



TEXTS ADOPTED

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2018 Report on Albania

European Parliament resolution of 29 November 2018 on the 2018 Commission Report on Albania (2018/2147(INI))

The European Parliament,

- having regard to the EU-Albania Stabilisation and Association Agreement,
- having regard to the European Council conclusions of 19-20 June 2003 and the Thessaloniki Agenda for the Western Balkans,
- having regard to the European Council decision of 26-27 June 2014 to grant the status of candidate country for EU membership to Albania,
- having regard to the General Affairs Council decision of 26 June 2018,
- having regard to the European Council decision of 28-29 June 2018,
- having regard to the recommendations of the High Commissioner on National Minorities of the Organisation for Security and Cooperation in Europe (OSCE) on the draft secondary legislation on the protection of national minorities in Albania,
- having regard to the declaration of the EU-Western Balkans summit of 17 May 2018 and its ‘Sofia Priority Agenda’,
- having regard to the 9th meeting of the Stabilisation and Association Council between Albania and the EU of 15 November 2017,
- having regard to the Commission communication of 6 February 2018 entitled ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’ (COM(2018)0065),
- having regard to the Commission communication of 17 April 2018 entitled ‘2018 Communication on EU Enlargement Policy’ (COM(2018)0450), accompanied by the Commission staff working document entitled ‘Albania 2018 Report’ (SWD(2018)0151),
- having regard to the recommendations adopted at the 12th meeting of the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC), held in Tirana on 12-

13 February 2018,

- having regard to the outcome of the 2017 survey on marginalised Roma in the Western Balkans, supported by the Commission and conducted by the World Bank and the UN Development Programme,
 - having regard to the joint staff working document entitled ‘Gender Equality and Women’s Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020’,
 - having regard to its previous resolutions on Albania,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A8-0334/2018),
- A. whereas EU enlargement continues to constitute a strategic investment in peace, democracy, prosperity, security and stability in Europe;
- B. whereas Albania has continued to make steady progress towards meeting the political criteria and the five key priorities for the opening of accession negotiations as well as in consolidating democratic institutions and practices;
- C. whereas the Commission has recommended the opening of accession negotiations with Albania given the good progress achieved in the fulfilment of the five key priorities; whereas accession negotiations will allow closer EU scrutiny and are a powerful catalyst for implementing further reforms and consolidating democratic institutions and practices;
- D. whereas on 28 June 2018 the European Council endorsed the Council conclusions of 26 June 2018, setting out the path towards opening accession negotiations in June 2019;
- E. whereas challenges still persist and need to be addressed swiftly and efficiently in a spirit of dialogue and cooperation;
- F. whereas constructive dialogue between the government and the opposition on EU-related reforms remains crucial to advance with the reform agenda to the benefit of citizens and to bring the country closer to the EU;
- G. whereas there is wide public support in Albania for the country’s accession to the EU;
- H. whereas the rule of law is a fundamental value on which the EU is founded and is at the heart of both the enlargement and stabilisation and association process; whereas reforms are needed to tackle the important challenges that remain in this area, notably in ensuring an independent, impartial, accountable and efficient judiciary, and in the fight against corruption and organised crime, as well as in the protection of fundamental rights;
- I. whereas the protection of religious freedom, cultural heritage, and the rights of minorities are among the fundamental values of the European Union;
- J. whereas Albania has ratified all fundamental International Labour Organisation conventions, including in particular the Freedom of Association and Protection of the

Right to Organise Convention of 1948 (No 87) and the Right to Organise and Collective Bargaining Convention of 1949 (No 98);

