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RENEWING THE APPROACH TOWARDS THE GUIDING PRINCIPLES OF COOPERATION BETWEEN THE THIRD SECTOR AND GOVERNANCE IN THE WESTERN BALKANS, WITH AN INTEREST IN ALBANIA'S CASE

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Abstract: *The development of the third sector in the countries of the Western Balkans, along with other sensitive issues, is at the centre of the analysis of the European integration processes of the region. Underlining the difficulties and limited contribution that civil society organizations, human rights associations, foundations, groups of expertise and social enterprises have for the advancing of democracy and the protection of citizens' rights, international organizations, and European institutions view state cooperation with third sector as an issue, which needs to be addressed. The assessment of third sector organizations guiding principles of cooperation with the government institutions is carried out through this study in a regional context of the Western Balkans literature, third sector researches and paper reports. The research design and the construction of the variables guided the data collection process in a mixed methodology, where the main inquiring instruments are the questionnaires, focus groups and documents review. The regional context of the study included a specific analysis of Albania as a distinct case in which the functioning of third sector organizations is reported to be characterized by fragmentation, incoherence and struggle to exist. The conclusions of the research call for a renewed approach to the third sector with a particular emphasis on cooperation, support and sustain from government institutions, essential for renewing of interventions, projects and strategies that promote the rule of law, human rights and democracy.*

Keywords: third sector organizations, government institutions, guiding principles of cooperation.

Introduction

Partnership and representation are the guiding and regulatory principles for the cooperation of third sector organizations with state actors in systems where governance is a guarantee of accountability, transparency and openness. The most recent document of European

Commission (EC) that underlines the European Union's perspective towards the development of the third sector, entitled "The Thematic Program for Civil Society Organizations (CSOs)", whose interventions "contribute to an enabling and accessible environment for civil society; a more inclusive CSO participation in dialogue; and, to strengthen CSO partner capacities" (EC, 2021, p. 1) includes program priorities reflecting the priorities of the EC with a focus on "[g]overnance, [p]eace and [s]ecurity, and [h]uman [d]evelopment" (EC, 2021, p. 2). Several other paragraphs of the document highlight sensitive issues that prioritize third sector development at global and national level, with particular attention to: "an inclusive, participatory, empowered, and independent civil society and democratic space in partner countries; an inclusive and open dialogue with and between civil society organisations; a better-informed and more inclusive society with a developed sense of co-responsibility for sustainable development, including addressing global challenges" (EC, 2021, p. 2).

Following the priorities of the EC and the discussion regarding the role of third sector organizations in Europe, in addition to understanding of the dimensions of contemporary literature, in the point of view of Bernard Enjolras (2018) there is a contrast linked to the absence of a "clear identity of the third sector in Europe" (Enjolras, 2018, p. 1). For the author "there is no clear-shared understanding across Europe and within the European Union regarding what exactly the third sector is and what its role is in the European public space" (Enjolras, 2018, p. 1).

The point of view of Enjolras, and the concepts of Lester M. Salamon and Wojciech Sokolowski (2018), who define the third sector on the basis of: "a) [p]rivateness, b) [p]ublic purpose and c) [f]ree choice-that is- pursued without compulsion" (Salamon and Sokolowski, 2018, p. 25) led the research to question on the guiding principles of the third sector and their function in connecting citizens with governance, decision-making and institutions in specific development characteristics of the Western Balkans and recent circumstances that influence the European perspective of each single country in the region. Underlining the concept of "[p]ublic purpose" which according to Salamon and Sokolowski (2018) "is undertaken primarily to create public goods" (Salamon and Sokolowski, 2018, p. 25), the question that the research raises is: "[h]ow to empirically analyse the request for a renewed approach to the guiding principles of

cooperation between third sector organizations and state institutions with the aim of contributing to the advancement of the role of the third sector in society?"

