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CIVIL SOCIETY'S ROLE IN ALBANIA'S POLICYMAKING PROCESS AND EU ENLARGEMENT

Civil Society is considered to be one of the key actors that ensure participatory democracy and promote the values and needs of the categories they advocate for. Civil society advocacy aspires to focus on resilient and solution-based policies by promoting value-based decision-making. Their influence on government and legislative decision-making is considered by the EU to be a crucial factor in achieving human rights and rule of law standards by improving participatory democratic governance. The participation of civil society in the decision-making process of a country in the enlargement process is considered a great accelerator which contributes to deepening the citizens' understanding of the reforms needed to meet the requirements of EU membership.

This research analyses the participation of CSOs in the policy-making process in promoting sustainable development, enhancing democratic governance, and upholding human rights in strengthening institutions and enhancing good governance in Albania. This paper considers the timely and transparent follow-up of the enlargement process through country progress reports and important reputable national and international reports. The article analyses the contribution of CSOs to national policymaking processes over the last five years, in line with Albania's obligations under the EU accession process and the role of CSOs in safeguarding EU standards as essential actors in enlargement.

Keywords: CSOs, participatory democracy, Albania, EU enlargement, open governance.

1. INTRODUCTION

Civil society organisations (CSOs) are considered key actors in ensuring participatory democracy and in promoting values and needs in the drafting of resilient policies (Steffek, Kissling & Nanz, 2008). The participation of civil society in the decision-making process of a country in the enlargement process is a great accelerator that contributes to the deepening of

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citizens' understanding of the reforms needed to meet the requirements of membership of the EU. CSOs' roles imply advocacy for inclusive policies and contributions to policymaking, implementation, and oversight. They help ensure that essential social services are accessible to all citizens while promoting innovation through the participation and inclusion of communities and vulnerable groups in decisions affecting their lives (Reci & Jance, 2024, p. 319–324). CSOs are organisations with expertise in their respective fields, developed through independent research outside government agendas, and they contribute valuable knowledge to the policymaking process while promoting democratic accountability (Scholte, 2002, p. 285). Civil society actors are broadly understood as all non-state, not-for-profit, independent, non-partisan, and nonviolent organisations, through which people pursue and defend shared objectives and ideals united around particular issues (European Commission, 2025, 790 final).

Civic participation is related to the active engagement of citizens in the process of public decision-making, which is directly related to the stakeholders (Suphattanakul, 2018, pp. 221–222). An open government depends on the cooperation with civil society and on the joint participation of both parties resulting in effective decision-making. Some common elements in the context of CSOs' inclusion in the decision-making process include links to information, consultation, collaboration and empowering the government's decision-making process (Suphattanakul, 2018, p. 226). Incorporating good practices of open government, such as the adoption of ethical standards, protocols, or guidelines on transparency and civil society inclusion, as well as the creation of translated legislation for public use, can support the post-legislative process, along with public and government consultation records (Careccia & Wallace, 2021, pp. 15–18). Democratic quality in the participatory process refers to the ability of the citizens to participate in and influence the public policy-making process (Moysan & Ródenas-Rigla, 2024, p. 2). It is up to the government to create an inclusive environment by informing the citizens on the choices they have to contribute to democracy processes (Steffek & Ferretti, 2009). Consultation is the most representative form of increasing the quality of democracy in influencing political decisions by ensuring effective participatory processes. The OECD's 2025 standards on exploring new frontiers in citizen participation in the policy cycle frame citizen participation as a means of reinforcing representative democracy. For participation to be meaningful, it must be supported by transparent and accountable legal frameworks, coordinated government leadership, administrative capacity, inclusive and citizen-centred processes, and safeguards for the responsible use of AI and digital tools. In this sense, citizen participation should not remain a formal consultation requirement but should function as a structured mechanism through which public authorities justify how citizens' input informs policymaking, implementation, and oversight. In this regard, governments can ensure more inclusive, citizen-centred participation processes through playing a key role in leading and building capacity for citizen participation across the public administration (OECD, 2025).

