

NATIONAL CONVENTION ON EUROPEAN INTEGRATION

NEWSLETTER I

May - July 2022



The overall objective of NCEI is to establish transparent and inclusive process of Albania's accession to the EU, which provides consultations with civil society, participation and monitoring throughout the process, as well as increasing the quality of the information provided for the general public.

The National Convention on European Integration (2021-2023) is implemented by European Movement in Albania (EMA) in partnership with the Slovak Foreign Policy Association and with the financial support of SlovakAid. It functions as a cooperation platform, particularly focusing on the European integration of the country, as well as the promotion of cooperation between state structures and civil society with the aim of strengthening capacities and skills that enable the fulfillment of the criteria for EU integration. The Convention aims to promote the participation from all society sectors including the local level; institutionalize the public debate concerning EU related issues based on partnership between government, non-government and business organizations; as well as strengthen capacities on negotiations on EU integration through transfer of Slovak know-how.

NATIONAL CONVENTION ON EUROPEAN INTEGRATION

NCEI operates on the principle of partnership between representatives of the state structures and the whole society while fostering active participation to promote European values.

So far 6 Working Groups containing one or several chapters of the EU Acquis have been set up. For the period 2021-2023, four Working Groups are active: WG I: Judiciary and Fundamental Rights (Chapter 23); WG II: Justice, Freedom and Security (Chapter 24); WG III: Agriculture and Consumer Protection (Chapters 11,12 and 28); WG V: Trade and Economic Affairs (Four Freedoms of Movement (Chapters 1, 2, 3, 4 and Chapter 20)).

The sessions for each WG are carried out in cooperation with the main institutions involved and in the negotiation process of these chapters such as the Ministry for Europe and Foreign Affairs, Ministry of Justice, Ministry of Interior, Ministry of Finance and Economy, Ministry of Agriculture, Albanian Development Fund, the Advocacy School as well as actors of civil society and the business community.

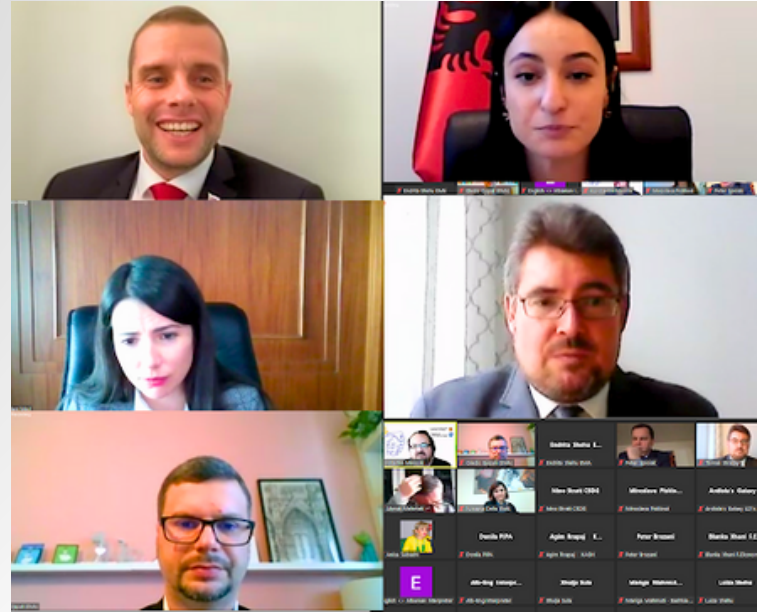
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- Kick-off meeting NCEI in Albania [Page 2](#)
 - WG III, Chapter 12: "Informing and raising public awareness on food safety and consumer protection" the role of the Institutions responsible for implementation [Page 3](#)
 - WG II, Chapter 24: Judicial cooperation in civil and commercial matters [Page 4](#)
 - WG V, Chapter 20: The business environment in Albania - the update of Albanian legislation and harmonization with the EU Acquis [Page 5](#)
 - WG II, Chapter 24: Money laundering-EU requirements for Albania in fight against organized crime [Page 6](#)
 - WG I, Chapter 23: General data protection Regulation (GDPR) and its implementation - its effects on national legislation and institutions [Page 7](#)

KICK-OFF SESSION OF THE NATIONAL CONVENTION ON EUROPEAN INTEGRATION IN ALBANIA 2021-2023

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On December 21, 2021, the Kick-off Session that marked the resumption of the National Convention on European Integration in Albania 2021-2023, implemented by EMA since 2014 in partnership with Slovak Foreign Policy Association and with the financial support of SlovakAid took place online.