Starting from the conceptualizing process of the cooperation (state-third sector) guiding principles, measuring "partnership" and "representation" as two main research variables provides valuable data for an empirically based appeal for the strengthening of the third sector, in the national and regional context. The inquiring processes focus in civil society organizations, human rights associations, foundations, groups of expertise and social enterprises based in Albania, North Macedonia, Montenegro and Kosovo, where the research sample (n = 328) is composed of senior executives and practitioners with degrees in political sciences, law, social sciences, economy and finance. The research on the guiding principles of the third sector, with specific regard to the context of the Western Balkans, will provide through this study an empirical analysis for a further elaboration and evaluation of the current reality with the aim of raising awareness among state institutions, governments and public actors.

1. Rule of law, human rights and democracy— Distinguishing third sector role in the context of Western Balkans region.

Since the withdrawal of the dictatorial regimes in the early 1990s, the establishment of third sector in countries of Western Balkans was conceived as a new path to social solidarity with groups of vulnerable people, deprived of minimum living conditions. "Nations in transition" or "societies in transition" were terms reported by international organizations to highlight the weakness of the rule of law, human rights and democracies in the region.

The start of the European integration processes towards the perspective of membership in the structures of the European Union started to form a new projection of citizens' direct engagement role in decision-making processes. This new projection equipped the third sector in the countries of Western Balkans with the responsibility to build distance from the mind-set and practices of dictatorial regimes, where the government was equated with the high ranks of the power, while citizens forcefully obeyed.

In contrast, although these new instruments of freedom were important to create new paths, building active third sector organisations with clear functions in development of democracy and the protection of citizens' rights and fundamental freedoms still is considered quite absent, and an important prerogative for further achievements of the European integration processes. After more than three decades, still, the weakness of institutions, rule of law and human rights represent a permanent condition of underdevelopment in the region.

Questioning about the role that third sector organizations and the practitioners involved in it play as contributors to the strengthening of democratic institutions, various regional and international organizations find that this role is dramatically underestimated. According to the European Court of Auditors “the civil society currently does not play a sufficiently large role in policy and decision-making” (European Court of Auditors, 2022, p. 40). They consider that “[w]ith the exception of North Macedonia and to a certain extent Montenegro, where the EU delegation reports recent improvements to the environment in which civil society operates, the region's CSOs remain muted” (European Court of Auditors, 2022, p. 40), and report Albania and Serbia as countries where the consultation of civil society organizations is “ad hoc and that civil society recommendations are often ignored in the final versions of documents” (European Court of Auditors, 2022, p. 40).

In examining the economic, political and social factors that characterize the multidimensional crisis of Western Balkan societies, Visegrad Insight (2022) highlights the absence of a civil society acting to “safeguard democracy” (Visegrad Insight, 2022, p. 13). The organization specifically reports that “[t]he global trend of polarisation as a result of the culture wars intensifies in the WB, which disunites societies and decreases the ability of civil society to safeguard democracy, now seen as a ‘Western import’” (Visegrad Insight, 2022, p. 13). They also emphasize “a sense of general powerlessness and lack of agency by formalised civil society to influence politics, as an intermediary between citizens and government” (Visegrad Insight, 2022, p. 13).

Analysing the factors with a clear impact for the third sector, sometimes external and less dependent on the social dynamics of the Western Balkans, the European Court of Auditors refers to the lack of support from European Union (EU) for third sector organizations in the

region by highlighting an evidence, which “shows that EU support for civil society action on the rule of law is insufficient in meeting the needs of the sector and mostly based on short term projects. An independent evaluation on the rule of law has noted that the lack of progress correlates to, among other things, ‘inadequate participation or marginalisation of civil society’” (European Court of Auditors, 2022, pp. 18-19).

In support of this statement European Court of Auditors find reference to Transparency International which stresses to the “lack of proper consideration for the role of CSOs, in both political dialogue and financial support” in its 2018 assessment” (European Court of Auditors, 2022, p. 19).

