

Accelerated Civic Development & Cooperation Project in Albania

Improving local good governance policies through
citizens' democratic participation

RECOMMENDATIONS

INSTITUTE
OF SOCIAL
STUDIES
AND HUMANITIES



USAID
NGA POPULLI AMERIKAN

Recommendations for accelerating of development and civic cooperation

Should the administrative
and territorial reform be
considered as a final
project?

Artan Sadiku
Lert Kola
Joleza Koka
Greta Llambro



Artan Sadiku

Program Director

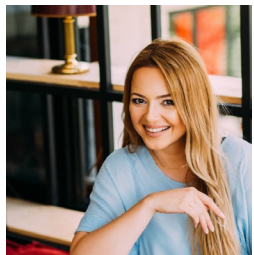
Holds a PhD in Political Sciences, has managed research and advocacy programs at the Institute of social sciences and humanities – Skopje, has worked as a development policy adviser at the United Nations Development Program in Macedonia and has been a consultant for the Swiss Development Agency in Macedonia and Kosovo.



Leart Kola

Executive Director

Holds an MA in Political Sciences, has been one of the main leaders of the civil society in Albania for more than ten years. He has worked as a program manager at the Levizja MJAFT, a researcher at ResPublica and had been an adviser on labor policy for the Government of the Republic of Albania. He is focused on social inclusion and citizens participation in decision making.



Joleza Koka

Senior Researcher

Holds a MA in Urban Social Development and Human Resources and a MA in Architecture and Urban Design. She is a feminist and political activist, member of the City Council of Tirana. Her areas of specializations are Architecture, Urban Planning, Development, Digital Marketing, Event planning and management, Team Management.



Greta Llambro

Senior Researcher

Graduated from the Faculty of Architecture and Urban Design, University of Tirana. Her thesis refers to urban retraining in cities with a development perspective in Albania. Her expertise and research interests are mostly related to architecture as an integral part of society with a direct impact on it, and a particular focus on design and urban design.

This report is produced as part of the USAID Accelerated Civic Development and Cooperation–2017 by the Institute of Social Studies and Humanities

INTRODUCTION

“This study, published in December 2019, aims to stimulate debate on: the needs, constraints and capacity to exercise an inclusive and participatory decision-making process for citizens and administration at the local level; appropriate models for local democracy practices, engaging citizens and raising awareness.”

The study “Acceleration of Development and Civic Cooperation” conducted by the Institute of Social Studies with the support of USAID and in collaboration with many experts at national and local level, is among the only publications of its kind implemented in Albania. It analyzes development and comprehensive indicators of the territorial reform in the municipalities of Tirana, Lezha, Saranda, Peshkopia, and Korca in order to provide a clear picture of how geographical, economic and demographic differences affect the conditions of local democracy and citizen participation.

The study, published in December 2019, aims to stimulate debate on: the needs, constraints and capacity to exercise an inclusive and participatory decision-making process for citizens and administration at the local level; appropriate models for local democracy practices, engaging citizens and raising awareness; generating cooperation processes with political factors at the local level, as well as transparency and accountability by local government units; assistance to state institutions in implementing the objectives of the territorial reform; impacting the public debates on territorial reform, decentralization and democratization in line with the objectives.

The practice of local democracy in Albania before the territorial reform as the main obstacle there has been a deep fragmentation. In the 373 local self-government units that

existed before 2015, which was suffering from lack of capacity and human resources, as well low level of decentralization of competencies to exercise democratic practices in the territory under administration.

Local government will have more competencies according to the territorial reform with the work, which has in charge, which has more importance for the citizens in the new administrative units. But without a distorted process of interaction between the new local government units and the citizens, the local government will follow the inherited activity and ignore the needs and democratic right of the citizens to participate in the decision-making at the local level.

Compared to other countries in the region, Albania has a weaker practice of local democracy. This is mostly due to the procrastination of the decentralization process and the consequent lower distribution of funds and resources. In comparison, Northern Macedonia and Kosovo have much more experience and show better results in addressing the needs of citizens at the local level.

Therefore, this study aims to provide an analysis of conditions and dynamics at the local level, as basic knowledge about the creation of mechanisms and instruments for democratic participation in 61 new local self-government units in Albania.

