Support to Territorial and Administrative Reform
Study visit of Members of Ad-hoc Parliamentary Commission and
other Albanian Government Institutions to Ireland

(30th June – 4th July 2014)

Study Tour Report

Prepared for STAR project by:
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12 June 2014
This report provides information about the Territorial and Administrative Reform Study Tour that was delivered by STAR (Support to Territorial and Administrative Reform) project between 30th June and 4th July 2014.

The report includes: background information about the study tour; the aims and objectives of the study tour; details of the study tour programme; and key learning points and observations arising out of the event;

The report also includes a number of annexes including: the study tour programme; the delegate list; and links to Irish organisations that were involved in the study tour and other useful documents/information.
Executive summary

As part of the ongoing Territorial and Administrative Reform in Albania and in response to the increased interest of the established Ad-hoc Parliamentary Commission and other governmental institutions to learn from other countries’ similar and best experiences, STAR project supported a Study Tour to Ireland for several members of the Parliamentary Commission as well as other Albanian central level policy makers.

The study tour was held between 30th June and 4th July 2014 and focused on providing delegates with a detailed introduction to the tools, systems, good practices, achievements and challenges for Local Government Reform in Ireland. The tour included presentations from governmental institutions that are closely involved in Local Government reform in Ireland, including Kilkenny, Limerick, Tipperary Local Government institutions in the South, Department of Environment, Community and Local Government and Irish Water at central level, and County Louth representatives on the border with North Ireland. The tour also provided an opportunity for delegates to exchange information about their own national reforms and experiences.

Eighteen delegates attended the study tour; and the delegation was made up of members of the ad-hoc parliamentary commission, and senior officials from other related to the reform ministries, such as Prime Ministry Office, Ministry of Finance, and Ministry of Transport and Infrastructure.

Throughout the event, delegates commented the robustness of Irish Local Government Reform and indicated that there was much to learn from the Irish experience. Delegates were particularly impressed with the detailed planning of the amalgamation and implementation processes by engaging local government officials, experts, and community representatives. Other areas that were of significant interest to delegates included: the dialogue established between different political parties for the Local Government reform, different approaches used at central and local level throughout the design and implementation phases, the support provided by the central government to the local ones and the principles used to standardise the reform process all over the country.

In concluding the Study Tour, the delegates were more able to discuss about how policy and practice in Albania might be reviewed or developed, taking into consideration the principles, tools and methods used in Republic of Ireland as far as local government reform is concerned. The visits have also informed some next steps for the Minister of Local Issues and Members of the Parliament and in particular have provided the foundations for networking and future collaboration with the Irish partners.
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Overview of study tour

This section of the report provides an overview of the study tour including: the rationale and context; aims and objectives; preparation and format; and a brief analysis of the delegates that were in attendance.

Rationale and context

Following the democratic changes that took place in Albania after 1991, a high administrative and territorial fragmentation of the country was adopted with the belief that it will contribute to establishing a more direct and stronger local democracy.

The current administrative and territorial division of Albania is stipulated in the Law No. 8653/2000 “On the administrative and territorial division of the local government units in the Republic of Albania.” This law, despite the aimed objectives and principles of the post-communist era decentralization reform, retained the territorial division of 1992, which was mainly mirroring the state organization form inherited from the communist system. This territorial division was indeed well suited to the centralized economy where the administration of territory was mainly in the form of agricultural cooperatives. However, the preservation of this structure along the decentralization reform initiated in 1998, increasingly failed to reflect the economic, social, demographic and infrastructural development after 1992. With the years, the cost/benefit balance has changed due to the massive internal migration, improvements in access, communication and technology and the expectations of citizens in terms of provision of services. However, territorial fragmentation of the country is considered as one of the major barriers for the successful decentralization reform and effective functioning of the local government system. The number of local government units is relatively high in proportion with the national territory. The first level of local governance includes 65 municipalities covering the territories of urban areas and 308 communes covering the territories of rural areas, while the second level includes 12 regions. Most of municipalities and communes at the first level of local governance are in small size and unable to provide the assigned services.

