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Plenary sitting

9.12.2013

B7-0556/2013

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 110(2) of the Rules of Procedure

on the 2013 Progress Report on Albania
(2013/2879(RSP))

Nikola Vuljanić

on behalf of the Committee on Foreign Affairs

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United in diversity

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B7-0556/2013

**European Parliament resolution on the 2013 Progress Report on Albania
(2013/2879(RSP))**

The European Parliament,

- having regard to the Presidency conclusions of the Thessaloniki European Council of 19 and 20 June 2003 concerning the prospect of the Western Balkan countries joining the European Union,
 - having regard to the conclusions of the General Affairs Council of 11 December 2012, confirmed by the European Council of 14 December 2012,
 - having regard to the Commission communication of 9 November 2010 entitled ‘Commission Opinion on Albania’s application for membership of the European Union’ (COM(2010)0680),
 - having regard to the Commission communication of 16 October 2013 entitled ‘Enlargement Strategy and Main Challenges 2013-2014’ (COM(2013)0700) and the Commission Staff Working Document entitled ‘Albania 2013 Progress Report’ (SWD(2013)0414),
 - having regard to the preliminary findings and conclusions of the International Election Observation Mission to Albania, with regard to the parliamentary elections of 23 June 2013,
 - having regard to its resolutions of 22 November 2012 on enlargement: policies, criteria and the EU’s strategic interests¹ and of 13 December 2012 on the 2012 progress report on Albania²,
 - having regard to its resolution of 22 October 2013 on budgetary management of European Union pre-accession funds in the areas of judicial systems and the fight against corruption in the candidate and potential candidate countries³ and its observations on Albania,
 - having regard to the recommendations of the 6th meeting of the European Union-Albania Stabilisation and Association Parliamentary Committee of 28-29 October 2013,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas Albania has demonstrated progress in achieving the 12 key priorities of the Commission’s 2010 Opinion and the reform process is proceeding in a satisfying manner; whereas Albania has adopted the remaining key judicial, public administration and parliamentary reform measures with cross-party consensus; whereas challenges still persist and need to be addressed swiftly and efficiently in order to make further progress

¹ Texts adopted, P7_TA(2012)0453.

² Texts adopted, P7_TA(2012)0508.

³ Texts adopted, P7_TA(2013)0434.

on the path to EU membership;

- B. whereas the orderly conduct of the June 2013 parliamentary elections and peaceful transfer of power are having a positive impact on the country's democratisation process and improving its international reputation;
- C. whereas the EU accession process has become a driving force for continuing reforms in Albania and citizens' support for EU accession remains particularly high;
- D. whereas, despite the progress achieved so far, the new parliamentary term started once again with friction between the political forces; whereas these events show that the political forces need to promote a spirit of dialogue, cooperation and compromise as a matter of urgency, primarily in the field of relations between the two major political forces, but also among all the other stakeholders in the social life of the country;
- E. whereas the European Parliament has played an important role in efforts to establish a healthy political climate in the country; whereas a sustainable political dialogue is essential to maintain the momentum of the reform process and the implementation of the EU agenda;
- F. whereas the EU has put the rule of law at the core of its enlargement process; whereas the independence of the judiciary and the fight against corruption, organised crime and trafficking in human beings, weapons and drugs continue to be areas of serious concern; whereas progress in these areas is essential for advancing in the EU integration process; whereas strong political support is key to achieving progress in these areas;
- G. whereas the rights of minorities should be further advanced, especially those of the Roma minority and the LGBTI community; whereas the living conditions of the Roma in Albania are appalling and need to be swiftly improved, in particular as regards Roma people's access to registration, housing and education and the inclusion of Roma children in the educational system – from pre-school level to higher education;
- H. whereas social reforms are as important as political and legal ones; whereas Albania is striving to raise the level of social cohesion and needs strong support from the EU to do so, as well as more pronounced efforts by the Government to promote social dialogue as the third party, together with trade unions and employers' associations;
- I. whereas the existence of a professional, effective and merit-based public administration is of great significance for any country that aspires to become an EU member;
- J. whereas corruption and impunity for crimes continue to be widespread in Albanian society; whereas state institutions dealing with the fight against corruption remain vulnerable to political pressure and influence; whereas corruption among the judiciary and crime repression institutions remains a particularly serious problem;
- K. whereas each country's progress towards EU membership depends on its efforts to meet the Copenhagen criteria and comply with the conditions attached to the stabilisation and association process;

- L. whereas the enlargement policy needs to remain credible and be based on objective criteria to be met; whereas Albania is within reach of achieving candidate status, as it has complied with the criteria required to take this step;

