



**2016/2312(INI)**

25.11.2016

# **DRAFT REPORT**

on the 2016 Commission Report on Albania  
(2016/2312(INI))

Committee on Foreign Affairs

Rapporteur: Knut Fleckenstein

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the 2016 Commission Report on Albania (2016/2312(INI))

*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 eighth meeting of the Stabilisation and Association Council between Albania and the EU, held in Brussels on 8 September 2016,
  - having regard to the Final Declaration by the Chair of the Paris Western Balkans Summit of 4 July 2016, and to the recommendations of the Civil Society Organisations for the Paris Summit 2016,
  - having regard to the Commission communication of 9 November 2016 entitled ‘2016 Communication on EU Enlargement Policy’ (COM(2016)0715), accompanied by the Commission staff working document entitled ‘Albania 2016 Report’ (SWD(2016)0364),
  - having regard to the Joint Conclusions of the sixth High-Level Dialogue on the Key Priorities adopted in Tirana on 30 March 2016,
  - having regard to the OSCE/ODIHR final reports concerning the 2013 parliamentary elections and the 2015 local elections,
  - having regard to the recommendations adopted at the 11th meeting of the EU-Albania Stabilisation and Association Parliamentary Committee (SAPC) held in Brussels on 7-8 November 2016,
  - 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 (A8-0000/2016),
- A. whereas Albania has made steady progress in its EU accession process; whereas further implementation of, inter alia, the judicial reform package, electoral reform and the so-called decriminalisation law is important in strengthening citizens’ trust in their public institutions and political representatives;

- B. whereas accession negotiations are a powerful incentive for adopting and implementing accession-related reforms;
- C. whereas presidential and parliamentary elections will take place in Albania in 2017;
1. Welcomes Albania's continuous progress on EU-related reforms, in particular the adoption of constitutional amendments paving the way for a comprehensive judicial reform; stresses that not only consistent adoption but also full and timely implementation of reforms and sustained political commitment are essential in order to further advance the EU accession process;
  2. Fully supports Albania's accession to the EU, and calls for the accession negotiations to be opened as soon as there is credible progress in the implementation of judicial reform, in order to keep the reform momentum; expects Albania to consolidate the progress achieved and to maintain the pace of progress on implementation of all key priorities;
  3. Reiterates that a constructive dialogue, sustainable political cooperation and a willingness to compromise is crucial for the success of the reforms and for the entire EU accession process;
  4. Commends the consensual adoption of the constitutional amendments for judicial reform and the adoption of laws on the institutional reorganisation of the judiciary; calls for the swift adoption and implementation of all relevant accompanying laws and by-laws, in particular the law on the re-evaluation (vetting) of judges, prosecutors and legal advisors; notes that the application of the vetting law has been suspended by the Constitutional Court, and that the latter has requested the opinion of the Venice Commission on its constitutionality; reiterates that a comprehensive judicial reform is a major demand by Albania's citizens for re-establishing trust in their political representatives and public institutions, and that the credibility and effectiveness of the overall reform process, including the fight against corruption and organised crime, depend on the success of the vetting process and judicial reform;
  5. Welcomes the new justice reform strategy 2017-2020 and its action plan, as well as the increased budgetary means for implementation; calls for any shortcomings in the functioning of the judicial system to be further addressed, including lack of independence from other branches of power, selective justice, limited accountability, ineffective oversight mechanisms, corruption, the overall length of judicial proceedings and enforcements;
  6. Calls on the Ad-Hoc Parliamentary Committee on Electoral Reform to finalise its review of the electoral code while addressing all previous OSCE/ODIHR recommendations; calls on the competent authorities to ensure implementation in due time before the upcoming parliamentary elections of June 2017; recalls that all political parties are responsible for ensuring that democratic elections are conducted in compliance with international standards; calls on Albania's political parties to respect the law, in spirit and in letter, on the exclusion of criminal offenders from public office when drawing up their candidate lists;
  7. Welcomes improved transparency and inclusivity of parliamentary activities, but calls for parliamentary capacities to be enhanced in order to monitor the implementation of

reforms and their compliance with EU standards and to make better use of the various oversight mechanisms and institutions in order to hold the government to account; calls for the parliamentary code of ethics to be approved and for the rules of procedure to reflect the law on the role of parliament in the EU integration process; offers to explore ways for closer cooperation with the Parliament of Albania within the framework of the European Parliament support programme for parliaments of the enlargement countries in order to enhance its capacity to produce quality legislation in line with the EU acquis and to exercise its oversight role in the implementation of reforms;