Currently, the administrative and territorial division of the country has created very small local government units in terms of number of inhabitants and with highly limited resources and assets, which has in most cases resulted in failure to carry out the functions and public services stipulated in the legislative framework, in failure to generate income from the local taxes, misuse of the budget on administrative expenses, and into an almost complete dependency from government transfers and external sources of funding. This overview of the situation in which most of the local government units are in since 10 years, places the debate on the success of the decentralisation reform into another setting, and recalls in the national political discourse the urgent need to review the current administrative and territorial division of the local government units.
Meanwhile, many other European countries have undertaken or at least have attempted to make a territorial restructuring of the local government units to address the territorial fractioning. Ireland is one of them. Representatives of the Ministry of Local Issues, responsible for carrying out of the reform, have been introduced to the Ireland case when participating in the Congress of Local and Regional authorities of Council of Europe.

On the other side, although different structures are already established and function, the fact that the territorial and administrative reform is being implemented for the first time in Albania, require for more information sharing about similar processes happening in other countries, their experiences and learning from implementation of territorial reforms.

In this context, UNDP/STAR project, considering increasing of the capacities of the Albanian partners at national level as a key factor for the successful implementation of the reform, besides other capacity building activities and enrolment of national and international expertise in advisory group, supported this study tour to Ireland, as it fits very well with the Albanian Government and STAR project objective that the reform is being perceived and implemented in line with best practices of EU countries.

East Border Region via Michael O’Brien (Vice-president of Local 7 regional Authorities of Council of Europe, was commissioned by UNDP/STAR project to co-ordinate the design and development of the study tour programme/agenda, which was held in Ireland from 30th June – 4th July 2014.
**Aims and objectives of the Study Tour**

The main aim of the study tour was to upgrade knowledge and get a better insight of Irish experience in dealing with territorial and administrative reform issues at central and local level; established structures; process design, dealing with resistance and ways of mitigation. More specifically the objectives of the study tour were to:

- Provide participants with a detailed introduction to Irish strategy and approaches, tools and systems to designing and implementing the local Government reform in Ireland;
- Showcase good practice, achievements and challenges in the area of LG Reform;
- Provide first-hand insights into the work of LG Reform in Ireland, through visits to different counties, and input from local government authorities and managers; and
- Provide participants with opportunities to network with leading Irish governmental institutions and experts in the field of LG reform.

**Preparation and format**

Preliminary work was undertaken to gather information about the needs and expectations of the delegates that were likely to be attending the study tour. This revealed that knowledge, understanding and practical experience of Local Government Reform principles, criteria, and established structures and systems would be variable and that, for some delegates at least, there was likely to be a particular interest in some specific areas namely, process followed from design to implementation phase, the kind of support provided from central to local government, the structures established to enable successful implementation, and reform affects to water and economic development.

An outline programme was prepared focusing on three interconnecting themes: Overview of National Reform process from inception to implementation, structures involved, their role and responsibilities, the reform and its impact on local authorities with a special focus on water and local economic development, and the learning environment from east border region as far as established dialogue model is concerned. Key experts (from governmental institutions with responsibility for different aspects of the Local Government Reform) were identified to deliver presentations. Dedicated time was built in to the programme for delegates to review and reflect on different themes and issues, ask questions and clarify points of detail, exchange ideas and other information about good practice, and explore opportunities for networking and collaboration.
Presentations

This section of the report provides a brief summary of the presentations provided by different experts each day of the study tour.

Tuesday, 1st July 2014

- Michael O’Brien, president of Association of County and City councils welcomed delegates to the study tour, and introduced other members of the Kilkenny County Council. He also provided a context for the study tour and explained how the objectives of the tour had been designed to support and aligns with the Territorial and Administrative Reform in Albania and different interests of the group members.

