process in Albania; whereas the success of the reform agenda strongly depends on the existence of a democratic political environment in the country;
 - H. whereas sustained progress, especially in the areas of the rule of law, judicial reform, the fight against corruption and organised crime, public administration reform and fundamental rights, is of crucial importance in the reform process; whereas Albania needs to intensify reform efforts in these areas and in other key priorities in order to open accession negotiations and consolidate its democratic transition; whereas the EU has placed the rule of law at the core of its enlargement process and, furthermore, has stressed the need to strengthen economic governance and public administration in all the Western Balkan countries;
1. Welcomes the steady progress made by Albania with respect to the reforms on the key priorities required for opening accession negotiations; encourages the government, the parliament and political parties to maintain the reform momentum and to accelerate the implementation of reforms; calls on them to swiftly proceed with a substantial reform of the judiciary; insists on the importance of proper and timely implementation of these reforms;
 2. Calls on all political parties to make further efforts to engage in a more constructive and genuine political dialogue that will allow the adoption and implementation of the key reforms; strongly believes that sustainable cooperation between government and opposition in the parliament is essential for Albania's EU accession process and for

meeting the accession criteria; strongly underlines the importance of maintaining their commitment to building a democratic political culture which includes openness to dialogue, negotiation and compromise and the complete exclusion of boycotts and radicalism; welcomes the establishment and work of the National Council for European Integration (NCEI), which is expected to make the EU-related reform process more inclusive; urges the further enhancement of the parliament's capacity to monitor implementation and compliance with the *acquis*;

3. Commends the government and opposition parties alike for their constructive cooperation on, and unanimous adoption in the parliament of, the legislation on the exclusion of criminal offenders from appointment and election to public office ('decriminalisation law'); welcomes the adoption of by-laws in the parliament and calls for swift and thorough implementation of this legislation in spirit and in letter; strongly encourages the parliament to lead by example in implementing the laws in order to enhance citizens' and the business community's trust in their political representatives and in public institutions;
4. Welcomes Albania's commitment to a comprehensive and thorough reform of the justice system and strongly encourages the Albanian authorities to swiftly continue the preparations for this crucial reform in order to foster the trust of citizens in the justice system; commends the work of the Ad Hoc Parliamentary Committee on Judicial Reform in the preparation of the reform; appreciates the close cooperation with the Venice Commission; encourages further a cooperative attitude on the way to adoption of this reform; calls on all parties, by taking into account the recommendations of the Venice Commission, to work towards a compromise on essential changes to the judiciary, which relate *inter alia* to the full independence and accountability of judges and prosecutors and the impartiality of the courts, especially the High Court and the Constitutional Court, and the High Council of Justice;
5. Underlines the need to address the current shortcomings in the functioning of the judicial system, including its independence from other branches of power, political interference, selective justice and limited accountability, a high level of corruption, inefficient mechanisms of control, insufficient resources, the overall length of judicial proceedings and the lack of clear professional criteria for appointment and promotion of judges; stresses the need to increase transparency and to implement the relevant recommendations made by the Group of States against Corruption (GRECO) in its fourth-round evaluation report on corruption prevention in respect of judges and prosecutors;
6. Recommends that the Commission closely monitor the progress made in the reform of the judiciary and encourages it to report to Parliament and Council as soon as Albania has sufficiently advanced in this reform and to take into account these conclusions and Albania's progress in the implementation of the five key priorities when considering recommending the opening of accession negotiations;
7. Welcomes the adoption of the 2015-2020 public administration reform strategy and its action plan for 2015-2017, as well as the 2014-2020 public financial management reform strategy; stresses the need for a professional and transparent civil service in order to serve the interests of citizens, to provide better services to citizens and to prepare for efficient conduct of future accession negotiations; notes the efforts towards more citizen-friendly public administration; urges the government to pursue its efforts to enhance administrative capacities, depoliticise public administration, fight corruption in the civil service and improve recruitment procedures based on merit and performance; calls for full and effective implementation of the Civil Service Law and the new Law on Administrative

