The Importance of E-Governance in

Furthering Albania's Development and EU Enlargement Perspective

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Abstract: With the latest fast technology developments many EU and other countries, including Albania, are focusing more and more on means how to contribute to rule of law improvement through access to information, civic engagement and communication technology, with *e-government* being the prime example of that method. In the case of Albania, e - *government* has certainly brought a lot of identified benefits to citizens, among which enhancing transparency and faster service. Nonetheless, considering this project can still be considered at early stages of development, there are few remaining measured implementing challenges that need to be analyzed further. Potential remaining impediments may be linked to public participation, information sharing, active civic engagement, socio-economic and cultural democracy constraints, etc. We value that it is important to discuss these situations in detail, in order to ensure further successful application of quality e-services. Therefore, the scope of this submission is to discuss the proven benefits and few potential implementation challenges of *e-government* service in Albania, as this tool is vastly becoming a global definition for transforming the way civic engagement and public service work. We also aim to provide some suggestions on how the use of *e-government* in Albania can be potentially used as a rule of law and anti-corruption instrument for its path towards EU integration, and to create Albanian active citizen of the future. As most of us are aware, there has been a lot of discussion regarding the issue of Albania's accession to the European Union. The Western Balkans countries' - Albania included – have had a challenging road towards the consolidation of democracy and the rule of law in general. In February 2020, the new enlargement methodology for the WB was published by the Commission. The new methodology promotes the merit-based approach and brings a new conditionality to light **-** negotiations can be put on hold in certain areas, or in the most serious cases, suspended overall, in case of progress reassessment of WB countries. In that context, will the EU learn from past mistakes and guarantee a credible acceleration in the process of Albania's future membership? The current state of play on Albania's path to the European Union will be discussed in detail in the second half of this paper.

Keywords: e-governance; active citizen; civic participation; EU enlargement; methodology

JEL Classification: O16

1. Concept of *e-Governance* in Albania

Civic engagement is a concept that many consider to be a crucial basis that make up all democratic societies. That is because through the use of *e – government*, citizens acquire the power to be as involved as the providers who offer public services (Mukherjee, 2019, p. 6). Nonetheless, to successfully implement this concept is not without challenges, both from the perspective of citizens'

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willingness and ability to participate, as well as impediments from public institutions to generate such participation. *E-government* can potentially be a successful tool in enhancing civic engagement, because it can effectively manage and govern public services. Albania, similar to its EU and other counterparts, is creating new opportunities for citizens and business to benefit, through digital revolution.

In this context, Albania has taken a strong commitment towards supporting and promoting digital initiatives as a powerful tool that leads to modernized governance, increased the know-how for a society that is more open, and a sustainable economic development for its citizens. Throughout the following section of this submission, we aim to analyze the specific ways by which civic engagement and *e-government* can interact successfully, in the case of Albania.

Based on the OECD participation framework (OECD, 2016) - followed also by the United Nations - Albania encourages active civic participation by providing:

• **E-information**: Albanian citizens have all required information available and easily accessible;

• **E-consultation**: creating space for Albanian citizens to be part of decisions on public services and the democratic process;

• **E-decision-making**: including Albanian citizens in the co-creation of the public policies and services.

In 2015, the Government of Albania adopted a Strategic Digital Agenda (2015-2020)[1], one of the main priorities of which is digital innovation as a tool to strengthen good public and corporate governance in the country. This Strategic Digital Agenda is created in the frame of the 3rd National Plan for Open Government Partnership (2018-2020), developed by the Government of Albania and is implemented through the Integrated Policy Management mechanism, which serves as the main forum for policy dialog between government representatives, partners for development civil society and citizens in Albania. This National Plan encompasses important engagements in support of key processes of strategic development and European Integration of Albania, such as better regulation and increasing transparency in governance, efficient management of public resources, further improving citizens' access to *e-services* and fighting corruption[2].

