

**SINIG-EU ACCESSION: SUPPORTING THE
INVOLVEMENT OF ‘NEGLECTED’ INTEREST
GROUPS IN THE EU ACCESSION PROCESS
PROJECT**

**‘Latent’ Interest
Groups Involvement
in Coping with the
Challenges of EU
Accession:
The Case of Albania**



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Fieldwork research has entailed extensive focus groups interviews and a survey with activist, members and experts from the non-governmental sector of labor unions, small businesses and farmers associations (extremely important for a predominantly rural economy in Albania) and other professional unions and marginalized groups. Special thanks to all participants in the focus groups and in the survey. The report is, however, the responsibility of the authors alone.

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ABBREVIATIONS

ASCS	Agency in Support for Civil Society
BIAs	Business Interest Associations
BTI	Bertelsmann Transformation Index
CARDS	Community Assistance for Reconstruction, Development and Stabilization
CSI	Civil Society Index
CSOs	Civil Society Organizations
EIDHR	European Initiative for Democracy and Human Rights
EU	European Union
GIAs	General Interest Groups
IPA	Instrument for Pre-accession assistance
LGBT	Lesbian, gay, bisexual, and transgender
LIG	'Latent' Interest Groups
MLG	multi-level governance
NGO	Non-Governmental Organization
TACSO	Technical Assistance for Civil Society Organizations

EXECUTIVE SUMMARY

While powerful private interest groups such as banks and other financial institutions, industrial groups, media etc. dispose all the necessary resources and leverage for their involvement and representation in strategic reforms and EU accession process, a number of ‘neglected’ yet extremely important interest groups are facing great challenges with regard to EU accession. In Albania latent interest representation and involvement in policy and reform processes remains weak. Furthermore, there is a literature gap in understanding their specific challenges, capacity-needs and potential to generate added-value to the EU integration process by such latent interest groups (LIG)¹.

This research offers a modest contribution to address such gap and to bring sensitivity among key stakeholders on the missing role of non-state interest groups under the EU accession process. The analysis relies on comprehensive literature review and field research with members of various LIG in Albania in order to gather qualitative and quantitative data. Based on gathered evidence the paper suggests a set of concrete recommendations to strengthen the involvement of Albanian latent interest groups in the EU accession process.

Lack of capacities and expertise, external donor- and project-dependency, poor to almost inexistent internal solidarity, absence of interaction and networking across and within sectors represent some of the common deficiencies with major impact on latent interest groups’ involvement in policy processes in Albania. Hence, public and media awareness raising, ad-hoc coalitions etc. must be combined with alternative capacity building and other tools to ensure participation in decision-making processes. Yet, in order to ensure sustainability of such actions and results LIGs need to work towards building strategic partnerships across the sector and vibrant networks with broader constituencies and representation of interest.

¹ ‘Latent’ interest groups, here is used to denote groups of associations, non-governmental organizations, non-profit groups, civic groups and unions representing general public interest (social and labor, human rights, small business, professionals and agriculture) as opposed to strong private interest groups (e.g. banks associations, private universities, media etc).

1. INTRODUCTION

Interest groups² usually refers to individuals, institutions or organizations associated in a body with political interest that aims at influencing public policy through either informal interactions with politicians/bureaucrats or heavily institutionalized state-group relations as in the case of capitalist democracies or EU politics.³ Thus, an interest group can be considered any organized self-interested entity which seeks to influence the political process and the policy outcome.

The literature distinguishes two main categories/types of interest groups according to the nature and objective of interest. The nature of the interest groups may be either 'private' or 'public' and their objective may be very 'specialized' or rather 'general'. This basic important dichotomy derived from Olson's influential work on the *Logic of Collective Action*, building on the argument that the 'specialized' (or private) interests face smaller collective action problems than the 'latent' (or public) interest which are very general and include a number of actors and preferences. The two major categories represent respectively, the business interests groups (BIAs) and the general non-business interests groups (GIAs) often known as civil society (civil society organizations or non-governmental organizations). Business groups are the most analyzed groups of interest although in recent years the focus has been intensively increasing on non-business interest groups.

The role interest groups play in the policy-making process differentiates significantly between these two broad categories of interests groups. First of all, private interest groups, compared to latent interest groups, are widely seen as being dominant in the EU policy-making process, both numerically and politically. The interest groups' involvement in the EU accession process differs significantly. This is partially because of interest groups' resources and partially because of the EU 'hierarchy/preference-based approach' towards different interest groups. The strongest interest groups (e.g. banks associations, various industry branches, media etc.) are considered an avant-garde of sectorial interest representation as they dispose the necessary resources to be involved in strategic reforms and EU accession process thus being more privileged and

² Note here that a number of other related terminology has been used like interest associations, political lobbies, civil society organizations, civic groups, non-governmental or non-profit organizations

³ See: Eising, Rainer (2008) "Interest groups in EU policy-making", *Living Reviews in European Governance* Vol.3 No.4, p.5

preferred by EU institutions to establish intensive contacts and close cooperation.⁴ Accordingly, other, weaker interest groups (e.g. small businesses and farmers associations, professional unions and marginalized groups) are ‘neglected’ from important strategic reforms and EU accession process and they often meet difficulties in building fundamental lobbying and advocacy skills in acceding countries.⁵ Regardless of the very encouraging European institutional environment for engaging civil society groups into the policy-making process, there is not much civic interest representation despite some participation via project-based activities. Furthermore, there is still a lack of understanding of the specific capacities and the role the latent interest groups play, especially in the context of EU integration.⁶ The limited literature on civic interest representation in EU acceding countries build more or less exclusively on case studies; research focus on particular civil society groups and specific policy field, and the analysis regards either interest intermediation strategies of GIAs or concentrates more on civil society involvement in policy formulation thus coming up with mixed results.⁷ Albania does not make an exception, both in terms of civil society’s weak engagement and interest representation as well as in relation to the lack of research on understanding the LIGs’ challenges and potential for added-value in the EU integration process.

⁴ See: Pérez-Solórzano Borragán, Nieves (2004) “EU Accession and Interest Politics in Central and Eastern Europe”, *Perspectives on European Politics and Society*, Vol. 5 No. 2, p. 245.

⁵ Note here that various terms apply to activities related to interest groups. For example, the term lobbying, interest representation and advocacy are closely linked. *Lobbying* means influencing orally or in written communication of any public authority decision being a law, a policy or an administrative act (see OECD 2010) while *advocacy* is an attempt to affect some aspect of society whether through appealing to individuals about their behavior or to government about its law (PTA no date). Thus, advocacy is broader than lobbying and often favored by civil society organization presenting an activity for the benefit of the broader public interest. Yet, we often use the terms interchangeably as our focus is on LIG interest representation on EU accession process, not aspects of the society at large.

⁶ Charrad, Kristina & Gudrun Eisele (2007) “What Role for Civil Society in EU Governance? A Review of the Literature”, in Obradovic, Daniela & Heiko Pleines (eds), *The capacity of Central and East European interest groups to participate in EU governance*, Ibidem, Stuttgart, p.26.

⁷ For a review of the few studies on civil society engagement and interest representation in Central European countries prior to and post accession see Kohler-Koch, Beate and Christine Quittkat “*Europeanization of Interest Intermediation (EUROLOB II): A research initiative*”, EUROLOB II - Intermediation of Interests in the European Union, Mannheim Centre for European Social Research (MZES) University of Mannheim, Germany. Available at <http://www.mzes.uni-mannheim.de/projekte/eurolob/homepage.html>

2. METHODOLOGICAL APPROACH

The research methodology of this paper combines various instruments and analytical approaches in order to examine challenges and answer to specific research questions. The literature review provides us with the general background on latent interest group's involvement in EU accession process. Document analysis and other reports related to Albania identify the state of civic engagement in the country while field research further reveal the experiences of different latent interest groups as a unique source for 'inside' information on lobbying and advocacy process. This information helps the analysis to better explore lobbying under EU accession, interest groups' capacity-gaps as well as deficiencies of state actors' approach towards civic interest groups.