Procedures; calls for the authority, autonomy, efficiency and resources of human rights structures, such as the Ombudsman's Office, to be enhanced; calls for appropriate budget allocations to be made available to the two new Commissioners on Children and the Prevention of Torture; welcomes the adoption of the 2015-2020 decentralisation strategy and of the law on local self-government, which increases the administrative and financial capacities of local government units and provides for consultation between central and local government; notes the need to further clarify the functions and responsibilities of local government and to continue close dialogue with the relevant stakeholders, including representatives of civil society;

8. Continues to be concerned about widespread corruption, particularly in education, healthcare, the judiciary, public procurement, public private partnership concessions, construction and spatial planning, local government and the public service; calls for local government to be strengthened; welcomes the adoption of the 2015-2020 national anti-corruption strategy and the 2015-2017 action plan; calls on the competent authorities to monitor and review the action plan thoroughly, to improve the track record as regards investigation, prosecution and conviction in corruption cases at all levels, to enforce anti-corruption legislation strictly and to enhance the independence of and cooperation between anti-corruption institutions; welcomes the proposal for a law on the protection of whistle-blowers and for improving transparency and control of political party finances; stresses the need to strengthen the capacity of law enforcement agencies to conduct proactive and effective investigations; strongly believes that progress in judicial reform will also substantially enhance the fight against corruption and organised crime;
9. Notes the government's commitment to fighting organised crime, which has led to a number of successful large-scale law enforcement operations, including in cooperation with the authorities of neighbouring countries and EU Member States; remains concerned, nevertheless, about the low number of final convictions; stresses the need to further develop cooperation between prosecution services and the police and to ensure effective judicial follow-up; calls for adequate resources to be allocated to the police and prosecution services in order to fight organised crime; welcomes recent operations against drug traffickers, but notes that trafficking remains a significant problem for Albania; calls on the competent authorities to strengthen their efforts in the fight against the production and trafficking of drugs and narcotics, including by stepping up international and regional cooperation; calls for stronger cooperation between law enforcement institutions on human trafficking, better protection of and redress for victims, and an improved track record as regards investigation, prosecution and conviction; calls on the competent authorities to intensify their efforts against the trafficking in arms;
10. Notes the assessment and recommendations of the OSCE/ODIHR concerning the electoral process following the June 2015 local elections, when a number of irregularities were identified by international observers; stresses that the 2017 parliamentary elections will be an important test for Albania's EU integration process; calls on the competent authorities to make every effort to prepare for free and fair elections; welcomes the establishment of an ad hoc parliamentary committee on electoral reform in January 2016 and encourages the effective implementation of its recommendations, notably with a view to preparing and conducting the upcoming elections; is concerned about the overall politicisation of the electoral process, and calls on the competent authorities to address, inter alia, procedural shortcomings, including electoral disputes, the independence of electoral commissions, transparency and effectiveness in political party financing, alleged cases of vote-buying and voter intimidation and abuse of state resources, in order to enhance public confidence in the electoral process; notes that the Central Election Commission (CEC) needs to

establish clear internal responsibilities for overseeing party finances and go beyond purely formal checks on the statements made by political parties;

11. Welcomes the adoption of a parliamentary resolution on the role of civil society in the country's democratic development and notes the improving cooperation between state institutions and civil society organisations (CSOs), including their participation in meetings of the NCEI; commends the adoption of the roadmap on civil society and encourages its smooth implementation; recommends that steps be taken to institutionalise cooperation with CSOs in order to strengthen democracy and the protection of human rights and civil liberties through public participation and to raise transparency in decision-making; calls on the competent authorities to reduce the administrative burden on CSOs and review tax rules and other relevant regulations with a view to facilitating private donations; calls on the competent authorities to encourage CSOs to actively participate in the supervision of the electoral process and to be involved in the provision of comprehensive and timely information to the public about the EU accession process;
12. Urges the Albanian Government to dedicate particular attention to improving prospects for young people and to invest in modernising and reforming the education system in order to increase employability and professional prospects, particularly for young people; emphasises the need to transform the current brain drain into a brain circulation which supports mobility while at the same time creating a high potential for proper career prospects in Albania; welcomes the IPA support dedicated to education, employment and social policies;
13. Reiterates its call on the competent authorities to proceed with delivering justice for the victims of the events of 21 January 2011;
14. Condemns the mistreatment of suspects in police stations, prison overcrowding and the inadequate medical care and poor conditions in detention facilities;
15. Recalls that institutional mechanisms to protect children's rights remain poor; urges the authorities to reform the juvenile justice system in a way that it complies with international standards; calls for a significant increase in financial allocations for the child protection system, in particular child protection units (CPU) at local and regional level; deplors that some CPUs have had to stop operating owing to a lack of financial resources; urges the authorities to ensure children's access to CPUs also in rural areas;
16. Commends the climate of religious tolerance in the country, the good cooperation between religious communities and their positive relations with the State; calls on all competent authorities and religious communities to jointly work towards preserving and fostering religious harmony;
17. Recalls, among the key priorities, the need for effective legislative and policy measures to reinforce the protection of human rights, minority rights and anti-discrimination policies; notes that Roma and Egyptians live in difficult conditions and often face social exclusion and discrimination; commends the adoption of the 2015-2020 national action plan for the integration of Roma and Egyptians and more effective implementation of Roma inclusion policies; notes that enrolment and drop-out rates among Roma children and the situation of Roma and Egyptian street children, including cases of forcible eviction of such children without due process or provision of adequate alternative housing, remain a concern; calls for improvements to be made to the protection of children's rights and the juvenile justice system; welcomes the parliamentary resolution on the protection of rights and freedoms of