2. Fragmentation, incoherence and struggling to exist— Features of third sector in Albania.

The third sector in Albania is one of the most underrated contributors to the progress of democracy. The Civil Society Index Analytical Country Report (2010) for Albania notes that “[a]fter independence from the Ottoman Empire in 1912, the historical circumstances did not favour the development of an active third sector in the country” (IDM, 2010, p. 5). This observation, which goes on underlining that “[t]he establishment of a communist regime after World War II, which soon became one of the cruellest dictatorships in Europe, completely dashed hopes for an active civil society or even academic discourse on the concept for almost half a century in the country” (IDM, 2010, p. 5), still, confine the conditions for the advancement of the third sector to a restriction.

Fragmentation, incoherence and the struggle for existing, as well as the absence of adequate legislation since the overthrow of the dictatorship, as the insignificant financial resources of governments, for more than three decades have prevented the civil society organizations in participating and act as strong human rights defenders against corruption, organized crime and abuses that form the darkest shadows of the Albanian reality. Civil society organizations role and functions, which have an extraordinary impact on social development

and must be in the front line of social interventions for citizens' advocacy, empowerment and action-based community movements, are weak and disorganized.

In analysing third sector in Albania, the United Nations Development Program (2020) states that “[c]ivil society does not often mobilise publicly, for example through demonstrations, and is not equipped with enough expertise and resources to objectively raise human rights concerns, engage in joint monitoring activities and report on the state's responsibility to discharge its social, economic and cultural rights obligations under international and domestic law (UNDP, 2020, p. 23).

Furthermore, the Western Balkans Democracy Initiative (2021) stresses to “a tendency of shrinking civic space and concerns of capture of civic space by politics” (Western Balkans Democracy Initiative (2021), 2021. p. 45). According to this organization “CSOs are not fully able to exercise functions of channelling citizens' concerns into policy processes. The tendency of shrinking space is problematic, because it prevents CSOs from voicing the concerns of different communities and from performing their watchdog role effectively” (Western Balkans Democracy Initiative (2021), 2021. p. 45). The Western Balkans Democracy Initiative (2021) also underlines as a major issue the presence of “politically affiliated or supported CSOs serving the government or those in power” who “seek to overshadow current civil society” (Western Balkans Democracy Initiative (2021), 2021. p. 45).

This rather severe description of the third sector in Albania continues with Freedom House's 2021 report, which considers that “NGOs have identified their non-involvement in policy-making as a main challenge to their work, alongside financial sustainability and concerns over the legal and fiscal framework for their operations” (Freedom House, 2021). Also, Freedom House highlights how the rules of the COVID-19 pandemic have been exploited to be against civil society organizations. According to Freedom House (2021) “[l]egal initiatives diminishing the independence of civil society, measures restricting the right to assembly, and the government's exploitation of the COVID-19 pandemic sharply weakened civil society and depleted civic space” (Freedom House, 2021).

3. Methodology

3.1. The design of the research

The construction of variables and of a data process by following the methodology of the exploratory study in the field focused on the statements, opinions and ideas of senior executives, members and activists of organizations, human rights associations, foundations, social enterprises and humanitarian groups, who have been engaged in intense spoken and non-verbal communication within the context of Western Balkans region.

Structuring of the research and selection of the mixed methods on which the survey instruments (questionnaires, focus groups and document review) aimed at evaluating in detail a complex data collection process that revolved around the two independent variables of the study: “[p]artnership” (1), and “[r]epresentation” (2). The constructs of two independent variables find reference to literature review as the principal guiding principles of third sector cooperation with government institutions. The dependent variables of the research are: “[t]he level of contribution of third sector organizations in ‘public good’” (1), and “[p]resent interventions to promote the rule of law, human rights and democracy” (2).

3.2. Research settings

Inquiring into the dimensions of the guiding principles of cooperation between the third sector and state actors led the research to review the regional context of the Western Balkan countries and to follow the differences that exist from one country to another. The construction and conceptualization of variables were carried out following research sampling and data collection procedures in order to conduct the analysis through empirical paths as guiding approaches to the selection of the research setting, starting from the early phases of research design. While the qualitative methods (interviews, focus groups and documents review) found sensitive ground for the regional involvement of participants from Albania, North Macedonia, Montenegro and Kosovo, the cross-analysis of the data with the exploratory questionnaire followed the one-single nation setting procedures in Albania, for logistical reasons, and carried out study research that required specific information on the local context to understand the secondary role that civil society organizations plays in providing accountability.

