



EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TURKEY

COUNTRY CONSULTATIONS
ALBANIA
2 MARCH, 2021

**Guidelines for EU Support
to Civil Society in the
Enlargement region, 2021-2027**





SHORT REPORT

BACKGROUND

For the needs of the European Commission, the Director General Neighbourhood and Enlargement Negotiations (DG NEAR) and in cooperation with the Delegation of the EU to Albania, the EU TACSO 3 project organized an on-line country consultation meeting regarding the EU Guidelines for Support to Civil Society Enlargement Region for the Period 2021-2027 on Tuesday, 2 March 2021 from 10:00 - 12:30hrs CET.

The Consultation concerned the revision and updating of the Guidelines that were already in place and followed throughout 2014 – 2020. This consultation aimed to discuss the working version of the Guidelines with representatives of civil society, public institutions, donors, and other local stakeholders in Albania.

The Guidelines explain how the EU will support civil society in the region in 2021 -2027, mainly through its Civil Society Facility (CSF). They are intended for three types of audience:

- For **EU staff**: to assist them in preparing and implementing EU support to civil society in the Western Balkans and Turkey; in monitoring the effectiveness of the support; and in analyzing the evolution of the IPA beneficiary state of affairs concerning civil society;
- For **policy-makers and administrators in the Western Balkans and Turkey**: to understand the standards towards which DG NEAR is aspiring in terms of IPA beneficiaries own support to civil society in the context of the EU enlargement – notably in terms of the enabling environment for stimulating participatory democracy and civil society involvement in public policymaking and the EU integration process;
- For **civil society in the region**: to understand the quality and standards DG Near expects in terms of their capacity, effectiveness, resilience, independence, and accountability.

Furthermore, the Guidelines, and in particular their results framework, provide concrete objectives, targets, indicators, and benchmarks in support of these efforts.

The revision of the Guidelines has been carried out in a participatory way. The previous version of the Guidelines and the first draft of the revised Guidelines' result framework is available on www.tacso.eu. In December 2020, TACSO issued a call for written inputs for the revision from CSOs. In January 2020, a regional consultation for civil society and public authorities took place in Skopje. Consultations have been organized in each IPA beneficiary country to present and discuss the Guidelines with civil society organizations, public institutions, donors, and others to receive feedback for their finalization. Moreover, all interested stakeholders were available to submit any further written comments by Friday, 12 March at consultations@tacso.eu.

A Call for Participation was launched on 19 February to invite CSOs in Albania to register and participate in the consultation event. As a result, 58 CSOs registered. Public institutions and donors were invited via a direct invitation. In total, 65 representatives of CSOs, public institutions, donors and other stakeholders operating in Albania have confirmed participation, while 38 representatives attended in full or in part (See detailed list in Annex 2: List of participants).



INTRODUCTION SESSION

At the beginning, **Tanja Hafner Ademi, EU TACSO 3 Team Leader** provided information about the event's purpose. She addressed the audience by informing the participants that this meeting was organized by EU TACSO 3 project and the Delegation of the EU to Albania. Additionally, instructions for language translation and other administrative modalities were provided. The event was held in English, but participants could use Albanian language translation as well.

Liselotte Isaksson, Head of Section, Western Balkans Regional Cooperation and Programmes Civil Society and Social Inclusion (D.5), DG NEAR, emphasized the importance of the Guidelines and the development and prospect of the civil society as key priority for the EU. Civil society is considered an important actor that actively promotes and supports the fundamental rights that are at the heart of the EU, such as freedom of expression, rule of law, democracy and respect for human rights including the minority rights. Active civil society represents the views and aspirations of the citizens and holds the institutions accountable. In addition, she talked about the important role civil society plays in service provision to communities and the recent role of supporting the communities in emergencies. CSOs are also important partners proposing a vision for society and in testing and promoting innovative solutions to sustainable development challenges. With regard to the Enlargement process, she emphasized the importance of civil society in deepening the understanding of citizens of the reforms that are needed to qualify for the membership. The EU needs CSOs that are capable, professional, and resilient, but also public institutions that will put in place the enabling environment for the work of civil society. In addition, there should also be good systems to facilitate the cooperation and exchange between civil society and government. She explained that the Civil Society Facility (CSF) established since 2009 has the role to channel both the bilateral support such as that to Albania as well as the support at the regional level. In the previous period, approximately 3% of the budget of IPA I and II have been allocated for civil society whereas the average annual amount is around 80 million EUR. This orientation of EU to support civil society will remain at the same level in the future period through IPA III. She reflected on the importance of the Guidelines in this new financing period 2021 – 2027 and the need to revise them in participatory manner and with active participation and understanding of all stakeholders such as public institutions and civil society. She emphasized the three-fold purpose of the Guidelines. First for the EU to plan, monitor and analyze the support provided to civil society, secondly, to the policy makers and public officials to understand the standards and expectations that the EU has in terms of enabling environments for civil society and the involvement of civil society in public policy making. In addition, the Guidelines are seen as assisting in the development of the strategies for cooperation between governments and civil society. The third purpose of the Guidelines is for the CSOs to know the standards towards which they should work in terms of their own capacities. She shortly reflected on the structure and the results framework that also includes indicators to measure the progress and that are anchored in the international standards and legal framework.