- Mr. Joe Crockett (Chief Executive of Kilkenny County Council) provided an overview of national reform process and the way the reform has impacted Local Authorities. He focused during his presentation on the Kilkenny County Council experience. He mentioned that as far as structural aspect of the reform from 34 counties they were reduced into 31. Merging has happened in Limerick, Tipperary and Waterford. At sub-county level 80 town councils were dissolved and new municipal districts of county councils were established. Out of 10 regional bodies only 3 had remained. Comprehensive territorial configuration of each county into municipal districts, based generally around principal towns. Districts were composed of local electoral areas as recommended by the Local Electoral Area Boundary Committee in its report of May 2013. In most cases the electoral area and the district were identical, but some districts contained more than one electoral area, for example, those involving “metropolitan” areas and certain counties where circumstances may warrant combination of electoral areas to form a municipal district. He also highlighted that parallel to territorial reform and reorganisation of structures, new functions regarding economic development, community/local development and enterprise support were transferred to local level.

- Then, Mr. Sean Keating (Director and change manager of Tipperary County Council) and Pat Dowling (Deputy Chief Executive of Limerick City and County Council) outlined the reform process in relation to their respective regions. Tipperary and Limerick were two of only three counties in Ireland subject to amalgamation and both saw their city councils merged with the surrounding county councils. In both cases working groups were established to explore how best to restructure local government within the respective county boundaries and the recommendation to amalgamate city and council followed reviews, studies and wide public consultations. They highlighted that a number of enabling structures were put in place to manage the transition and to ensure proper consultation. In addition a group was established to deal with staff re-organisation, a detailed Communication Plan was drawn up in the early stages of implementation, and a register of risks was compiled and an on-line risk monitoring and reporting tool was designed and supervised by the merger team. They both mentioned that cooperation of the elected members in the merger process has been critical to success. One of the remaining challenges indicated by the presenters had to do with truly unifying the
staff and elected members to operate as one entity. They concluded by highlighting that although the decision for merging was very top down, they had decided not to fight the change, but to lead and deliver it.

- Martin Prendiville (Head of Finance in Kilkenny County Council) gave a presentation on economic development function and the integration of County Enterprise Boards into the Local Authorities as local enterprise offices. He emphasised that the aim of this re-structuring was to ensure a more coordinated and cohesive development of micro enterprise in Ireland and to contribute to economic growth and job creation.

- The last presentation of the first day was provided by Thomas Byrne (Former Director of South –East Regional Authority) and focused on the reform of regional government level. He highlighted that as part of the reform 10 existing regional structures were replaced with 3 new regional assemblies in revised larger territorial units. During his presentation he also focused on the role and functions of the revised regions as well as the need for regions, although regions did not have a strong history in Ireland and appeared more as influence of European Commission.

**Wednesday, 2nd July 2014**

First half of the day was spent in the Environment, Community and Local Government Department (DECLG).

- Mr. Denis Contlan (Principal Officer in DECLG) did an overall description of the reform process in Ireland from inception to implementation, outlining the structures involved, their role and responsibilities. During his presentation he focused on the support provided by the central level (DECLG in this case) to local level in terms of the preparations for reorganisation, namely design and distribution of a guidance framework, menu preparation of the matters to address (e.g. staffing, service delivery, buildings, business process review, ICT potential, systems integration), advice on approaches (e.g. workforce planning, transition planning, coordination structures, risk management, communications, reporting). He also highlighted some of the overall outcomes of the reform at national level:
  - More rational structures
  - Fewer councillors – from 1627 to 950 – but more equitable representation
  - Stronger governance
  - New functions – reversing decline
  - Stronger funding- more self reliant
  - Greater efficiency, less administration, cost reduction, better use of resources,

- Mr Stephan Dineen (Communication Officer, Water Sector Reform Programme) did a very structured presentation of the water reform programme in Ireland, focusing on the need and benefit of the reform, reform components, challenges of the reform, and engagement with
Local Government. He highlighted that water reform was one of the largest reform programmes happening in Ireland since independence (1922). It evolved transfer of water services responsibilities from local government to national water utility, the introduction of domestic water charges and the domestic metering programme.