- K. whereas each enlargement country is judged individually on its own merits, and it is the speed and quality of reforms that determine the timetable for accession;
- L. whereas regional cooperation and good neighbourly relations are essential for Albania's progress on its path towards EU accession;
1. Welcomes Albania's intensified efforts in this regard, leading to steady progress on the implementation of EU-related reforms, especially on the comprehensive justice reform; calls on Albania to consolidate the reforms achieved and to continue preparing for EU membership obligations across all chapters;
 2. Fully supports the Commission's recommendation that accession negotiations be opened in recognition of the reform efforts made by Albania; takes note of the Council decision to re-evaluate the situation in June 2019; welcomes the clear path that has been outlined towards the start of accession talks in 2019 and highlights the fact that the preparatory screening process has begun; recalls that the decision to open accession negotiations will depend on further progress in the reform process, calls on the Council to evaluate objectively and fairly the progress achieved by the country and to convene the first Intergovernmental Conference by the end of that year, and encourages Albania to maintain the reform momentum to that end; considers that the opening of negotiations would positively contribute to the reinforcement of democracy and rule of law by providing further incentives for the reform process and enhance its scrutiny;
 3. Calls on the Commission to apply the reinforced approach for negotiating Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom and security);
 4. Recalls the need to strengthen the Albanian Parliament's oversight capacities, including in the EU accession process; calls for more efficient use of various oversight mechanisms and institutions, including inquiry committees; welcomes the adoption of the Albanian Parliament's Code of Conduct, which will enhance the integrity and transparency of the parliamentary process and public trust in the institution; underlines the need for an enforcement mechanism, including sanctions, to make the code effective; underlines the central role of the Committee on EU Integration and the responsibility of the National Council for European Integration as a forum for consultation on accession preparations; calls for further cooperation with the Albanian Parliament within the framework of the European Parliament support programme for parliaments of enlargement countries, in order to enhance its capacity to produce quality legislation in line with the EU *acquis* and exercise its oversight role;
 5. Highlights the importance of raising awareness among the general population of the process of joining the EU and the role of the EU and Albanian institutions involved;
 6. Urges action and legislative and administrative measures addressing the outstanding recommendations of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (OSCE/ODIHR); underlines that inclusive and timely electoral reform is needed with a view to increasing public trust in the electoral process; recalls the need for due attention to be given to allegations of illegal and undeclared funding of political parties; welcomes the work by the Ad-hoc Committee on Electoral Reform of the Albanian Parliament related to independence and

depoliticisation of the election administration, transparency in campaign finance, voter registration, vote buying, the use of new voting technologies and out-of-country voting, and urges it to reach consensus on, and adopt, the necessary reforms in due time before the 2019 local elections;

7. Welcomes Albania's revised law on political party financing; reiterates its calls on the country's political parties to fulfil their obligation to ensure the exclusion of criminal offenders from public office at all branches and levels of government;
8. Reiterates that constructive political dialogue, willingness to compromise, sustainable cross-party cooperation and a continued unwavering commitment to the implementation and consolidation of the reforms across all five key priorities are vital to the effort to advance the EU accession process and for the proper functioning of a democratic regime; welcomes the growing bipartisan collaboration and wide cross-party consensus that was reached when dealing with certain key reforms; encourages all political forces to make further efforts to establish a genuine political dialogue and to achieve constructive cooperation, thus supporting the reform process; reiterates its strong belief that political dialogue should take place within democratic institutions; is greatly concerned about the *de facto* boycott of the parliamentary process by the opposition following the summer recess of 2018;
9. Underlines the fact that judiciary reform is a major demand by Albania's citizens and a prerequisite for re-establishing trust in the rule of law, public institutions and political representatives; reiterates that the credibility and effectiveness of the overall reform process, especially the fight against corruption and organised crime, and the implementation of property rights, depend on the success of the vetting process and the continued and determined implementation of judicial reform;
10. Welcomes the progress made in judicial reform aimed at increasing the independence, accountability, professionalism and efficiency of the country's judicial institutions and at improving people's trust in judicial bodies; regrets that the administration of justice continues to be slow and inefficient; notes that the re-evaluation process for all judges and prosecutors has delivered the first tangible results; welcomes the fact that a majority of priority dossiers have already been processed; calls on the Albanian authorities, however, to further advance the impartial vetting process, without compromising on quality or fairness; stresses the importance that the vetting process be implemented in line with the highest international standards and encourages Albania to continue its close cooperation with the International Monitoring Operation; takes note of the first dismissals and voluntary resignations of candidates prior to their hearings; considers in this light that the preparation of the next generation of judges and prosecutors is even more important and regrets therefore that political parties in Albania have so far not reached an agreement on the necessary amendments to the law on the status of judges and prosecutors with regard to a higher capacity of recruitment and training; encourages adequate financial and human resources to be continuously provided to the vetting institutions;
11. Urges the Albanian authorities to complete as soon as possible the establishment of the new judicial bodies and to return to the Constitutional Court and the High Court to a functioning state; underlines the need to support the effective functioning of these institutions by means of adequate human resources and funding;
12. Welcomes the continued progress made towards establishing a more citizen-friendly,