Civil society, particularly interest-based CSOs, plays a positive role in security governance when its activities and aspirations align with the principles of the rule of law, the protection of human rights, and a commitment to non-violent democratic politics. Civil society involvement in different issues often includes individual advocates or groups calling for the protection of human rights or for policy reforms in response to specific experiences, such as police misconduct, gender inequality, or the rights of survivors (Böhmelt *et al.*, 2014). This

article analyses the participation of CSOs in the policy-making process in Albania, promoting sustainable enhancement of democratic governance and upholding the rule of law standards in strengthening institutions and improving good governance towards the EU integration process (Balkan Civil Society Development Network, 2025). The methodological approach followed in this research is qualitative, analysing current literature, EU progress reports for the last five (5) years, and Albania's actions in implementing recommendations to ensure CSOs' effective participation in the policy-making process.

Scholarly research on civil society was relatively limited during the early decades of the European integration process, as integration was largely understood as an elite-driven project led by political, administrative, and institutional actors rather than by citizens or civil society organisations (Romito, 2018, p. 237). The research defines participation of civil society in the EU integration process as an important alternative path to the democratisation of the EU and to rendering the decision-making process more legitimate and accountable (Trenz, 2009, p. 36). Even inside the EU, as of 2001 the inclusion of the CSOs and other interested parties is considered an important achievement in strengthening the institutions' relations with citizens (European Commission, 2001, 428 Final). In summary, the analytical shift towards civil society was associated with three mutually interrelated dynamics. First, growing concerns about the EU's democratic legitimacy politicised the EU decision-making and highlighted civil society as a new policy actor. Second, especially in mid-range theorising, scholars shifted from integration narratives to concrete governance questions, increasing interest in how civil society participation could improve both democracy and effectiveness. Third, practitioners in Brussels "discovered" civil society as a potential solution to problems of legitimacy, accountability, and efficiency in an ever-expanding Union (Heidbreder, 2012, p. 8).

2. EU CRITERIA ON CIVIL SOCIETY PARTICIPATION IN THE POLICY-MAKING PROCESS

After the 1990s, the European Union's enlargement policy increasingly emphasised good governance and administrative reform through conditionality and assistance mechanisms. The Copenhagen criteria, established in 1993, set the main political and economic conditions for accession, while the Madrid European Council of 1995 added the requirement of sufficient administrative capacity to implement the *acquis* (European Council, Madrid Criteria, 1995). To qualify for membership, candidate countries have to fulfil the political dimension of good governance (Börzel & Risse, 2009, pp. 14–16). Accession negotiations are opened only after democratic consolidation has been put on a sustainable trajectory in the candidate countries according to the progress report for each candidate country and the ability to effectively approximate and implement the *acquis communautaire*. Since the "Big Bang" enlargement of the EU in 2004 with the accession process of ten Central and Eastern European countries, the European Commission has strongly encouraged candidate countries to involve CSOs in the process of adopting and approximating more than 10,000 EU legal acts in ensuring both the effectiveness and legitimacy of the accession process (Kopiński, 2024; National Resource Centre for Civil Society in Albania, 2020). However, the one-sided nature of the accession process, the high implementation burden, the time pressure, and the strong emphasis on conditionality transformed accession into a largely technical and administrative process of transferring rules (Schimmelfennig & Sedelmeier, 2004).

With accession negotiations firmly established in an intergovernmental framework, neither the European Commission nor the governments of the candidate countries made systematic efforts to involve non-state actors in the adoption of the *acquis* (Börzel *et al.*, 2007). EU enlargement requires candidate countries to have democratic governance, and the approach followed by the EU has focused mainly on promoting ‘effective governance’, especially in the case of the accession process of the Western Balkan countries (Ghincea & Pleșca, 2025, pp. 3000–3003). The EU’s enlargement policy framework for the Western Balkans aimed to establish an institutional and legislative framework to support democracy, the rule of law, consolidation of civil society’s environment, media independence, as well as strengthen the rule of law and measures to fight corruption and organised crime. However, despite efforts to create an enabling environment for civil society, challenges in implementation have led to persistent issues, particularly limited funding from national authorities and insufficiently meaningful consultations (European Commission, 2025, 690 final).

