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Plenary sitting

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MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 123(2) of the Rules of Procedure

on the 2014 Progress Report on Albania
(2014/2951(RSP))

Knut Fleckenstein

on behalf of the Committee on Foreign Affairs

**European Parliament resolution on the 2014 Progress Report on Albania
(2014/2951(RSP))**

The European Parliament,

- 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 conclusions of the European Council of 26-27 June 2014 and of the General Affairs Council of 16 December 2014,
 - having regard to the Commission's Opinion on Albania's application for EU membership of 9 November 2010 and to the Commission Report of 4 June 2014 entitled 'Albania's Progress in the Fight Against Corruption and Organised Crime and in the Judicial Reform' (COM(2014)0331),
 - having regard to the Commission communication entitled 'Enlargement Strategy and Main Challenges 2014-2015' of 8 October 2014 (COM(2014)0700), accompanied by Commission Staff Working Document SWD(2014)0304 entitled 'Albania 2014 Progress Report', as well as to the Indicative Strategy Paper for Albania (2014-2020), adopted on 18 August 2014,
 - having regard to the resolution of the Albanian Parliament of 24 December 2014 on the political agreement between the ruling majority and the opposition,
 - having regard to its previous resolutions concerning Albania,
 - having regard to the work of Knut Fleckenstein as the standing rapporteur on Albania of the Committee on Foreign Affairs,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Albania has made impressive progress over the last few years on its path to EU accession and was therefore granted candidate country status in June 2014; whereas challenges still persist and need to be addressed swiftly and efficiently in order to make further progress on the path to EU membership;
- B. whereas consistent adoption and effective implementation of sustainable reforms on the five key priorities are serving Albania's democratic transformation and paving the way for the opening of EU accession negotiations; whereas the EU accession process has become a driving force for EU-related reforms in Albania, and whereas its timetable will be determined by the speed and quality of such reforms; whereas the opening of accession negotiations would be an incentive that would boost further reforms by offering a tangible and credible EU perspective;
- C. whereas EU accession is an inclusive process that belongs to the whole country and all

its citizens; whereas constructive and sustainable political dialogue on EU-related reforms, conducted in a spirit of cooperation and compromise between major political forces, is vital to further progress in the EU accession process; whereas there is a political consensus and wide public support for the EU integration process; whereas the success of the reform agenda strongly depends on the existence of a democratic political environment;

- D. whereas the European Parliament has played an important role in efforts to establish a healthy political climate in the country;
 - E. whereas the EU has put the rule of law at the core of its enlargement process; whereas tangible progress in the independence of the judiciary and the fight against corruption and organised crime is essential for the EU integration process to advance; whereas strong political support is the key to achieving progress in these areas;
 - F. whereas significant steps in reforming and implementing reforms of the judicial system need to be made; whereas, despite the progress achieved, the fight against corruption and organised crime remains a serious challenge; whereas freedom of expression and independence of the media still need to be guaranteed;
 - G. whereas the existence of a professional, effective and merit-based public administration is the backbone of the integration process for any country that aspires to become an EU member;
 - H. whereas Albania's relations with its neighbours are constructive and its alignment with EU foreign policy exemplary;
1. Commends Albania for obtaining candidate country status; stresses that this should be seen as an encouragement to intensify the reform efforts even more; expresses its continuous support for Albania's EU integration process; believes that concrete measures and sustained political commitment to implementing them are necessary to address the challenges of successfully consolidating democratic transformation and pursuing EU-related reforms; encourages Albania to establish a solid track record with regard to such reforms;
 2. Considers it essential to sustain and support genuine political cooperation among all political parties, which includes fair competition for better political ideas and concepts, and to work towards a democratic political culture that is based on the understanding that democratic political processes are built on dialogue and the ability to search for and accept compromises; is convinced that this will increase citizens' trust in public institutions; urges the ruling coalition to facilitate the exercise of the opposition's right of democratic control, and urges the opposition to exercise this right fully and responsibly;
 3. Welcomes the establishment of joint working groups within the High Level Dialogue on the Key Priorities with the aim of building a comprehensive platform for smooth delivery of reforms and monitoring progress on the five key priorities, notably in reforming public administration, reinforcing the judiciary, combating corruption and organised crime, and reinforcing the protection of human rights; encourages the

authorities to intensify their work on these priorities and to establish a track record for their implementation;