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During the first session, **Martin Klus**, State Secretary of the Ministry of Foreign and European Affairs of Slovakia expressed the significance of the European Integration of the region of the Western Balkans. **Megi Fino**, Deputy Minister for Europe and Foreign Affairs in Albania, underlined the importance of making this process participatory and inclusive of various actors in the country. Furthermore, **Adea Pirdeni**, Deputy Minister of Justice in Albania, referred to the need to push the process forward through the internal agenda.

Throughout the second part, **Miroslava Pisklová**, from the Research Center of the Slovak Foreign Policy Association brought to attention the Slovak experience and presented the activities undertaken within the scope of the National Convention. **Konstantin Minoski**, Coordinator of the WGs at the NCEI in North Macedonia paid particular attention to the importance of bringing the integration process closer to the citizens. **Momcilo Radulović**, President of the European Movement in Montenegro, shared the experience of Montenegro in terms of the National Convention and highlighted the Regional Convention on European Integration that brought together Montenegro, Serbia and Albania in conducting joint regional meetings on common challenges of European Integration process.

During the third part, **Gledis Gjipali** and **Nirvana Deliu** from EMA, explained in detail the activities implemented within the framework of the National Convention in Albania since 2014. **Gjipali** gave an overview of objectives of the Convention itself and introduced the work done by the 6 Working Groups established within the framework of the Convention along with activities implemented under this framework.

Deliu focused on the activities of the Convention during the period 2019-2021, where four sessions each were conducted for five Working Groups, with the participation of a number of Ministries such as the Ministry of Justice, that of Internal Affairs, Agriculture and Finance. **Deliu** underlined the good cooperation with other institutions as well such as the Albanian Development Fund, the Assembly and the National Council of the European Integration and the Chamber of Advocates which contributed to the smooth implementation of the activities.

WORKING GROUP III, SESSION 1:

“Informing and raising public awareness on food safety and consumer protection” -the role of the Institutions responsible for implementation”

With regards to the National Convention on European Integration 2021-2023, the Ministry of Agriculture and the European Movement in Albania (EMA), in partnership with the Slovak Foreign Policy Association (SFPA) and with the financial support of Slovak Aid, organized on May 11, 2022-Session 1 of WG III – Chapter 12. The topic of the session was focused on the role of the implementing responsible institutions and public awareness on food safety and consumer protection.



Gledis Gjipali, Executive Director of EMA highlighted that the issue of standards and consumer protection involves a range of responsible institutions and important stakeholders.

Agim Rrapaj, Chairman of the Albanian Agribusiness Council and member of the PPEI roundtable on Chapter 28, spoke about the challenges of the agribusiness sector in Albania including production costs, certification, the role of public institutions in guaranteeing food quality. Rrapaj highlighted that high production costs, extensive use of stimulants, unfair competition and informality are the main issues.

Granit Sokolaj, from Alert Centre, stated that the issue of food safety should become a national priority and said that we do not export products to European countries because these countries are sceptical when it comes to food safety.

Viera Baričičová, from the Ministry of Agriculture and rural development in Slovakia and NCEI expert, held a presentation on the institutional framework of food security in Slovakia before and after the integration of Slovakia in the European Union. Baričičová added that it is important to establish a law as simple as possible according to the food safety and its important to prepare well-structured training plans.

RECOMMENDATIONS

- Food security is closely related with consumer protection and one of the elements in order to guarantee the security and the protection is offering of food information realized through labels.
- Process of legislation harmonization and the implementation of standards and requirements in the framework of European integration must be carried out gradually and taking into consideration the necessities and situations of those actors that are directly affected by those changes.
- The exchange of information is essential in carrying out obligations in an effective way. This exchange must be in two plans: firstly between institutions and authorities between them in a local and national level, but also exchanging of the information and experiences with homologs of region states and the European Union.
- It is strongly suggested that the law for food security must be as simple as possible and to convolve the important principle of food security, while technical and procedural information is detailed through normative acts and regulations.
- The growth of cooperation of the private sector with experts and donors such as national and international is very important. The cooperation must be more broadened, compressive and above all, sustainable over time.

WORKING GROUP II, SESSION 1: “Judicial cooperation in civil and commercial matters”



Recommendations

Promotion of the principle of meritocracy for the personnel of judicial administration and magistrates (such as judges and prosecutors). For this, robust but also well-defined criteria should be established so that the process is as fair, objective and comprehensive as possible.