We use a mix method of collecting and analyzing data. Firstly, we consult and analyze general dataset on civil society, constructed by different independent international organizations. The various indices on interest groups and civil society are used in order to capture the general role that organized interests, including trade unions, NGOs and other social and economic organizations, play in the political and policy-making process. These data have a comparative advantage throughout time and also among other countries. Quantitative data gathered through surveying representatives of Albanian latent interest groups are analyzed and also compared with qualitative inputs provided through focus group discussions and semi-structured interviews.

The survey and focus group discussions have involved two main clusters of latent interest groups' representatives, as follows:

- i) Economic interest groups such as labor unions or professional organizations (e.g. public administration, health care, education, lawyers, consumers and agricultural associations; organizations of local governments at municipality, communes and regional council level etc).
- ii) Specific social (marginalized / vulnerable) groups from different cross-cutting policy sectors (e.g. the association of work invalids, students associations, sexual and other minority organizations, Roma etc).

Survey respondents and focus group participants hold senior position within their organization or sectorial network. Both, qualitative as well as relatively moderate quantitative data gathering allows for comprehensive and contextual interpretation of the information gained.

3. LATENT INTEREST GROUPS AND EU / ACCESSION

Dynamics of interest groups and EU accession involvement appear to be interlinked processes. Interest groups could bring in their expertise and resources and their interests in exchange for influence on the policies by which they are affected. On the other hand, the EU ensures greater effectiveness and legitimacy of the EU accession process through domestic interest groups' involvement.⁸ Furthermore, the process of EU accession itself has shaped domestic interest groups representation and advocacy. During pre-accession, EU empowers non-state actors through its particular incentives of EU financial aid, EU-induced policy reforms, and EU-transnational networks paving the way for established actors' involvement in multilevel governance. The EU accession process provides interests groups in the candidate countries with a number of engagement opportunities: i) first of all, several EU policies explicitly prescribe public participation, access to information and transparency; ii) accession conditionality makes governments more exposed to criticism by non-state actors who often provide the EU with informal or formal information necessary for the preparation of the annual Progress reports; iii) EU pre-accession funding include a separate component for the societal groups; iv) EU integration provides opportunities for civil society organizations and groups from the candidate countries to join and connect with like-minded/umbrella organizations in the member-state countries, with EU level interest groups and transnational networks.⁹ Thus, the integration process itself, has the potential to empower the non-state actors through changes in the legal settings (laws), financial resources (funds), cognitive capacities (expertise) and socialization (like-minded organizations) available for civil society groups and actors during the EU accession process.¹⁰

⁸ Börzel, Tanja A., Aron Buzogany, Sonja Guttenbrunner (2008) "New Modes of Governance in Accession Countries: The Role of Private Actors", NEWGOV Cross-Cluster Workshop 'Civil Society, New Modes of Governance and Enlargement', 8 – 10 May, Free University Berlin, Germany.

⁹ Börzel, Tanja A., Aron Buzogany, Sonja Guttenbrunner (2008) "New Modes of Governance in Accession Countries: The Role of Private Actors", NEWGOV Cross-Cluster Workshop 'Civil Society, New Modes of Governance and Enlargement', 8 – 10 May, Free University Berlin, Germany, p. 7.

¹⁰ Börzel, Tanja A. and Aron Buzogany (2009) "Greening the East: Weak States and Even Weaker Societies?", Paper prepared for the EUSA Eleventh Biennial International Conference, Los Angeles, California, April 23-25, p. 5. There is an abundant literature

Yet, not all non-state actors were able to benefit from the opportunities provided by the EU accession process. In general, civil society in CEE countries remained weak and EU primarily empowered those groups that already had sufficient capacities. Furthermore, the process of EU accession raises other future concerns to civic interest groups' ability to adapt to the new, more demanding EU environment for successful interest representation and advocacy in a very competitive multi-level system.

related to the concept of Europeanization, studying the impact of the integration process in domestic issues, here interest groups in the candidate countries.

4. ALBANIA'S QUEST FOR INCLUSIVE GOVERNANCE AND POLICY PROCESSES

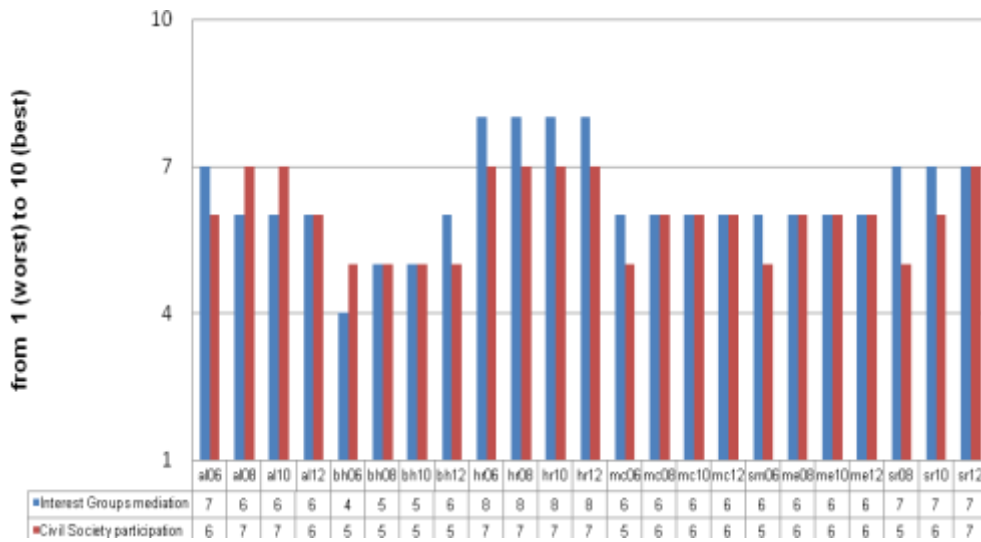
Civil society in Albania is still struggling to improve performance in terms of impact, constituency building, public trust, sustainability, networking and advocacy to influence decision-making. Consultation of civil society in the legislative process and the involvement of relevant interest groups in policy processes remain insufficient and of low quality. In the recent years CSOs have been consulted on some particular legislative initiatives. Yet no systematic dialogue or proper mechanisms are in place. Furthermore, even when civil society groups are called to consultations those remains often very formal with no concrete results on the policy output.

Civic participation and mobilization in Albania started from scratch as a policy of 'democratization' in the early 1990s. Almost 20 year after, civil society remains fragmented, dominated by non-membership based organizations and with poor understanding of issues related to constituency building and (their) interest representation. The level of consensus-building is also low among different interest groups.¹¹ These groups enjoy only moderate trust among citizens, while those few membership-based associations perform even worse. Namely, the Civil Society Index for Albania (CSI 2010) suggests that labor unions are the second least trusted institution in the country.

Bertelsmann Transformation Index (BTI) and USAID's CSOs Sustainability Index (CSOs SI) include variables that are particularly of interest for our study. The 'Interest Groups' (Q 5.2) component of the BTI index measures to what extent a network of cooperative associations or interest groups mediate between society and the political system; the BTI 'Civil society participation' (Q 16.4) measures to what extent does the political leadership enable the participation of civil society in the political process (in the agenda setting, policy formulation, deliberation and decision-making, policy implementation, performance monitoring).