4. Calls for the prompt establishment of an inclusive National Council for European Integration, to include also representatives of civil society and independent institutions with the aim of ensuring broad national consensus on EU-related reforms and in the EU accession process; calls on the appropriate bodies to inform stakeholders and the wider public fully and in due time about the progress of the EU integration process;
5. Underlines the role of the parliament as a key democratic institution and calls therefore for a strengthening of its oversight role and for ensuring a more institutionalised consultation process on draft legislation; welcomes in this regard the consensual parliamentary resolution of 24 December 2014 in which it was agreed that the opposition would return to parliamentary work while the governing majority would seek consensus with the opposition on important reforms, that the decisions of the Constitutional Court (CC) would be respected and the issue of people with criminal records holding or running for public office addressed; calls for its proper and timely implementation in a constructive manner; calls on all political parties to improve democratic consensus-building, which is the key to advancing in the accession process; considers it important that Albania's civil society, media and citizens hold their leaders accountable for specific policy outcomes;
6. Is concerned about the continuous and ongoing political polarisation in Albania, which could jeopardise further EU integration efforts; reminds the ruling coalition and the opposition of their shared responsibility towards the citizens for a sustainable, constructive and inclusive political dialogue that allows for the adoption and implementation of the key reforms; calls on the ruling majority and the opposition to pursue further efforts to establish genuine political dialogue and to cooperate in a constructive manner;
7. Stresses that a professional public administration is instrumental in the successful implementation of all other reforms; therefore welcomes the fact that the Civil Service Law has started to be implemented, and calls for its proper implementation to be pursued in order to enhance administrative capacities, depoliticise public administration and fight corruption in the civil service, to strengthen meritocracy in appointments, promotions and dismissals, to increase the efficiency, transparency, accountability, professionalism and financial sustainability of the civil service, and to enhance good governance at all levels; calls for a strengthening of human resources management, an evaluation system for civil servants and independent monitoring of the implementation of civil service legislation; encourages the finalisation of a comprehensive public administration reform strategy and the continued promotion of depolarisation and knowledge of EU law and decision-making processes; stresses the need to enhance public integrity, to improve public services and to manage public resources more effectively; calls for improved public access to services and information; welcomes in this regard the new law on access to information; calls for a strengthening of the institution of the Ombudsman by giving appropriate follow-up to its findings and recommendations;

8. Stresses the need to tackle the fragmented system of local government and to create a functional local governance system able to respond to citizens' needs by the efficient provision of public services; calls for a strengthening of the administrative capacity of local governments, enabling them to exercise their authority and implement legislation in a financially sustainable way; calls for the transparency, effectiveness and inclusiveness of local governments to be enforced; notes the CC's ruling on the legal challenge to the reform on administrative and territorial division of the country; invites the competent authorities, in view of the upcoming local elections, to implement the recommendations made by the Office for Democratic Institutions and Human Rights (ODIHR) and the Central Election Commission; calls for the independence and capacities of electoral bodies to be enhanced;
9. Stresses the need to strengthen the rule of law and reform the judiciary in order to foster the trust of citizens and the business community in the justice system; welcomes Albania's commitment to judicial reform but still deplores the persistent shortcomings in the functioning of the judicial system, such as politicisation and limited accountability, the high level of corruption, insufficient resources and backlogs; reiterates the need to make further substantial efforts to ensure the independence, efficiency and accountability of the judiciary and to improve the appointment, promotion and disciplinary system for judges, prosecutors and lawyers; invites the authorities to pursue reforms in constructive cooperation with all stakeholders, including relevant civil society organisations (CSOs), and through engagement with the Venice Commission by elaborating and implementing a long-term judicial reform strategy;
10. Recalls the Albanian Parliament's resolution of November 2013 on Albania's European integration, which endorsed a number of important measures, mainly on the rule of law; underlines the importance of strong respect for the rule of law and the independence and transparency of judicial institutions such as the High Council of Justice (HCJ); stresses the need to comply with decisions of the CC on this matter; invites the competent authorities to foster the integrity and independence of key democratic institutions and the depoliticisation of the judiciary; invites the competent authorities to proceed without undue delay to deliver justice for the victims of the events of 21 January 2011;
11. Points out the unsatisfactory state of the juvenile justice system; calls on the competent authorities to put forward plans to improve the situation;
12. Is concerned that corruption, including within the judicial system, remains a serious problem; urges Albania to seriously strengthen its efforts to fight corruption at all levels and to enhance the legislative framework, institutional capacity and interinstitutional information exchange and cooperation; welcomes the appointment of a National Anti-Corruption Coordinator, who will coordinate efforts and monitor implementation at central level, and calls for the adoption of a comprehensive and strict anti-corruption strategy and action plans for the period 2014-2020; reiterates the need for the development of a more robust anti-corruption framework, which should include a wide range of institutions; notes positively the steps towards increased transparency, including the publication of asset declarations by senior officials and the establishment of anti-corruption focal points in all line ministries;