transparent, professional and de-politicised public administration, including at local level; urges the full implementation of the oversight institutions' recommendations as well as the Ombudsperson's recommendations; notes also the progress made with regard to territorial reform and to further consolidation, administratively and financially, of the newly created municipalities, as well as the establishment of the Consultative Council to improve coordination between central and local governments; welcomes the setting up of local EU Desks and EU coordinators;

13. Calls for further strengthening of the administrative capacity of institutions and bodies responsible for the implementation of accession-related reforms, for the transposition of EU legislation into national law and for preparations to be made for EU accession negotiations;
14. Commends the significant improvements made in the legal and institutional framework with a view to preventing and eradicating corruption in public institutions, as corruption is still a major point of concern; calls for additional efforts to reduce the corruption affecting the daily life of Albania's citizens, to improve the investment climate and to guarantee legal certainty of investments; underlines that high-ranking officials must not benefit from preferential treatment compared with ordinary citizens, should they be charged; calls on Albania to increase the use of financial investigations and establish a track record of seizures and confiscation/recovery of criminal assets resulting from corruption-related offences and to show tangible results in the fight against drug trafficking and money laundering;
15. Welcomes the recent updates to the country's anti-corruption legislation; stresses the need to complete the establishment of the National Bureau of Investigation, the Special Tribunal and the Special Prosecution Office Against Corruption and Organised Crime; calls for further improvement in interinstitutional cooperation and exchange of information between the police and prosecution; welcomes the re-evaluation of law enforcement personnel under the police vetting law;
16. Calls for increased attention to be given to political and public-private corruption; calls for strengthening the track record of proactive investigations, prosecutions and final convictions in the fight against corruption and organised crime, including high-level cases;
17. Welcomes the progress made in the fight against corruption and organised crime, in particular the recent arrests of members of the Bajri criminal group, and calls for tangible and sustainable results to be pursued further, including in the specific area of countering cultivation and trafficking of drugs, through the implementation of action plans against cannabis cultivation; welcomes that the Albanian police force is becoming more active in the fight against organised crime, and is encouraged by Albania's intensified international police cooperation – leading to effective operations against criminal networks – including in joint working groups with Member States; believes that cooperation between the police, prosecution and other relevant agencies and bodies should be further consolidated;
18. Urges the Albanian authorities to take decisive action to dismantle criminal networks engaged in human, firearms and drug trafficking, and to increase the number of investigations and prosecutions, but also of final convictions, especially of high-level members of organised crime groups; points to the need to step up efforts in preventing human trafficking, paying particular attention to unaccompanied children and child

victims of trafficking, especially among children in street situations;