Alessandro Angius, Programme Manager, Delegation of the EU to Albania, initially thanked all participants that joined the consultation, being from the public institutions, CSOs and partners and donors. He wanted to reinforce a few messages on the importance of having quality Guidelines and a good framework around which to operate, work and monitor what is done. In Albania, the previous Guidelines were used as a strategic reference to develop the document of the national Road Map for Enabling Civil Society Development. Moreover, the proper implementation and monitoring of this important document will improve drastically the life of CSOs and also the quality of the democratic processes in Albania. This is particularly important at this very moment in time with the opening of the negotiation for the accession in which civil society will have a well-defined role and they have to be prepared to be an active actor in this exercise.



The Guidelines are important for the EU to monitor the development of the sector as well as also to programme the funds for supporting civil society development. EU in Albania is investing considerable resources for CSOs with up to around 5 million EUR per year through various instruments. Two years ago, the Delegation of the EU to Albania started the Financial Support to Third Parties to stimulate active citizenship and citizens' participation. However, the financial support is not a goal in itself, but a means to develop civil society and raise their profile and participation in democratic processes.

Furthermore, the Delegation of the EU to Albania is trying to increase the cooperation with civil society and various tools are being used to improve the communication such as frequent meetings etc. The Delegation also wants to facilitate the policy dialog between civil society and the government at local and national level.

PRESENTATION AND DISCUSSION

Session 1: EU Civil Society Guidelines for the Enlargement region, 2021-2027

This session was composed of two parts: the background and the structure of the document, as well as a detailed presentation of the results framework. Tanja Hafner Ademi, Team Leader, EU TACSO 3, presented main changes in the Guidelines, common objectives and goals, structure of the result framework, monitoring methodology and Area 2: CSO Capacities and Resilience. Emina Nuredinoska, P2P Manager, EU TACSO 3 who also worked on the update of the result framework, presented in detailed Area 1: Conducive Environment and Area 2: Changing relations CSOs and IPA beneficiary authorities.

The presentation noted that "Guidelines are the result and monitoring framework guiding assessment of progress via the EC Annual Reports and directing financial assistance, mainly through the Civil Society Facility. They were developed in 2013 via an inclusive process (CSOs, public authorities, stakeholders). The EU TACSO 3 project role is to monitor, consult and document progress under the Guidelines and does this through various assessment means. The basis for the new guidelines is the old document for the period 2014-2020. The Guidelines document is composed of an introduction and a result framework". The Result framework was the focus of this presentation. The consultation process was ongoing throughout 2020, and the review process was composed of three parts: structure of the results framework, methodology, and operationalization.

The main upgrades of the Guidelines are based on the requests from contributors, such as issues related to money laundering, public consultations, etc. Additionally, in terms of the structure of the framework, the table/ Logframe and its contents were explained in details. Benchmarks and Regional Standards is a new column added to the result framework to highlight the link of the specific objectives with the existing standards within the international and regional human rights framework.

All three areas, strategic objectives with relevant benchmarks and indicators were presented in detail.

Area 1: A conducive environment for civil society

- An enabling legal and policy environment, for the exercise of fundamental freedoms and rights, with a focus on the association, assembly, and expression;
- An enabling financial environment, which supports sustainability of CSOs, with adequate funding of the sector.

Area 2: Strengthened relations between CSOs and IPA beneficiary authorities/institutions

Civil society and public institutions are working in partnership through dialogue and cooperation, based on willingness, trust, and mutual acknowledgment around common interests.



Area 3: Reinforced CSO resilience and capacity

- Capable, transparent, and accountable CSOs;
- Strategically-led and supported CSOs;
- Resource-based CSOs.

All changes and new additions to the framework were presented in detail, including the reasoning behind these changes.

