

Albania on its Way to the European Union

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The European Dream of almost all the former communist countries has had deep roots in their historical past, but it began to cherish as a dream of a real future after the Copenhagen Summit of 21-22 June, 1993, defined the criteria for membership of these countries in the European Union. After this official announcement of the political decision of the European Union to enlarge itself with former communist countries, most of these countries started processes that would bring them at different speeds either into EU or closer to it. Today, eight former communist countries have already become members of the EU (Estonia, the Czech Republic, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia) and the two of them have recently become associate members (Bulgaria, Romania). Albania, which had for long suffered in the harshest and the most isolated communist regime and started the democratic revolution under the students' slogan "We want Albania to be like the Western Europe", would necessarily embark on the road into the European Union.

Key words: Albania, SAA, EU membership

1. Introduction

All the political parties of Albania, even the former communists, declare in their party programs that accession to the EU is their strategic goal. In 1992, after the establishment of the first democratic government, a Trade and Co-operation Agreement was signed between the EU and Albania and Albania has become eligible for being funded under the PHARE program. This agreement marked the first concrete step of Albania towards the European Union.

In May 1999, in the wake of the armed conflicts in the former Yugoslavia and armed riots in Albania, the European Union, with a clear intention to support the creation of an area of peace, stability and economic development, launched the Stabilization and Association Process (SAP) for Albania, Bosnia-Herzegovina, Croatia, Macedonia and Serbia Montenegro. This process was also aiming at their rapid accession into EU. This process offered mechanisms for common efforts of the EU and West-

ern Balkan countries on their way to the EU by signing Stabilization and Association Agreements (SAA), at the end of that process. The European Council of Copenhagen of December 2002 confirmed the European perspective of the Western Balkan countries as potential member countries.

On January 31, 2003, the European Union officially launches the negotiations for a SAA between the EU and Albania.

Until now, only Croatia and Macedonia have signed their Stabilization and Association Agreements. Out of the rest of the countries, Albania has been making efforts, now for two years, to prepare for the signature of its Stabilization and Association Agreement with the EU, but the process has slowed down due to the government incapacity to meet repeated demands of the EU on many important issues.

At the Thessaloniki Summit of June 2003, the European Partnership Document (EPD) was proposed as a strategy of the EU for the five Western Balkan countries. European Partnership was a new step by that Summit aiming at intensification of the Stabilization and Association Process. This new

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document aims at completing the Stabilization and Association Agreement which, as the experience of the five countries had already shown clearly, was not sufficient to make them eligible for the EU accession. This document would also help in identifying the priorities and goals of the countries on the way to meet the standards of the European Union, as well as a measure of progress for each of the five countries. European Partnership is also a guide of the EU financial support for the Western Balkan countries. European Partnership is an evolving document depending on the concrete fulfillments of each country.

To Albania, an European Partnership Document was proposed, on June 17, 2004.

In response to this document, on August 31, 2004, the government of Albania approved the National Action Plan (NAP) which is an implementation of the European Partnership Document launched by the European Union in order to make the Agenda of Thessaloniki for the Western Balkans more concrete.

2. Content of the Albanian National Action Plan for the Implementation of the European Partnership Document¹

National Action Plan of Albania is a document identifying the main priority reforms to be implemented in order to make progress in the Stabilization and Association Process of Albania, and to meet the EU criteria for signing the Stabilization and Association Agreement.

European Partnership has been drafted according to the recommendations of the European Commission annual reports and the Consultative Task Forces (CTF).

In general, the European Partnership Document helps in meeting the following criteria in each of the five Western Balkan countries:

- * Strengthening of the democratic institutions, protection of human rights and minorities and rule of law
- * Creation of framework for regional stability and political dialogue between the countries
- * Establishment of standards for an effective and progressive free exchange area between countries
- * Development of economic prosperity into full market economy

- * Strengthening of the regional cooperation
- * Cooperation in the area of justice and home affairs in view of an area of freedom, security and justice
- * Development of administrative capacity building in order to face the obligations when the countries become EU members

Based upon the above mentioned EU general objectives, the Copenhagen criteria established since the year 1993 and the concrete priorities for Albania, the National Action Plan is focused upon three main pillars: political situation, economic situation and European standards.