persons belonging to the LGBTI community; notes that the second Tirana Pride event was held without major incidents in June 2015; recommends that provisions discriminating against transgender and intersex persons be removed from existing legislation; calls on the competent authorities to continue improving the climate as regards the inclusion of and tolerance for all minorities in the country, including by enhancing the role of the State Committee on Minorities;

18. Recommends addressing gender inequality, gender discrimination and domestic violence through appropriate mechanisms; welcomes amendments to the Electoral Code adopted in April 2015 which provide for a 50 % gender quota in candidate lists for municipal councils;
19. Notes that the enforcement of property rights remains to be ensured; urges the completion of the process of property registering, restitution and compensation and the effective implementation of the 2012-2020 strategy on property rights; points out that better enforcement of property rights will positively influence local and foreign investment;
20. Re-emphasises the critical importance of a professional, independent and pluralist public service broadcaster and private media; is concerned about widespread self-censorship among journalists, who are sometimes physically obstructed from covering specific events, assaulted, or threatened because of their work, and about cases of direct interference in editorial autonomy; deplores, in this context, that the Balkan Investigative Regional Network has been threatened with a defamation case following its investigations into the criminal past of a mayoral candidate during the local elections in 2015; calls for measures to be taken to strengthen the professional and ethical standards of journalists; calls for enhanced implementation of the Law on Audiovisual Media; stresses the need to enhance the transparency of government advertising in the media and to pursue additional efforts to guarantee the independence of the Audiovisual Media Authority (AMA) and of the public broadcaster; is concerned about changing procedures for the election of the General Director of the Albanian public radio and television broadcaster (RTSh); calls on both government and opposition to ensure the proper functioning of the national broadcaster by identifying a consensual candidate for the position of director; stresses the need to finalise the delayed digitalisation process;
21. Notes that Albania is moderately prepared in developing a functioning market economy; welcomes better tax collection and the government's campaign against informality; is concerned, while noting an increase in employment, about the high level of unemployment, especially youth and long-term unemployment, which is more than 50 % of total unemployment; urges more attention to be given to equal opportunities and further measures to be taken to increase women's employment in the labour market; remains concerned about persistent and significant shortcomings in respect for the rule of law, the regulatory environment, property rights enforcement and the fight against corruption which are hampering efforts to improve the business environment; urges Albania to comprehensively tackle the still acute problem of its large shadow economy, linked to widespread corruption, by pursuing effective economic reforms; urges that steps be taken to address weaknesses in contract enforcement and the rule of law, to tackle the still large informal economy and to prioritise its programme of fiscal consolidation and public debt reduction; urges for more support on consumer protection mechanisms;
22. Calls on Albania to make further efforts to align with EU environmental legislation and the requirements of chapter 27; welcomes in this respect the establishment of a National Agency for Protected Areas and an Agency for the Albanian Coast;