EU TACSO 3 prepares the monitoring reports annually, with the 2020 edition currently in the pipeline. The current methodology focuses on qualitative and quantitative data, data gathering through legislation and other available secondary sources and reports on the state of CSOs, a survey with CSOs, focus groups, and interview with stakeholders. Improvements are needed in data collection by public institutions. The same methodological approach in monitoring for the period 2021-27 will be undertaken.

Session 2: Discussion

In this session, Natasha Mazari, EU TACSO 3 Country Coordinator for Albania, as the facilitator of this part of the event, provided the ground rules for discussion and asked participants to present their questions in writing in the Chat or verbally by raising their hand. The chat was managed by Afërdita Pustina, EU TACSO 3 Country Coordinator for Kosovo. All questions and comments made by different participants are presented below in consecutive order:

Juliana Hoxha, Partners Albania

The revised Guidelines provides substance for the actors that are part of the process. She expressed concern on how to use this instrument at country level with political actors and Government. The Guidelines assume that political actors and Government will reflect on the Guidelines and will implement them accordingly. This may not be the reality in Albania.

Further on, she thanked the EU TACSO 3 team for organizing the process of the consultation and recognizing recent legal frameworks such as MONEYVAL. She expressed disappointment since the revised version does not have the “teeth” expected. In terms of providing the guidelines for actors, it does that.

She expressed doubt at the expectation that Government and political actors use the Guidelines as self-reflection in terms of enabling environment and take initiatives based on these. She did not share the expectation that the Government can do this on its own. She went on to elaborate this based on the contradicting the current situation with regard to the enabling environment: The EC has always been rewarding liberties, and rewarding Governments that comply with human rights, etc. However, the Government has used the MONEYVAL recommendations as a reason to put restrictions on CSOs. It is clear that the Council of Europe has requested countries to comply with certain standards. But the Government should balance the requirements of the MONEYVAL with its efforts to create an enabling environment for CSOs and not using MONEYVAL as a justification for creating extra burden on CSOs. The MONEYVAL requirements impose a restrictive environment and this is concerning, since the Government institutions’ understanding of the non-profit business model of CSOs in other areas has been limited for the last 30 years, and thus it has been difficult to apply it to an appropriate legal framework.

The Guidelines indicators related to conducive environment in Albania show regression. In the last 9 years, Partners Albania has been preparing an annual Monitoring Matrix report and all related



indicators (under 1.1) show regression. She posed a simple question: "What is our space to use in this situation to fight for the conducive environment, when we know we are between these two powers: international actors and – governmental institutions, talking about standards but with very little communication between them and very little communication about the sector. So, in this case we do not know who and how to address these issues." Having objectives and indicators is useful, but they do not translate into an opportunity for the sector to join forces with these international institutions and bring these standards to the sector.

Nertil Jole, Director for Policies and Priorities for Development, Prime Minister Office (PMO)

The EU- funded project on the implementation of the Road Map for government policies towards a more enabling environment for CSOs is very much in harmony with the drafted Guidelines. The Roadmap document in Albania was approved in 2015 and it was revised in 2019. The Prime Minister Office is responsible to monitor the implementation of the strategy / Road Map by Line Ministries. In the Action Plan of the strategy there is specified each public institution including the ministries that are responsible for implementation of different activities.

The focus of the Roadmap is to create an enabling environment for CSOs and to create a dialogue and cooperation with the state authorities and also to have functioning CSOs and implement the policies and standards in compliance with the EU. She expressed the belief that the TA results will create a mechanism and this framework will be an additional guarantee that this pathway will be consolidated further on. Collaboration will be strengthened between Government and CSOs and this will be the progress that citizens also expect in terms of communication, etc.

Daniela Tako, Coordinator for CSOs, Directorate for Policies and Priorities for Development, PMO

He reported that the Albanian Government is showing good progress thanks to the Road Map. He added that they are in the process of adopting a law, which will clarify the registration and will provide registration facilities for CSOs by creating a governmental platform for the registration of CSOs. Additionally, there is support to the National Council for CSOs. This indicates a good start, but they are aware that there is room for improvement.

Liselotte Isaksson, DG NEAR

It is useful to hear from the PMO on how they see the situation and to know that they use the Guidelines in defining their own work. Coming back to Juliana's comment on the "teeth" as she put it. The EU is not changing the concept, as the Guidelines were already very helpful. The aim is to make certain things more explicit and more transparent. No additional formality to the cooperation with the IPA Beneficiaries will be added, but the revisions will make more effective what is already in place. DG NEAR appreciates comments that would contribute to the process and that are useful, such as issues related to MONEYVAL. She encouraged participants to provide further details in writing after the meeting.