13. Reiterates the need to develop a solid track record of investigations, prosecutions and convictions at all levels, including in high-level corruption cases; considers it essential to improve the efficiency of investigations and to provide sufficient resources, training and staff specialised in combating corruption, especially in the fields of public procurement, health, taxation, education, police, customs and local administration; encourages the participation and monitoring role of CSOs in the fight against corruption; calls for the systematic use of confiscation of criminal assets and convictions for money laundering and for the systematic use of financial investigations; invites the competent authorities to strengthen the existing legislation on the protection of whistleblowers;
14. Is concerned that, despite a positive trend in the fight against organised crime, particularly in the fight against the trafficking and production of narcotics, this fight remains an important challenge; invites Albania, while recognising the success of recent police operations, to develop a comprehensive strategic approach and to take measures to remove barriers to the efficiency of investigations with a view to building up a track record of investigations, prosecutions and convictions in all areas and at all levels; encourages a stepping-up of intra-agency coordination, including at local level, and regional and international police and judicial cooperation; recommends strengthening cooperation in the fight against drug trafficking with partner agencies in the Western Balkans and with the services of EU Member States;
15. Commends efforts to fight trafficking of human beings, which continues to be a serious challenge; invites the competent authorities to develop a comprehensive and victim-oriented approach, to improve interinstitutional coordination and to build the capacities of prosecutors, judges and police; reiterates the need for continuous specialised joint training activities involving prosecutors, judges and police officers; welcomes the cooperation between the Albanian police and the prosecutor's office with EU Member States, which has led to good results;
16. Commends the Ombudsman for his work in promoting human rights, his openness towards vulnerable people and his cooperation with CSOs; deplores the fact that the Ombudsman's annual and special reports have not been debated in the parliament, and therefore cannot be published and are not officially acknowledged; calls on the government and the parliament to strengthen the independence, efficiency and effectiveness of human rights institutions, to improve cooperation with the Ombudsman's Office and to further support it politically and financially;
17. Underlines security concerns over foreign fighter returnees; welcomes measures to prevent radicalisation and to address the phenomenon of foreign fighters; emphasises the need to implement the strategy and action plan on the fight against terrorism; welcomes the increase in staff in the police anti-terrorism unit, and encourages an intensification of regional cooperation in combating terrorism; welcomes the new operational agreement signed with Europol and calls for its efficient implementation;
18. Stresses the need to enhance civic participation in public life and policy- planning and -making as well as in the European integration process in order to foster a broad national consensus on reforms and on the EU accession process; recommends further

development of consultation mechanisms with (and between) civil society and local communities; is concerned that politicisation of CSOs may weaken their potential role in strengthening the culture of democracy;

19. Commends the religious harmony and the climate of religious tolerance and overall good inter-ethnic relations in the country; calls on the competent authorities to continue improving the climate of inclusion and tolerance for all minorities in the country; urges the government to adopt, following a broad consultation process, a comprehensive law on minorities to remedy existing legal gaps in line with the recommendations of the Advisory Committee of the Council of Europe Framework Convention on National Minorities, and to efficiently implement the Law on Protection from Discrimination and build solid anti-discrimination case-law; commends the contribution of the Commissioner for Protection from Discrimination to fighting discrimination, including on grounds of gender, especially in employment, education and access to social services; encourages further steps to improve the living conditions of Roma by improving their access to registration, housing, education, the labour market and social and healthcare services; stresses that the living conditions of Roma also need to be improved via better coordination between central and local government and interministerial cooperation;
20. Welcomes the setting up of the National Council on Gender Equality and the appointment of gender coordinators in all line ministries; calls for further measures to tackle domestic violence, cases of inadequate access to justice for women, and gender bias in employment; welcomes the inclusion of the LGBTI community in the 2015-2020 strategy on social inclusion, the setting up of a working group on LGBTI rights in the Ministry of Social Affairs and the opening of the first LGBTI residential shelter; commends the amendments to the Criminal Code punishing hate crime and hate speech on the basis of sexual orientation and gender identity;
21. Encourages the government, furthermore, to work on a gender recognition bill, and to ensure that gender recognition conditions will meet the standards set in Recommendation CM/Rec(2010) by the Committee of Ministers of the Council of Europe to member states on measures to combat discrimination on grounds of sexual orientation or gender identity; believes that LGBTI people's fundamental rights are more likely to be safeguarded if they have access to legal institutions such as cohabitation, registered partnership or marriage, and encourages the Albanian authorities to consider these options;
22. Calls on the Albanian authorities to respond to the demand by the United Nations and the recommendations of the Ombudsman to create a homogeneous and reliable database, to activate the Coordinating Council for the Fight Against Blood Feuds set up in 2005 and to develop an action plan focusing on the rule-of-law aspects in the fight against blood feuds;
23. Emphasises the critical importance of a professional, independent and pluralist public service broadcaster and private media as a cornerstone of democracy; is concerned about the lack of genuine media independence and the lack of transparency of media ownership and financing; encourages Albania to ensure a free working environment for

