



Weekly Briefing

Albania external relations briefing:

Albania opens accession negotiations with the European Union: a milestone and an outset

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Summary

On July 28th, 2022, the main square of the capital of Albania was lit with celebratory lights, music, and triumphant slogans. Thousands of citizens participated in the event called and organized by the Prime Minister's office. One of the causes for this grand celebration was the opening of accession negotiations with the European Union, 16 years after the signing of the Stabilization-Association Agreement. Indeed, it is a milestone that calls for enthusiasm because Albanians have been waiting long enough for this day. Nevertheless, it seems too early to celebrate because this is the start of the real testing ground for Albanian authorities, namely the screening process.

Introduction

On July 19th, 2022, in the building of the European Council, Prime Minister (PM) Edi Rama, received the approval of the Union for the official opening of accession negotiations. This means the start of a technical process that will require the Albanian state administration and all the Albanian legislation to be aligned with the legislation of the European Union (EU). The European Commission (EC) will launch teams that will be attached to the state administration in Albania, where they will control such laws and their implementation. With the alignment of these laws, chapters will be opened and closed in accordance with the performance of each sector.

What does this event mean for Albania?

Since Albania changed its political system in 1991, a lot has changed socially and economically but the political compass of orientation in foreign affairs has neither changed nor fluctuated. The country does not have a “plan B”, other than European integration and ultimately full membership. EU membership goals for Albanians have evolved with the years, and lately, it has become more of a pragmatic path to follow rather than an aspirational course of mainstream thought. For citizens, the final objective of this path is to have Albania in an institutional, economic, and political environment similar to other countries of the EU.¹

In order for Albania to get there, the first phase entails a rigorous screening process to

¹ Dervishi, L. (2022, July 18). Hapja e negociatave, maratona e radhës drejt BE-së. Available at <https://www.balkanweb.com/hapja-e-negotiatave-maratona-e-radhes-drejt-be-se/>

see how well aligned it is with EU law or the *acquis communautaire*. This is divided into 35 negotiating chapters, grouped into six clusters, covering every legislative aspect, which individually only can be closed with the unanimous approval of all EU member states. The 35 chapters² of EU accession vary from the free movement of goods, capital, and services; to agriculture, food, energy, education, transport, finances, justice, freedom, defense... and so on. There is hardly any aspect of governance that is not applied in the *acquis*.

The main question remains, how prepared is Albania to negotiate chapter by chapter? – The experience of other countries that have followed this path demonstrates that it is not an easy task. For example, Croatia had about 1000 experts/negotiators for the entire process, in Albania, there is not even a list of 100 experts available. The timing between the opening of a chapter and its closing is relative and depends more on Albania than on the EU. If we analyze further similar paths in a timeline approach, it can be noted that chapter-by-chapter negotiations can take less than three years (as in the cases of Lithuania, Latvia, and Slovakia). Alternatively, it may take less than five years (Poland, Estonia, Slovenia, Bulgaria, and Romania). Or it may take less than 6 years (Croatia) but it may also take more than 10 years and there is no end in sight as seems in the case of Montenegro and Serbia that "opened negotiations" in 2012 and 2014, respectively.

Taking into consideration the local reality of Albania, experts argue that it may take at least another decade or so. No certainties can be given at this point because a lot can happen in a decade or more. Time is relative and one thing is for sure, the “homework” of translation, absorption, and application of the chapters is quite a task for the Albanian government.

What is next on the agenda?

*Negotiations are opened, but how and when will they be closed?*³ Asks and Albanian editorial piece on their front page... indeed, there are more questions than answers after this milestone. July 19th is more of a day of deep reflection, for everyone, but especially the Albanian political class on both sides. The opening of negotiations with the EU has already lost much of its "magic", inspiration, and seductive power for several reasons. The very long time it took to get to this day is accompanied by social and individual fatigue. If other countries joined within 15 years of submitting the official request, Albania has spent the same amount of time just to open the negotiations talks! Furthermore, unlike before, when these

² European Commission, Chapters of the Acquis. European Neighbourhood Policy and Enlargement Negotiations. Available at https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/conditions-membership/chapters-acquis_en