The right of access to documents, regardless of the method of access, is provided for in Article 15 TFEU and is built on strong language, particularly in relation to the transparency of the legislative process, underlining the right of the public to follow and participate in the EU decision-making (Article 15, Treaty on the Functioning of the European Union). This article defines that the European Parliament should hold its meetings in public, as shall the Council when considering and voting on a draft legislative act. Furthermore, the Treaty on European Union contains a number of provisions which are based on democratic principles that every citizen shall have the right to participate in the democratic life of the Union and that the decisions shall be taken as openly and as closely as possible to the citizens and the obligation of the institutions maintain open, transparent, and regular dialogue with representative associations and civil society (Article 10(3) & 11 Treaty of European Union). Both treaties are important because they confer on the EU institutions the obligation of institutional openness to promote good governance and to ensure the participation of civil society (European Commission, 2023).

The 2020 revised enlargement methodology reinforced the rule of law issue in the EU Negotiating Framework (European Commission, 2020). According to this methodology, there should be clear and distinctive rules and procedures for how non-state actors, including CSOs, can be included in and contribute to the negotiation process (DG NEAR, 2022). The consultation process through policymaking and negotiations with CSOs should be considered as a priority for an effective, inclusive, and transparent process of the EU accession of a country, where all parts of society are being informed and offered a space for inclusion (National Resource Centre for Civil Society in Albania, 2020). This strategic document on the evaluation of the accession process of the WB countries gives significant focus to the fundamental requirements of the EU’s negotiating position, particularly the strengthening of public engagement in the enlargement process, which, in the case of Albania, has not been fully implemented as the negotiating position has not been made transparent and accessible to the public and CSOs were not consulted (Zweers, 2025). The EU has recommended that it is essential for Albania’s accession process that decisions in the country should be taken in the most open way possible by ensuring transparency. As the position of the EU has been made public, it is expected that during preparations for the integration process Albania should be transparent with stakeholders by involving them in this process through a dynamic dialogue with citizens and civil society. The EU position highlights that Albania should ensure a

consultation process in accordance with the criteria set out in EU legislation on public access to documents in all areas (Council of the European Union, CONF-ALB 2/22, 2022). As is clear from the negotiation process, the chapter on the fundamentals (Chapter 23 & 24) is key to the accession process, emphasising the maintenance of transparency standards and ensuring open governance through inclusiveness in the legislative and decision-making process, with a focus on integration (European Movement in Albania, 2014). The roadmap prepared by the candidate country must be approved as a result of the consultation process with stakeholders because it is believed that citizens are the main beneficiaries of this process, empowering them and making them responsible holders of the requirements and the process (Council of the European Union, 2024).

