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‘THE HURDLE RACE’ TO EU MEMBERSHIP

*Is Albania a laggard
and why?*



'THE HURDLE RACE' TO EU MEMBERSHIP

Is Albania a laggard and why?

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Abstract

The policy paper assesses Albania's progress toward EU membership, both in terms of institutional relations and the degree of fulfilling the European standards. In the analysis of this policy paper, we note that Albania's progress towards EU accession is not only laggard but also limited, mainly due to the country's political polarization and its low administrative capacity.

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INTRODUCTION: 'THE HURDLE RACE' TO EU MEMBERSHIP

The Zagreb Summit in 2000 laid the ground of the European Union's (EU) enlargement policy towards the Western Balkans (WB). Unlike the 'Big Bang' approach in Central and Eastern Europe (CEE), the enlargement policy towards the Western Balkans has as its core element, the individual membership of each of the Western Balkan countries. 'The Individualized Approach'¹ intends the achievement of EU membership based on the individual merits of the progress achieved by each candidate country. The aim of this 'regatta approach' is to stimulate constructive competition among the countries in the region and help identify best practices.² Almost after 20 years from the European perspective, the enlargement policy has not changed much. It is a continuation of the gradual and slow access to membership, based on enhanced conditionality and a greater focus on the rule of law and the additional monitoring mechanisms. However, creating a variety of complex requirements and focusing on individual states' priorities has made EU membership an elusive moving target where the most problematic countries will have to overcome greater obstacles for joining the EU. Today, 'racing' for EU membership has been extensively prolonged depending on the progress of each candidate country, a fact which is reflected in the degree and the type of contractual relations of those countries with

¹ "the Union proposes an individualized approach to each of these countries" (of the Western Balkans). See: European Commission (2000) "Zagreb Summit Final Declaration, Zagreb.

² Marciacq, Florent (2015) "EU Enlargement in troubled times? Adapting to new realities and drawing lessons from democratisation failures", ÖGfE Policy Brief 39, Vienna, pg. 4.

the EU. All countries in the region are at different stages of European integration. Croatia is the only country in the region, which is an EU member state since July 2013. Meanwhile, Montenegro and Serbia are in accession negotiations, Macedonia and Albania are candidate countries, while Bosnia-Herzegovina and Kosovo are still potential candidate countries. Moreover, even within a modality, the Western Balkan countries represent different speeds of advancement in meeting with the European standards.

Albania is part of the group of the laggard countries to EU membership, since the progress in meeting EU conditions has been limited and delayed compared to most other countries in the region, despite the fact that Albania was not being involved in the violent conflicts of ex-Yugoslavia and there are no fundamental political disputes, such as the case of Macedonia on the name issue, the non-recognition of Kosovo as an independent state from five EU member states, or the deep political and institutional crisis of the state of Bosnia- Herzegovina. Various scenarios have been presented by different scholars and experts about the possible dates of Albania's membership in the EU. 10 years ago, the experts estimated based exclusively on the analysis of internal factors that in the worst possible but most likely scenario, Albania could not become a member state before the year 2020.³ A

recent study analysing the national capacity of candidate countries (adaptation costs and administrative capacities) to fulfilling the membership criteria, finds that Albania will face difficulties in meeting the requirements of aligning legislation with that of the EU, and they foresee that the country, as well as the most problematic countries of the Western Balkans, could not be an EU member states before 2050.⁴

So where does Albania really stand in the membership race to joining the EU, compared to other countries in the region and also in different time-periods? How long it will take for the country to overcome the different stages of the integration process, and what is the level of compliance with the European standards? What are the main causes that affect the performance of Albania and how we can draw best practices to improve the process? These are the questions that we will address in this occasional policy paper. Despite assessing the situation and the factors influencing it, in addition to the domestic country's conditions, we should also consider the EU's approach to enlargement policy or the developments within EU itself and its member states. Here we will focus mainly on the domestic factors, this is because the analysis and assessment of the current policy of enlargement in the Western

³ Vurno, Gjergji (2008) "Relations of Albania with the EU", Paper prepared in the Framework of the Project: 'Integration Perspectives and Synergic Effects of European Transformation in the Countries Targeted by EU Enlargement and Neighborhood Policies', Center for EU Enlargement Studies, Budapest.

⁴ Böhmelt, Tobias and Tina Freyburg (2017) "Forecasting candidate states' compliance with EU accession rules, 2017–2050", *Journal of European*

Public Policy. Other analyses are more optimistic with regard to the time the country will join the EU, however, with regard to the progress achieved, Albania is closer to Bosnia-Herzegovina than countries like Montenegro and Serbia. See: Jay, Tom (2016) The race for EU membership: Enlargement is not high on the EU's agenda, but that isn't stopping its would-be members, *POLITICON*, December.