8. Notes the efforts towards a more citizen-friendly public administration and steady progress in the implementation of public administration reform; calls for further progress in strengthening the application of the Civil Service Law and the Law on Administrative Procedures, in order to safeguard the independence of regulatory bodies, improve recruitment procedures based on merit and performance, and enhance institutional and human resource capacities, with a view to ensuring efficient conduct of EU accession negotiations; commends the National Council for European Integration on its initiatives to enhance the capacities of public administration and civil society in monitoring the implementation of accession-related reforms;
9. Welcomes the adoption of key pieces of anti-corruption legislation, including on the protection of whistle-blowers; is concerned, however, that key anti-corruption institutions continue to be subject to political interference and have limited administrative capacities; stresses the need for a more adequate legal framework for conflicts of interest, regulating lobbying and better interinstitutional cooperation, especially between police and prosecution services, with a view to improving their track record as regards investigation, prosecution and conviction, including in high level cases; in view of the upcoming parliamentary elections, calls for effective oversight of political party financing;
10. Welcomes the continued implementation of the strategy and action plan on the fight against organised crime and intensified international police cooperation; welcomes recent operations against drug plantations; calls also for organised crime networks to be dismantled and for the number of final convictions in organised crime cases to be increased, by enhancing cooperation between police and prosecution services and by strengthening institutional and operational capacities; underlines the need to step up efforts to prevent human trafficking, in particular as regards unaccompanied children and child victims of trafficking;
11. Notes the improving EU-related cooperation between state institutions and civil society organisations (CSOs), including their participation in meetings of the National Council on European Integration (NCEI); stresses the need for even closer coordination at all levels of government, including at local level, with CSOs; calls for the effective implementation of the right to information and public consultation and for better regulation of the fiscal framework affecting CSOs;
12. Urges the competent authorities to continue improving the climate of inclusion and tolerance for all minorities in the country, including by enhancing the role of the State Committee on Minorities; as regards Roma and Egyptians, calls for continued efforts in improving their access to employment, education, health, social housing and legal aid;

is concerned that, despite improvements, the inclusion of Roma children in the education system remains the lowest in the region;

13. Commends religious tolerance and good cooperation among religious communities; encourages the competent authorities and religious communities to cooperate in preserving and fostering religious harmony; considers it essential to prevent Islamic radicalisation, including through disengagement and reintegration of returning foreign fighters, to counter violent extremism in cooperation with CSOs and religious communities, and to intensify regional and international cooperation in this area;
14. Reiterates the critical importance of professional and independent private and public service media; is concerned about political influence in the media and widespread self-censorship among journalists; notes the slow implementation of the law on audiovisual media and the delays in filling vacancies in the Audiovisual Media Authority (AMA); calls for measures to raise the professional and ethical standards of and prevalence of regular work contracts for journalists, to enhance the transparency of government advertising in the media and to ensure the independence of the regulatory authority and the public broadcaster;
15. Welcomes improvements in fiscal consolidation, better scores in doing business, and efforts to fight the informal economy; still notes, however, shortcomings in the rule of law and a cumbersome regulatory environment, which deter investment; urges the competent authorities to take measures for improved enforcement of contracts and better tax collection, and to continue implementing judicial reform with a view to improving the business environment;
16. Calls for the process of property registration, restitution and compensation to be completed, and for the 2012-2020 strategy on property rights to be implemented effectively;
17. Emphasises the importance of strengthening social dialogue, the capacities of social partners, and enforcement mechanisms for social rights; urges the government to modernise the education system with a view to better equipping young people with skills and knowledge in line with labour market needs; emphasises the importance of IPA (Instrument for Pre-accession Assistance) support dedicated to education, employment and social policies;
18. Notes that the number of unfounded asylum applications lodged by Albanians in EU Member States has increased again; urges the government to intensify awareness-raising and prevention efforts in this regard;
19. Commends Albania on its continued full alignment with relevant EU declarations and Council conclusions, thereby demonstrating its clear commitment to European integration and solidarity; commends both Albania and Serbia on their continued commitment to improving bilateral relations and strengthening regional cooperation at political and societal level, for example through the Regional Youth Cooperation Office (RYCO) headquartered in Tirana; encourages both countries to continue their good cooperation in order to promote reconciliation in the region;
20. Reiterates its request that the Commission include information about IPA support for

Albania and the effectiveness of implemented measures in its reports, in particular the IPA support allocated for implementation of the key priorities and relevant projects;

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