3. ALBANIA'S PROGRESS ON CSOS' INCLUSIVE PARTICIPATION: INCLUSION OR ILLUSION?

Albania being a candidate country, its government is struggling to adhere to a comprehensive process in the design, approval, and implementation of policy documents, including laws and strategies aimed at aligning its legislation with the EU *acquis*. Their influence on government and legislative decision-making is considered by the EU to be a crucial factor in achieving human rights and rule of law standards by improving participatory democratic governance (Curtin, 1999). Albania has taken steps to approve a legal and institutional framework to guarantee the rights that come as a result of open government by adopting successful mechanisms and models of good governance such as those of the OECD, the Council of Europe, other organisations, or the recommendations given by the EU. Until 2014, in Albania there were no consolidated mechanisms and standards that allow for the organisation and functioning of consultation processes. In 2011, the OGP was founded as an initiative that promotes transparency and greater citizen participation in government by making governments more responsible, transparent, accountable, and effective. In this context, Albania became member of the OGP in the same year, and as a condition for membership the country had to take a series of measures, including the Civil Society Charter, a political commitment that emphasises the role of civil society as a key partner in the country's development, although this has not yet been fully reflected in the legal and enabling framework (Pollo, 2012). The legal framework on ensuring CSOs' contribution in the policymaking process is the Law on Public Notification and Consultation of 2014 (Law no. 146/2014) and the Law on the Legislative Initiatives of Voters of 2019 (Law no. 54/2019). The latest action plan that Albania has adopted as an obligation of the OGP membership is the 2023-2025 Action Plan, which envisages priorities that are consistent with Albania's European integration process (Albania Sixth Action Plan 2023-2025). Albania's current OGP action plan is the country's first plan to be developed and implemented jointly with a formal multilateral forum, the Multi-Stakeholder Committee (MSC). However, during implementation, the political leadership of the MSC changed due to government restructuring, meetings were less frequent, and outreach was limited. The participation of civil society within the MSC was largely formal. Participation in the implementation of specific commitments was centred around strong CSOs operating in the capital and concentrated on central institutions that were more open to contributions from civil society. Compared to

previous cycles, the process showed a stronger structural organisation through the establishment of the MSC, but this institutional improvement did not lead to a broader involvement in practice (OGP, Report 2023–2025, p. 11).

The 2014 law on public notification and consultation is the main commitment of Albania in the framework of the EU integration process and the recommendations deriving from its membership in the Open Government Partnership (OGP) for integrating CSOs and citizens' rights into the policymaking process (Beqiri, 2017, pp. 202–205). Despite the importance that the law has when it comes to establishing the rights and framework of the interested parties in the consultation phases, the empirical analysis has been absent from its implementation starting from 2014 until today. The adoption of this law institutionalises public consultation in the drafting and approval of draft laws, national and local strategies, and policies of high public interest. According to analyses conducted by researchers, this law leaves out of its scope the normative sub-legal acts, which constitute most of the legislative framework, which has a direct impact on the rights of citizens and interest groups (Angjeli & Reçi, 2024, pp. 54–56). The influence of citizens or interest groups in decision-making is important because it makes it possible for laws not only to be followed in the way they are drafted and approved, but also to be monitored in their implementation. As a result, there is a need for legislation to provide mechanisms that grant citizens access to governance by consulting or informing them in a continuous and effective manner (Çani & Mazelliu, 2021, p. 145). To this effect, it is important to highlight the law on the legislative initiative of voters, which gives citizens the opportunity to take concrete initiatives to propose specific laws in addition to constitutional amendments, which are attributed only to deputies (Anastasi, 2019, p. 10). The adoption of this law represents an important moment for the functioning of sustainable democracies, as it enables citizens, interest groups, and organisations to undertake legislative initiatives. It provides citizens with the opportunity for meaningful involvement in the legislative process, not only through public consultation but also through the direct expression of their will in proposing legislative initiatives (Anastasi, 2019, p. 18). According to researchers, this law is drafted in accordance with the EU *acquis* and the regulation on citizens' initiative no. 211/2011, adopted by the European Parliament and the Council (Regulation (EU) No 211/2011).

Along with the OGP commitments, EU membership is the main catalyst for Albania's reforms. The government's ambition to join the EU by 2030 has created momentum for technical improvements, improved monitoring, and performance reporting. However, this also creates the risk that accelerated reforms may bypass inclusive and effective consultations. In general, Albania's commitment towards inclusion of the CSOs in the policymaking process is increasingly institutionalised, led by central bodies, and it complements the ongoing EU accession reforms, but its impact depends on expanding resources and involving all institutions and stakeholders (OGP, Report 2023–2025). Albania's progress in the process of fulfilling its obligations of CSOs' inclusion remains at a formal level, without necessarily translating into real public participation or full openness of decision-making processes. This phenomenon is present also due to the accelerated EU integration process. On the one hand, the accession process has increased institutional and private sector interest in consultation and reform implementation; on the other hand, fast deadlines may limit the time and quality of public consultations.