Excellent examples of *e-service* providers for Albanian citizens and businesses living or operating in or outside the country are as follows: e-Albania[3] – which is the main e-government portal (see below) – the National Agency for Information Society Services (AKSHI)[4] and Agency for the Delivery of Integrated Services in Albania (ADISA)[5]. For the purposes of this submission, we will be focusing only on *e-Albania* platform*,* as Albania is the first and only country in the WB region to integrate this kind of digital platform.

2. E-services in Albania

[1] Cross-Cutting Strategy "Digital Agenda Of Albania 2015-2020", Republic of Albania, Council Of Ministers, Ministry Of Innovation And Public Administration (2015), available at http://akshi.gov.al/wp-content/uploads/2018/03/Digital_Agenda_Strategy_2015_-_2020.pdf.
[2] The Open Government Partnership - Fourth Open Government National Action Plan for Albania (2018-2020). Available at https://www.opengovpartnership.org/wp-content/uploads/2019/01/Albania_Action-Plan_2018-2020_EN.pdf.
[3] https://e-albania.al/Pages/eAlbania.aspx.
[4] http://akshi.gov.al/.
[5] http://www.adisa.gov.al/.

- *E-Albania platform*

The online portal e-Albania is a very convenient tool for Albanian citizens. This unique multifunctional government portal is administered and developed by the National Agency for Information Society Services and is considered is a one-stop-shop for public administration online services delivery 24 hours a day, 7 days a week. Aside from offering detailed information about news and activities of state institutions, this one-stop shop service has revolutionized public services for the Albanian people living in or abroad Albania, as well as businesses.

The e - Albania platform offers 12 different categories of services, including consular ones for all those pertaining to the Albanian Diaspora. Each service category generates more than 20 electronically stamped documents for certifications on family matters, legal status, labor, business, education, contributions and retirement, etc., based on requirement[1].

More specifically, e – Albania's services include:

- Free online services to the public (licenses, permits, authorizations, documents stamped with digital certificates or other similar services), required legal documentation from all public institutions. The availability and accuracy of the service is the responsibility of the responsible institution, which provides its electronic service through the portal;

- Improved service delivery, reducing service time, avoiding bureaucracies, and reducing corruption;

- Provides communication opportunities for any potential assistance, questions or problems regarding registration, the services offered on the portal through the portal forum, emails, comments and messages on social networks.

- Eliminates unnecessary paper services, by providing electronic seals that are as legally valid as a regular physical stamp (consular e-services), which fits properly with the EU environmental agenda.

Since 1st of January 2020, Albania strives to further perfect service delivery and reducing bureaucracies. Pursuant to Prime Minister's Order no 153, date 25.11.2019 *"On measures undertaken and adjusting the legal provisions for the application of services only online from 01.01.2020"*, the majority of applications for public services will no longer be offered physically in institutions, but they will only be conducted online only through the e-Albania portal. Also, all administrative documents that serve as accompanying documentation for obtaining electronic services on the e-Albania portal, are now only generated through online applications by Albanian citizens and businesses.

- *E- Government as a Democracy Tool in Albania*

With the introduction of public e-platforms, the democratization process in the country has increasingly shifted, by allowing citizens to be active in political life and matters, more efficiently and in a capacity that is not witnessed previously (Abu-Shanab, 2015, pp. 15-28). This kind of digital citizen engagement for democracy is now changing how Albanian citizens perceive the democratic development, and how they can feel empowered by actively contributing in the decision making process (Abu-Shanab, 2015, p. 2). To conclude, it is clear that implementation of e-government not only saves resources, effort and money but it can also extensively increase service quality levels and reducing time spent in government departments (Alshehri & Drew, 2010, p. 82).

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[1] A list of offered services at https://e-albania.al/Default.aspx.

Nonetheless, as in all other implementing countries, the full transformation journey of e-government is not without its delays or impediments. Similar in the case of Albania, we hereby mention few potential technical barriers to achieving full inclusive e-government, as well as some suggestions on further development.