Elga Mitre, Embassy of the Kingdom of the Netherlands in Tirana

In November, the EU adopted the Action Plan for Human Rights. An independent civil society enabling civic space and support and protection for human rights defenders are acknowledged as key players in the process.

The changes in the Law of Registration that require CSOs to register on-line will bring them to a totally new system. Previous experiences have shown that transitory periods are crucial for landing into a new setting. Is it time to reflect this change in the Road MAP, and how this will be translated into financial terms for implementation?



Klotilda Kosta, Partners Albania

She provided concrete suggestions on indicators for all areas such as: to include more indicators that relate to participation of CSOs in the process of policy - and decision-making process. Effective consultation is of crucial importance. The Guidelines should have the power to influence the Governments to act in implementing the same. Additionally, it should intervene on data disclosure in order to enable monitoring of indicators.

Due to the regression noted in Albania at the moment, especially under the indicator 1.1, the Guidelines should provide a comprehensive method on how CSOs could use the space for a conducive environment. The sector needs an overseeing body to whom it could address its concerns. Otherwise, the Guidelines provide a list of objectives that will be measured for monitoring purposes and leave aside the real problems. In terms of perception of CSOs, this should be reformulated to "opinion based on experience". With regards to indicators where CSOs are compared to business sectors, this should be removed, especially for Albania, as it legitimates the treatment of CSOs by the Government that CSO should and can continue to be treated as business (for-profit) entities.

Nertil Jole, Director for Policies and Priorities for Development, Prime Minister's Office

One of the outputs defined under the EU-funded project is the establishment of a transparent framework for the registration of CSOs. This is in line with standards on transparent publication of data. With regards to the Law, certain significant changes were proposed, but after it is approved, the Road Map will need to be updated.

Alessandro Angius, EUD Albania

The EUD is monitoring developments very closely. The adoption of the Law took an unexpected acceleration and is now in the Parliament in a fast-track procedure. There is a TA team that is working in the area of registration. The experts did not assist in the drafting of the Law, but provided a legal opinion, which suggests that improvements to the Law are needed. The frustration of civil society is understandable due to the way in which the consultation was conducted. In spite of the consultations, the text of the Law has not changed, which is already an indication that the consultation was not very successful and productive. This Law may have consequences also related to EUDs own programming of civil society support. There is hope that more time will be allocated for discussion on the Law. All efforts, including from the PMO, should be to take time, allow for comments and not end the deliberation of the Law through a speedy procedure.

Nertil Jole, Director for Policies and Priorities for Development, Prime Minister's Office

He has not been involved in the work of the CS Parliamentary Commission. However, he attended several consultation meetings organized by the Ministry of Justice with CSO regarding the law for CSO registration. The Parliamentary Commission took most of the comments given during the consultation meetings into consideration.

Juliana Hoxha, Partners Albania

In terms of the consultative process and the meeting in the Ministry of Justice, she expressed confusion since the process is not in line with the rules about public participation and the fact that +30 substantive comments were submitted. She drew attention to key challenges that the proposed draft Law puts forward. First, penalty is to be imposed in case of no registration. The legal framework, even the last version expects that the registering will be on-line in at least 3 months. Changes to the source of funding have put this under question. If the on-line registration is delayed, it means that civil society will cease to exist and function. Finally, this will stop the process of funding by donors, including the EU.



Furthermore, the discussion is really hurting the sector and is based on MONEYVAL, because the message is that the Sector does not want this law because they are laundering money. Therefore, it is very important how the Government articulates themselves and how we present this to the public. If there are certain standards such as these Guidelines, that is good, but if there is, no accountability requested from the Government, then we do not need the EU institutions and international bodies.

Emina Nuredinoska, P2P Manager, EU TACSO 3

Apart from MONEYVAL, there are also other standards that define what is a non-profit, therefore this allows for detecting CSOs that are problematic, but not by targeting the whole sector. With regards to comment on non-profits and businesses, she explained that this was added because in some IPA Beneficiaries, CSOs are treated stricter than the businesses.

Sotiraq Hroni, Institute for Democracy and Mediation

In terms of the general consultations there are several indications that things are not going in the right direction. He advised the Government representative to take note, and to use the time left to deliberate on the draft Law and take into consideration the inputs from CSOs. The monitoring and implementation of Guidelines is really important to consider in order to ensure good governance.

Tanja Hafner Ademi, Team Leader EU TACSO 3

Tanja reiterated the call to submit additional written inputs in the context of how to capture informal civil society in the Guidelines. In this regard, indicators can be further adapted. The second thing we were asked was whether these include local level organizations in public consultation and funding as some of them do not have activities or even budget. Also, any additional comment and suggestion would be welcome.