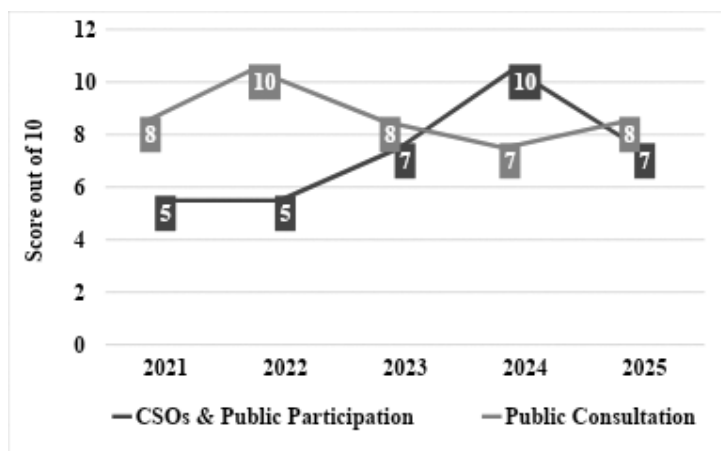


Table 1. Progress of Albania on CSO Enabling Environment and Public Consultation
(Data Extracted from the Country's Progress Reports 2021–2025)

Scoring note: Scores are derived from Progress Report wording and coded as: 0 = no progress, 1 = limited/formal, 2 = some progress with gaps, 3 = clear progress. Scores are multiplied by 10 for presentation. Evidence is based on paragraphs extracted from Albania's Reports for the period of five years (2021–2025).

From the chart, Albania's performance shows an uneven rather than linear trend in the CSO enabling environment and public consultation during 2021–2025. The CSO enabling environment remained weak in 2021 and 2022, improved moderately in 2023, declined again in 2024, and recorded an improvement in 2025. Public consultation improved in 2022, declined in 2023, and then remained stable from 2023 to 2025. Overall, the data suggest that while formal mechanisms such as online portals and consultation tools have been introduced or maintained, they have not consistently ensured meaningful participation, effective follow-up, or a fully enabling environment for civil society. The 2021 report highlighted that public consultation with civil society and interest groups remained formal and limited in its impact. Regarding the inclusion of CSOs in the policymaking process, the report shows that limited progress has been made in the implementation of the roadmap on an enabling environment for civil society. The National Council for Civil Society remains weak and should be reformed to provide appropriate representation of Albanian civil society (Albania Report 2021).

The trend of the effectiveness of public consultation in 2022 is progressive, highlighting that the electronic web-portal is operational, and the regulatory framework has been improved. However, the Report for 2022 states that the quality control of public consultations needs to be strengthened to focus on content rather than on process. The solution for the empowerment of the CSOs in 2022 remains unchanged, with the inability of the National Council for Civil Society to voice priorities of the CSOs in policy-making processes remaining weak, and with no progress in the implementation of the roadmap on an enabling environment for civil society (Albania Report 2022). In 2023, Albania showed a slight improvement in the CSO enabling environment score, although structural weaknesses persisted, particularly regarding the limited capacity of the National Council for Civil Society to shape CSO priorities in policymaking (Kërutu *et al.*, 2024). Public consultation is formally regulated and supported by

an operational online portal, but consultations remain largely formal with very low coverage: only 48 legal acts went under the public consultation process out of 866 acts for the period of 2022. The report highlighted a limited inclusion of implementing legislation and insufficient quality control and follow-up by the CSOs (Albania Report 2023).