³ Argumentum (2022, July 20). *Negociatat u çelen, por si dhe kur do mbyllen?* Available at <https://www.argumentum.al/negociatat-u-celen-por-si-dhe-kur-do-mbyllen/>

negotiations lasted a maximum of 5 years, and even though theoretically this remains unchanged, practically there are no more dates and deadlines, not even indicative or approximate. Their pace will not be determined any longer by technical negotiators than by the positive progress of Albania's internal reforms. EU practices have changed radically after the adoption of the European Commission's new Enlargement Methodology on February 5th, 2020. This methodology, which aims to increase the credibility, political direction, dynamism, and predictability of the processes, emphasizes more conditionality and control at every stage of all 35 negotiating chapters. Consequently, if a country does not follow its commitments in a certain area, the Commission has the right to block them indefinitely, as well as to give a negative opinion on certain chapters, stopping works until the defects are repaired. That is why the EU has not agreed to mark any deadline but to be content with only mentioning the "European perspective".

Are there hidden costs for this milestone? Last but not least, some in the country argue that the price to pay is too high. What is not being told by the government to the Albanian public opinion is the strange condition set in the Negotiating Framework for Albania's accession to the EU approved on July 19th, in the chapter "Leading principles of negotiations", in point 5, in article 3. In this article, it is stated: "*Albania's commitment to resolving any border dispute according to the principle of peaceful settlement of disputes in accordance with the UN Charter and the UN Convention on the Law of the Sea, including if necessary the mandatory jurisdiction of the International Court of Justice*". Even though Greece is not mentioned, it is more than clear that it is about the sea agreement, which Greece is trying to impose on Albania at any cost. Albania officially has no border disputes with any country bordering it. The only claim is that of Greece, which insists on dictating the acceptance of the harmful sea agreement signed with Greece by the Albanian government in 2009 but rejected by the Albanian Constitutional Court one year later. For some local experts, Greece is using its EU member state card to force Albania to pay for its European integration with major territorial concessions. Seen in perspective, the issue of including the Greek condition in the EU's Negotiating Framework takes on an alarming character and puts Albania in front of a big dilemma. Is the advancement of EU accession talks worth it at the high cost of granting maritime space to Greece? Will this Greek condition become the price of our EU membership?⁴ Only time will tell what the real price for this milestone is, meanwhile, Albanians are called to celebrate and enjoy the win.

⁴ Murati, Sh. (2022, July 20). Kurthi grek në Kornizën Negociuese të BE për Shqipërinë. Available at <https://gazetadita.al/kurthi-grek-ne-kornizen-negociuese-te-be-per-shqiperine/>

Why now? – This is a question many have been asking in Albania since it seemed that all hopes were lost for any kind of advancement in the EU accession path. Needles to argue that the return of traditional warfare on European soil might have sharpened minds across EU capitals and talks of enlargement reignited again as Ukraine, Moldova, and Georgia all swiftly put in their own bids to join.⁵ Within weeks, Ukraine and Moldova were given candidate status; something took Albania and other Western Balkans (WB) hopefuls years to secure. At the EU-Western Balkans summit in June, PM Rama vented frustrations at the lack of progress. Nevertheless, it was not the frustration of the Western Balkans that made this happen, most probably it is the need to contain and maintain non-EU states of the WB under the good grace and Brussels, its influence, and orbit. Whatever the case is, Albanians are taking the win, hoping it will not take decades to achieve what they have been longing for, full membership status.

Conclusion

July 19th is a historic day for Albania as a state and its institutions. It is said that for an institution and state, three decades is a little amount of time, but for an individual and a generation, three decades is what makes for the most important of a lifetime. This delay failed many generations of Albanians, who fled the country never to return. It is only hoped that this step towards the EU of 2022 will benefit the young generation in the country and push them not to lose hope and make Albania their European home.

The long-awaited opening of accession negotiations is indeed a moment for celebration, but mostly it should be a moment of introspection. It is good to enjoy a win, but celebrations should not mean euphoria. Medals are not awarded when in the first step of the marathon or at its half route, but when one reaches the finish line. The finish line for Albania is full membership in the EU, and the marathon is far from over.

⁵ Tidey, A. (2022, July 19). 'Historic moment': EU opens accession negotiations with Albania and North Macedonia. Available at <https://www.euronews.com/my-europe/2022/07/19/historic-moment-eu-opens-accession-negotiations-with-albania-and-north-macedonia>