General considerations

1. Welcomes and supports the analysis and recommendations of the 2013 Progress Report on Albania and calls on the Council to acknowledge the progress made by granting Albania candidate status without undue delay; urges the Albanian authorities and all political forces to consolidate the progress achieved so far;
2. Commends all political forces for the overall orderly conduct of the recent parliamentary elections and the smooth transition of power; recommends further enhancing public confidence in the electoral process, *inter alia* by strengthening the institutional independence of the Central Election Commission and the professionalism of election officials; considers it essential to sustain genuine political dialogue and cooperation among all parties and to find compromises as a key to progress in political processes;
3. Emphasises that all political parties and actors in Albania, including the media and civil society, should strive to improve the political climate there in order to allow dialogue and mutual understanding; calls, therefore, for a genuine commitment by all political parties, NGOs, trade unions and other stakeholders;
4. Underlines the fact that preparations for EU integration should have broad political and public support; encourages the Government to pursue the integration reforms in a consistent manner, involving all political forces and civil society; considers it important that Albania's civil society, media and citizens hold their leaders accountable for specific policy outcomes, particularly with regard to EU integration processes;
5. Calls on the Albanian Government to enhance administrative capacities by continuing to implement public administration reforms and promoting depolarisation and knowledge of EU law and decision-making processes;
6. Notes the encouraging progress on the reform agenda and expresses confidence in Albania's potential and capacity for, and commitment to, further progress on its European path, provided that political forces continue to cooperate constructively; commends the adoption of key legislative reforms, such as the revision of the parliamentary Rules of Procedure, the adoption of the Civil Service Law and the amendments to the High Court Law; encourages Albania to show a track record in the effective implementation of these reforms;
7. Notes the remaining deficiencies in the implementation of the legislation and underlines the fact that implementation of the reform agenda needs to be intensified and a clear track record provided; invites both the ruling majority and the opposition to sustain cross-party cooperation in adoption and implementation of the key reforms;
8. Calls on Albania to implement the Civil Service Law in a timely and efficient manner, adopt the Law on General Administrative Procedure in due course and enhance the Law on the Organisation and Functioning of Public Administration; stresses the need for a

stronger Department of Public Administration and a fully operational Human Resources Management Information System;

9. Expresses its satisfaction at the fact that European integration and modernisation of the country remain key priorities of the new Government; calls on Albania to continue delivering results under the key priorities of the Commission's 2010 Opinion, in particular as regards respect for the rule of law and the fight against corruption and organised crime, including by establishing sustainable track records of implementation and adopting the missing legislation; urges Albania to improve cooperation between the Ministry of European Integration and line ministries in order to enhance the European reform agenda;

Political criteria

10. Calls for further efforts on the part of both the Government and the Parliament to strengthen the independence, accountability, impartiality and efficiency of the judicial system, including the High Council of Justice and an independent General Prosecutor, appointed on the basis of transparent, impartial and merit-based criteria; urges the authorities to improve access to justice for all those in need of it, including through awareness-raising activities by the State Commission for Legal Aid and the establishment of the proposed local legal aid offices; calls on the authorities to strengthen the independence, efficiency and effectiveness of human rights structures, such as the offices of the Ombudsman and the Commissioner for Protection against Discrimination;
11. Insists on the fact that the Albanian justice system should be fully independent, more predictable, efficient and fair in order to ensure that citizens and the business community trust the judiciary; calls, therefore, on the authorities to guarantee the depoliticisation of the judiciary by establishing a merit-based and transparent process for appointing judges and prosecutors, as well as a solid track record of disciplinary proceedings, and by ensuring timely justice together with the unification of jurisprudence, the publication of, and easy access to, all judicial decisions immediately after adoption and the random allocation of cases in all courts;
12. Stresses the need to create a merit-based and professional public administration which operates transparently and is able to adopt laws and implement them; calls for the adoption of the necessary secondary legislation to ensure the proper implementation of the Civil Service Law, and for a new Law on General Administrative Procedures; stresses the need for a stronger Department of Public Administration as well as for a fully operational Human Resources Management Information System; underlines the fact that further efforts are needed to depoliticise public administration, fight corruption, strengthen meritocracy in appointments, promotions and dismissals and increase the efficiency and financial sustainability of public administration;
13. Welcomes the Government's intention to initiate and complete a major administrative and territorial reform before the 2015 local elections in the country; highlights, however, the importance of ensuring appropriate consultation with all local stakeholders and guaranteeing compliance of the reform with the provisions of the European Charter of Local Self-Government, including those for the protection of the rights of communities and those guaranteeing the political, administrative and financial independence of local governments;

