

Legal Framework:

The main legal basis for public consultations in Albania is Law No. 146/2014, which mandates public bodies to notify and consult citizens on major projects and policies through an electronic registry and dedicated coordinators. Despite this framework, the study found several areas where the law's implementation is limited.

- **Lack of Clear Guarantees for Public Participation:** The law lacks clear provisions to ensure meaningful public participation, often resulting in consultations that are formal rather than impactful. There is ambiguity about how electronic communication should function, especially for those without access to digital tools. Establishing a database for citizens and interest groups to register for updates could help, but legal gaps around electronic communication remain. For critical issues, the law should mandate media presence to facilitate live broadcasts without censorship, ensuring greater transparency.
- **Inadequate Complaint Mechanisms:** Currently, the authority for handling complaints about non-compliance with the law is vested in the head of the public authority and the Commissioner for Personal Data Protection. This limits citizens' options, especially at the local level. The law should explicitly allow for judicial appeals, as is provided in the "Right to Information" law.⁴ Local governments could also establish administrative structures, such as local councils, to review complaints more effectively.
- **Ineffective Review of Suggestions:** The law does not adequately address the review process for public suggestions. To enhance effectiveness, it should require a follow-up meeting with stakeholders to discuss reasons for accepting or rejecting suggestions. This follow-up could lead to either agreement or ongoing disagreements. Resolving these disagreements is vital for democratic governance, and understanding the legal basis and public support behind rejected suggestions can facilitate this process. A judicial review should also be available as a last resort, but the law currently lacks this provision.
- **Definition of Stakeholders:** The law does not comprehensively define interested parties. The Albanian Constitution⁵ grants rights to both individuals and legal entities, so the inclusion of legal entities as interested parties should be explicitly stated, aligning the law with constitutional standards.

Findings from the local level:

- **Timing of Notifications:** Municipalities often provide insufficient notice for public consultation meetings. For example notices posted just one day before the consultation or/ and within a few days, leaving limited time for effective public participation.
- **Use of the Electronic Registry:** The study noted that not all municipalities consistently use the electronic registry to post updates on public consultations. This inconsistency limits public access and awareness.

⁴ https://www.drejtesia.gov.al/wp-content/uploads/2018/08/Ligi_119_2014_18.09.2014.pdf

⁵ Point 2, Article 16 of the Constitution of the Republic of Albania

- **Role of Coordinators:** The designated public consultation coordinators often lack clarity in their roles, resulting in inconsistent handling of consultations and follow-ups across municipalities.
- **Annual Reporting Gaps:** Many municipalities fail to produce or publish mandatory annual transparency reports, with limited tracking of citizen feedback and its impact on policy decisions. Where reports are available, formal requirements are often missing

Citizen Feedback and Influence:

- The study found minimal integration of citizen recommendations into final decisions, affecting public trust. Reports typically lack documentation on whether recommendations were accepted or why they were rejected.
- Feedback is often only noted during public hearings, with little evidence of follow-up action. This gap weakens the participatory process and diminishes the perceived value of citizen input.

Local Government Transparency and Accountability:

- Local governance is constitutionally structured to allow citizen engagement through representative bodies and referendums. However, practical adherence to these principles varies widely among municipalities.
- Initiatives like local integrity plans have been voluntarily adopted by 21 municipalities of all Albania as part of anti-corruption measures and improved democratic processes. Yet, the absence of standardized practices underscores the need for consistent frameworks.

Conclusions and Recommendations:

For municipalities to effectively implement public consultation principles, **ensuring transparency, accountability, and efficiency in local decision-making**, it is recommended that:

1. To Increase Transparency, Municipalities Should:

- a) Review their transparency programs in accordance with Article 5 of Law No. 119/2014, "*On the Right to Information*," to clearly and structurally outline public participation in local decision-making.
- b) Publish annual reports on the consultation process, following Article 20 of Law No. 146/2014, "*On Public Notification and Consultation*," during the public notification and consultation stages.
- c) Publish all necessary information in the Electronic Registry of draft acts for Public Consultation.
- d) Provide clear and detailed information on all stages of the public notification and consultation process, starting from the publication of the draft act, the deadlines for receiving comments and recommendations, organization of public debates, up to the final approval of the act.

2. To Increase Effectiveness, Municipalities Should:

- a) Standardize the public consultation process through local regulations and procedures that ensure citizen inclusion in local decision-making. Municipalities and staff responsible for these processes should have access to standardized, council-approved regulations and procedures to streamline and improve this process.
- b) Adhere to notification timelines for public consultations by holding preliminary informational sessions that raise community awareness about the importance of participating in public consultations.
- c) Establish partnerships and simple, effective mechanisms for citizen participation and engagement, enabling people to influence the use of local authority and responsibilities.
- d) Use electronic platforms that facilitate systematic, democratic, and transparent community involvement in the activities and decision-making of the municipal council.

3. To Increase Accountability, Municipalities Should:

- a) Increase the capacities of responsible personnel in the municipality, as this is essential for improving all citizen-related processes.
- b) Strengthen the role of the Public Notification and Consultation Coordinator, providing full support to facilitate the collection of feedback from interest groups.
- c) Create necessary spaces for the community, interest groups, and civil society to monitor the implementation of local policies.
- d) Publish copies of draft acts accompanied by a summary of accepted recommendations and an explanation of the reasons for any recommendations from stakeholders that were not accepted, in accordance to Article 19 of Law No. 146/2014, "*On Public Notification and Consultation.*"

Individual Reports

Links of study reports of the Municipalities of Tirana, Durrës, Vlorë, Pukë, Elbasan, Fier, Kukës, Shkodër, Vau i Dejës, Korçë, "***Transparency and Accountability at the Local Level - Assessment of Public Consultation Processes.***"

1. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-durres-vleresimi-i-proceseve-te-konsultimit-publik/
2. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-elbasan-vleresimi-i-proceseve-te-konsultimit-publik/
3. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-fier-vleresimi-i-proceseve-te-konsultimit-publik/
4. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-nivel-vendor_bashkia-korce/
5. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-kukes-vleresimi-i-proceseve-te-konsultimit-publik/
6. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-puke-vleresimi-i-proceseve-te-konsultimit-publik/

7. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-shkoder-vleresimi-i-procese-te-konsultimit-publik/
8. <https://popnetwork.al/raporti-studimor-transparenca-dhe-pergjegjesia-ne-bashkine-tirane-vleresimi-i-procese-te-konsultimit-publik/>
9. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-vau-i-dejes-vleresimi-i-procese-te-konsultimit-publik/
10. https://popnetwork.al/raport-studimor_transparenca-dhe-pergjegjesia-ne-bashkine-vlore-vleresimi-i-procese-te-konsultimit-publik/

POP Network “Juxtaposing Political Offers” (Përballja e Ofertave Politike) aims to increase public debate and information among citizens, as well as orienting these platforms towards the needs and priorities of citizens. Through its activities, the project aims to strengthen Albanian democracy, promoting transparency and accountability. POP is an initiative of the network of Albanian civil society organizations supported by the Olof Palme International Centre and the National Endowment for Democracy. The members of the POP Network are the following organizations::

- *Gender Alliance for Development Center, Tiranë;*
- *Civil Society Development Center, Durrës;*
- *Vlora Youth Center,*
- *New Epoch, Fier;*
- *Young Intellectuals, Hope (IRSH), Shkodër.*
- *Youth Movement for Democracy Center, Pukë;*
- *Center for Youth Progress, Kukës;*
- *Women in Development – Korçë;*
- *Light Steps – Vau i Dejes;*
- *Another Vision – Elbasan.*