3. Overcoming Potential Barriers of E-Government Implementation

In 2003, the United Nations developed an Index (eGRI) which evaluates the implementation efforts of each country in the area of e-government and is published every two years since then. The Index captures the scope and quality of online services, status of telecommunication infrastructure and existing human capacity.[1]

In a 2018 ranking of countries on e-government development, Denmark, Australia, and Republic of Korea came out on top of a group of 40 countries, scoring very high on an index (the E-Government Development Index—EGDI), which measures countries' use of information and communications technologies to deliver public services. In the last 2018 report, Albania ranks 74 out of 178 countries of the world in total.[2] This potentially indicates that the digital divide in the case of Albania could deepen between citizen who have access to Internet and online services and those who do not, potentially jeopardizing the vision of the 2030 Agenda for Sustainable Development of leaving no one behind[3]. Also, privacy and security are critical barriers in implementation of e – government, where citizens are concerned.

- *ICT infrastructure challenges for the use of e-government services*

Due to some issues with proper internet access in few remote or rural areas of the country, it can turn out that a relatively limited proportion of the Albanian citizens can use e-services correctly and successfully. The challenges in ICT infrastructure is cited as one of the primary barriers to e-government implementation, not only for Albania, but for most states in the world. Certain e-government applications require considerable investment in national ICT infrastructure. Moreover, proper internet access to e-government not only includes efficient digital and computer equipment, but also the so-called "*ICT literacy*".[4] This means that citizens from all regions of Albania need to be able to know how to use online services, for them to be properly included in the democracy process. Therefore, the government should continue to work closely with ICT sector to establish a modern infrastructure that will provide access opportunities to disconnected groups and individuals, like it has done so far.[5]

- *Lack of widespread citizen participation to e-democracy*

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[1] E-Government Development Index (EGDI) is biannually presented by the United Nations Department of Economic and Social Affairs (UN DESA). The EGDI is a composite indicator that consists of three indexes (Online Service Index, Telecommunication Index and Human Capital Index) that are equally weighted and cover a broad range of topics that are relevant for e-government. Also the latest index report (2018), at https://drive.google.com/file/d/1FZT5zDfTa-ejvPh9c1Zu1w51DoMOefw1/view.

[2] Ibidem.

[3] the full agenda at: https://ec.europa.eu/environment/sustainable-development/SDGs/index_en.htm

[4] ICT literacy is using digital technology, communications tools, in order to function in a knowledge society. Also https://core.ac.uk/download/pdf/143886366.pdf, p. 82.

[5] *Ibidem.*

One of the most crucial e-democracy tools is the objective of fostering citizens' participation, and in particular youth participation. In order for Albanian people can participate actively in Albanian public life, they need to see that their ideas can help shape decision-making and that their contributions can make a difference (European Movement International, 2018). Some of these goals can be achieved or further advanced by:

Widening promotion of online services provided by the e – Albania platform, through several both traditional and online media channels;

Engaging youth participation - Albanian youth are now more connected than ever with their peers, both inside the country, as well as abroad. Information about e-government in Albania as a democracy tool should be integrated in university or pre-university academic curriculum;

Requesting feedback from Albanian citizens, especially youth, in order to motivate them to continue using e-government tools. A good example is the method used by the Municipality of Tirana, which uses online discussion forums[1] for public measures undertaken by the city regarding sports, cultural activities, municipality services etc. In this forum, citizens of Tirana can freely and publicly provide their feedback and suggestions for evaluating the quality of services they receive on a daily basis. Citizens can also participate in public consultation processes for all relevant activities that the Municipality undertakes regularly, be it online or in person[2].