19. Reiterates its call on the Albanian authorities to effectively ensure enforcement and progress towards the protection of property rights in an effective and transparent manner, while at the same time taking into account property registration, restitution and compensation; calls for necessary progress to be made on the digitalisation and mapping of property; urges the Albanian authorities to adequately inform citizens about their rights and possibilities for enforcement of their claims; underlines the importance of an effective property rights regime for guaranteeing the rule of law and an attractive business environment;
20. Welcomes the steps taken to reinforce the protection of human rights, minority rights and anti-discrimination policies, including the equal treatment of all minorities; welcomes the adoption of a framework law on minorities, which abolished the differentiation between national minorities and ethno-linguistic communities and introduced the principle of self-identification, the prohibition of discrimination and the right to preserve cultures, traditions and mother tongues; calls for its full implementation in practice and encourages Albania to continue its efforts by adopting the necessary secondary legislation to the framework law, in line with European standards and with the involvement of all relevant stakeholders in its drafting; insists that measures be taken to further improve the education, health, employment rates and living conditions of Roma, Egyptians and other ethnic minorities;
21. Notes the tensions following an incident involving the loss of life of Konstantinos Katsifas, a member of the Greek National Minority and dual (Albanian and Greek) citizen, who was shot dead by the Albanian Special Police Forces (RENEA) during a World War II commemoration of fallen Greek soldiers in Bularat on 28 October 2018; calls for restraint on all sides and expects the Albanian authorities to investigate and clarify the circumstances which led to the loss of life;
22. Welcomes the progress made in increasing women's participation and representation in politics, in particular through the introduction of the gender quota system, and the equal representation of women in the new government; reiterates, however, its concern about discrimination against and lack of appropriate measures for the protection of women and girls belonging to disadvantaged and marginalised groups, such as Roma¹, women and women with disabilities, the still existing gender-discriminatory provisions in a number of laws, the difficult access to justice for women, the proportion of women in the informal labour market, and the high number of cases of domestic violence against women and children, especially those belonging to vulnerable groups; calls for an adequate response to these issues and commends the adoption of the resolution on the fight against gender-based violence and the establishment of a parliamentary sub-committee on gender equality;
23. Notes with concern that women living in rural and remote areas and Roma and Egyptian women continue to have limited access to primary health care and sexual and reproductive health services, and are often unaware about the availability of such services; calls therefore on the Albanian authorities to ensure better information about

¹ The word 'Roma' is used as an umbrella term which includes different related groups, whether sedentary or not, such as Roma, Ashkalis, Egyptians, etc., which may be diverse in culture and lifestyles.

such services and ensure that they are accessible, affordable and of quality.

24. Welcomes reinforcement of the legislative framework on rights of children through the adoption of the law on the protection of children's rights, the Criminal Justice for Children Code and the 'Children's Agenda 2020'; recalls that institutional mechanisms to protect children's rights still need to be improved; urges the authorities to implement secondary legislation on protection of children rights and juvenile justice and calls for a significant increase in financial allocations for the child protection system, in particular child protection units (CPU) at local and regional level;
25. Commends the climate of tolerance and cooperation among the country's religious communities; calls on the Albanian authorities to effectively combat hate speech and the exclusion and discrimination of minorities, including LGBTI persons; welcomes the Gender Equality Action Plans recently adopted by five Albanian municipalities, in line with the European Charter for Equality of Women and Men in Local Life;
26. Calls on the Albanian authorities to enhance cooperation with civil society organisations, ensuring effective public participation and consultation throughout the decision-making and ongoing EU integration process, including at national and local levels, thus strengthening democracy and transparency; draws attention to the need to reform the legal and fiscal framework for civil society organisations as well as public funding available for CSOs working on human rights, democracy, and the rule of law, including watchdog, advocacy, and small grassroots organisations, as financial sustainability remains a considerable challenge for a significant number of these organisations as the current registration process is characterised by lengthy procedures and high costs, and the current tax system imposes a significant burden on CSOs and hampers both corporate and individual donations; recalls that an empowered civil society is a key feature of a vibrant democracy and strategically important for Albania's transformation into an EU Member State;
27. Welcomes the signing of the cooperation agreement between the Albanian Government and the International Commission on Missing Persons, which will enable the latter to help in locating and identifying missing persons from the Communist era;
28. Calls on the Albanian authorities to strengthen their policies towards people with disabilities, who continue to face difficulties in accessing education, employment, healthcare and social services and participating in decision-making;
29. Regrets the delays encountered in setting up the Regional Youth Cooperation Office (RYCO) in Tirana; urges the authorities to support the activities of the RYCO in a flexible way that allows a maximum number of young people to benefit from its work;
30. Reiterates the critical importance of professional and independent private and public service media; notes the partial progress made in increasing the independence of the country's audio-visual media authority and public broadcaster; calls for measures to improve the financial transparency of state advertising in the media; calls as well for measures to strengthen the protection of the labour and social rights of journalists;
31. Welcomes the setting-up of the Albanian Media Council and underlines its role in establishing high ethical and professional standards for journalists and the media while promoting their independence and freedom; welcomes the adoption of the revised Journalistic Code of Ethics as well as the Ethical Guidelines for Online Media and calls

for their principles to be reinforced in order to maintain public trust, truthfulness, fairness, integrity, independence and accountability;