23. Calls on the Albanian Government to control the development of hydropower plants in environmentally sensitive areas such as around the Vjosa River and in protected areas and to maintain the integrity of existing national parks; recommends improving the quality of environmental impact assessments, which would allow account to be taken of EU standards as established by the Birds and Habitats Directives and the Water Framework Directive; encourages the Albanian Government to increase transparency through public participation and consultation on planned projects;
24. Calls on Albania to carry out the relevant measurements relating to environmental protection and waste management and to take additional measures against the improper disposal and removal of waste, particularly marine waste;
25. Calls on the government to adopt and implement a national energy strategy; is concerned at Albania's failure to submit a renewable energy action plan to the Energy Community, which triggered an infringement procedure; is equally concerned at the fact that Albania missed its Energy Community deadline to align its law with the 2006 Directive on Energy End-Use Efficiency Services; urges the government to do more on energy efficiency by adopting a new law on energy efficiency in buildings;
26. Commends Albania for remaining a constructive partner in the region and for being proactive in regional cooperation; underlines the importance of ensuring good neighbourly relations, which remain essential; notes positively Albania's commitment to the regional cooperation initiatives taken at the Western Balkans Summits in Berlin in 2014 and Vienna in 2015; welcomes Albania's constructive role in the connectivity agenda; calls on the competent authorities to ensure full and swift implementation of the technical standards and soft measures in the transport sector that were agreed during the 2015 Western Balkans Summit in Vienna, before the next summit, due to take place in Paris in 2016;
27. Welcomes the continued political will to improve relations with Serbia and encourages Albania and Serbia to take further measures to promote regional stability and cooperation and good neighbourly relations; encourages Albania, in light of these efforts, to continue with the development of the Regional Youth Cooperation Office, headquartered in Tirana, which is of paramount importance for further reconciliation in the region, particularly among young people; recommends the speeding-up of the construction of major infrastructure projects such as the rail link and modern highway between Tirana and Skopje as part of Corridor VIII; commends Albania for full alignment with all the relevant CFSP declarations and European Council conclusions and for its readiness to contribute to the European assistance and resettlement schemes for Syrian refugees; urges the government to pursue further efforts to deal with the large number of manifestly unfounded asylum applications lodged with Member States and to take determined action via the post-visa liberalisation monitoring mechanism to engage in closer operational cooperation and information exchange with Member States and neighbouring countries; calls on the government also to consider taking further measures to improve socio-economic living conditions; welcomes the Commission proposal to establish a common EU list of safe countries of origin and supports Albania's inclusion on that list;
28. Supports, in the context of the Berlin Process, the creation of the Western Balkans Civil Society Forum, which provides an opportunity for civil society representatives from the regions to exchange ideas, voice their concerns and formulate concrete recommendations to decision-makers, and calls for the continuation of this process during the next summit,

to be held in Paris in 2016, as well as for the organisation of preparatory workshops involving civil society organisations in the region;

29. Welcomes Albania's commitment to the fight against radicalisation and terrorism and adoption of relevant security strategies and an action plan; welcomes the fact that the updated strategic framework includes a strategy on countering violent extremism; is concerned that Albania, as well as other countries, is affected by the phenomenon of returning foreign fighters, Islamic radicalisation and violent extremism; welcomes, in this connection, measures taken by the Albanian Government to prevent the outflow of foreign fighters to join ISIS in Iraq and Syria; considers it essential to continue to implement an effective policy to prevent Islamic radicalisation, to counter violent extremism also with the inclusion of CSOs and religious communities, to prevent and disrupt the flow of foreign terrorist fighters, to counter the financing of terrorism, and to develop a specific rule of law-based approach for intelligence and law enforcement agencies and a coherent judicial policy on offenders; recommends, furthermore, intensifying effective regional cooperation and cooperation with the relevant services of the Member States on this issue, including on the exchange of information; takes the view that all measures taken in this direction should ensure respect for human rights and fundamental freedoms in accordance with international standards and instruments;
30. Regrets that, due to a lack of spirit of cooperation and compromise within the Albanian delegation, no meaningful debate can be held currently in the SAPC and that no recommendation could be adopted at its ninth meeting; appeals for steps to be taken to strengthen the SAPC in order for it to make a positive contribution to Albania's EU accession process;
31. Requests that the Commission include detailed information about IPA support for Albania and the implementation of measures in its future reports, in particular the IPA support allocated to the implementation of the key priorities and relevant projects, bearing in mind the Commission's declaration on the Strategic Dialogue with the European Parliament;
32. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Albania.