¹¹ Bertelsmann Stiftung, (2012) *BTI 2012- Albania Country Report*. Gütersloh: Bertelsmann Stiftung, p.25.

FIGURE 1: INTEREST GROUPS MEDIATION AND CIVIL SOCIETY PARTICIPATION IN THE WESTERN BALKAN COUNTRIES



Source: Interest Groups mediation and Civil Society participation, Bertelsmann Transformation Index 2006-2012.

The BTI score of ‘interest groups mediation’ and ‘civil society participation’ in Albania for the period 2006-2012 varies between values 6 – 7, which conform the BTI methodology means that:

“The political leadership permits civil society participation. It takes into account and accommodates the interests of most civil society actors... [thus,] there is an average range of interest groups, which reflect most social interests. However, a few strong interests dominate, producing a latent risk of pooling conflicts.”¹²

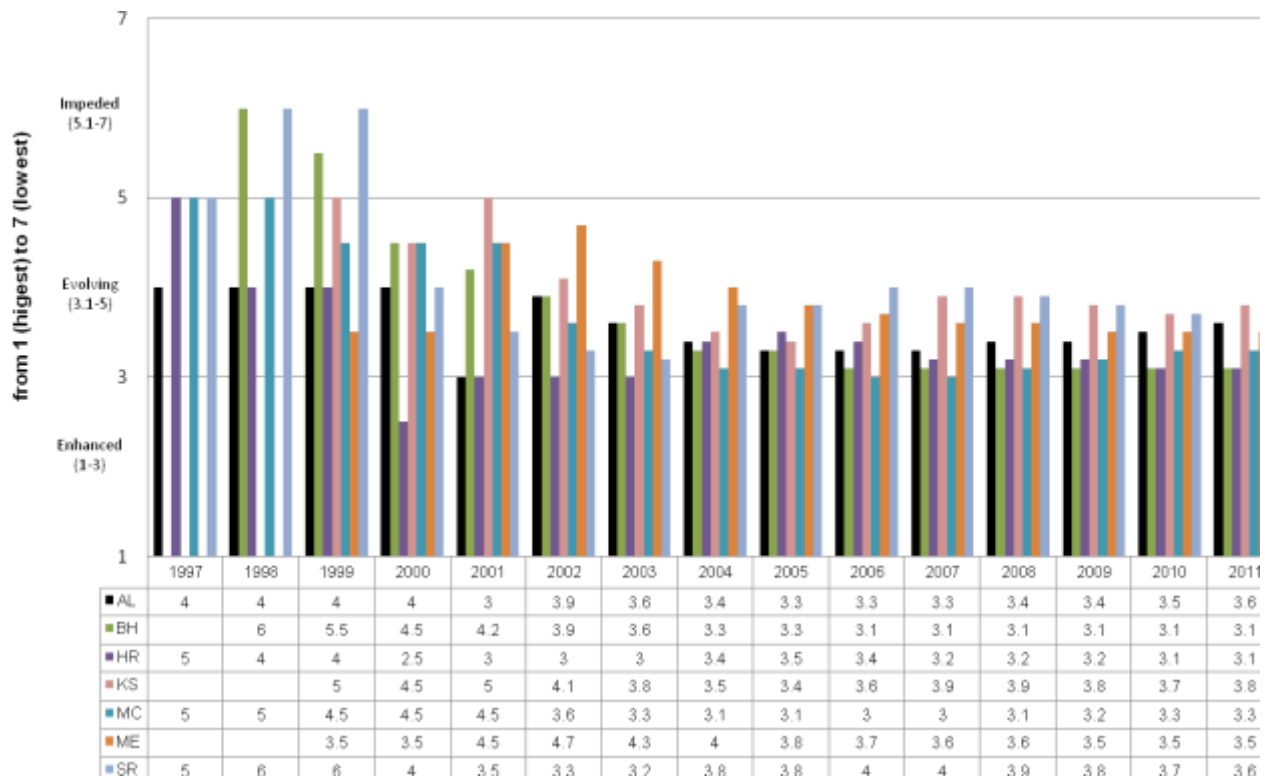
The CSOs SI’s ‘advocacy’ dimension looks at CSOs’ record in influencing public policy, and the values for Albania range from 3.3 to 4, which conform its methodology implies that civic advocacy in Albania is just *evolving* and “the narrowly defined advocacy organizations emerge and become politically active in response to specific issues... [they] may often present their concerns to inappropriate levels of government (local instead of national and vice versa). Weakness of the legislative branch might be revealed or incorrectly assumed, as activists choose to meet with executive branch officials instead (‘where the power truly lies’).

¹² The question corresponding to the values 6-8, see Methodology of Bertelsmann Stiftung Index reports (BTI).

Beginnings of alternative policy analysis are found at universities and think tanks. Information sharing and networking within the CSO sector to inform and advocate its needs within the government begins to develop.”¹³

¹³ The evaluation corresponding to “sustainability evolving” progress level for the index’s Advocacy dimension (values 3.1-5), see Methodology of Rating of USAID (2011) “CSO Sustainability Index: for Central and Eastern Europe and Eurasia”, 15th anniversary edition, p. 235.

FIGURE 2: CIVIL SOCIETY ADVOCACY IN THE WESTERN BALKAN COUNTRIES



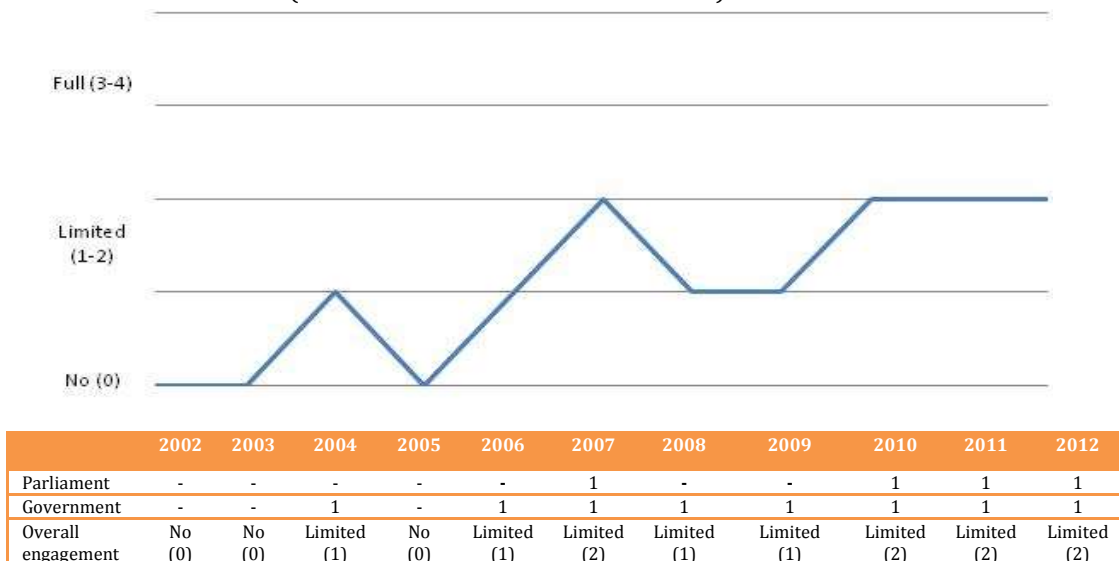
Source: Advocacy of CSO, USAID (2011) “CSO Sustainability Index: for Central and Eastern Europe and Eurasia”.