- Second half of the day was spent meeting with the head of EU Committee and other members of the EU committee, discussing about territorial and administrative reform of local government in both countries as one of the EU directives, as well as unconditioned support of Ireland to the EU membership process of Albania.

Thursday, 3rd July 2014

The Delegation travels up North to City of Dundalk, in Louth County Council.

- Cathaoirleach, Cllr Oliver Tully welcomed the delegation. Then representatives from both sides of the border gave an overview of their reform process, focusing on the undertaken steps, the established structures and especially the transferring powers to local level. Different from the experience in the South, the local governments that are part of the East Border Region had cooperated a lot among each other although positioned on both sides the border. Instead of turning the back to each other, they had decided to sit face to face and work together for the benefit and welfare of their constituencies. They had established a well received and known model of dialogue, which was of special interest to the delegation.

- For the second part of the day a tour of Carlingford Town was planned and an opportunity was created for the members of the group to experience very traditional Irish food and music.
**Key observations and learning points**

1. Based on feedback received, the majority of delegates appeared to benefit from their attendance on the study tour. Almost all delegates indicated that the study tour was high quality and that it had met their expectations.

2. Throughout the event delegates commented on the well designed, extended in time, and professionally implemented Local Government reform and that was much to learn from the Irish experience generally. A number of the delegates indicated that they would be interested in adopting some of the methods and tools in Albania, albeit perhaps with some adaptation to meet local needs and policy contexts.

3. Delegates were impressed with the Ireland’s success in building a common understanding of all the political spectrum and community in large about the importance of undertaking a Local Government Reform in the country. Although the process did appear somehow as top-down, all the delegates were able to sense the ownership of the process with all the Local Government representatives they met during the study tour.

4. The “Putting People First” principle that underpins the entire reform process, along with the tools and methods to ensure community participation were of significant interest to the delegates. The visit to Kilkenny, and Dundalk and the presentations given by different local government representatives were particularly helpful in learning how these LGU have been able to involve as much people as possible in the process and the appropriate mechanisms to achieving high participation.

5. Of special importance for the delegates was the time dedicated to design and implementation of the Local Government Reform in Ireland. Preparations did started in March 2011 when the reform became a key priority for the Irish Government, and only in January 2014 it was signed by the President, by becoming fully effective in June 2014. Being aware of the challenges (the existing LG structures had more than 100 years of consolidation), changing the statuesque was foreseen to be difficult and time consuming, therefore it required careful considerations, detailed planning, and extended consensus. In addition a lot of support from central government in terms of guideline and action plan preparation, and technical advice is provided.

6. “The only limit to our realisation of tomorrow will be our doubts of today”. This is how one of the presenters concluded his speech highlighting that the reform process had not been easy. They had faced a lot of difficulties and uncertainties and were aware of not solving everything. But they had learned from their mistakes and what is more important they had cooperated and communicated a lot with each other. These had been the two driving forces to success strongly recommended to the delegation.
Annex I

Terms of reference of the Study Tour to Ireland

Support to Territorial and Administrative Reform

Study visit of Albanian Government/ members of ad-hoc parliamentary commission to Ireland

Rationale of the study tour

After democratic changes took place in Albania after 1991, a tendency of territorial fragmentation of the country was observed. At that time this was argued as a natural outcome of the stronger need for democracy and more specifically local democracy.

The current administrative and territorial division of the local government units in Albania is stipulated in Law No. 8653/2000 “On the administrative and territorial division of the local government units in the Republic of Albania.” This law, despite the steps taken through the decentralisation reform, retained the fractioned administrative and territorial division of 1992, which was based mainly on the state organisation form inherited from the communist system, which operated in a centralised economy where the administration of territory was mainly in the form of agricultural cooperatives, and failed to reflect the economic, social, demographic and infrastructural development after 1992. The decentralisation reform thrived after the adoption in 1998 of the European Chart for Local Self-government, which became the milestone of the decentralisation reform but which, in terms of the administrative and territorial division, retained a highly fractioned administrative map of 385 local government units.