- *Privacy protection related issues for users*

Even though platforms such as e-Albania aim to facilitate decision making and citizen participation, sometimes it also may be accompanied with the risk of compromising the protection of personal data and privacy in some cases. E-democracy instruments should also be envisaged with the aim of protecting citizens of Albania's privacy and human rights, at all times. The e-Albania platform should also be equipped with a form of monitoring to counter the spread of disinformation. Thus far, AKSHI performs monitoring of potential discrepancies regarding security breaches in e-Albania platform. However, a suggestion in this case would be to build a tailored monitoring mechanism to combat privacy violations and disinformation, in the future. It would be best if the e-Albania platform could have a security system only dedicated to protecting its proper functioning.

4. E-Governance as Instrument to Uphold Democracy and the Rule of Law in Albania

If considered not solely an instrument of the government but as a rule to which the entire society, including the government, is bound, the rule of law is fundamental in advancing democracy. Strengthening the rule of law has to be approached not only by focusing on the application of norms and procedures. One must also emphasize its fundamental role in protecting rights and advancing inclusiveness, in this way framing the protection of rights within the broader discourse on human development (United Nations, 2006). As mentioned frequently throughout this submission, e-tools and open data can help mobilize citizen participation in new and different ways to improve public service delivery, foster innovation and economic growth, and especially strengthen democracy (Council of Europe, 2015). For this reason, it is crucial to discuss how the use of this instrument can foster not

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[1] The website of the Municipality of Tirana, accessible at https://www.tirana.al/forum.
[2] https://www.tirana.al/kategori/konsultimi-publik.

only inclusion, but facilitate Albania's current path towards joining the European Union. The topic of enlargement and EU integration will be now discussed in the second part of this submission, as follows.

5. Revised Enlargement Methodology and the 2020 Country Report on Albania

In April 2018, the EU Commission recommended to open accession negotiations with Albania. In its June 2018 Conclusions, the Council acknowledged the progress achieved and set out the path towards opening accession negotiations in June 2019. Due to internal issues within the EU Member States (e.g., Brexit), discussions on accession negotiations with both Albania and North Macedonia remained at a standstill (June and October 2019). This was a very big disappointment for these two countries, especially Albania, which has made noted steps forward in the areas of rule of law, democratization and justice reform.

• *Revised enlargement methodology*

On 5 February 2020, the European Communication communicated a new proposal containing the revised enlargement methodology for Western Balkans countries (EU Commission, 2020). This communication is applicable to both candidate countries like Albania, to countries which have already opened negotiations and to potential candidates of the region (Kosovo, BiH). Emphasizes the importance of the EU perspective of the countries of the Western Balkans, also with a view to long-term stability in the European continent. The revised methodology clearly states that the Commission stands firmly by its recommendations to open accession negotiations with Albania and North Macedonia and Albania, which was again reiterated in the two update reports published in March 2020.

The revised methodology proposal acknowledges that the effectiveness and implementation of the enlargement process should be further improved. It emphasizes improvements in the so-called *Fundamentals* (such as the rule of law, good governance and also economic principles), an area where countries are experiencing structural weaknesses. The new methodology aims to promote mutual trust and credibility of enlargement policy and to achieve better results on the ground. In the case of Albania, it seems that negotiations are thus even more focused on progress in the field of the so-called Fundamentals: the rule of law, human rights, security, public procurement, public administration, statistics and financial control. A roadmap for the rule of law is the opening benchmark for opening the Fundamentals cluster, after which other chapters can be opened. In addition, interim benchmarks are also drawn up for the rule of law. Albania has made significant progress in the rule of law are by adapting the "Justice Reform" legislation package a few years ago and for continuing to establish justice institutions, in the frame of this umbrella, such as the recently established SPAK and Investigation Bureau. In this methodology proposal, the European Commission proposes to strengthen the accession process through **four main tracks**:

A stronger political guidance: The political nature of the accession process requires a stronger political steer and engagement at the highest levels. The Commission proposes to increase the opportunities for high level political and policy dialogue, through regular EU-Western Balkans summits and intensified ministerial contacts. Moreover, Member States should be involved more systematically in monitoring and reviewing the process.