Ariola Agolli, National Resource Center

She outlined the public statement of 120 CSOs that recommends the Albanian Assembly to request that the Venice Commission a Legal Opinion for draft a law “On the Registration of Non for-Profit Organizations” and to avoid its approval in urgent conditions. The statement is available here: <https://resourcecentre.al/2021/03/02/public-statement/>

Juliana Hoxha, Partners Albania

With regards to being a CSO without a budget this is not possible in Albania. A registered organization should have at least one full-time staff, otherwise you get ejected by the Tax Administration and the Court.

CONCLUSIONS & NEXT STEPS

In the last session, it was concluded that the consultation event was useful in exchanging constructive feedback from different actors and with the DG NEAR and the Delegation of the EU to Albania. After the consultation event, participants were invited to submit written contributions to EU TACSO 3 at consultations@tacso.eu until Friday, 12 March 2021. Organizations were informed that contributions could be in the form of a comment, suggestion, useful study or report, etc. Further consultation information is available on the EU TACSO 3 website www.tacso.eu.



Annex 1. Agenda

**GUIDELINES FOR EU SUPPORT TO CIVIL SOCIETY IN ENLARGEMENT
REGION (EUCSG) FOR THE PERIOD 2021-2027
COUNTRY CONSULTATIONS**

ALBANIA

2 MARCH, 2021

**On-line public consultation process
AGENDA**

Tuesday, 2 March, 2021

10:00 – 10:15

Introduction, objectives of the process

- Liselotte Isaksson, Head of Section, Western Balkans Regional Cooperation and Programmes - Civil Society and Social Inclusion (D.5), DG NEAR
- Alessandro Angius, Programme Manager, EUD Albania
- Tanja Hafner Ademi, Team Leader, EU TACSO 3

10:15 – 10:45

EU Civil Society Guidelines for the Enlargement region, 2021-2027

- Presentation of the draft framework
- Q&A

10:45 – 12:15

Discussion

- Moderated by Natasha Mazari, Country Coordinator for Albania, EU TACSO 3

12:15 – 12:30

Conclusions & next steps



Annex 2: List of participants

No.	Name	Surname	Organization/ Institution
1	Klotilda	Kosta	Partners Albania
2	Mimoza	Ikonomi	Youth for Social Changes
3	Juliana	Hoxha	Partners Albania
4	Sotiraq	Hroni	IDM
5	Nevila	Jahaj	Qendra epoka e re
6	Kostandina	Keruti	Partners Albania
7	Armela	Pengili	ACT for SOCIETY
8	Jonida	Alite	Shoqata Ndhimoni Jeten/Help the Life Association
9	Marjana	Dedaj	SIFD (Sustainable Development Knowledge Platform)
10	Vjola	Goda	CSSP Berlin for Integrative Mediation
11	Aferdita	Gjoni	Mary Ward Loreto Foundation
12	Vasilika	Laska	Social Inclusion for Development
13	Xhorxhina	Sargoja	AlbContact Center
14	Xhina	Cekkani	Mandarina Project
15	Franceska	Korance	Build Green Group
16	Astrit	Metaliaj	Shoqata Alpin
17	Holta	Koçi	Albania Community Assist
18	Alma	Lahe	Together for Life
19	Klodian	Seferaj	Fondacioni Shoqeria e Hapur per Shqiperine
20	Manjola	Shehi	Shoqata e Restoranteve Turistike
21	Tefta	Demeti	Shoqata Kombetare e Grave Sipermarrese,
22	Anisa	Xaka	ENGIM
23	Ariola	Agolli	National resource Center for CS Albania
24	Soela	Kurti	Forumi i Gruas Elbasan
25	Xhoana	Zeqo	National resource Center for CS Albania
26	Nertil	Jole	Prime Minister's Office
27	Daniela	Tako	Prime Minister's Office
28	Aida	Cacaj	Association of Albanian Municipalities
29	Saimir	Plaku	Agency for Support of Local Self-Governance
30	Desareta	Lomeborshi	Agency for Supporting CS
31	Robert	Gajda	Commissioner for Protection against Discrimination
32	Kejsi	Rizo	Albanian People's Advocate
33	Elga	Mitre	Dutch Embassy
34	Aida	Lahi	Dutch Embassy
35	Victor	Dragutan	DG NEAR
36	Misela	Dervishi	UNDP
37	Lorena	Gjergji	UNDP Albania
38	Jetmir	Ziba	Int