



## Democratic Evolution in Albania in the Aftermath of Candidate Country Status

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### Abstract

*The integration process in the European Union, being the major national goal, is the political action that leads the agenda of every Albanian government since 1992 up today. Being aware on the importance of integration process as the most efficient way towards the path of fast democratization, governments have undertaken concrete steps in the opening of accession negotiations. The integration process is in a very significant momentum which dictates dialogue and partnership. Every country that has set as a goal the EU integration, should respect the integration criteria's or as known the 'Copenhagen criteria's', on the basis under which the European Commission deliver the opinion in regard of every application. These criteria's are defined during the European Council of Copenhagen in 1993 and accomplished during the European Council in Madrid in 1995. These are political criteria's such as : stability of institutions which guarantee democracy, rule of law, human rights and respect and protection of minorities; economic criteria's such as the existence of an efficient economy, capacity to challenge competition pressure and internal market forces of the EU; the opportunity to take responsibilities which derive by law and policies of the EU ( *acquis communautaire*). Stability, peace and the integration of the Western Balkan countries en block, play a fundamental role for the present and the future of Europe. Over the years, it has become more evident the necessity to strengthen the EU policies against countries of this region. Considering the geographic position of Albania in the Mediterranean and its importance in oftentimes weak spots within the region, it deserves a special attention by the European institutions. Since the candidate country's status up to now, Albania has reached a moderate progress in terms of democracy shifting from a hybrid regime to a flawed democracy. Flawed democracy countries reflect a bold weakness in democratic terms, among others an underdeveloped political culture, low participation in political life and issues concerning governance. Civil rights are still problematic especially when it comes at media censorship or in attacks against country opposition.*

**Keywords:** Integration Process , European Union , Democracy

### 1. Introduction

Albania decided to officially submit an application to become a member of the European Union on April 24, 2009. Albania submitted an application for membership to the European Union and was given the designation of 'candidate country' in

June 2014. In July 2022, the first intergovernmental conference between the European Union and Albania was held.<sup>1</sup>

On the 9th of November, 2010, the European Commission released a statement expressing their opinion on Albania's request for membership in the European Union. Before the official start of negotiations it was estimated that Albania would need to reach a certain level of compliance with the membership criteria, particularly the 12 main priorities that had been identified in its opinion. Public administration reform must be prioritized, including completing the necessary steps, and a justice reform strategy must be adopted and applied. The fight against organized crime must be increased and a strong history must be created in the fight against corruption. Furthermore, the protection of the rights of citizens should be improved. Back in October 2012, the European Commission proposed to award Albania with candidate country status, as long as it concluded the main measures for the reform of justice and public administration and for the revision of the parliamentary regulation. On June 2014, Albania was officially granted the status of a candidate country by the European Union.<sup>2</sup>

## **2. Membership Negotiations<sup>3</sup>**

In April 2018, the European Commission issued a recommendation for the commencement of accession negotiations with Albania. The Council made a decision in June 2018 to acknowledge the progress made by Albania and clear the path for accession negotiations to commence in the month of June 2019. The Council highlighted the importance for Albania to keep making advances in key areas such as justice reform, the fight against corruption, and the struggle against organized crime.

On the 24th of March, 2020, the Ministers of European Affairs gave the political approval to the process of opening accession negotiations with Albania and North Macedonia. The agreement was officially ratified through written documentation and given the go-ahead by the European Council in the days to come.

## **3. Membership Conference Meetings<sup>4</sup>**

When the process of accession negotiations begins, negotiations are conducted at a specific intergovernmental conference, which is also known as an "accession conference", and includes ministers and ambassadors from the EU member states and the country that is candidate for the negotiations. Negotiations are taking place on 35 different policy areas, known as 'chapters'. Meetings for this purpose can be held by the ministers or by other representatives that may be appointed. On July 19th, 2022, the first intergovernmental conference between the European Union and Albania was held.

## **4. Stabilization and Association Process**

The Western Balkans partners have all now concluded their Stabilization and Association Agreement which defines the general framework of the relationship between them and the European Union. This agreement, which is distinct from the EU membership negotiations, is a fundamental element of the Stabilization-Association Process, the policy the EU has implemented for the benefit of the Western Balkans. Ratification of the Stabilization and Association Agreement of Albania was completed and came into force on April 1, 2009.

## **5. EU-Albania Association Stabilization Council<sup>5</sup>**

In the EU-Albania Stabilization-Association Council, representatives from the European Union and Albania come together to reflect on and review the progress of the Stabilization-Association Process between the two parties. Since the beginning of this year until March 2023, 12 meetings of the EU-Albania Stabilization-Association Council have already taken place. During the last meeting in Tirana on March 16, 2023, the attendees discussed the EU's criteria for membership, which includes politics, economics and legal aspects, as well as revisited the advancements made in the

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<sup>1</sup> <https://www.consilium.europa.eu/it/policies/enlargement/albania/>

<sup>2</sup> Council of the European Union, "Council conclusions on Albania, general affairs council meeting", Luxembourg, 24 June 2014.