In an overall comparative perspective with other countries from the region, only Croatia performs better than Albania and to certain extent Serbia, Macedonia or Bosnia Herzegovina show slightly better performance in specific years and components.

EC progress reports provide additional insights to complete the overall picture of Albania’s quest for inclusive governance and policy processes. Namely, looking at civic interest groups engagement in terms of advocacy and consultations with government and parliament in the past 10 years a modest positive trend is perceptible. Yet, this is not systemic and still far from a well-established practice. Accordingly, the involvement of interest groups fails to deliver concretely in terms of impact.

FIGURE 3: CIVIC INTEREST GROUPS ENGAGEMENT ON ISSUES OF ALBANIA’S EU INTEGRATION AGENDA (EU PROGRESS REPORTS 2002-2012)



Source: Qualitative data extracted from EU progress reports. For details on calculations see the appendix III.

Evaluation Scale:

- 0 = No engagement (no consultation with Parliament and Government)
- 1-2 = limited engagement (some consultation with Parliament and/or Government)
- 3-4= Full Engagement (substantial and effective consultations with Parliament and/or Government)

5. LIGs ON LIGs' INVOLVEMENT IN EU ACCESSION: FOCUS GROUPS' REPORT

Focus group discussions were designed to assist the identification of key challenges that 'latent' interests groups are facing in EU accession process and to explore context-specific settings conditioning such involvement. The subsequent sections elaborate on the main highlights and conclusions drawn through this instrument¹⁴

5.1 Inner interest groups factors:

Representation of latent interest groups and their impact on the policy issues related to EU accession process are particularly sensitive to internal factors and settings of interests groups themselves; starting from the inner democracy and vision of the leader/group, human and financial capacities, and relations within con/federations or unions of the associations and organizations of the same sector (FG_5JUN_4).¹⁵

5.1.1 Lack of Capacities and expertise: Interest group capacities and resources such as policy information, financial means, constituency size, and economic influence are important prerequisites for both the access to and the influence of interest groups in the EU accession process. The more organized and the better informed about the process an interest group is, the greater its chances are to gain access and influence to EU accession process and institutions. The expertise and commitment of civil actors to participate in lobbying activities appear equally important.

Focus group discussions suggest that interest groups are faced with lack of qualified human resources and expertise. Given the project-based structure of most of LIGs and underdeveloped constituency building efforts, these groups find difficult to ensure sustained human resource base and appropriate expertise affiliated with them continuously (FG_12JUN_4). The lack of professional and financial capacities (FG_5JUN_2) makes latent interest groups dependent on donors programs. The lack of information on the process as well as inability to rely on active inputs from their constituencies leaves them out of EU accession decision-making process (FG_12JUN_1). Accordingly, the set of measures aiming to overcome inner

¹⁴ A detailed analysis of the focus groups can be found in the appendix.

¹⁵ To quote the interviewees, we use the acronyms for the focus group (FG), the date of the meeting (5JUN or 12JUN) and a given number to protect the anonymity of each interviewee.

domestic gaps of latent interest groups would start with strengthening of their constituency building efforts and internal consolidation.

5.1.2 Lack of cooperation and networking: Effective lobbying is more likely to happen in more concentrated sectors, involving strong actors representing interests of a larger constituency in a given sector or thematic area. Civil organizations would be more willing to join a network which offers real opportunities to benefit from shared resources, members' comparative advantages and capacities, thus increasing chances for more efficient advocacy, interest representation and impact.

Focus groups' interviewees recognize that civil society has done too little to enhance sector or thematic-based cooperation and to overcome the problem of scarce individual resources and capacities for advocacy purposes (FG_5JUN_4). These actors call for better network-building measures to influence EU integration process and policy outputs.

Trust seems to be an essential factor in network or coalition building efforts among civil society actors. The level of (dis)trust among members has a direct effect on the approach to address shared concerns and ultimately, on the outcome of such cooperation. Another dimension of "trust" is also important in this context – namely the level of trust between non state actors (joining under a coalition / network) and public institutions. Some of the interviewees (FG_5JUN_1; FG_5JUN_4) mention that state authorities are often suspicious towards them. Therefore it is important that this relationship takes the form of a model of interdependence and reciprocity by some virtue of trust.

Given the "fragile" cooperation between civil society and state actors on one hand, and the degree of fragmentation of interest representation within non-state actors on the other, alternative models of influencing EU accession process may be considered. Lehmann W. suggest instruments such as small informal clubs, or ad-hoc coalitions which are selective in their membership and well-targeted on specific goals, thus reducing the costs of consensus-building among their members.¹⁶

¹⁶ Lehmann, Wilhelm (2003) "Lobbying in the European Union: Current Rules and Practices", *Constitutional Affairs Series, AFCO 104 EN Working Paper 04-2003*, European Communities, Luxembourg, p. 53.

5.2 External factors

5.2.1 Negative attitudes: In addition to internal concerns, interest groups face also a number of external challenges with significant impact on their involvement in country's European integration process. The role and attitude of state entities is particularly important in this regard. Often senior officials and other representatives of public sectors discourage the active role of certain membership based organizations such as labor unions or federations (FG_5JUN_1). The attitude towards organizations representing certain interest groups, especially civil servants, is either ignorant of their existence or very formal through inviting them just for the sake of LIG presence in the process (FG_5JUN_3, FG_5JUN_2) or sometimes even negative, thus ignoring interest groups' role in EU accession reforms (FG_5JUN_4).

The general public and also state actors have been suspicious in the past few years about LIGs' and in general, about civil society's ability to enhance interest groups' representation in policy processes due to certain phenomenon questioning their "political neutrality".¹⁷ Accordingly, civil society actors are often perceived and considered as a political opponent to policy-makers or a potential obstacle to the ongoing reform process.¹⁸ Given the extremely low number of membership-based CSOs and poor performance of existing membership-based ones, this attitude is often embraced even by citizens.

5.2.2 EU regulation, programs and support is a strong stimulus for interest groups to mobilize, seek access, and exert influence on the process. The examples were given by some interviewees (FG_12JUN_1; FG_12JUN_3), profiting from the participation at IPA cross-borders cooperation or other funds for specific sectors such as agriculture. If interest groups' priorities fall under either an important policy sector or in a given EU pre-accession assistance program with well-defined criteria of partnership with civil society, participation in the country's accession

¹⁷ "In 2009, a significant number of civil society actors became politically active, joining political parties in some cases as Assembly members. Quite few NGOs have also embraced a political profile and sided with political camps, which has in turn raised questions about NGO political neutrality." Bertelsmann Stiftung, (2012) *BTI 2012 - Albania Country Report*. Gütersloh: Bertelsmann Stiftung, p.14.

¹⁸ TASC0 (2011) *Needs Assessment Report: Albania*, Technical Assistance for Civil Society Organizations in the IPA Countries TASC0, EuropeAid/127427/C/SER/Multi/5 – additional services, Tirana, p. 9.

process is facilitated and made possible. Yet, there is a total lack of partnership among government entities and civil society on the necessary steps of cooperation so to absorb EU financial aid and provide technical support for CSOs on how to apply and profit from EU programs and funds (FG_12JUN_1).

The European Union has provided continuous support to civil society by aiming particularly to improve its role in the European integration process and encouraging inclusiveness of policy debate and policymaking. Yet, EU support is remains limited to specific sectors and latent interest groups, especially the marginalized and vulnerable interest groups dealing with Roma, women or LGBT communities. In addition to highly demanding administrative requirements that are often too complex for LIGs, EU's financial support programs show little flexibility and "understanding" towards country-specific conditions of civil society development and interest groups advocacy. Most significantly, state authorities have failed to deliver on a rather medium term strategy for the advancement of non-state actors' role, development and inputs in country's EU accession process.