3.3. Research sample and inquiring instruments

The research sample is composed of 328 respondents, randomly selected to represent third sector organizations, human rights associations, foundations, social enterprises and humanitarian groups. Most of the respondents have a degree in political sciences, social sciences and jurisprudence, with more than ten years of work experience (Table 1).

Table 1. Educational qualification of respondents, and engagement time in third sector organizations

Graduation * Engagement time in third sector organizations				
Count		Engagement time in third sector organizations		Total
		Less than 10 years	More than 10 years	
Graduation degree	Political sciences	42	54	96
	Social sciences	32	78	110
	Law	31	28	59
	Economic sciences/Finance	5	37	42
	Other	10	11	21
Total		120	208	328

Source: A-Institute, 2022

The structured primary data is collected through questionnaires (Creswell, 2009), the design of which has formed ten sections of open and closed questions. Each respondent was identified, as the inquiring process was organized in individual meetings, due to the complex construct of each section.

The secondary data was collected from thirty-seven personal interviews (Kothari, 2004) and eight focus-groups (Steward and Shamdasani, 1990), where membership was divided in two groups: senior executives and practitioners in civil society organizations, human rights associations, foundations, groups of expertise and social enterprises (1) and state institutions and public administration senior executives and officers (2).

Considering advantages of the method of focus-groups and in particular that “they yield a large amount of information over a relatively short period of time” (Mack, *et al.*, 2005, p. 51) as well “accessing a broad range of views on a specific topic” (Mack, *et al.*, 2005, p. 51), each meeting was conducted with the aim of gathering information on:

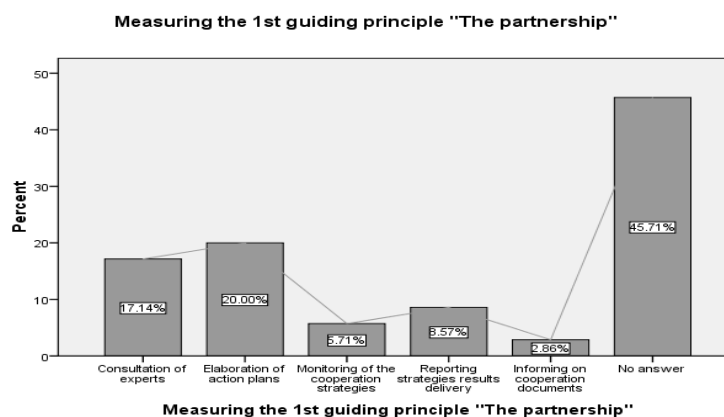
- Assessing roles, functions and responsibilities of third sector and state actors in the implementation of joint interventions for the protection of human rights, oriented by the development priorities of the integration process in the European Union,
- Knowing through direct interaction with public administration officials, as well third sector senior executives and practitioners about the role they play and concrete form of involvement in policy-making consultation processes,
- Exploring the current level of engagement of third sector practitioners in interventions involving government institutions through formal cooperation platforms,
- Understanding the influence of third sector experts on an approach to restore the role of civil society organizations in promoting the rule of law, human rights and democracy.

4. Statistical analyse and findings

The dimensions of the literature surrounding the independent variable “[p]artnership” consider that this is a guiding principle of cooperation between the third sector and government based on the direct (and productive) involvement in the process of many government institutions, third sector organizations and the public (known as representatives of the community). Feedback from the respondents on their experience of cooperation with institutions, guided by this principle was absent (45.7%) or limited in:

1. Consultation of experts during the drafting of cooperation documents (17.1%);
2. Elaboration of action plans, including roles and responsibilities (20%);
3. Monitoring of the implementation of cooperation strategies (5.7%);
4. Reporting of the meetings upon delivery of the results of the cooperation strategies (8.6%);
5. Informing State institutions, organizations and the public about cooperation documents (2.9%) (Figure 1).

