



## Key findings of the 2023 Report on Albania

Brussels, 8 November 2023

As regards **political criteria**, regular local elections on 14 May 2023 were conducted in a generally calm manner. Observers assessed them as well-administered, competitive and with the participation of key political actors. Concerns relate to the misuse of state resources, claims of pressure on public sector workers and voters, and allegations of vote buying. A low turnout of only 38.2% was registered. The political scene continued to be marked by political polarisation, against the background of persistent deep divisions within the largest opposition party. Parliamentary oversight of the executive remained limited. In March 2023, amendments were adopted with a large majority that strengthen the consultative role of Parliament in the accession negotiations process. Delays and politicisation of the appointments of the Ombudsperson and of the new Anti-Discrimination Commissioner weaken these independent institutions. Under the coordination of the chief negotiator and the newly reformed EU negotiation structures, Albanian institutions have mobilised significant resources to engage actively in the screening process and to prepare for the next steps of the accession negotiations. While putting EU-related reforms at the centre of its legislative and policy planning, the government needs to refrain from measures that are not in line with EU standards. The government also needs to engage in stronger public communication on the EU accession process. While civil society is generally free, shortcomings negatively impact the ability of civil society organisations to contribute to policy processes. The role of civil society, including in the EU accession negotiation process, needs to be strengthened.

Albania remains moderately prepared in the area of **public administration**. The new strategies on public administration reform and public financial management reform have yet to be prepared and adopted. The reorganisation of roles and responsibilities within the Office of the Prime Minister is still ongoing. Provisions on merit-based recruitment in the Civil Service Law are not consistently applied, especially at senior management level. Significant efforts were made on the digitisation of public services, but it remains crucial to ensure equitable access to services for citizens with limited digital skills or limited access to IT equipment. Increased attention is also required on digital security and protection of personal data, especially following the cyberattacks in 2022 and a number of data leaks.

Albania has a moderate level of preparation on the **functioning of the judiciary**. The implementation of the justice reform continued, resulting in good progress overall. The appointments to the Constitutional Court have been completed with all nine judges now in office, of whom eight with full nine-year mandate. The Specialised Structure against Corruption and Organised Crime (SPAK) achieved further results, and a new Chief Special Prosecutor was elected in December 2022 after a sound process. The efficiency of the judicial system and access to justice continued to be affected by the long timescale of proceedings, increased workload and high backlog of cases, which remains particularly high in appeal and first instance courts. Progress was made in addressing judicial vacancies through the swearing-in of 40 new magistrates in October 2023. The temporary evaluation of all judges and prosecutors (**the vetting process**) has continued to advance at a satisfactory pace. By 6 October, 57% of the vetting dossiers processed had resulted in dismissals, resignations, or termination of mandate. In June 2023, the Special Court of First Instance against Corruption and Organised Crime sentenced the former Head of the Constitutional Court to 6 months in prison for false declaration and concealment during the vetting process. Albania must ensure that criminal procedures are systematically initiated against judges and prosecutors whose vetting process revealed criminal elements. The case management system and the judicial training system need improvement to further increase efficiency and professionalism across the sector. Positive actions have been taken towards increasing the relevance of the continuous training programme in the reporting period. Some progress was made on the case management system, particularly with the establishment of the interoperability working group and the adoption of the interoperability framework setting the basis for the roll-out of the system.

Albania has some level of preparation in the **fight against corruption**. Despite some progress and continued efforts in fighting corruption, it remains an area of serious concern. SPAK bodies have conducted investigations in a number of high-level cases, ordering several arrests and convictions in

a number of high-level cases. Overall, corruption is prevalent in many areas of public and business life and preventive measures continue to have a limited impact, particularly in vulnerable sectors. Increasing the number of final convictions at a high-level remains an important priority to further tackle the culture of impunity. Further efforts are needed to ensure due judicial follow-up in vetting cases where there are indications of criminal offences. The institutional capacity of the Anti-Corruption Directorate-General in the Ministry of Justice needs to be further strengthened and the composition of the Ethics Commission needs to be revised. The sectors most vulnerable to corruption require targeted risk assessments and dedicated actions.