5.2.3 Joining Euro-groups Umbrella Organization: Many scholars have emphasized the effect of EU integration process on interest groups as trans-national collaboration becomes more frequent, regular, enduring and goes hand in hand with actors' socialization with EU norms and best practices.¹⁹ EU accession process provides civil society organizations as well as interest groups from candidate countries with connections to like-minded organizations in the member states and transnational networks active at the EU-level, thus playing an important role in making their counterparts from candidate countries acquainted with the rules of EU policy-making.²⁰ The process provides domestic interest groups with access to participation in EU – level professional confederations.²¹ Joining a European umbrella organization creates expectations on lobbying and greater opportunities especially to civil society groups that lack expertise. The involvement in European civil society is very important especially for newcomers and

¹⁹ Kohler-Koch, Beate (2011) "Explaining convergence and variations in EU lobbying", 41st Annual UACES conference *Exchanging Ideas on Europe 2011*, Cambridge, 5-7 September, p.3-4

²⁰ See Bomberg, Elizabeth (2007) "Policy learning in an enlarged European Union: environmental NGOs and new policy instruments". *Journal of European Public Policy* Vol.14 No.2, 248-268.

²¹ See Andonova, Liliana B. (2004). *Transnational Politics of the Environment: The European Union and Environmental Policy in Central and Eastern Europe*: MIT Press.

marginalized interest groups as they learn by doing how to get information, to fundraise, to network and to engage in political activism of the multilevel governance.²²

As Albania moves towards future EU accession, a number of interest groups have become acquainted with the growing importance of EU policies and be prepared to position themselves in a system of EU multi-level governance. Lobbying as an instrument of influence in EU accession is more effective and easy for European-connected associations than domestic ones. Yet, in the case of Albania the comparative advantages of networking and cooperation with European like-organizations is rare, primarily because most of civil society groups are project-oriented rather than intermediation-oriented; thus, short-term partnerships within projects are alternative solutions that will establish first contacts and in a long-term may institutionalize relations with European like-organizations.²³

5.3 Sector-related factors:

The sector of activity or focus area of work significantly affects the decision to lobby by non-state actors,²⁴ thus different sectors show different tendencies of involvement in EU accession process. This is because:

- i) either some sectors have been consolidated and professionalized, featuring a large variety of organizations (national umbrella groups or national branches of international NGOs, think-tank type organizations etc); or
- ii) in cases when certain sectors (e.g. agriculture) are heavily affected by EU market regulations and have a “tradition” of involvement.

In the case of Albania, specific interest groups (e.g. those dealing with human rights, gender, antidiscrimination etc.) have been gaining strong support and are influencing in EU accession process. Yet, this is not the case with the majority of various civic. The policy sector and its salience to the

²² Einbock, Joanna; Gesine Fuchs and Heiko Pleines (2006) “Representation of Polish Interest Groups at the EU Level”, KICES Working Papers No. 7, Koszalin, p.41

²³ For an extensive argument as well as good practices and successful examples of short-term partnerships deriving to future cooperation with European-like organizations see: Cobârzan, Bianca (2005) “The influence of some Romanian interest groups upon the activity of government and parliament”, *Transylvanian Review of Administrative Sciences* 15 E, p. 21.

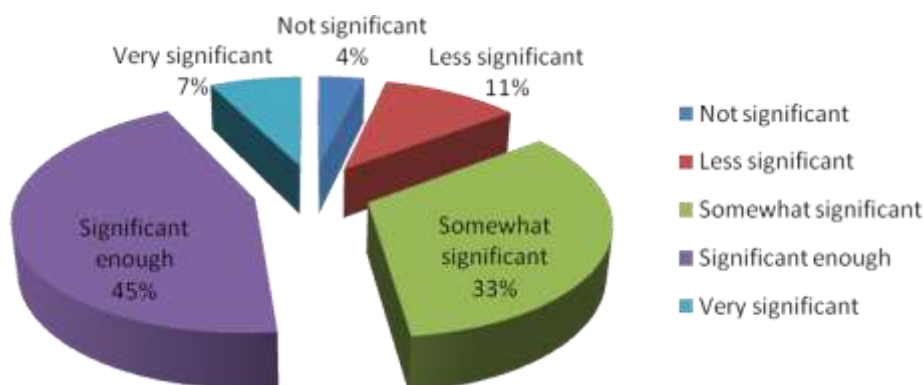
²⁴ See: Grossman, Gene & Elhanan Helpman (1994) “Protection for sale”, *American Economic Review* 84(4): 833-850.

public is an important issue influencing interest representation and advocacy. Some issues are only of interest to a highly specialized and well-circumscribed sector (e.g. teachers) and cannot mobilize citizens at large. On the other hand, if the issue is very specialized and the policy sector is specific there are not many other 'competitors' who could push the decision-makers into another direction. Other, more general policy and public issues may raise enormous attention among citizens and may bring to more smoothly organized advocacy initiatives. The complexity of a policy issue, favors more the specialized and organized interest group as they possess advantages (financial and expertise) compared to other public interest groups.

6. LOBBYING STRATEGIES: DATA FROM THE SURVEY

A vast majority of survey's respondents (93%) report to have lobbied at least once in order to advance an issue of the interests they represent. Their advocacy strategies differ significantly, and they vary from open letters to meetings with decision-makers and participation in working groups of line ministries/parliamentary committees. Other state actors are often seen as close allies to civic advocacy initiatives given their status in the political system of Albania. Namely, representatives of the Ombudsman, High Inspectorate of Declaration and Audit of Assets etc. or other (politically) independent institutions appear more open to cooperate with various latent interest groups. Yet, the outcome of LIGs' advocacy even in these cases does not go beyond "partially successful".

FIGURE 4: RESPONDENTS EVALUATION ON THE OUTCOME OF THEIR LOBBYING ACTIVITIES

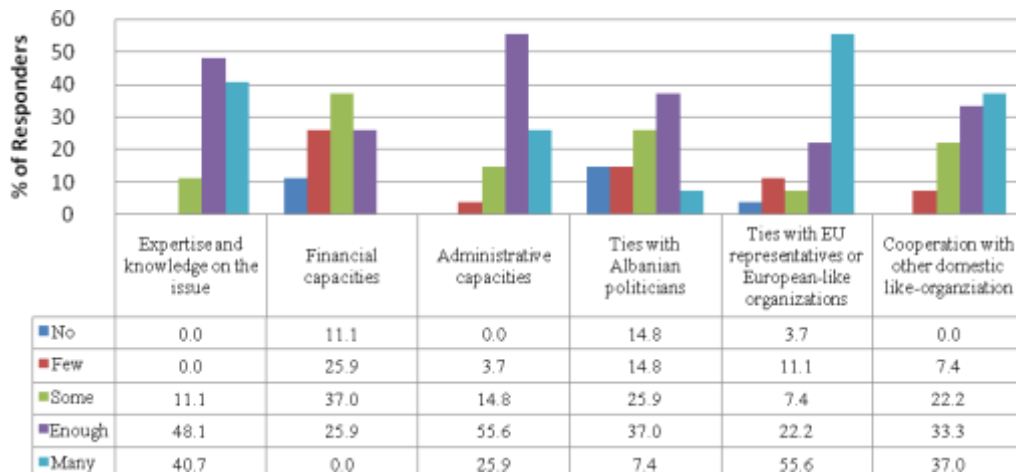


Only 7% of the respondents believe their lobbying outcome was successful and had significant impact. Most of them find their lobbying strategy to be successful *enough* (45%) or to have achieved only *some* success (33%). 15% of respondents find the outcome of their lobbying activities to have *no* or *less significant* impact. See figure 4.