journalists; stresses that further efforts are needed to guarantee the independence of the media regulatory authority and of the public broadcaster; is concerned about the lack of transparency of media ownership and financing, media polarisation and self-censorship; calls for a strengthening of the professional and ethical standards of journalists; urges proper implementation of defamation legislation; notes that the election of the new chair and board members of the Audiovisual Media Authority (AMA) has been called into question by the opposition; encourages the government to guarantee its independence and support, so that the AMA can take up its functions fully, including as regards facilitating the digital switchover process and the efficient implementation of the Audiovisual Media Law;

24. Welcomes the improvement of the business climate and the pursuit of a functioning market economy, but calls on the government to continue addressing weaknesses in contract enforcement and the rule of law and tackling the large informal economy; calls for further reforms in order to cope with the competitive pressure on the common European market; invites the government to strengthen the protection of property rights and accelerate the establishment of a sustainable and coherent policy of property legalisation, restitution and compensation; underlines the importance of creating favourable conditions for private-sector development and foreign direct investment;
25. Stresses the need to improve education and training in order to address skills mismatches and increase employability, particularly among young people; calls on the Commission to work in close cooperation with the government to address weaknesses in labour market conditions, including growing unemployment, and provide solutions in line with the Europe 2020 strategy; welcomes the Indicative Strategy Paper for Albania 2014-2020, which recognises that education, employment and social policies require support through the IPA;
26. Calls on the competent authorities to draft a national energy strategy with a particular emphasis on renewable energies and energy security, including diversification of energy sources; takes the view that Albania should invest more in renewable energy projects and related infrastructure; invites Albania to consider the ecological impact of hydropower projects on the national natural heritage; calls for compliance with the EU Water Framework Directive, which aims to achieve good ecological and chemical status for all natural surface-water bodies;
27. Urges the Albanian authorities to develop comprehensive management plans for existing national parks in accordance with the International Union for Conservation of Nature (IUCN) World Commission of Protected Areas quality and management guidelines for protected area category II; urges the authorities to abandon any development plans that undermine the country's protected area network and calls for the abandonment of small- and large-scale hydropower construction plans, particularly inside all national parks; demands, in particular, that the plans to build hydropower plants along the Vjosa River and its tributaries be rethought, since these projects would harm one of Europe's last extensive, intact and near-natural river ecosystems;
28. Welcomes Albania's continued constructive and proactive stance in regional and bilateral cooperation; stresses its instrumental role in strengthening regional stability;

commends the political will to improve relations with Serbia; encourages Albania and Serbia to take further actions and make statements which promote regional stability and cooperation and good neighbourly relations; encourages Albania to maintain its constructive position in the region and exchange with the other Western Balkan countries the knowledge and experience gained during their EU accession process, with the aim of intensifying cooperation and further stabilising the region; welcomes Albania's full alignment with EU foreign policy positions, including the EU restrictive measures on Russia, and its participation in CSDP crisis management operations; notes its ambitions as the current Chairman-in-Office of the South-East European Cooperation Process to further promote dialogue between participating countries; invites Albania to actively participate in the implementation of the European Union's Adriatic-Ionian strategy;

29. Calls for EP-Albania interparliamentary cooperation to be enhanced; recommends harmonising, as far as possible, the future calendar of meetings of the EU-Albania Stabilisation and Association Parliamentary Committee and that of the High Level Dialogue on the Key Priorities in order to strengthen parliamentary oversight of the EU accession process;
30. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Albania.