Albania has some level of preparation in the **fight against organised crime**, with a continued good level of cooperation with EU Members States and EU agencies. More efforts need to be made in the fight against illicit drugs, including through an increase in the capacities of the law enforcement authorities. Following the adoption of a law on cannabis production for medical and industrial purposes, Albania needs to ensure that mechanisms are in place to effectively prevent cannabis from being diverted to unintended use. Progress that has been achieved with the seizure and confiscation of assets linked to organised crime must continue. Efforts also need to continue to ensure an increase in the number of prosecutions and final convictions, especially in high-level cases, and to establish the asset recovery office. Countering cybercrime, money laundering and preventing and combatting trafficking in human beings remain areas in which additional results are needed. All forms of child sexual abuse online should be criminalised and prosecuted. Progress was made on the implementation of the Moneyval recommendations, and of the Financial Action Task Force (FATF) Action Plan. Albania remained on the FATF list of jurisdictions under increased monitoring due to its draft Voluntary Tax Compliance (VTC) law (including a criminal amnesty). Following the draft law's withdrawal, in June 2023 FATF decided to propose an on-site visit, which took place in August and led to Albania's delisting in October 2023. Nevertheless, Albania should ensure that any future VTC law (including potential criminal amnesties) complies with the EU *acquis* and international standards. The track record on money-laundering and high-level corruption cases remains insufficient, and financial investigations need to be further developed.

On **fundamental rights**, efforts at implementation of the legal and policy framework need to be intensified. Progress was made on the use of alternatives to detention. There was some progress on the rights of persons with disabilities, as concerns biopsychosocial assessment. The process of first registration of property and other transitional processes need to advance in full transparency, including by tackling corruption. On the protection of national minorities, the adoption of the remaining implementing legislation did not advance. Furthermore, Albania needs to put in place strong legal and institutional safeguards to prevent further breaches of personal data.

Albania is in between some and moderate level of preparation in the area of **freedom of expression**. Limited progress was made. The intersection of business and political interests, the lack of transparency of sources of finance, the concentration of media ownership, intimidation and precarious working conditions continued to hamper media independence, pluralism, and the quality of journalism. The atmosphere of verbal and physical attacks, smear campaigns and intimidation lawsuits against journalists has not improved.

The application of gender-responsive budgeting continued to improve. Since January 2022, the Albanian government has implemented a range of measures aimed at supporting families, women and girls, and vulnerable groups, as a response to the crisis caused by the COVID-19 pandemic and Russia's war of aggression against Ukraine. The economic assistance to victims of domestic violence has been increased significantly. The implementation of the law on gender equality and of the national strategy for gender needs to be further intensified.

The legal framework on **migration** is largely aligned with the EU *acquis* but needs updating in line with developments on the EU side. Albania has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans. It concluded a revised Frontex Status Agreement in September. In 2022, there was a 34% reduction in the number of irregular migrants entering Albania compared with 2021. No progress was made in referrals and access to asylum procedures and shortcomings in the return procedures remain. Albania should take concrete steps to address the needs of unaccompanied minors and align its visa policy with that of the EU. Although the number of asylum applications lodged by Albanian nationals in EU Member States and Schengen-associated countries remains lower than the pre-pandemic level, it increased again in 2022. Continuous and sustained efforts are still needed to address this phenomenon.

On the economic criteria, Albania has between a moderately and good level of preparation on **developing a functioning market economy** and made some progress in addressing last year's recommendations. The economy showed resilience and GDP growth remained strong in 2022, despite the economic fallout from Russia's war of aggression against Ukraine. Albania is at level of

preparation **to cope with competitive pressure and market forces within the EU** and made some progress on structural reforms in the energy market, transport infrastructure, the digitalisation of the economy and education outcomes, though significant gaps with regional and European levels remain.

On **public procurement**, Albania is moderately prepared and has made some progress, in particular through an increased use of the most economically advantageous tender award criteria. On **statistics**, Albania is moderately prepared, and made some progress in further aligning with standards of the European System of National and Regional Accounts (ESA 2010) and in steps to strengthen the role of the Institute of Statistics. Albania is moderately prepared in the area of **financial control** where some progress was made, in particular with the updates to the legal framework on internal control and internal audit and the implementation of the policy document on the strengthening of public internal financial control and continued to target internal audits on arrears.

Albania is moderately prepared in most areas of the **internal market**, namely free movement of goods, services and capital, financial services, and competition policy. The same applies to company law and intellectual property law. Some progress was made on intellectual property rights and on free movement of family members of EU citizens as well as on financial services. However, no progress was made on competition policy, where the State aid Commission still lacks operational independence. Preparations are at an early stage on consumer and health protection, where the country made limited progress. Some progress was also made on free movement of capital, which led to the country's removal from the FATF list of jurisdictions under increased monitoring.