32. Urges the Albanian authorities to step up reforms aimed at increasing competitiveness and tackling the informal economy; stresses that corruption, rule-of-law deficiencies and cumbersome regulatory procedures continue to deter investment and Albania's sustainable development; calls for the business and investment environment to be further improved by ensuring a predictable regulatory and legislative framework, legal certainty, the rule of law, enforcement of property rights and strengthened contract enforcement, vigorously pursuing fiscal consolidation, and reinforcing tax administration;
33. Stresses the need to ensure positive convergence in social standards during the accession process; welcomes the adoption of the Sofia Priority Agenda, in particular its focus on socio-economic development and a focus on youth; calls on the Albanian authorities to reconsider the role of public-private partnerships and their impact on common resources and on goods of public interest such as highways, health, nature and cultural heritage in accordance with UNESCO obligations; calls on Albania to make public the criteria for awarding social assistance;
34. Fears possible negative impacts on employment and social policy-making following the dismantling of Albania's Ministry of Social Welfare as a result of governmental restructuring; calls on the Albanian authorities to foster cooperation with trade unions and strengthen social dialogue; urges effective measures to address the high unemployment rate, especially among young people and women, and to prevent child labour; calls for further improvement of the quality of education, while making sure that education remains accessible to the entire population;
35. Commends the fact that, according to the Institute of Statistics in Albania (INSTAT), unemployment in Albania has decreased; stresses the need to improve the quality of the education system, including increasing capacity in order to better equip people with skills and knowledge in line with labour market needs; underlines the need to support long-term growth by developing the capacity for technological absorption, research, development and innovation;
36. Urges the government to modernise the education system with a view to building a more inclusive society, reducing inequalities and discrimination and better equipping young people with skills and knowledge;
37. Welcomes Albania's commitment to implementing the Connectivity Agenda within the framework of the Berlin Process and the adoption of the Instrument for Pre-accession Assistance (IPA) 2018 package, which includes the strategically important infrastructure project of reconstructing the Port of Durrës, which is strengthening Albania's connections with Croatia and Italy and providing Albania's landlocked neighbours, Kosovo and Macedonia with access to maritime transport routes; urges the Albanian authorities to accelerate planning and construction of the Albanian sections of the trans-European networks and proceed with harmonising the legal framework with the EU *acquis*; supports the proposal to reduce roaming fees in the Western Balkans in order to promote a market- and investment-friendly environment towards a digital economy; notes that 40 % of Albania's population live in rural areas but only 1 % of these people are connected to the internet;