Furthermore, since the last large reorganisation of the local government units in 1992, the cost/benefit balance has changed due to the massive domestic migration, improvement of technology and the expectations of citizens in terms of provision of services. Meanwhile, many other European countries have undertaken or at least have attempted to make a territorial restructuring of the local government units to address the territorial fractioning.

However, territorial fragmentation of the country is considered as one of the major barriers for the successful decentralization reform and effective functioning of the local government system. The number of local government units is relatively high in proportion with the national territory. The first level of local governance includes 65 municipalities covering the territories of urban areas and 308 communes covering the territories of rural areas, while the second level includes 12 regions. Most of municipalities and communes at the first level of local governance are in small size and unable to provide the assigned services.
The issues of costs and efficiency of public services have risen to the surface and started the debate on necessary required changes. International reports observing the state of play of local governance in Albania, namely the EU Progress Report and recommendations of Council of Europe do admit the need of efficient local government units. The EU Progress Report for 2012 concludes that no progress was made with regard to local governance, reiterating the need for improvements and innovations in the functioning of local government system, increasing its efficiency and effectiveness as well as raising the quality of public services that local governments provide to their citizens.

Currently, the administrative and territorial division of the country has created very small local government units in terms of number of inhabitants and with highly limited resources and assets, which has in most cases resulted in failure to carry out the functions and public services stipulated in the legislative framework, in failure to generate income from the local taxes, misuse of the budget on administrative expenses, and into an almost complete dependency from government transfers and external sources of funding. This overview of the situation in which most of the local government units are in since 10 years, places the debate on the success of the decentralisation reform into another setting, and recalls in the national political discourse the urgent need to review the current administrative and territorial division of the local government units.

The new Government of Albania in its governmental programme sets the Administrative and Territorial Reform as a key priority in the area of the decentralisation of local government. Therefore, the Minister of State for Local Issues was appointed as responsible member of Albanian Government for conceptualising, drafting and implementation of the Administrative and Territorial Reform. With this purpose the Minister of State for Local Issues will organise the National Conference on the Administrative and Territorial Reform in Albania, on 17 October 2013, as a starting point of this process and as part of the discussion and cooperation platform with all the national political stakeholders and with the local government representatives, as well as with representatives of all the international organisations, civil society, media and other groups of interest.

The envisaged reform process pays special importance to seeking cross-partisan understanding and building alliances consensus as well as wide public consultations. The process welcomes within a given time period local solutions for voluntary mergers to ease decision making. This approach is based on the understanding that local governments should be involved as early in the process as possible in order to avoid resistance later and at the same time promote practical and realistic solutions.

The establishment of a National Working Group on Territorial Reform – NWGTR - a broad consultative body for the MLI at the central level bringing other institutional perspectives and recommendations in the shaping of the reform and helping ensuring coherence of the process content with other on-going reforms in the country. At regional level, the establishment of regional consultative committees will mirror at a certain extent at regional level the NWGTR and ensure the consultation and local perspectives and views on the reform.
Although the aforementioned structures are already established and function, the fact that the territorial and administrative reform is being implemented for the first time in Albania, require for more information sharing about similar processes happening in other countries, their experiences and learning from implementation of territorial reforms.

UNDP, considering increasing of the capacities of the Albanian partners at national level as a key factor for the successful implementation of the reform, besides other capacity building activities and enrolment of national and international expertise in advisory group, is supporting this study tour to Ireland, as it fits very well with the Albanian Government and STAR project objective that the reform is being perceived and implemented in line with best practices of EU countries.

Why Ireland?

