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PARTNERSHIP PLATFORM FOR EUROPEAN INTEGRATION & NATIONAL CONVENTION ON EUROPEAN INTEGRATION

Roundtable for Chapter 5 – Public Procurement: Fulfillment of the provisional closing benchmarks within the framework of the negotiations

Tuesday, June 10, 2025, 11:00 – 12:30

Gold Room, Xheko Imperial Hotel

Recommendations

During the roundtable held on Chapter 5 – Public Procurement, focused on discussing the fulfillment of the provisional closing benchmarks for this chapter within the framework of EU accession negotiations, organised by the **European Movement in Albania (EMA)** in cooperation with the **Public Procurement Agency**, as part of the Partnership Platform for European Integration and the National Convention on European Integration, several recommendations were put forward by participants representing civil society, business associations, central institutions, and academia.

In the first panel of the roundtable, where the planned measures and their status for successfully meeting the three benchmarks set for Chapter 5 – Public Procurement were presented, the following recommendations emerged from the discussions:

- With regard to the second closing benchmark set by the EU upon the opening of negotiations for this chapter on 15 October 2024, which stipulates that “*Albania puts in place adequate administrative and institutional capacity at all levels and takes appropriate measures to ensure the proper implementation and enforcement of national legislation in this area in good time before accession*”; it is important that the implementation of social criteria is not limited solely to close cooperation with the National Employment and Skills Agency for the employment of registered individuals. This criterion should not be conceived only in such a narrow dimension, but should also encompass other social elements in the administration and implementation of the public procurement process. The Centralised Purchasing

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*This roundtable takes place within the framework of the project “Building Partnership on Fundamentals: Empowered CSOs in the EU accession process”, with the financial support of the European Union – IPA Civil Society Facility 2021, which is implemented by the European Movement in Albania and in cooperation with the Academy of European Integration and Negotiations (AIEN), Slovak Foreign Policy Association (SFPA) and the Center for Transparency and Free Information (CTFI).



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Operator, as well as other relevant institutions, should identify additional ways to apply the social criterion more effectively. Furthermore, the process of selecting registered beneficiaries must be more transparent, properly documented, and supported by clear statistics in order to ensure accountability from other actors involved in the process as well.

- Considering the low number of foreign companies involved in the public procurement system in Albania, greater resilience is needed to address challenges in this area, particularly after accession to the European single market. To demonstrate preparedness in this regard prior to EU membership, it is essential to conduct detailed analyses of the reasons preventing these entities from participating in public tenders, as even in cases where they do participate, the contract values remain very low, as also reflected in the annual reports published by the Public Procurement Agency. For this reason, an analysis of the situation of commercial companies registered in Albania with foreign ownership, as well as foreign associations operating in the country, would be valuable in better understanding the existing barriers and distinguishing between them. Furthermore, strengthening cooperation with the Competition Authority is recommended, with the aim of fostering fairer and more effective competition in the field of public procurement.
- Regarding the application of artificial intelligence (AI) in the public procurement system, questions were raised about how this process will unfold in practice, as well as the need to ensure that the use of AI is grounded in clear standards and ethical principles. The importance of not overlooking the *“human” component* in this technological transformation was also emphasized. The active involvement of professionals remains essential to guarantee transparency, and a balanced approach between technology and human intervention must be maintained to ensure the proper functioning of the public procurement system in line with its fundamental principles.

The discussions held during the second panel focused on the role of civil society as a continuous monitoring actor in the public procurement process. The following points were highlighted as particularly valuable:

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- Civil society should have a more prominent role and greater recognition for the contribution it provides, particularly in the process of drafting strategic and monitoring documents. For example, in the National Public Procurement Strategy 2024–2030 and the Action Plan 2024–2027, adopted by the Council of Ministers in May 2024, the contribution of civil society is mentioned only once, specifically on page 38. This highlights the need for its more structured and meaningful involvement at all stages of the process—from consultation and discussion to drafting and monitoring the implementation of policies. Civil society should be treated as an equal and integral partner in developing a fair, transparent, and inclusive public procurement system.
- Strengthening cooperation between various central institutions and civil society is essential, which implies not only broader access to relevant documentation but also inclusion in direct discussions with technical staff and decision-makers. Such an approach would enable civil society to gain a deeper understanding of the current situation regarding various challenges encountered, as well as to produce valuable and reliable reports that reflect the implementation of reform standards, as is the case with the Public Administration Reform. In addition, civil society also plays an important role in raising public awareness, where direct cooperation with it can increase knowledge in this highly specific field and contribute to addressing and shaping public perceptions—many of which regard this sector as one of the most exposed to misuse, being the primary sector linked to the management of public funds.

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