In this general context, the National Action Plan also refers to eight priority areas:

- * Democracy and rule of law
- * Human rights and protection of minorities
- * Regional and international cooperation
- * Market economy and structural reforms
- * Management of public finances
- * Internal market and trade
- * Sector policies
- * Cooperation in justice and home affairs

In more concrete terms, the priorities of the National Action Plan of Albania are:

2.1. Political priorities:

- * Good functioning of the democratic institutions in view of a clearer division of power between them.
- * Improvement of the public administration performance and its capacity building in order to face the obligations of the EU accession.
- * Decentralization of the local government in order to bring the state institutions closer to the citizens.
- * Improvement of the functioning of the Parliament
- * Implementation of the decisions of the Constitutional Court
- * Organization of the free and fair elections
- * Strengthening of the judiciary against political influences and corruption in order to assure its independent operation.
- * New measures against corruption in the state institutions in general.
- * Improvement of the system of education.
- * Improvement of the respect of human rights and the rights of minorities.

2.2. Economic priorities:

- * Sustainability of the indicators of the macroeconomic situation, such as growth rate, inflation, prices and other improving indicators.
- * Improvement of the positive business climate in order that small and medium size enterprises grow and the production increase.
- * Development of the land market and reorganization of small farms.
- * Creation of new jobs and reduction of social problems through a national strategy of employment and vocational training.
- * Completion of the law on the restitution of private properties.
- * Gradual privatization of the strategic economic sectors of the state.
- * Improvement of the public finances management.

2.3. European standards:

- * Free movement of goods in view of having more high quality products and higher capacity of competition in trade.
- * Modernization of the customs and increasing the capacity of fighting against fiscal evasion.
- * Reforms of the tax system and the stimulation of businesses.
- * Strengthening of the free and fair competition and creation of the legal framework for the state subsidies.
- * Improvement of the public procurement procedures.
- * Completion of the legal framework for the intellectual property.
- * Improvement of the environment situation.
- * Adjustment of the health service to the standards of the EU.
- * Encouragement of the rural development.
- * Development of the energy sector.
- * Development of the telecommunications services.
- * Improvement of the road infrastructure.
- * Improvement of the border control, cooperation in the area of migration, police and fight against organized crime, illicit trafficking, money laundering and terrorism.
- * Adoption of the *acquis communautaire*.

So far, Albania has received the comments and suggestions of the European Commission about its National Action Plan, sent to the Albanian government, on January 24, 2005 and has made the relevant adjustments. In general, among the suggestions it's

worth mentioning the need to respect the implementation deadlines, inclusion of some benchmarks in order to measure the expected quantifiable results, inclusion of accurate and realistic estimates of the financial resources needed to implement the tasks, consideration of the gender perspective in the whole document, etc.

More specifically, the remarks of the European Commission were linked to the effectiveness and timely preparation of the next parliamentary (July 3, 2005) and local elections (Autumn 2006), by implementing the OSCE/ODIHR recommendations following the 2003 local elections, the respect of human rights and right of minorities, free market economy and structural reforms, internal market and trade, etc.

The National Action Plan of Albania will serve as a monitoring instrument of the Council of Ministers, the Parliament, the EU, and other institutions for the progress towards the EU, as well as a guideline for the financial assistance of EU to Albania through CARDS and other programs.

3. Institutional Framework of the Stabilization and Association Process of Albania

The state institutions dealing with the Stabilization and Association Process, are the Council of Ministers, Ministry of European Integration, other Ministries, Inter-ministerial Committee for Integration (the highest body for the management and monitoring the integration), Parliament, Parliamentary Commission for the Integration, Joint Structures EU-Albania (Joint Consultative Task Force EU-Albania, Joint Working Groups EU-Albania on Specific Issues, Joint Committee EU-Albania), Civil Society, Media, Academic Circles, etc.

The ministries and responsible institutions report to the government and the European Commission by sending three-monthly reports on the ongoing work, in view of the fulfillment of the EU criteria. Also, the EU Commission prepares periodic reports which assess both the progress made and the problems to be resolved.

Albanian Parliament is watching the EU integration process in general and the negotiations on the Stabilization and Association Agreement in particular with a high sensitivity. Several debates in the plenary sessions have been organized so far, on the initiative of the opposition parties, to consider the progress made and the problems to be fixed.

The Parliamentary Commission for the Integration has a more specific role and a closer watch

on the EU integration process. This commission was established some years ago as an ad hoc commission and now it has changed into a permanent parliamentary commission.

All the state institutions and the civil society have been working for years now to make the public aware of the benefits and responsibilities Albanian citizens will have from the accession of their country into the EU. A lot of publications, press conferences, public lectures, workshops and conferences have been organized to this aim. A website is also created by the Ministry of Integration (www.mie.gov.al). Various specific magazines and numerous newspaper articles have been published so far and will continue to be published.