Figure 1. Descriptive statistics of the guiding principle of partnership



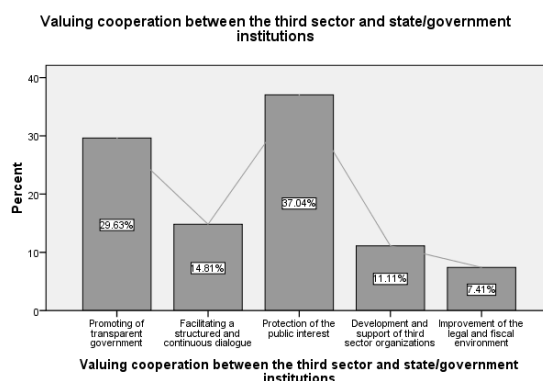
Source: A-Institute, 2022

To the question: “What do you think is the most important value of strengthening cooperation between the third sector and state/government institutions?” respondents believe that these values are linked to:

1. Promotion of a transparent government (29.6%);
2. Facilitating a structured and continuous dialogue between the third sector and public authorities (14.8%);
3. Protection of the public interest (37%);
4. Development and support of third sector organizations (11.1%);

5. Improvement of the legal and fiscal environment for the benefit of the third sector support (7.4%) (Figure 2).

Figure 2. Valuing cooperation between the third sector and state/government institutions



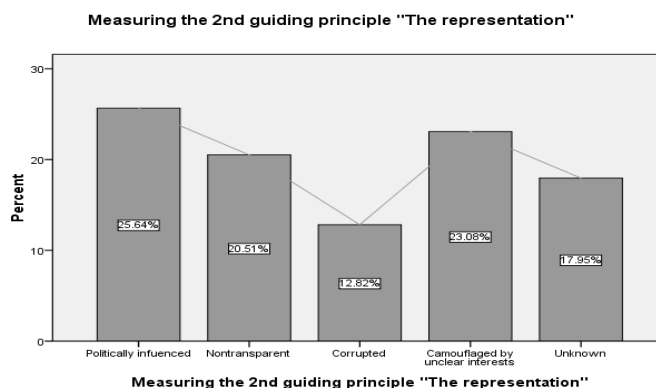
Source: A-Institute, 2022

The cross-analysis of the data with the focus groups revealed the absence of cooperation mechanisms, structures and platforms between the third sector organizations and government.

Inquiring on the guiding principle of “[r]epresentation” as the second independent variable of the study, with purpose to measure the numbered presence of authorities among third sector practitioners, selected to represent organizations in a formal cooperation agenda with different levels of governance (parliament, government, ministries or even institutions at the local level), to the question: “How do you evaluate the procedures that mandate civil society organizations to build cooperation with offices and institutions of the government?”, respondents replied considering these procedures as:

1. Politically influenced (25.6%);
2. Not transparent (20.5%);
3. Corrupt (12.8%);
4. Camouflaged by unclear interests (23.1%);
5. Unknown (18%) (Figure 3).

Figure 3. Descriptive statistics of the guiding principle of representation

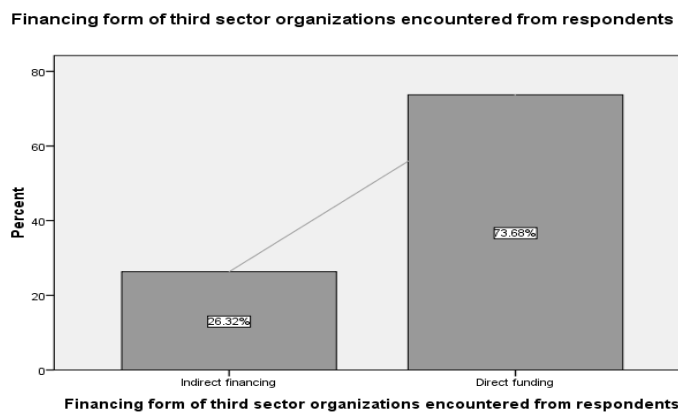


Source: A-Institute, 2022

Analysis of the data shows that 71% of respondents do not have access to funds and financial support for community development projects, interventions and initiatives. Public sector and civil society cooperation at local, national and regional level is the most limited, and to the question: “What is the most frequent form of funding for third sector organizations?” 29% of those who benefited from financial resources in the last two years replied:

1. Indirect financing (through financial facilities for organizations) (26.3%);
2. Direct funding (through grant schemes) (73.7%) (Figure 4).

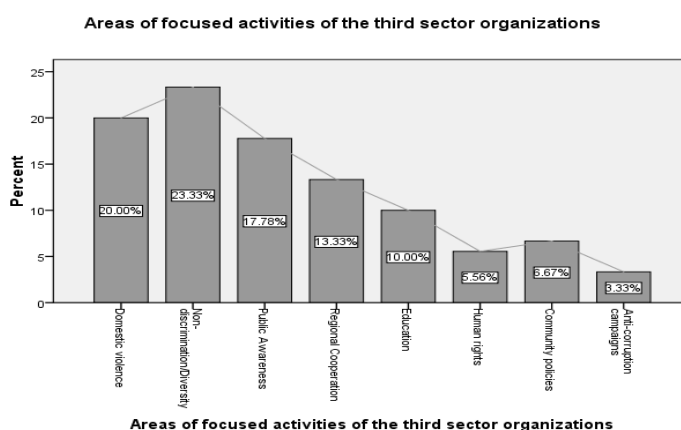
Figure 4. Financing form of third sector organizations



Source: A-Institute, 2022

As data observes, the activities in which third sector practitioners have been mostly involved in the last two years have focused on: “domestic violence” (20%), “non-discrimination/diversity” (23.3%), “public awareness” (17.8%), “regional cooperation” (13.3%) and “education” (10%). Figure 5 shows that the least commitment is related to “anti-corruption campaigns” (3.3%), “human rights” (5.6%), and “community policies” (6.7%).

Figure 5. Areas of third sector focused activities in the last two years



Source: A-Institute, 2022

5. Discussion

In reference to Almond and Verba (1963), as well as Tocqueville (2000), who consider third sector organizations as arenas for civic and political participation and as schools for democracy” (Almond and Verba, 1963; Tocqueville, 2000 [1835] cited in Enjolras and Sivesind, 2018, p. 101) Bernard Enjolras and Karl Henrik Sivesind (2018) in their analysis emphasis the thought of Putnam (1993, 2000) who according to the authors considers the third sector as a major contributor to social capital, to those bonds of trust and reciprocity without which neither democracy nor markets can operate” (Putnam 1993, 2000, cited in Enjolras and Sivesind, 2018, p. 101). The authors ask “[w]hat difference does the third sector make for

society?" (Enjolras and Sivesind, 2018, p. 96). By highlighting the "expressive role", "value guardian role", (Enjolras and Sivesind, 2018, p. 96) and by stressing the "advocacy role" (Enjolras and Sivesind, 2018, p. 96) they consider that "[t]his civil society role is an essential part of a democratic society ruled by law because the legitimacy of political power relies on public discussions, hearings and consultations with affected groups" (Enjolras and Sivesind, 2018, p. 96). By referring to these concepts as fundamental to research design and variable conceptualization, and shifting to the analysis of research results, the study focused on the reality of cooperation between government institutions and third sector organizations in Albania, North Macedonia, Montenegro and Kosovo, by inquiring on the value of the guiding principles of this cooperation in front of the realities of evidence-based research.