With regards to latent interest group's capacities, most of respondents report that they possess the necessary administrative capacities as well as expertise and knowledge on the issues. Namely 89% claim to have a lot or enough expertise/knowledge and another 81% claim they have administrative capacities to deal with EU integration issues. What they lack are financial capacities –74% say they have no or few/some financial means and only 26% have *enough* financial means to be engaged and represent

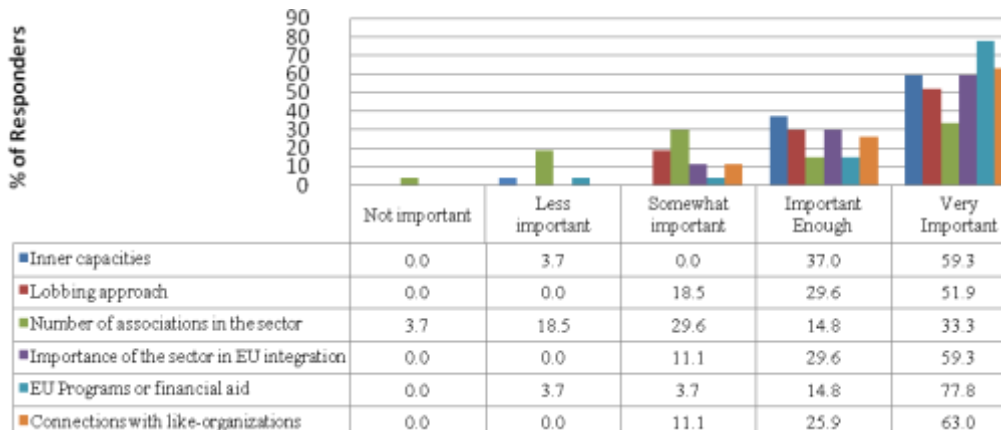
their interest in the EU accession process. More than half of them (56%) declare they have many contacts with EU representatives or European-like organizations whereas only 7.4% have *many* contacts with Albanian politicians. 70% of survey respondents have enough or a lot of cooperation with other domestic like-organizations. See figure 5.

FIGURE 5 CAPACITIES/INSTRUMENTS LGI POSSESSES TO ADVOCATE THEIR INTEREST INTO EU INTEGRATION PROCESS?



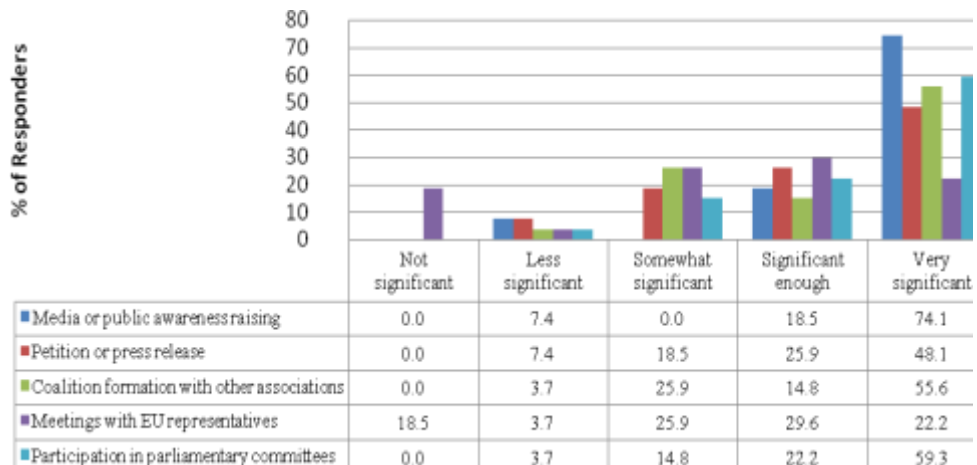
Given the missing financial capacities, most of the LIG representatives (78%) evaluate EU programs or financial aid as very important in order to represent their group interests into the EU accession process. Connections with other like-associations (63%), internal capacities (59%) and the importance of the sector in EU integration (59%) are also very important in advocating group interest. Refer to figure 6.

FIGURE 6 IN ORDER FOR YOUR GROUP INTERESTS TO BE REPRESENTED, HOW IMPORTANT ARE THE FOLLOWING...



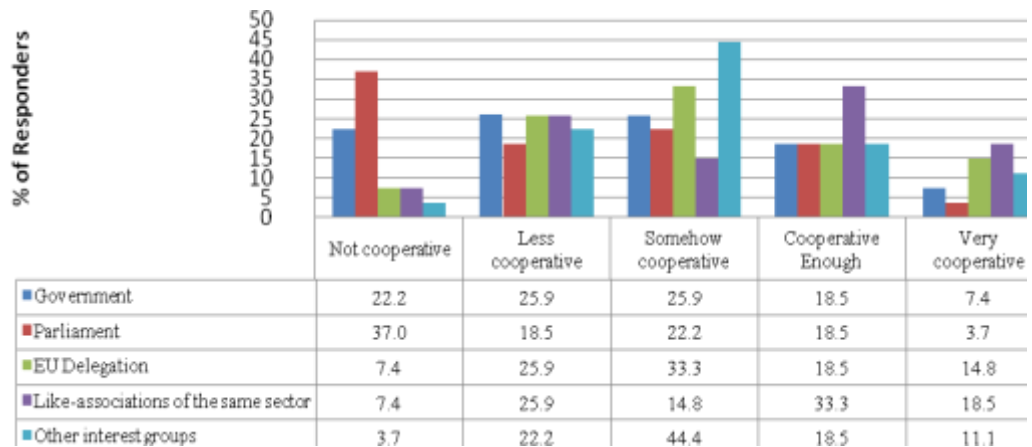
According to 74% of respondents media and awareness raising are the most important instrument to be used for lobbying their interest in the EU accession process. Participation in parliamentary committees (59%), coalition formation with other associations (56%) and petitions or press release (48%) are seen as next most important lobbying instruments. Meeting with EU representatives does not seem an option for lobbying their interest in EU integration process. Refer to figure 7.

FIGURE 7 INSTRUMENTS TO BE USED FOR ADVOCACY OF LATENT INTEREST GROUPS IN THE EU ACCESSION PROCESS



Like-organizations of the same sector are evaluated as very cooperative (18%) or cooperative enough (33%) in the framework of EU integration process. Furthermore, cooperation with other interest groups is seen as somehow (44%) or enough cooperative (18%), whereas parliament and government are seen as not cooperative for 37% and 22% respectively. Refer to figure 8.

FIGURE 8: IN THE FRAMEWORK OF YOUR ENGAGEMENT IN EU INTEGRATION PROCESS, HOW DO YOU EVALUATE COOPERATION WITH...



7. STRENGTHENING ALBANIAN ‘LATENT’ INTEREST GROUPS’ ENGAGEMENT IN EU ACCESSION

Albanian civil society representatives and latent interest groups emphasize that “reforms are often carried out without the involvement of social partners and target groups directly affected... they are simply mentioned in any negotiation but are not represented by anyone” (FG_5JUN_1). Civil society has developed through the years with an abundant number of civil society organization emerged in a broad range of policy sectors. Yet, what is still to come is the close cooperation among them in order to better and effectively represent their group interest.