A more dynamic process: To inject further dynamism into the negotiating process, the Commission proposes to group the negotiating chapters in six thematic clusters: fundamentals; internal market; competitiveness and inclusive growth; green agenda and sustainable connectivity; resources, agriculture and cohesion; external relations. Negotiations on each cluster will be open as a whole – after fulfilling the opening benchmarks - rather than on an individual chapter basis. Negotiations on the fundamentals will be open first and closed last and the progress on these will determine the overall pace of negotiations. The timeframe between opening a cluster and closing the individual chapters should be limited, preferably within a year fully dependant on the progress of the reforms.

A more predictable process: The Commission will provide greater clarity on what the EU expects of enlargement countries at the different stages of the process. It will make clearer what the positive consequences progress on reforms can bring, and what also will the negative, if any. The more candidate countries advance in their reforms, the more they will advance in the process. Equally, the Commission proposes more decisive measures proportionally sanctioning any serious or prolonged stagnation or backsliding in reform implementation and meeting the requirements of accession process. Negotiations could be put on hold in certain areas, or in the most serious cases, suspended overall and already closed chapters could be re-opened; benefits of closer integration, like access to EU programmes, could be paused or withdrawn, and the scope and intensity of EU funding could be adjusted downward.

- **The Progress of Albania Towards EU Integration**

Albania's path to full EU integration may have been a long one, long, but it is deserved and filled with overcoming challenges and continued. On 25 March 2020, the European Council unanimously concluded to start accession negotiations with Albania[1], meaning that all 27 remaining EU Member States endorsed the Commission's proposal and greenlighted accession negotiations with Albania.

On 6 October, the European Commission published the 2020 country report on countries of the Western Balkans, including Albania.[2] The reforms and progress made in the country throughout the 2019-2020 period has been reflected in this report. According to the outline of the report, Albania has delivered a great deal of results to the Albanian justice reform, as well as its improved track record in the fight against corruption and organized crime, including when it comes to cannabis cultivation and hard drugs trafficking. Finally, the report notes continued effort in other relevant issues, such as public administration reform, freedom of expression, etc. The next step for Albania's path to the EU is to hold the first Inter-Governmental Conference (IGC) with the EU, which formally which formally marks the beginning of the negotiation process.

6. Conclusions

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[1] COM (2020) 57 final, SWD (2020) 46 final and SWD (2020) 47 final, Brussels, 25 March 2020. Accessible at: https://www.consilium.europa.eu/en/press/press-releases/2020/03/25/council-conclusions-on-enlargement-and-stabilisation-and-association-process/

[2] Commission Staff Working Document, "Albania 2020 Report - Accompanying the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2020 Communication on EU Enlargement Policy", Brussels, 6.10.2020, SWD(2020) 354 final. https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/albania_report_2020.pdf.

Upholding citizen inclusion and rule of law protection are fundamental attributes of any successful democratic country. E-government tools have certainly broadened these two concept and have innovated them to the current times we live in as a society. The use of e-government aims to bring the people closer to their governmental representatives, as well as increased their momentum to participate actively to their own decision-making.

In order to further promote the design and use of e-governance, it needs to be based on the concept of citizen participation (the involvement of citizens and groups of citizens in public affairs, such as interest groups, corporations, associations and non-profit organizations). Aside from the citizens, civil society in the country is an important stakeholder in e-democracy as well. Also, young people in Albania should be the target of e-democracy in order "to attract them at an early age and engage and include them in democracy, democratic institutions and democratic processes", as they are the main testing target group for e-democracy for citizens.[1]

The revised enlargement methodology, which creates the possibility to closely monitor the progress in the region by Member States and the possibility of reversal of the accession process, have certainly created new momentum that in the case of Albania, accession negotiations will begin to carry out by the end of 2020.

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