According to respondents, "monitoring the implementation of cooperation strategies" is a minor function for senior executives and practitioners engaged in civil society organizations, human rights associations, foundations, groups of expertise and social enterprises. Consultation processes for the definition of objectives, action plans and timelines based on the logistical organization are rare and undervalued. With regard to the elaboration of data, according to the respondents, meetings of interest groups with public administration officials, who have an important role to play in the implementation of interventions focused on the social problems caused by corruption and criminal affairs are fragmented and quite absent.

Furthermore, the correlative analysis of the data with the focus groups, the interviews and in particular with the data extracted from the examination of the documents showed that "information of state institutions, organizations and the public on the cooperation documents" is another minor function in which the principle of partnership is poorly supported. Generally, the review of central government documents and strategy papers shows the lack of guiding paradigms for third sector interventions. In particular, interventions that focus on social issues and problems are not oriented according to contemporary instances, recent literature and theories, considered as guides of the third sector, government institutions alike. This absence reflects a low level of expertise and limited attention to contemporary knowledge.

In search of the causes, the analyses of correlative data (from the quantitative and qualitative data collection instruments) show the lack of a "structured and continuous dialogue"

on which to base meaningful collaboration between the third sector and governments. The data also shows that the principle of representation is negatively conditioned by the lack of regulatory procedures, and for the procedures that already exist, respondents widely expressed the consideration that these procedures are corrupt or unfair, or not transparent. Most of the respondents, interviewees and focus groups members expressed concern that the cooperation mechanisms between third sector organizations and state institutions are disguised as unclear interests, as well as politically influenced.

6. Conclusion

The study analysed the principles that guide the cooperation between third sector organizations and government institutions through the direct involvement of the representatives of the first group, who have expressed through their opinions the gravity of the absence of formal platforms-based partnership and representation in the forums, cooperation groups and structures, which apparently aim to support this cooperation.

According to the literature, the third sector promotes citizens' participation in decision-making processes and improves the transparency and accountability of government institutions. The analysis of the data shows that the merged activities and areas of interest of the third sector are deeply conditioned by the absence of cooperation between governance and the third sector, lack of attention and a rather dramatic absence of resources throughout the Western Balkan region, but especially in Albania. This absence has a profound impact on the contribution that the third sector makes to the process of strengthening the rule of law, human rights and democracy.

While international organizations emphasize a reduced role of European structures in supporting the third sector in the Western Balkans, highlighting the case of Albania, promoting human rights, community policies and anti-corruption campaigns lack of funding and European resources. The only driving mechanisms for third sector financing through indirect financing (1) and direct funding (2) are negatively conditioned by the absence of financial support from public and non-public funds, regulated by law.

As observed by the data, most of the guiding procedures within the processes that build some forms of cooperation between government institutions and the third sector are unknown, or non-transparent and politically influenced. In conclusion, the study calls for more transparency, support and sustain for this sector and for a major awareness concerning the weakening of the guiding principles that must promote the role of the third sector organizations through cooperation with state actors, as well as improve the approaches, interventions and projects of which the public needs.

Recommendations

- *The principle of partnership is based on the mutual recognition of the functions and importance of the roles of third sector organizations and government institutions. With reference to scientific literature and analysis coming from European organizations and institutions with a focus on monitoring the European integration processes of Albania, North Macedonia, Montenegro and Kosovo, and of the Western Balkans region as a whole, the partnership of third sector organizations with institutions requires a renewed agenda and functional approach, based in formal regulatory platforms, boards and commissions.*
- *The principle of representation as a fundamental principle of the processes of setting up cooperation platforms between the third sector and governance structures, in particular in the Western Balkans region, requires transparent and fair formal procedures, where to base the representation of civil society organizations, human rights associations, foundations, groups of expertise and social enterprises in advancing democracy and in the European path of the region.*
- *The guiding principles of cooperation between third sector organizations and state institutions have a stimulating function for the operation of the third sector. The literature highlights the exceptional role of the third sector in the protection of human*

rights, freedoms and the advancement of democracy. Considering this particular point, government institutions should reprioritize and develop development and funding programs and ensure better access to resources for the third sector as starting points for public awareness interventions as well as regional cooperation and community policies.

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