Albania has achieved a moderate level of preparation in many areas linked to **competitiveness and inclusive growth**, namely taxation, enterprise and industrial policy, social policy and employment, education and culture and the customs union. The same holds true for the digital transformation and media, where the country made good progress, including by joining the Digital Europe programme in June 2023. Albania has some level of preparation in the fields of science and research. The country reached a moderate to good level of preparation in economic and monetary policy, as the governance and monetary policy of the Bank of Albania were appropriate and effective in dealing with the crisis caused by Russia's war of aggression against Ukraine; more efforts are required regarding its independence. With limited progress made on the customs union, more efforts are also required in pursuing the fight against smuggling, corruption, and imports of counterfeit products.

As regards the **green agenda and sustainable connectivity**. Albania has some level of preparation in the areas of transport, trans-European networks, environment, and climate change, and it has a moderate to good level on energy. Progress is noted on the reform of the day-ahead and intra-day electricity markets, on renewable energy auctions and in developing transport and regional energy networks. Further efforts are needed on renewable energy and on energy efficiency. Albania ratified its participation in the Union Civil Protection Mechanism and is active in it. On the environment and climate, further efforts are needed on water and waste management, environmental law enforcement and nature protection. This cluster and the reforms concerned have significant links to Albania's economic reform programme, the Commission's economic and investment plan and the green agenda for the Western Balkans. Albania needs to address strategic investment planning, and the implementation and monitoring capacity of infrastructure projects.

Albania has some level of preparation in most areas linked to **resources, agriculture and regional policy and cohesion**, namely agriculture and rural development, veterinary and phytosanitary policy, and financial and budgetary provisions. There is a moderate level of preparation in fisheries and aquaculture as well as on regional policy. Some progress was observed in most areas covered, notably with adoption of the Law on wine and regarding administrative capacities for the instrument for pre-accession assistance for rural development programme (IPARD III). Further efforts are needed in regional policy particularly on administrative capacity and coordination between central, local and municipal levels and on financial and budgetary provisions.

Albania has a good level of preparation as regards **external relations, foreign security and defence**. On external relations, Albania made some progress, further aligning its legislation with the EU *acquis* on preventing trade in certain goods that could be used for capital punishment and torture. As regards the EU common foreign and security policy, Albania maintained full alignment with all relevant EU decisions and declarations during the reporting period. As a non-permanent member of the UN Security Council since January 2022, Albania continues to be actively engaged in promoting and defending the rules-based international order as well as Women, Peace, and Security.

## Key dates

**June 2003:** The EU-Western Balkans Thessaloniki Summit confirms the EU perspective for the

Western Balkans.

**June 2006:** The EU-Albania Stabilisation and Association Agreement is signed.

**April 2009:** The EU-Albania Stabilisation and Association Agreement enters into force. Albania submits its application for EU membership.

**November 2010:** The European Commission issues its Opinion on Albania's application for EU membership, including a set of 12 key priorities to be fulfilled in view of opening of accession negotiations.

**December 2010:** Visa-free travel to Schengen area for citizens of Albania.

**June 2014:** The European Council grants Albania candidate status for EU membership.

**April 2018:** The European Commission recommends that the Council decides that accession negotiations be opened with Albania in light of the progress achieved, maintaining and deepening the current reform momentum.

**June 2018:** The Council sets out the path towards opening accession negotiations with the country, depending on progress made.

**May 2019:** The European Commission recommends opening accession negotiations.

**February 2020:** Revised methodology, presented by the Commission, to drive forward the enlargement process with a stronger political steer and in a more credible, predictable, dynamic way.

**March 2020:** The European Council decides to open accession negotiations with Albania.

**October 2020:** The European Commission adopts an Economic & Investment Plan to support and bring the Western Balkans closer to the EU.

**May 2021:** The European Commission informs the Council that Albania has met the remaining condition to be fulfilled prior to the holding of the first Inter-Governmental Conference of accession negotiations.

**July 2022:** First intergovernmental Conference on accession negotiations (IGC) – the analytical examination of the acquis (“screening”) starts.

**July 2023:** The European Commission submits to the Council the screening report on the Fundamentals cluster, including benchmarks for opening accession negotiations on this cluster.

**November 2023:** The Commission adopts a new Growth Plan for the Western Balkans.

## For More Information

[Albania Report 2023](#)

[2023 Communication on EU Enlargement Policy](#)

[Albania\\_2023 Enlargement Package Factsheet](#)

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