14. Stresses the need to further strengthen the political commitment to fight corruption at all levels, enhance institutional capacity and improve institutional coordination; calls for more efforts to uproot corruption within local governments; recognises the results in terms of the adoption of strategic documents in the field of anti-corruption; notes with satisfaction the fulfilment of all the recommendations of the third GRECO evaluation round, the appointment of a national anti-corruption coordinator and the Government's intention to appoint a watchdog within every ministry; insists on the need to implement the anti-corruption legislation in force in a consistent manner;
15. Calls for the Government to elaborate a clear mandate and action plan/strategy for the National Anti-Corruption Coordinator and to initiate the drafting of the new National Anti-Corruption Strategy, including clear indicators of results and follow-up and monitoring mechanisms; urges, moreover, the authorities responsible to clarify the role of the Department of Internal Control and Anti-Corruption and to enhance capacity in the area of internal control mechanisms, to provide the Joint Investigative Units with sufficient resources, to monitor the implementation of the anti-corruption strategy and action plans and to further develop track record results on investigations, prosecutions and convictions, including in cases of high-level corruption; urges the Albanian authorities to address the vulnerability to political attacks of the institutions dealing with the fight against corruption;
16. Reiterates the need to resolutely enforce reforms and regional cooperation in the fight against organised crime as well as to develop a solid track record of investigations, prosecutions and convictions at all levels, particularly in the fields of drugs manufacture and trafficking, trafficking in human beings, including minors, and illegal gambling; urges the Government to work towards developing a track record of financial investigations focusing on cases of inexplicable wealth and the connection of such wealth with criminal activities and organised crime; reiterates the need to further strengthen coordination between the law enforcement agencies;
17. Commends the Ombudsman for his work in promoting human rights, his openness towards vulnerable people and his cooperation with civil society organisations; 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; urges the Government and the Parliament to improve cooperation with the office of the Ombudsman; deplores the fact that, so far, the Ombudsman has not regularly been informed or consulted by the Government in a timely manner on relevant draft legislation; notes with concern that the budget allocated to the Ombudsman's office remains insufficient and has been further reduced; underlines the fact that the institution needs further financial and political support from both the Parliament and the Government in order to continue carrying out its duties; calls for a broad awareness campaign to highlight the role and importance of the institution;
18. Calls on the Parliament and the Government and other relevant state institutions to preserve and foster the integrity and independence of key institutions such as the state police, the High Council of Justice, the High Inspectorate for Declaration and Audit of Assets, the Audiovisual Media Authority and the National Institute of Statistics;

19. Is concerned by the continued existence of blood feuds in Albania, which not only trigger murder and violence but also force many children to stay home indefinitely, and thus have far-reaching social consequences affecting the lives of many thousands of people; notes that the number of blood feud murder cases is increasing; calls on the Albanian authorities to respond to the demand by the United Nations and the recommendations of the Ombudsman to create a reliable database, to activate the Coordinating Council for the Fight Against Blood Feuds set up in 2005 and to develop an action plan to tackle blood feuds;
20. Appreciates the improvement in the dialogue between civil society and the Government and stresses the need to consolidate the achievements and to deepen and expand it, both in the field of democracy, human rights and civil liberties and in shaping the legislative framework for new reforms; stresses the crucial role of civil society in regional cooperation on the social and political aspects; calls on the Government to facilitate the involvement of civil society actors in the policy-making process;
21. Welcomes the fact that the rights of minorities are generally respected, and that religious freedom is widespread; calls on the competent authorities to further improve the climate of inclusion and tolerance for all minorities in the country; is concerned that groups such as the Roma, persons with disabilities and LGBTI persons still suffer discrimination, including on the part of some state authorities; stresses that all minorities must be protected; urges the Government to ensure that the relevant legal provisions are comprehensively implemented and encourages the authorities to deploy further efforts in raising awareness of any type of discrimination; notes the importance of raising public awareness of the legal means at the disposal of citizens for filing complaints about various forms of discrimination;
22. Calls for further action to ensure the rights of the Roma minority, who still face frequent discrimination; calls, in this respect, for accelerated implementation of the action plan for the Roma Decade to strengthen Roma inclusion, for sufficient and appropriate financial resources to be allocated and for the legislation to be reviewed; underlines the fact that a key to resolving the problems of the Roma in Albania is registration and the provision of access to housing and education; calls urgently on the Government to take resolute action to provide the necessary conditions;
23. Calls for appropriate revision and implementation of the legislation, for the fostering of awareness-raising, education and other activities aimed at fighting discrimination against LGBTI persons, including sanctions for hate speech, and for the establishment of a track record in that regard;
24. Emphasises the critical importance of professional, independent and pluralist public service and private media as a cornerstone of democracy; stresses the importance of internet access, which is amongst the lowest in the region, and digital freedom;
25. Welcomes improvements to the legislative framework for audiovisual media through the adoption of the Law on Audiovisual Media; notes that the media environment is pluralistic and diverse; remains concerned at the political influence and interference in the media as well as at self-censorship, especially in the public media; stresses that additional efforts are required to fully guarantee the independence of the media regulatory authority and of