The process of the Stabilization and Association of Albania in preparation for the EU accession is very closely monitored by the European Commission. To this purpose, many rounds of negotiations between the EU and Albania have taken place in the past two years, starting from January 31, 2003, when EU officially opened the negotiations with Albania. These negotiations are held every six weeks, according to what has been decided, and they are organized so as to have one round of political negotiations combined with two rounds of technical negotiations. Up to now, Albania has had more than twenty rounds of negotiations altogether, out of which four political rounds, nine technical rounds and eleven meetings of the Consultative Task Force EU-Albania.

These negotiations should have ended and the Stabilization and Association Agreement signed if there had been no slow-downs by the Albanian government caused by the incapacity of the latter to implement the obligations of the Stabilization and Association Process. For the time being, there is not any defined time limit for these negotiations to end. The only clear idea in terms of time is that these negotiations between Albania and the EU will end when all the obligations are met, when, also, the agreement is signed.

The negotiations still go on with Tirana. The Commissioner for External Relations, Chris Patten said, a few months ago, "I see no prospect of concluding these negotiations in 2004".

4. Achievements of the Stabilization and Association Process of Albania

Despite the problems and the evident slow-down of the Stabilization and Association Process, Albania has also made progress.

Indicators of this progress in the last year are: increase of the GDP (up to 6%), increase of the agricultural production about 3%, increase in the production of the energy by 56%, decrease of inflation (3.3%), decrease of the foreign debt to 8.5% of the GDP, increase of the GDP per capita to 1600 euro, slight reduction of the unemployment, reduction of the flow of the illicit trafficking of human beings on Adriatic and Ionian seas, approval of the agreement EU-Albania on the repatriation of the immigrants, continuation of a constructive policy in the region, approval of new Electoral Code, increase of the role of the President of Albania for the cooperation between the political parties, approval of the law on the control of public officials' wealth, approval of the new Code of Ethics, various improvements with regard to the content and implementation of the law on Civil Service, establishment of the Court of Heavy Crimes, improvements of the execution of the judicial sentences, approval of the new Code of Family, approval of the strategy for the improvement of the standard of life of Roma minority, approval of a series of free trade agreements with the countries of the region, privatization of the Savings Bank of Albania and the progress with the privatization of other state enterprises, increase of the bank deposits by Albanians and foreigners, approval of 42% of the European standards as Albanian standards, decrease of the migration flow of people, approval of new law on competition, signing of the European Charter of Small Enterprises, evident improvements of parts of the road infrastructure, further liberalization of the system of visas with some countries in the region, increase of the cooperation with the neighboring countries, better management of the borders, improvements of the court infrastructure, etc.

Besides the above mentioned indicators of some achievements, there are also a lot of other good changes in EU integration process in Albania.

The government has compiled a National Strategy for Social Economic Development (NSSSED), and a National Strategy for the Reduction of Poverty.

The European Commission has continued to financially support Albania through the CARDS programs. E.g., on January 25, an agreement of 15 million euro was signed for the CARDS 2004 Neighborhood Program for the Western Balkans. For the entire period 2001-2006, the financial support of CARDS Program reaches at 278, 4 million euro. In general, this program is the principal financial instrument for attaining the objectives of the EU integration process of Albania.

Other financial assistance programs are the financial macroeconomic assistance for the state

budget of 25 million euro, decided by the EU Council on April 29 of this year and the approval of the participation of Albania in 25 community programs.

The promotion of the transparency in the Stabilization and Association Process might be considered as another important achievement. The Ministry of Integration is committed to play a bigger role in making the process transparent. Besides the previously mentioned website address, a Strategy on the Information and Communication with the Public was compiled as well and an agreement with Tirana University was signed on a range of issues concerning the public information on European affairs.

With regard to the text of the Stabilization and Association Agreement to be signed when the European Commission considers Albania to be ready, it is almost entirely negotiated except its final 29 articles, these being mainly linked to technical questions.

Another significant achievement may be considered the continued good will and action of "Albania in pursuing an intensive policy of regional cooperation. Albania cooperates regionally in three main directions: first, in developing friendly ties by strengthening good neighborly relations based upon resolving the problems that might arise through good understanding and peaceful means as well as in cooperation for security; second, in the area of the economy in order to jointly face the various challenges, especially the poverty, social stresses and environmental problems; third, in further democratizing of our societies and fighting all the negative phenomena relative to illicit trafficking and organized crime and corruption"².