The Justice Reform and the process of vetting (reevaluation of magistrates) has created large gaps in the justice system due to the departure of many magistrates.

It is also important to continue the work on the process of transposition of the legislation in this field, with a focus on the ratification of all treaties approved in relation to judicial cooperation.

For the most effective implementation of this legislation, it is recommended to carry out information and training sessions with the responsible institutions and actors, including national and European experts and promoting institutional cooperation and that of the justice system with other sectors such as universities or the civil society sector, that can provide expertise.

On May 27, 2022, was held the first session of the Working Group II (Justice, Freedom, Security) on the topic ‘Judicial cooperation in civil and commercial matters’, which was organized by the European Movement in Albania (EMA) in cooperation with Slovak Foreign Policy Association, with financial support from SlovakAid. This is the first session of WG II under the National Convention for European Integration for the period 2021-2023. The meeting took place online on the ZOOM platform.

Gledis Gjipali, Executive Director of the European Movement in Albania (EMA), highlighted that this session is important, not only in the context of Albania’s European integration process, but also in the frame of the development of the judicial system and finding the best possible solutions for Albanian citizens.

Denard Veshi, Lecturer at Beder University made a brief presentation based on the international legislation and the recognition of court decisions in the civil and criminal field. He stated that in international law, as well as in European Union law and also in Albanian law, cooperation in the civil and commercial field is of relevance.

Ersi Bozheku, Lawyer at the High Court of Appeal in Rome, Italy and Professor at the University of Rome, La Sapienza, made a presentation of the legal framework in Albania, institutions, criminal offences in financial matters. Bozheku stated that if Albania wants to make a tangible development, then the priority would be to pay attention to the substance, the content of things, so investment should be made in the training of lawyers and the capacity building of the administration.

Miroslav Slašťan, Professor in the Department of Justice and International Relations at Comenius University in Bratislava focused mainly on civil and commercial matters, bringing the Slovak experience in court cases. According to Slašťan, the condition for the application of this law is the international element and that the cooperation of the courts is also very important.

WORKING GROUP V, SESSION 1:

"The business environment in Albania- the update of Albanian legislation and harmonization with the EU acquis"

On June 17 2022, session 1 was held on the business environment, the update of Albanian legislation and harmonization with the EU Acquis (Chapter 20). This activity was organized in the framework of the NCEI 2021-2023. by EMA and the National Council of European Integration (KKEI) in cooperation with the Slovak Foreign Policy Association, with the financial support of SlovakAid.



In the activity representatives from state institutions, diplomatic missions, the sector of civil society, the business community and universities took part and were actively involved.

Recommendations

It is recommended to avoid the phenomenon known as gold plating - this process is related to the establishment of criteria and standards higher than the minimum established by the directive itself or the European legal framework.

Various facilitating measures should be taken to support business, especially SMEs or new enterprises (the measures that can be taken are - flexibility on the deadlines, shifting towards the use of electronic services (egovernment), online trainings etc.

It is recommended that the Productivity and Competitiveness of the business should have a special attention and should be monitored, analyzed periodically and assessments and reports should be made for these two criteria.

Gledis Gjipali, Executive Director of EMA said that the process of European Integration is focused on the political issues, for this reason, through the Convention, in a more technical aspect the attention is given to the social and economic issues.

Jorida Tabaku, Chairwoman of the National Council of the European Integration during her presentation underlined the process of development of industrial policies included in Chapter 20. She said that the exchange between the Technical Secretariat of the KKIEI and civil society is very valuable and highlighted that civil society plays an extraordinary role in the strengthening of this process

Elda Zenelaj, Director of the Technical Secretariat at KKIEI, highlighted that the ex-post judgement has been introduced and soon our country will see the results of this approximation, and important is not only the issue of impact, but also the monitoring that should be done related with the other part.

Adriána Valášková, Director of the Business Environment Development Sector at the Ministry of Economy in Slovakia. Valášková highlighted that for each consultation round, participants are invited to participate in those topics that are directly affected by the drafted legal material, and the role of these subjects is to agree or to disagree with the material, to determine which parts they do not agree with and to suggest possible solutions.

WORKING GROUP II, SESSION 2:

"Money laundering-EU requirements for Albania in fight against organised crime"

On 30 June 2022 was held session 2 of WGII on Money laundering – requirements set to Albania in the fight against organised crime which was organized with regards to the NCEI in cooperation with the Ministry of the Interior and the European Movement Albania.