KEY FINDINGS

Tirana, Lezha, Saranda, Peshkopi, and Korca were selected with the intention to provide a clearer picture of how geographical, economic and demographic differences affect the conditions for local democracy and civic participation.

The territorial reform as a general national reform law should not be seen as a definitive project, resulting in the enactment of laws according to its previous assumptions. Due to the complex nature of the subject that this reform addresses, our research shows that some of its aspects need various piloting and researching implementation forms and modalities to be realized.

Based on the analytical and empirical data in the field of services and local development that were taken into account, we propose that the territorial reform should be reviewed. After the successful testing of the territorial re-organization models, the legislative as a whole should be subject of revisions and improvements.

Here are the main aspects that were found by this analysis as opportunities to improve local effect after the implementation of the territorial reform:

- Success stories such as civil society organizations strengthening local practices should serve as examples to motivate citizens believing and approaching local democracy practices.

- Creating new institutional forms and practices at the local level. This will help increase local government transparency and enable democratic participation in decision-making at the local level;

- Better coordination between central and local level institutions, by creating agencies and funds that enable greater effective development.

RECOMANDATIONS TIRANA LAW

Through this study we propose to have a special law for the administration of the city of Tirana, similar to European capitals. Law should regulate the city of Tirana, as a separate unit of local self-government, the competencies and financing of the city as well as the cooperation of the Municipality of Tirana with other municipalities in Albania and with the central government.

Tirana's law would allow to build a more sustainable and long-term financial planning, as this law could allow it to be charged with debt. Also, in accordance with the law, the Municipality of Tirana can provide guarantees and undertake obligations that may arise from long-term debts of public enterprises.

We think that this financial independence could be associated with extended responsibilities of the Municipality of Tirana, in areas which today only the central government is responsible, here we can mention employment policies (this law could be extended to loans or grants that the local administration itself can provide to address this problem), as well as the fiscal policy of private enterprises operating in the territory of Tirana. Also, this independence would be very important to give a new economic dynamic to the capital, but it would also go in harmony with the new territorial reform that 24-folds the physical space of city management.

The definition of a special law for the management of the city of Tirana, is fulfilled by the main condition for each capital, which is the quality of life of its inhabitants. For this reason, we suggest that only for Tirana, there should be a review of the territorial division.

According to our analysis, we estimate that the greatest danger of capitals today in the world is the segregation of residents and the creation of peripheral areas that affect the social aspect. To-

day's division makes it impossible for the Municipality of Tirana full management in territorial logic not only in social asceticism but and the management of key structures such as the "airport", which today is dependent on some municipalities and makes it difficult to invest, but also in the surrounding areas, infrastructure and services, while it would be more logical that this financial burden was borne by the Municipality of Tirana as the largest municipality in the country, also because the airport is naturally territorially connected with the Municipality of Tirana.

Another problem in the new territorial division is the restriction line between Tirana - Vora - Kamza. The division between the Municipality of Vora and Kamza, creates a "ghetto" within the urban area of the city itself, when the border of Kamza is within the urban area of the city, while that of Vora is located between the capital and the alongside road to access the largest port in Albania which is located in the Municipality of Durrës. We think that in the future will review of the territorial reform and the position of the Municipality of Vora and Kamza will be reviewed, this goes with the natural trend of population displacement in big cities. In this context, Tirana is "doomed" to increase in number of inhabitants because the employment opportunities. In fact, this would be the first step, which in the near future, perhaps, could unite more in terms of urban development strategy for Tirana with Durres making it a single city.

RECOMANDATIONS

TERRITORIAL DIVISION / SERVICES

The special law could help predict this trend and make it possible to avoid the urban chaos in development of Tirana and Durrës, but above all it would be important to enable public or private investment to pursue a planned development logic, as a precondition for guaranteeing the “quality of life of the inhabitants” which is the main purpose why we have cities or even more why we have capitals.

Except for the municipality of Tirana, based on consultations with study participants, we do not think that there should be drastic territorial divisions in the short term for other municipalities, but we think that there should definitely be a review of the provision of services in rural areas.

We are currently able to make a prediction, as we said above, about the demographic changes that will happen, so as not to be unprepared as in the case of major changes in the early 90's. Starting a project to predict the movement of residents in urban areas, or in more favored rural areas, including those that may be attractive for tourism development, we can plan and the establishment of state services in the future.