The EU assessment of 2024 shall be considered stable when it comes to public consultation as rules are broadly aligned with EU standards, but implementation remains largely formal with inconsistent follow-up, and both RIAs and the share of legal acts undergoing consultation need improvement. But in the area of CSO enabling environment, the EU considers that CSOs face a challenging environment (registration constraints, limited funding, and delayed VAT exemptions) and consultation structures remain weak, especially in the 2019–2023 CSO roadmap, without a new strategic framework where no progress was achieved (Albania Report 2024). The 2025 report reflects partial institutional improvement rather than full effectiveness, emphasising that CSOs operate in a partly enabling environment while continuing to face persistent barriers, weak protection against intimidation and SLAPP-related threats, and limited safeguards for meaningful participation. The EU-Albania Joint Consultative Committee, which held its first meeting in April 2025, is nevertheless noted as a positive step. Meanwhile, public consultations still lack meaningful participation and scrutiny, follow-up is not consistently timely or transparent despite a new parliamentary consultation tool, Public Consultation Platform of the Parliament,¹ and evidence-based policymaking needs strengthening as RIA use and quality remain limited, and the share of legal acts undergoing consultation should increase (Albania Report 2025).

Considering the current accelerated legal initiative that the Parliament is undertaking due to the EU integration obligations, 31 CSOs launched a joint declaration to the Albanian Parliament, emphasising that the efficiency of the legislative process must be accompanied by high standards of transparency, public participation, and parliamentary debate (*Deklaratë e Shoqërisë Civile, Deklaratë e përbashkët mbi projektvendimin për ndryshime në Rregulloren e Kuvendit të Shqipërisë*, 2026). The European Commission's monitoring framework assesses not only the pace of legislative approximation but also the quality and participation of interest groups as part of the functioning of democratic institutions. The proposed amendments made by Parliament to the Rules of Procedure of the Assembly provide for an accelerated procedure for the consideration of legislation related to the European integration process. According to the draft regulation, the accelerated procedure will automatically apply to the entire category of draft laws related to European integration, without a case-by-case parliamentary review. This avoids the procedural filter that currently requires that urgency be proposed, justified, and approved by the Assembly for each individual draft law. The proposed draft amendments do not include provisions guaranteeing consultation with civil society and interest groups, the involvement of experts, or public transparency in the context of the accelerated procedure. Even in accelerated procedures, the involvement of civil society organisations, experts, and interest groups contributes to improving the quality of legislation and strengthening the legitimacy of the decision-making process. When consultation remains solely at the discretion of parliamentary committees, it does not constitute a structured institutional mechanism and limits the predictability of the legislative process. Given this situation, it is necessary for the Regulation to provide clear standards to guarantee effective consultation with civil society organisations on legal initiatives from the European integration process, in line with the obligation set by the

¹ See the Public Consultation Platform of the Albanian Parliament. Available at: <https://www.konsultimi-publik.al/>.

law on the role of the assembly in the integration process of the Republic of Albania into the European Union, which establishes clear standards for institutional transparency and continuous cooperation with civil society (Articles 4, 7, 11 of Albanian Law no. 15/2015).

4. CONCLUSIONS AND PERSPECTIVES

Albania's progress in fulfilling obligations for the EU accession process remains a challenge that cannot be translated into real public participation or full openness of decision-making processes. From the government's perspective, there is a perception that the government's open approach improved the participation of civil society in the policymaking process, but in reality, there is a declining level of cooperation with civil society in the policymaking process. As the accession process has increased the government's commitment to foster inter-institutional dialogue and meaningful participation of other stakeholders, including CSOs, most public administration institutions lack the infrastructure to establish effective participation of non-state actors in the public consultation process or the oversight of processes of public importance. The hindered effective involvement of non-state actors is a result of the administrative culture, the lack of institutional capacity, and full dependence on external support from different donors. The Multi-Stakeholder Committee is a pivotal moment in establishing a multilateral forum where CSOs are part of the policymaking processes, with substantial involvement in the consultation processes. As different evaluations, such as the EU and OGP reports, have made recommendations on the limited progress that Albania has made in empowering the CSO environment, there is a need to strengthen dialogue, broaden representation, and ensure more regular communication to translate this progress into real participatory practice. Albania's civil society's role in the policymaking process remains at a very formal and institutionalised level, and there is a need for more comprehensive reforms and a more proactive role from the government to ensure effective participation of CSOs in compliance with the EU's rule of law standards on transparency, accountability, and effectiveness.

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