In the activity participated representatives from the line state institutions.

Besfort Lamallari, Deputy Minister of Interior of Albania highlighted that the Western Balkans is a region in development and Albania has already met the conditions for opening of the negotiations. Albania is determined to continue the fight against corruption and has extended the cooperation with EuroJust.

Gledis Gjipali, Executive Director of European Movement Albania (EMA), said that the tables of Partnership Platform are very important because they establish the consultation between state institutions and civil society, academia, other groups of interest and media etc.

Suela Jahaj, Director in the Directory of Integration, Agreements, Coordination and Assistance, Ministry of Interior, spoke about the main policy areas of Chapter 24. Jahaj said that Albania under the fight against corruption has ratified and implemented the Convention of Vienna, Palermo, Warsaw and United States, as part of our internal legislation.

Lutfi Minxhozi, Director of Economic and Financial Crime, Albanian State Police, focused his presentation on the Albanian legislation under the fight against money laundering. Minxhozi said that Albania has been left again in the monitoring process due to the need for efficacy of investigations and the best way to fight organised crime and corruption is to capture and confiscate the assets of criminals.

Andrej Leontiev, Lawyer and Co-head of Bratislava office, who analysed the fifth EU Directive of Money Laundering and the implementation of this directive. Leontiev said that the dirty money cannot be used without offering of services by professionals such as: attorneys, banks, evaluators of art etc.

Recommendations

Greater interagency cooperation and coordination is suggested, especially for a chapter like Chapter 24, which includes many broad and complicated areas, which means that the workload is much bigger.

It is necessary to increase the capacities of human resources that can be realized through trainings and workshops, where cooperation with Civil Society Organizations that can offer their expertise in these fields and play an important role.

It is important to preserve the “institutional memory”, especially regarding the negotiation process and reporting and monitoring of recommendations and priorities within the negotiation process.

On the fight against money laundering: culture of whisterblowers; staff training; cooperation between the responsible state institutions and different economy sectors.

WORKING GROUP I, SESSION 1:

"General data protection regulation (GDPR) and its implementation- its effects on national legislation and institutions"



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On July 08, 2022, session 1 of WGI was held with regards to NCEI and in cooperation with the Ministry of Justice. The focus was the law on the protection of personal data

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Adea Pirdeni, Deputy Minister of Justice, stated that the purpose of the draft law, is to provide a broader framework on how the process of guaranteeing data should be developed, to strengthen mechanisms of controls and sanctions in full compliance with the protection of personal data. **Gledis Gjipali**, Executive Director of EMA, stated that there will be an increasing need for capacity building initiatives and activities, not only for public administration structures, but also for other interest groups that are closely related to Chapter 23 issues. **Elona Bano**, Director for Integration and Negotiations at the Ministry of Justice emphasized that there are a number of objectives aimed through the adoption of Prime Minister's Order No. 113 of 2019 for the forms of participation, operation and structure of the Partnership Platform for European Integration. **Ilir Bejko**, Director of Public Law, General Directorate of Codification and Harmonization of Legislation, Ministry of Justice explained that the Constitution of the Republic of Albania guarantees in its Article 35 the protection of personal data and that it is very important to get the opinion of civil society in terms of the protection of personal data. **Blerta Xhako**, Director of Legal Affairs and Integration, Commissioner for the Right to Information and Protection of Personal Data explained that during the year 2021-2022 the twinning project was implemented through several Austrian and Italian experts. **Zuzana Motúzová**, Slovak lawyer and data protection expert during her speech presented in detail how the GDPR is being implemented in Slovak domestic legislation and she emphasized the fact that it should be taken into account that the GDPR is implemented by the public and private sectors, increasing the level of responsibility and obligations for both sectors.

Recommendations

- During the drafting of the law and other acts related to it, it is suggested to take into consideration that the terminology used to be in accordance with the existing national legal framework so as not to create ambiguities.
- Since the draft law, as well as the GDPR, present a set of rights for citizens, and some of them are new and little known to Albanian citizens, the awareness campaigns should be carried out targeting various categories of citizens.
- Special attention should be paid to the information on the procedure and the responsible authorities in case of violation of the right to the protection of personal data.
- A closer cooperation is suggested between the responsible public institutions such as the Information and Data Protection Commissioner and the Ministry of Justice with the civil society sector.