• More advanced compared to Albania with designing and implementation of Territorial and Administrative reform:
  • Similarities to Albania in terms of the state of affairs in the past and changes/ progress made with decentralisation process, and territorial and administrative reform;

Objectives of the study tour

• Participants gain a better insight and knowledge of Irish experience in dealing with territorial and administrative reform issues at central and local level; established structures; process design, dealing with resistance and ways of mitigation;
• Members of the group get to know each other in a different environment and establish good working relations

Issues to focus on:

In relation with the objective of the study tour, the following issues will be in the focus:

• Description of the whole process, step by step from the reform formulation to implementation of the reform;
• To get information on the structures which are in charge for all the above mentioned steps in the process, their roles and responsibilities;
• How the cooperation between political parties is ensured; between national and local governments and horizontally with other interested institutions and organisation?
• How much the reform affected the decentralisation process? What about election process? If yes what were the measures/steps undertaken?
• What are some of the learning drawn from the reform implementation process? What could be the advice to Albania?
• Get information about the guidelines developed for the transition period.

**Whom to visit?**

The following are believed to be of interest:

• meeting with representatives of the parliament/commission members from majority and opposition, in case a similar ad-hoc commission established for the reform
• meeting with ministry/ and or structure responsible for the design and implementation of the territorial and administrative reform in Ireland;
• meeting with other representatives from other line ministries in support of the reform/ their role in the process;
• meeting with civil society organisations clarifying their role in advocacy and lobbying for reform issues;
• meeting with media representatives getting information about their played role
• meet any donor agency representative in the country supporting the reform and post reform process
• field visit to a region where there have been a successful implementation of the reform
• field visit to a region where problems were encountered;

**Time and duration of the study tour:**

The ideal time to organize the study tour would be June- July 2014. The number of days planned to spend in the country is three days, excluding travelling days, that depending on the schedule and the number of the arranged visits.

Participants (and their obligations)

A good representation of ad-hoc parliamentary commission members is essential for the success and follows up of the study tour. Upon return in the country, the Albanian delegation will:

• Write a report describing the information and experience obtained abroad, providing recommendations on those practices that can be adopted in Albania and indicating the way they intend to implement them.
• Share the findings with the other members of the parliament and others interested.
Annex II

LIST OF PARTICIPANTS
STUDY TOUR TO IRELAND, 30 JUNE – 4 JULY 2014

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<th>No.</th>
<th>Name Surname</th>
<th>Institution</th>
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<td>1.</td>
<td>Mr. Bledar Çuçi</td>
<td>Minister of State for Local Issues</td>
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<td>2.</td>
<td>Mrs. Eridana Cano</td>
<td>Director of the Cabinet</td>
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<td>Minister of State for Local Issues</td>
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<td>3.</td>
<td>Mr. Enea Hoti</td>
<td>Advisor to the Minister of State for Local Issues</td>
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<td>4.</td>
<td>Mr. Artur Kurti</td>
<td>Team Leader Regional Coordination/STAR Project</td>
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<td>5.</td>
<td>Mrs. Falma Bulbul</td>
<td>Director of Communication</td>
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<td>Prime Minister Office</td>
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<td>6.</td>
<td>Mr. Artur Metani</td>
<td>Director of Legal, Programme Monitoring and Anti-Corruption Department</td>
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<td>7.</td>
<td>Mrs. Blerina Gjylameti</td>
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<td>8.</td>
<td>Mr. Musa Ulqini</td>
<td>Parliament Member</td>
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<td>Mr. Namik Kopliku</td>
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<td>Mr. Andrea Marto</td>
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<td>12.</td>
<td>Mr. Armando Subashi</td>
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<td>Mr. Perparim Spahiu</td>
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<td>Mr. Arian Korpa</td>
<td>General Director of Standards and Monitoring</td>
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<td>Ministry of Transport and Infrastructure</td>
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<td>Director of Budget</td>
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<td>Ministry of Finance</td>
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<td>18.</td>
<td>Mrs. Anila Shehu</td>
<td>UNDP/Support to Territorial and Administrative Reform (STAR) project manager</td>
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