The recent picture of latent interest groups is very fragmented, with individual civil society organizations and unions having developed mainly service delivery and some advocacy functions sporadically. In the context of EU accession process we find underdeveloped or even inexistent advocacy networking for specific policy areas. Focus group respondents demonstrate certain misunderstandings in relation to the role of interest groups vis a vis their mission and approach to policy processes. Service delivery is considered by them as the main function of interest groups while they trust that their interests are represented enough via participation in projects. Implementing a project or program has very limited scope of progressing one’s group interest. This is because the financed project has its own specific objectives and expected results. Secondly, the increasing reliance on external donors, without any membership-based finance may lead to the detachment of civil society organizations from their priorities and their root constituencies.²⁵ Such misconceptions show that the approach of LGIs and civil society in general is mostly *reactive* (they respond to already set priorities) and fails to act boldly as an *agenda-setter*. The agendas of foreign donors have also created a rift between donor-dependent entities and the vague debate over context-specific priorities and real needs of local constituencies since very often civil society is seen as a cluster of donor-driven organizations rather than genuinely local interest groups and grassroots movements in touch with local priorities.²⁶ Nevertheless, focus group respondents suggested a number of successful practices and examples

²⁵ Fagan, A. (2006). “Transnational aid for civil society development in post-socialist Europe: Democratic consolidation or a new imperialism?” *Journal of Communist Studies and Transition Politics* Vol.22 No.1, pp. 115-134.

²⁶ Bertelsmann Stiftung, (2012) *BTI 2012 - Albania Country Report*. Gütersloh: Bertelsmann Stiftung, p. 14

of interest groups' influence especially on issues related to domestic priorities under EU accession.²⁷

The most common advocacy approach by LIGs' representatives is through direct personal contacts (FG_5JUN_2) with both, Albanian decision makers and EU representatives in the country (most notably, the EU Delegation). This limits significantly a comprehensive and well developed strategy to advocate interest groups' priorities with Albanian policy makers and relevant state bodies (e.g. FG_5JUN_4). Contributing on the EU Commission progress reports (FG_5JUN_4), a practice that is being used to collect information, represents another way of participating in the EU accession process. Other alternative ways may be through lobbying at the EU level, e.g. European members of the parliament (FG_5JUN_5), or other European-like associations representing a much wider group of interest (FG_5JUN_1; FG_5JUN_3; FG_5JUN_4; FG_12JUN_1). Respondents of the focus groups discussions find it hard to mobilize their members, although they fully recognize that networking and cooperation with other actors is desirable and a way of defending interests of their group.

There is a major concern raised from the discussion with representatives of interest groups as most of their discussions point on activities of their organizations rather than on typical advocacy. Their understanding and preoccupation focus more on the management and sustainability of their organization rather than on their influence on the EU accession process or their impact on the policy outputs. Participation in projects and consultations are attractive for accessing information, creating networks and gaining public visibility more than influencing policy-making.

²⁷ E.g the National Association of Ranchers, part of the Albanian Agrobusiness Council (AAC) and under AAC initiative has participated in the process of consultation with the working group for the harmonization of Albanian laws with EU directives as well as on the drafting of the law on 'mutual cooperation'. As a result of the EU recommendation on guarantying the human rights and the necessity of interest groups involvement, the 'Pink Embassy' association has also been consulted by the Ministry of Labor in drafting the action plan for LGBT community.

8. RECOMMENDATIONS:

The EU financial support and sector prioritization is a necessary condition that empowers interest groups to advocate for their interest. The existence and cooperation with European like-organizations offer additional support for domestic like-organizations. Yet, 'latent' interest group representation depends, above all, on their internal (group-specific) settings and on country-specific conditions as well. The interest groups capacity and organization as well as state institutions' attitude towards their involvement are prerequisite for an effective 'participatory democracy' that will lead to meaningful participation in EU accession and the future EU multilevel governance once Albania becomes a member-state. The interest groups' networking ability and capacities to actively participate in European interest groups umbrella need to be enhanced. This would additionally help them prepare for future participation in a very complex EU governance arena.

Considering that Albanian latent interest groups evolvement is at its genesis, the recommendations are both immediate of short-term impact as well as mid/long-term strategic objectives.

Short-Term: Given that consultation with state institutions remain very limited and far from a well-established, other forms of LIG involvement need to be considered too. Public awareness rising through media mobilization, press release, and reports are ways of articulating LIG position as well as indirect instruments for pushing their interests forward. Secondly, in view of the non-structural cooperation among interest groups and the degree of fragmentation of interest representation under the EU accession process, alternative methods of influence may prove more efficient such as informal clubs, round tables, or ad-hoc coalitions with selective membership and well-targeted objectives. This will overcome a number of internal gaps and reduce Albanian latent interest groups' costs of consensus-building among their members. Furthermore, given the lack of structured coordination among associations, short-term partnerships within projects are alternative solutions for the establishment of future institutionalized umbrella organizations. Other inter-mediatory representation forms or actors, such as reporting to EU commission or joining European-like organizations will help latent interest groups engage in the EU accession process.

Mid/Long-Term: In addition to short-term objectives, LIG should work on building strategic and sustainable instruments of influencing the EU accession process. Networking and development of partnerships need to take place within and across sectors. Efforts should converge towards building a solid partnership with a various stakeholders, including public and private actors. Introducing membership-based association, modeling after business interest group organizations with strong group-affiliation are effective ways of building constituencies and sense of belonging among members. This will make LIG less dependent on foreign donors, gain grass-root support as well as engage more with LIG priorities. Such close relations should be constructed as a model of interdependence and reciprocity by some virtue of trust, setting the basis of active participation and shared ownership. Latent interest groups would also benefit from forming closer ties with peer organizations at European level to share resources and expertise as well as to back-up country-based advocacy efforts.

In order to succeed in accessing and influencing EU integration process, the Albanian latent interest groups have to combine external and domestic resources as well as gather synergies of cooperation among themselves and other relevant actors.

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Annex I: Focus groups

Focus group discussions took place under the project in order to extract qualitative detailed information from the actors taking part; to investigate whether participants felt that they shared similar problems and experiences; to identify barriers and challenges they face into advocating their group interests. Accordingly, two events were held in order to keep the number of the participant in small manageable size and give enough space to all the participants for expressing their views extensively. A guide of the discussion was prepared ahead of the meeting, a facilitator was appointed to guide the discussion, to briefly present the project, to clarify the conceptualization of ‘interests groups’ for conventional common understanding among the participants, to ensure that there are no wrong or right views and all opinions are valid and need to be respected, to probe and encourage all participants in contributing with their ideas through stimulating/requiring all participants engagement and intervening in case someone monopolizes the discussion. Institutions represented in Focus Group discussions included:

- Federation of Trade Unions of Health Workers (Federata e Sindikatave te Punonjesve te Shendetesise);
- Federation of Trade Unions of Public Administration (Federata e Sindikates se Administrates Publike);
- Pink Embassy;
- Penal Bar Association (Shoqata e Avokatëve Penalistë);
- Association of Disabled Workers (Shoqata e Invalideve te Punes);
- Association of Albanian Municipalities and Regional Councils (Shoqata e Bashkive, Komunave dhe Këshillave të Qarqeve të Shqipërisë);
- National Association of ranchers (Shoqata Kombëtare e Blegtorëve);
- Association for Consumer Protection (Shoqata për Mbrojtjen e Konsumatorit);
- Education Workers' Union (Sindikata e Punonjesve te Arsimit);

Following each focus group discussion, we transcript and structure the discussion from the audio recorder according to the main questions posed and compare it with the notes kept during the meeting. The following questions were posed and discussed in the focus groups (the discussion was done in the Albanian language):

- i. What is the role of interest groups and how much they can influence in the integration process (accession negotiations)?
- ii. What are some of your group's capacity shortages that have affected in participation and interest group influence in the integration process (Albania's membership negotiations) for example. Expertise / knowledge of the issue, internal organization, financial or administrative capacity, human resources, size and connections with international-like organizations.