Within the framework of the review of services, the management of agriculture can also be affected in the same logic of the territorial division. An example is the Korca field in Korca region, which is an important agricultural area

and is today divided into three municipalities, such as Korca, Maliqi and Pogradec. We think that the structures of agriculture will have to remain in the central government, especially its management in the directorates that go to the logic of investments in agriculture.

Agricultural management and decentralization has been an issue that has emerged in all the meetings we have held, we think will be a special study and that focuses specifically on agricultural services, markets, the possibility of regional development, etc. Despite the data we have reflected in the study, as a result of the main concern, we think that this study for the agricultural part should not be considered an exhaustion of this issue but only as a starting point.

RECOMANDATIONS

CIVIL STRUCTURES AND NGOS

Civic structures (Community Coordinators, Chairman of the Elders) and civil society organizations focused on monitoring local administration, are very important not only for strengthening communities but above all for monitoring local administration which with the new administrative and territorial reform, centralization of decision-making has increased. We encourage agencies that manage public funds, but also foreign donors to focus on supporting these structures, strengthening them is a guarantee for mobility in the community and monitoring not only the municipal administration but also the well-being of educational or health structures that are in depending on the ministries as well as the enterprises of the corporation (for example water supply) operating at the local level.

These structures can also perform important role in the community for organizing and raising awareness in campaigns related to natural resource management, such as environmental or water conservation, recreational parks, cultural activities, or campaigns that have remained in the letter still, as “community centers schools” can be a good start to be decentralized from the public administration and to take more responsibility civil society organizations or community organizations (Community Coordinators, Chairman of the Elders). The lack of organized civic pressure could result in a problem in terms of representative democracy in the conditions of the new territorial reform for the tendency of centralization

of decision-making in a few voted representatives. After studying in selected municipalities, we believe that the local administration has the capacity to provide a better and more transparent service as a result of this new territorial reform, since in most cases the increase of the territory has come with the increase of the budget for investment and human resources but there is also a disregard for the opinion of citizens when it comes to public investment. Formalizing the opinion and decisions of civil society structures within the local administration, on the boards of enterprises and recognizing their participation by law, will be able to produce a new form of cooperation of local administration, with local elected officials (Community Coordinators, Chairman of the Elders) and civil society organizations. In conclusion, we propose a review of the law on local administration and representative structures to have a board of local structures as elected bodies that will have a monthly agenda of meetings, will perform civic and voluntary (free of charge) engagement as an information structure for municipal investment plans, budget and community problems from which will be held consultations before the case is passed on to the City Council, and also included on the boards of municipal companies, civil society organizations who could more closely monitor the decision-making of these enterprises to go with the plan and the interests of the citizens.

RECOMANDATIONS

MONITORING THE LOCAL ADMINISTRATION

Civic structures and NGOs focused on monitoring local administration are very important not only for strengthening communities but above all for monitoring local administration, which with the new territorial reform has a permanent and centralized decision-making. We encourage agencies that manage public funds and foreign donors to focus on supporting these organizations because strengthening them is a guarantee for community mobility and monitoring not only the administration of the municipality, but also the progress of education, health and public companies. They can also perform a capillary work in the com-

munity for organization and awareness, both in the well-being of natural resources or in the promotion of community values.

After conducting the interviews, we came to a conclusion, that municipalities have human resources and capacities to address the demands of citizens but the lack of organized pressure and the non-existence of community structures, creates a vacuum between civic demand and public administration. Increasing civic demand for participation in decision-making at the local level may in the short term improve significantly services by local administrators.

STRUCTURES OF COORDINATION FOR CITIZENS AS MOTOR OF DEMOCRACY

There are some structures that are already recognized by law by the Albanian state, they are the Chairman of the Elders in the rural areas and the Coordinators of Community in the urban areas. We propose that these structures would be better paid and have more responsibility by the proposals that come from the citizens. We believe strengthening can go in the direction of coordinating the problems of citizens with other institutions such as the police, social services, the Ministry of Agriculture, etc. We recommend that Coordinators of Community and Chairman of the Elders not only function as “whistle-blowers” but also have the budget and competencies to organize community by helping to organize community representative structures. Coordinators of Community and Chairman of the El-

ders will help facilitate the creation of boards in each neighborhood. These boards, which we recommend to be created especially in big cities like Tirana, Durrës, Elbasan will be elected by the residents in no more than 20 thousand citizens and to be a reflection of an urban space interconnected through the blocks of flats.