the public broadcaster; calls for measures to protect journalists and their investigative work; stresses the importance of guaranteeing and promoting media pluralism in order to enhance freedom of expression and of ensuring transparency in media ownership and its funding; points to the need for a long-term strategy for the development of public service media in the new media system;

26. Notes with satisfaction the decision of the new administration to increase the number of women in senior government posts and hopes that this will have a positive impact in society at large; calls for zero tolerance of violence against women and for the elimination of any gender bias in legislation and its implementation;
27. Calls on the Government to increase efforts to enforce laws and the implementation of policies on women's rights and gender equality, with particular focus on protecting women against all forms of violence and their equal participation in public and political life; encourages further gender mainstreaming efforts at central and local levels;
28. Emphasises the need to improve the rights and quality of life of people dependent on the state, such as prisoners, orphans and the mentally ill;
29. Calls for further efforts to ensure the effective implementation of the strategy and action plan on property rights as this is one of the cornerstones of economic development; notes the steps taken to address the problem of illegal objects built all over the country; is concerned about the limited progress made on property registration and restitution; calls on the Government to communicate a clear plan and timetable for enforcement of judgments of the European Court of Human Rights regarding property rights;
30. Urges the Government to develop policies on renewable energy, to deal more effectively with the problem of waste management and to develop environmentally sustainable tourism; welcomes the recent civil society initiative regarding a referendum on the import of waste; strongly welcomes the vote by the Parliament on 10 October 2013 to annul the authorisation to import waste as laid down in law No 10463 of 22 September 2011;
31. Calls for measures to prevent an increase in unjustified asylum procedures following implementation of the visa exemption arrangements with the EU;

Socio-economic reforms

32. Calls on the competent authorities to deal in a resolute manner with poor law enforcement and tax collection as well as with the large informal economy, all of which are hampering the country's social cohesion and economic prospects; encourages the new Government to enforce measures and legislation to promote employment, health and safety in the workplace, social security rights, the right to protection against discrimination on any grounds in the field of labour, equal pay for men and women and other labour-related laws, especially among young people and women;
33. Notes with concern the lack of progress in the field of social policy and employment; welcomes the new Government's intention to address this problem; is aware of the budgetary constraints but calls, nevertheless, for a reversal of the trend of reducing the budget for the implementation of social assistance and protection reforms; underlines the

urgent need to provide social assistance to the most vulnerable groups among the unemployed; notes with serious concern that child labour remains an important challenge and calls on the Government to resolutely address this issue;

34. Underlines the fact that Albania has ratified the eight core labour rights conventions of the ILO; is concerned that only modest progress has been made in the field of labour rights and trade unions; calls on the Government to further strengthen labour and trade union rights; urges the Government to guarantee respect for labour laws, in both the private and public sectors, and to improve the tripartite social dialogue, both to enhance the role of trade unions and encourage wider support for implementing reform legislation; notes that dialogue has been interrupted since the mandate of the National Labour Council ended in March 2013 and that the bipartite social dialogue remains weak, particularly in the private sector; points out that social dialogue and respect for labour rights are cornerstones of a social market economy;
35. Stresses that special attention should be paid to protection of children's rights and calls for investment in early learning, especially for children from minority or marginalised groups, to prevent exclusion, and for targeted measures to ensure childcare, nutrition and family support to prevent the transmission of poverty across generations; stresses the need to immediately improve the situation of minors in judicial procedures, in accordance with best European practices; stresses the importance of ensuring proper financing of the public education system; urges the authorities to adopt the Strategy for Justice for Children; stresses the fact that corruption within the judiciary continues to specifically hamper anti-trafficking law enforcement and victim protection efforts;

Regional cooperation

36. Welcomes the stabilising role of Albania in the Western Balkans, in particular in its relations with neighbouring countries, some of which are home to a strong Albanian minority, and its contribution to religious harmony;
37. Welcomes the new Government's rejection of nationalistic discourse and its intention to develop a 'zero problems with neighbours' policy; stresses Albania's pivotal role in fostering good neighbourly relations in the Western Balkans; encourages Albania to continue with its constructive regional stance;

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38. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Albania.