38. Reiterates the importance of improving public infrastructure within the Western Balkan countries and with the EU Member States; recommends that the authorities speed up the construction of major infrastructure projects such as the rail link and modern highway between Tirana and Skopje as part of Corridor VIII;
39. Expresses deep concern about certain economic projects that have led to grave environmental damage in protected areas, such as large-scale tourist resorts and the hydropower plants along the Vjosa and Valbona rivers; recommends that Albania review its strategy as regards renewable energy and decrease its dependency on hydropower for electricity generation; calls therefore on the authorities to explore investments in renewable energy projects other than hydropower; urges the authorities to step up the quality of strategic environmental assessments, environmental impact assessments and public consultations on such projects, taking into account local community views; urges the European Bank for Reconstruction and Development (EBRD) and the European Investment Bank (EIB) to review their support for hydropower plant projects should they lack sound *ex ante* strategic environmental assessments and environmental impact assessments; stresses the need to ensure that the Trans Adriatic Pipeline project (TAP) is in line with the environmental and social aspects of the *acquis*; reiterates its call on Albania to implement relevant waste management measures and to align itself with the EU environmental *acquis*;
40. Expresses concern that Albania remains the Western Balkan country from which the highest number of illegal entries and stays as well as unfounded asylum claims are made in Member States; calls for an increase in the measures taken in recent months to address effectively the phenomenon of unfounded asylum applications in the EU, as well as arrivals of unaccompanied minors, including their root causes; encourages concrete measures to boost employment, especially for young people, education, living conditions and health; calls on the Albanian authorities to establish systems to assist with the effective reintegration of families and children on their return to the country;
41. Welcomes the steps made to reach the agreement on operational cooperation between the European Border and Coast Guard Agency and Albania, the first country in the region with which such an agreement was concluded, and encourages further cooperation on the operational level;
42. Calls on the Albanian Government to abide by the provisions of Article 3 of the European Convention on Extradition, issued by the Council of Europe, and of Article 19 of the EU Charter of Fundamental Rights and not to allow any extradition for political offences, or when the person may be subject to torture or inhuman treatment in the country requesting the extradition;
43. Commends Albania's success in stemming the outflow of foreign fighters; welcomes the regional cooperation that has been achieved in countering potential terrorist threats; reiterates the need for further measures to disrupt financial flows aimed at financing terrorism, to strengthen the prevention and monitoring mechanisms involving civil society and religious communities, and to effectively address online radicalisation; reiterates the need to further improve programmes to reintegrate returnees and their families and to prevent radicalisation in prisons by also strengthening the involvement of civil society and religious communities;
44. Calls for greater cooperation between Albania and the EU against cybercrime and on cyber defence issues;

45. Welcomes Albania's active participation in the Berlin Process, the Western Balkans Six initiative and other regional initiatives, and its contribution to strengthening the profile of the Regional Cooperation Council; welcomes the signing of a Joint Declaration on Regional Cooperation and Good Neighbourly Relations within the framework of the Berlin Process; welcomes Albania's proactive role in promoting regional cooperation and good neighbourly relations with other enlargement countries and with neighbouring Member States and underlines that good relations are an essential part of the enlargement process; welcomes the official launch of the Western Balkans Fund, which should promote common values and develop regional cooperation between citizens, civil society and institutions of the Western Balkans region; welcomes the establishment of the Albania-Serbia Joint Chamber of Commerce in Tirana and encourages strengthening trade and business cooperation in the region; welcomes continued efforts to enhance regional cooperation, especially in the area of environmental protection as outlined in the Adriatic Trilateral initiative; recalls that statements and actions that could negatively impact the good neighbourly relations should be avoided;
46. Reiterates its support for the initiative to establish the Regional Commission Tasked with Establishing the Facts about All Victims of War Crimes and Other Serious Human Rights Violations Committed on the Territory of the Former Yugoslavia (RECOM); urges the Albanian Government to take the lead on its establishment; underlines the importance of this process and the active engagement of all regional political leaders in order for it to start its work without further delay; calls attention to the Coalition for RECOM's proposal for an action plan with clear dates and benchmarks;
47. Highly commends Albania on its continued full alignment with all EU positions and declarations made in the context of common foreign and security policy; calls on Albania to align itself with the EU common position on the integrity of the Rome Statute of the International Criminal Court and to renounce its bilateral immunity agreement with the United States; commends Albania's active participation in military crisis management missions under the common security and defence policy, as well as its contribution to NATO missions of strategic importance to the EU;
48. Urges the Albanian authorities to make the most effective use of EU funds in all regions of the country; calls on the Commission to ensure strict conditionality of IPA funds and to assess, as part of its country reports, the effectiveness of IPA support for Albania, especially on the key priorities and relevant projects;
49. Takes note of the constructive atmosphere at the 12th meeting of the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC), held in Tirana from 12 to 13 February 2018; notes the improved cooperation achieved between majority and opposition representatives in the SAPC; underlines the importance of continued cross-party collaboration on the reform path towards EU accession;
50. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Albania.