<sup>3</sup> Council of the European Union, "Enlargement and stabilisation and Association Process" Brussels, 26 June 2018. 10555/18

<sup>4</sup> Council of the European Union, Jan Lipasky, "Intergovernmental Conference at Ministerial level on the Accession of Albania"19. July 2022

<sup>5</sup> Council of the European Union "EU-Albania Stabilisation and Association Council", 16 March 2023

implementation of the Stabilization-Association Agreement.

## 6. Annual Assessment of Progress Made <sup>6</sup>

Every year, the Council produces and adopts conclusions regarding the enlargement, stabilization and association process assessing the development and improvement made by all of the Western Balkan partners, as well as Turkey, in terms of their journey towards European integration. In December 2022 the Council adopted its latest conclusions, in which it welcomed the holding of the first Intergovernmental Conference in July 2022, highlighting the progress that Albania has made in the pursuit of the EU reform agenda and the successful attainment of tangible and sustainable results.

The Council expressed appreciation for the progress that Albania has made in regard to the rule of law, particularly in the form of an extensive reform of the justice system and increased efforts in combating corruption and organized crime. The Council also strongly suggested that Albania should increase its efforts to build a reliable record of managing high-level corruption.

The Council asked Albania to take concrete steps to secure freedom of expression and to ensure that property rights are established and maintained in an open and transparent way.

After obtaining the candidate status, Albania has been granted certain simple rights in terms of its democracy, which are not as difficult to obtain as other countries due to the pandemic created by Covid 19, which has caused democracies around the world to become more restricted due to the restrictive measures taken by governments to protect the lives of their citizens, even if that means limiting basic rights and freedoms.

Two international organizations, Freedom House <sup>7</sup> and The Economist <sup>8</sup>, have contrasting opinions on the current state of democracy in Albania with Freedom House labeling it as a hybrid regime and The Economist referring to it as a truncated democracy (flawed democracy). Despite the slight modifications in their democratic indicators such as political culture, which is still quite regressive, and the lack of political freedom followed by political participation, in the past year we have observed a constant decrease in voter turnout, which currently stands at 38%.

The report highlights that, although the governance at the national level in Albania is democratically structured, it is heavily influenced by party politics that is based on clientelism. Elections are usually intense and highly competitive, however, they are sometimes tainted by the illegal practices of vote-buying and vote-rigging, as well as other irregularities. In the same way, the report assesses that civil society is somewhat engaged in debate and public interest, however it suffers from a lack of resources and a lack of proper inclusion in policy consultation, which is legally mandated.

"Freedom House", in their report, have stated that the media in Albania is not completely independent and there is a certain level of oversight of the work of those in public office, however, most media owners use their media platforms to influence government and political parties. Local government is often viewed as a representation of democracy, but it is severely underfunded and not well equipped to provide necessary services to the citizens.

The judiciary has been under a process of verifying the integrity of its members since the beginning of 2020, and to ensure that this process is complete, it will continue to do so until the end of 2024, meaning that it can only function partially in the meantime. From the first stages of the vetting process, anticipations have been that the justice system will be more efficient and independent, yet the report expresses that it has not yet demonstrated concrete evidence that it is carrying out its duties independently.

During the last administrative elections, it was observed that foreign delegations accredited in Tirana through various civil society organizations have undertaken informative sessions and provided various trainings on the significance of the political integrity of political parties and candidates for mayor and municipal council, so that political power would be exercised in a manner that is consistent with the public interest.

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<sup>6</sup> Council of the European Union, Mikuláš Bek "Council conclusions on enlargement and stabilisation and association process", 13 December 2022.

<sup>7</sup> Freedom House "2023 Albania Country Report", <https://freedomhouse.org/country/albania/freedom-world/2023>

<sup>8</sup> The Economist "The world's most, and least, democratic countries in 2022" <https://www.economist.com/graphic-detail/2023/02/01/the-worlds-most-and-least-democratic-countries-in-2022>

## 7. Conclusions

Ever since the fall of communism, Albania has viewed European integration as a way to be liberated from corrupt practices, criminal activities and the absence of democratic freedom. Every government has recognized the significance of European integration and made it a top priority on their political agenda. From that point onward, Albania has recognized the need for permits to meet the criteria outlined in the Copenhagen agreement to be accepted as a member of the European Union, yet there is still a significant amount of work to be completed. Following the approval of the political, economic and related criteria, Albania has been allowed to start negotiations with the European Union, propelling their integration process to a higher and more labor-intensive stage. International leaders have granted Albania the opportunity to establish a democratic system and have supported them in their efforts to uphold political integrity.

In a lot of countries, inadequate oversight, balances and the rule of law allow for corruption to become wide-spread and be integrated back into the system, making it increasingly hard to separate public from private interests. Private groups have seen a great chance to wield influence over the decision-making processes in certain political spaces, particularly those with a large proportion of profit. Through this, the financial interests of the group are being put ahead of the public good. In the worst of cases, a state's entire governing system can be taken control of and used as a means to advance the ideals and goals of a particular group. The distinction between state and private interests serves to maintain political integrity and reduce the risk of grand corruption and state capture, thus underlining the importance of separation between governments and private interests. To limit the potential influence of private entities and to avoid corruption, it is important to create mechanisms that bring political decision-making closer to the public interest.

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