5. Serious Problems of the Stability and Association Process of Albania

Despite the progress made, Albania has also very serious problems on its way to EU. In general, the Stabilization and Association Process has been characterized by the lack of sustained reforms, very slow progress, political instability, high rates of corruption among state officials, flourishing informal economy, drug trafficking and money laundering, organized crime and its links with politics, high rate of unemployment, incapacity to implement the laws, incapacity to organize free and fair elections, etc. The fact that most of the unfulfilled tasks suggested by the EU working groups are repeatedly previous unfulfilled tasks should be considered as a serious matter.

All these problems exist in the context of a tough political climate between the ruling parties and

the opposition, mainly because of the evident lack of political will on the side of the government to address serious issues of the Albanian development. The evident facts of this lack of will are the reiterated remarks of the EU representatives on the Albanian officials as breakers of their official promises. So, another serious problem is the very fact of the existing gap between the official written engagements towards the EU and the continued breach of those engagements.

On January 18, 2005, the new Commissioner for Enlargement, Dr. Olli Rehn, in his address to the European Parliament Foreign Affairs Committee, said referring to the achievements in the EU enlargement process: "I am very concerned over the prevailing political climate in Albania. I am afraid that that will even endanger the next elections. And without a correct election process, this signing of the Stabilization and Association Agreement with the EU is out of discussion"³

Again, in the eleventh EU-Albania Consultative Task Force meeting of February 24, 2005, the main issues were the parliamentary elections of 2005 and some issues of human rights and minority rights. In the joint draft recommendations documents one may read among other things: "Albania is aware that next parliamentary elections in 2005 will be a key test for Albania's aspirations to come closer to the EU. These elections must meet international standards. Failure to do so will represent a serious setback for Albania's expectations to conclude a Stabilization and Association Agreement with the EU. ... Albania should take all necessary steps to address the technical issues identified in the framework of past elections. However, Albania should be aware that addressing technical solutions may not be sufficient for the proper conduct of the elections. In order to succeed, the Albanian political parties should demonstrate full political will to implement the law and to achieve fully democratic elections in accordance with international standards"⁴.

On May 10, 2005, the twelfth meeting of the EU-Albania Consultative Task Force will take place in Brussels and again the main issues of this meeting will be elections 2005, justice and home affairs, human rights and minority rights.

Considering both achievements and problems Albania faces on its way to the European Union, it is believed that Albania's accession to the EU would take a rather long time, except for the probable fact that the EU itself might take a political decision to enlarge in the Western Balkans in spite of the progress made in the criteria fulfillment process.

6. The Challenges ahead

On February 9, 2005, the President of the European Commission, Jose Manuel Barroso, said during a meeting with the Albanian Prime Minister, Fatos Nano: "... I have to be honest with the Prime Minister and with the public in Albania. If international standards in the elections are not respected we cannot go as far as we wish in our relations with Albania; that is why we are urging Albania. I do not want to compare it with other situation outside Europe, because eventually Albania will ask for membership, and we have very high standards in Europe regarding elections, so this is why we urge Albania to reach an agreement which is compatible with the highest standards"⁵

The parliamentary elections to take place on July 3, 2005, in Albania, are extremely important for a number of reasons, such as: continued international warnings on the indispensability for these elections to be free and fair as a condition for the Euro-Atlantic integration of Albania; imperative need of Albania to make a major change in the governing of its future development after eight years of problematic and corrupted governments; need to sever the

links between organized crime and politics in the region.

These elections are also very delicate for other reasons, as well, such as: fear of the ruling political parties to face the justice on their various illicit actions after a possible defeat in the elections; huge amount of money to be used by the dirty businesses close to the ruling parties in trying to corrupt the electoral process; recently renewed political will of the socialist party of Albania to make efforts for winning a third term in governing the country by winning the parliamentary elections, what, normally, should not happen; firm resolve of the opposition voters to protect the electoral process, sustained serious defects with the voters lists (even four years after the last parliamentary elections and one and half years after the last local elections the voters' lists are almost equally problematic) that might have direct impact on the voters' behavior on the day of elections.

Taking into account what has been mentioned above; these coming parliamentary elections are real challenge for Albania and its future. They are being considered as the primary corner stone of the Euro-Atlantic integrations for Albania.

NOTES

1 The content of this section is mainly based upon the Guide on the Action Plan in implementation of the Priorities of the European Partnership, published by the Ministry of European Integration of Albania.

2 Security Sector Governance in the Western Balkans 2004, DCAF, Nomos Verlagsgesellschaft, Baden-Baden, p. 137.

3 Newsletter of the Delegation of the European Commission to Albania, Issue no.4, p. 2.

4 Eleventh EU-Albania Consultative Task Force meeting of February 24, 2005. Joint Draft Recommendations, p. 1.

5 Newsletter of the Delegation of the European Commission to Albania, Issue no. 4, p. 3.