We believe these boards will be elected by a democratic process and will be carried out with the commitment of local structures, it will serve not only to create a community spirit which is increasingly lost by demographic changes, especially in large cities, but also could serve as a pressure group to advance the agenda of their demands in local and central institutions.

RECOMANDATIONS

LOCAL REFERENDUMS

Referendums in Albania are a myth, local referendums are even more impossible, and throughout its history, Albania has not had any local referendums, due to the fact that the legal framework of these referendums has been almost impossible to fulfill and unclear to be debated. Referendums always maintained the discretion of the Central Election Commission or the Government to allow. For instance the case of VloratPP, which you can treat as a local investment where the citizens of Vlorat should be asked, but also as a national strategic investment where at this point it extends to the national level, another attempt by civil society is to ban the import of waste. The procedures for seeking a local referendum are the same as a national referendum, which therefore makes it extremely difficult to apply this democratic right.

We propose special procedures and local referendums facilitated to be requested by a group of residents, because territorial reform, multiplication in the territory of municipalities requires this as a necessity to maintain the level of democratic participation and promote active citizenship. Previously, the elected representatives represented a smaller group of residents, because in this process was the mayor, today we have another situation where in Tirana, for example, where almost 1/3 of the population lives, citizens are called to vote, for the Mayor, the City Council and Chairman of the Elders.

We also think that forms of electronic voting should be explored, an attempt by Mayor Eri-

on Veliaj to consult with citizens of Tirana to change a day of celebrations, or to call on citizens to vote for the city's logo, using official social networks of the municipality, can be a first step in building a system, more institutional, more controlled by which the opinion of citizens on certain topics can be taken and can be considered official without spending tax revenue on the organization of a more formal opinion.

We propose that public electronic initiatives in measuring civic opinion be regulated by a decision of the City Council and proposed as an alternative to civic engagement and obtaining opinions on various public projects in their community.

CONCLUSIONS

Tirana Law

Through this study we propose to have a special law for the administration of the city of Tirana, similar to European capitals. Law should regulate the city of Tirana; as a special unit of local self-government, the competencies and financing of the city as well as the cooperation of the Municipality of Tirana with other municipalities in Albania and with the central government. The definition of a special law for the management of the city of Tirana, is fulfilled by the main condition for each capital, which is the quality of life of its inhabitants.

Territorial Division / Services

Except for the municipality of Tirana, based on consultations with study participants, we think that a review of the provisions of service in rural areas is definitely needed. An example is the Maliq field in Korca region, which is an important agricultural area and today is divided into three municipalities, such as Korca, Maliqi and Pogradec. Another example is the “airport”, which today is dependent on some municipalities and makes it difficult to invest, but also in the surrounding areas, infrastructure and services.

Civic structure and civil society organizations

We encourage agencies that manage public funds, but also foreign donors to focus on supporting these structures (community mediators, elders). We also propose a revision of the law on local administration and representative structures, to have an unpaid voluntary civic board, as an information structure for municipal investment plans that can be consulted before the issues are passed to the Municipal Council.

Monitoring of local administration

After conducting the interviews we came to a conclusion, that municipalities have human resources and capacities to address the demands of citizens but the lack of organized pressure and the non-existence of community structures, creates a vacuum between civic demand and public administration. Increasing civic demand for participation in decision-making at the local level may in the short term improve significantly services by local administrators.

Structures of coordination for citizens as motor of democracy

We propose that these structures would be better paid and have more responsibility by the proposals that come from the citizens. Is the same for members of municipal councils, who, although elected, receive only a fee for attending monthly meetings, unlike all other municipalities in the region or Europe where they are paid for their work.

Local referendums

We propose special procedures and local referendums facilitated to be requested by a group of residents. We propose that special procedures be initiated first and that local referendums be facilitated to be requested by a group of residents. We also should think of exploring forms of electronic voting. We propose that public electronic initiatives for measuring civic opinion be regulated by a Decision of the Municipal Council and proposed as an alternative to civic engagement and obtaining opinions on various public projects that take place in their community.