- iii. Which approach do you apply to lobby the interests of your group in the integration process? How would you evaluate them on the results achieved? (E.g. sensitization of the media or the public, petitions or press release. Coalition formation with other organizations, mass protests or undertaking a political movement, research reports or concrete proposals. Contacts and knowledge with politicians or civil servants, participation in parliamentary committees.
- iv. Given your experience, which of the EU ways (the approach, the conditions, the programs, the political support or the funding) affects more effectively in the inclusion or advocacy of your interests in the integration process?
- v. What role does the importance of the sector / area play in the involvement and interest group influence in the integration process?

Annex II: Survey

The following questionnaire was used to gather quantitative data:

1.	Has your organization lobbied to protect the interest of the group it represents?					yes <input type="checkbox"/>	no <input type="checkbox"/>				
	If yes:										
	a. What strategy it has used and actors and institutions where it has lobbied?										
b.	How do you evaluate the result achieved?						Not significant <input type="checkbox"/>	Less significant <input type="checkbox"/>	Somewhat significant <input type="checkbox"/>	Significant enough <input type="checkbox"/>	Very significant <input type="checkbox"/>
2.	Evaluate each of the capacities that your organization have in representing the interests of your group in the EU integration process:										
	No Few Some Enough A lot										
	a. Expertise or knowledge on the issue										
	b. Financial Capacity										
	c. Administrative Capacity										
	d. Ties or contacts with politicians or civil servants										
e. Cooperation among different organizations											
f. Other _____											

3. Evaluate each of the approaches that you (can) use to lobby the interests of your group in the EU integration process::					
	Not significant	Less significant	Somewhat significant	Significant enough	Very significant
a. Media or public awareness raising	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Petition or press release	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Coalition formation with other associations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Undertaking protests or political movement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reports, studies or concrete proposals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Engagement in EU projects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Contributing in the preparation of EU progress reports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Meetings with EU representatives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Conferences, seminars or workshops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Participation in parliamentary committees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. In order to represent the interests of your group in the integration process, how important are:					
	Not important	Less important	Somewhat important	Important Enough	Very Important
a. Inner capacities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Lobbying approach	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Number of associations in the sector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Importance of the sector in EU integration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	e. EU Programs or financial aid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. Connections with like-organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	g. Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. In the context of your involvement in the EU integration process, how do you evaluate co-operation with::						
		Not cooperative	Less cooperative	Somehow cooperative	Cooperative Enough	Very cooperative
	a. Government	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Parliament	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. EU Delegation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d. Like-associations of the same sector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e. Other interest groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. Other _____					
	6. Lobbying (interest group involvement and influence policy-making) in cases of issues related to the agenda of EU integration, compared with cases which have only local character, is:			Easier <input type="checkbox"/>	The same <input type="checkbox"/>	More difficult <input type="checkbox"/>

Annex III

Qualitative Assessment of Civic Interest Groups' involvement in eu accession process (EC progress reports)

Year	Headings	Extract from the progress reports	Civic Interest Groups' engagement in EU Accession
2012	Parliament	Progress was also noted in terms of improving public consultation in the legislative process.... The working calendar of the parliament does not always give enough time to standing committees for proper review and for public hearings on draft laws, which, as a result, are often adopted in an expedited manner potentially to the detriment of quality. Draft laws are often not accessible to the public.	LIMITED ENGAGEMENT
	Government	The policy-making and legislative drafting processes in line ministries are still subject to shortfalls in prior analytical work and there is not enough transparency or consultation with relevant stakeholders.	
2011	Parliament	The limited or interrupted cooperation between ruling majority and opposition in parliamentary committees, the continuing restraints on access to specialist expertise, although improvements have been made in some cases, and further limited consultation with third parties, including civil society, raise questions about the quality of adopted laws... Consultation of civil society in the legislative process remains insufficient.	
	Government	Legislative drafting in line ministries needs to be improved by strengthening preparatory work and by appropriate consultations. Specific rules on improving transparency and consultation in the legislative process, which Albania is committed to adopt, need to be completed. The consultation process with civil	

Year	Headings	Extract from the progress reports	Civic Interest Groups' engagement in EU Accession
2010		society and other partners needs further strengthening.	LIMITED ENGAGEMENT
	Parliament	Involvement of relevant interest groups in parliamentary hearings and consultations is limited.	
	Government	Inter-ministerial consultation on draft legislation is required by law. It is up to the line minister to organize inter-ministerial groups and to invite experts to discuss drafts laws. However, participants in inter-ministerial groups do not always have a mandate to negotiate agreements on behalf of their ministries, which reduces the effectiveness of such procedures. There is a formal requirement to involve external consultation; however, broad-based consultations with the participation of interest groups' representatives are rarely carried out.	
2009	Parliament	-	LIMITED ENGAGEMENT
	Government	The government has started to consult civil society organizations on draft laws and to engage with a wide range of stakeholders. However, there are no formal mechanisms in place for such consultations	
2008	Parliament	-	LIMITED ENGAGEMENT
	Government	With regard to policy formulation, coordination with civil society remains weak. The inter-ministerial consultation arrangements on draft laws work poorly in practice. The existing requirements for public consultation on EU-related policy work, under the government rules of procedure, are not fully applied.	
2007	Parliament	The Legal Reform Commission does not conduct sufficiently wide consultations to secure the necessary expertise in law drafting.	LIMITED ENGAGEMENT
	Government	In particular, wider and more consistent	

Year	Headings	Extract from the progress reports	Civic Interest Groups' engagement in EU Accession
2006		consultation of ministries, including the MoEI, stakeholders and EU experts would improve the quality of legislative proposals.	LIMITED ENGAGEMENT
	Parliament	-	
2005	Government	There has been some effort to extend participation in designing new legislation beyond central government to local and civil society stakeholders, for example on the draft law on municipal borrowing. However, much remains to be done to ensure wider consensus and the use of all available expertise on reforms. New horizontal teams working directly for the Prime Minister have not always drawn upon government and donor expertise in drafting legislative proposals, resulting in poor drafting.	NO ENGAGEMENT
	Parliament	The establishment of Legal Reform Commission has contributed to improving the quality and transparency of the legislative process. This Commission has been assigned the task of ensuring the coherence of new laws with regard to both the Albanian legal system and the European and international legal frameworks, as well as proposing and implementing effective mechanisms to ensure the appropriate levels of public information and participation in the legislative process.	
2004	Government	-	LIMITED ENGAGEMENT
	Parliament	-	
2003	Government	CSOs have been involved in the drafting of national strategies in relation to important social areas such as children and anti-trafficking. There are also other cases of cooperation with trade unions or employers' associations.	NO
	Parliament	-	

Year	Headings	Extract from the progress reports	Civic Interest Groups' engagement in EU Accession
2002		Government -	ENGAGEMENT
		Parliament -	NO
		Government -	ENGAGEMENT

Source: Qualitative assessment based on the extract from EC Progress Reports (2002-2012).

Evaluation Scale:

0 = No engagement (no consultation with Parliament and Government)

1-2 = Limited engagement (some consultation with Parliament and/or Government)

3-4 = Full Engagement (substantial and effective consultations with Parliament and/or Government)