Balkans has been carried out by other studies.⁵

“AT A SNAIL’S PACE”: THE PROGRESS OF THE CONTRACTUAL RELATIONSHIPS IN THE DIFFERENT STAGES OF THE EU ACCESSION PROCESS

After delays due to Albania’s difficulties in guaranteeing political stability and implementing reforms, the negotiations for the Stabilization and Association Agreement (SAA) with Albania were officially launched on 31 January 2003 and concluded in June 2006, making Albania the third country of the Western Balkans to sign an SAA with the EU. The SAA came into force on 1 April 2009, and on the 28 of April 2009, Albania formally submitted its application for EU membership, despite the appeal and persistence from the EU officials, including the Enlargement Commissioner, to Albanian government for not submitting the application before the country’s general elections, since further progress towards the European integration process depended on the development of free and fair elections.⁶ In his opinion on Albania’s application, the European Commission noted that before the membership negotiations were opened, the country still had a lot of work to do in order to achieve a sufficient degree of compliance with the membership criteria. Thus, the Commission recommended that the negotiations will be opened as soon as the country fulfilled the 12 key priorities

identified in the Commission’s Opinion.⁷ Following the two successive ‘NOs’ in 2010 and 2011, the European Commission recommended in October 2012 the conditional status of the candidate country, if Albania fulfilled key measures in the area of justice, public administration reform, and the completion of the revision of the parliament’s rules of procedure. On 16 October 2013, Albania was finally given the green light by the European Commission for candidate country status, because it noticed that the recommendations were mostly fulfilled. The European Council has taken into account this recommendation of the European Commission and granted the candidate status to Albania in June 2014. Currently, the opening of the accession negotiations depends on Albania’s further progress in five key priorities, namely public administration reform; strengthening of the independence, efficiency and accountability of the judiciary; the fight against corruption; the fight against organized crime; and the protection of human rights. In its latest report, in November 2016, the European Commission recommended that EU member states should consider the opening of EU accession negotiations with Albania when credible and tangible progress has been achieved in implementing the justice reform adopted in July 2016, and in particular the re-evaluation of the judges and prosecutors (the vetting process).⁸

⁵ See e.g. Balkans in Europe Policy Advisory Group (2014) “The Unfulfilled Promise: Completing the Balkan Enlargement”, Policy Paper, May.

⁶ Balkan Insight (2009) ‘EU Welcomes Albania’s Application: European Commission has welcomed Albania’s application for EU membership’, April.

⁷ European Commission (2010) Commission Opinion on Albania’s application for membership of

the European Union, Brussels, 9.11. 2010, COM (2010) 680, pg.11-12.

⁸ European Commission (2016) “2016 Enlargement Package: Credible enlargement process key to driving transformation and anchoring stability in Southeast Europe”, Press release, Brussel, November.

Table 1: The Stages of EU Membership and the Status of EU- WB Countries Relations

Status	States	Stages							
		The Opening of negotiations for SAA	Signing SAA	The entry into force of the SAA	Application for EU Membership	Granting the status of EU Candidate Country	Opening of the EU accession Negotiations	Closing of the EU accession Negotiations	Accession
Member State Country	Croatia	April 2000	October 2001	February 2005	February 2003	June 2004	October 2005	June 2011	July 2013
Accession Country	Montenegro	September 2006	October 2007	Maj 2010	December 2008	November 2010	June 2012	--	--
	Serbia	October 2005	April 2008	September 2013	December 2009	Mars 2012	January 2014	--	--
Candidate Country	Albania	January 2003	June 2006	April 2009	April 2009	June 2014	--	--	--
	Macedonia	Mars 2000	April 2001	April 2004	Mars 2004	December 2005	--	--	--
Potentially Candidate Country	Bosnia-Hercegovina	January 2006	June 2008	June 2015	February 2016	--	--	--	--
	Kosovo	October 2013	October 2015	April 2016	--	--	--	--	--

Source: European Commission.

From the above table on the stages of the EU membership and the status of the EU relations with the WB countries, we note that the avant-garde countries in the EU integration process have had a shorter time, of about one year, to pass from one stage of the process to the other. Meanwhile, in the case of Albania, the transition to different phases of the accession process takes more time. In the case of the negotiations for the Stabilization and Association Agreement, the process lasted three and a half years,

almost three times more than in the case of Croatia, Macedonia, or Montenegro. For Croatia, Montenegro, Serbia and Macedonia⁹ the time from the application until the status of the candidate country and then for the opening of the accession negotiations the time needed was one to two years, whereas in the case of Albania, it took five years from the date of the formal application to the granting of the candidacy status. Today, more than 3 years have passed and the accession negotiations have

⁹ In the case of Macedonia, the start of membership negotiations, is among other things due to the dispute with Greece over the name issue. Dimitrova, Antoaneta L. (2016) The EU's Evolving Enlargement Strategies: Does Tougher

Conditionality Open the Door for Further Enlargement?, No. 30, June, "Maximizing the integration capacity of the European Union: Lessons of and prospects for enlargement and beyond" (MAXCAP), pg. 13.

been postponed with still no date when Albania could start the negotiations with the EU. If we see the progress in the contractual relations at different stages of the accession process, we notice that Albania is moving at a much slower pace than most of the other countries in the region, although Albania has been in the 'pole position' in the early '90s, as the first country from the region which signed in May 1992 the trade and economic cooperation agreement with then-European Community.

REASONS FOR TIME DELAYS

Albania should have been in the group of the countries that should have advanced towards EU membership, but due to the extreme domestic political polarization, the country has not given priority to the European agenda.¹⁰ The slow pace of the contractual relations towards EU accession has been and continues to be mainly due to the domestic political polarization and lack of cooperation.

If referring to the Bertelsmann Transformation Index (BTI), the party system in Albania is characterized by a moderate polarization level, which is deepening lately.¹¹ In Albania, during and after the elections, a tense political polarization has been observed, characterized by conflicting approaches,

constant boycotts, mutual accusations, animosity between political groups, thus making it difficult or almost impossible to discuss and negotiate on the country's primary European integration issues, and as a consequence the progress towards EU membership has been consistently hampered. This situation is often reflected in the communications and reports of the European Commission, which assess that in Albania "political polarization remained high [...]" and as a result "hindering both political dialogue and technical processes".¹² Moreover, in a letter that the President of the European Commission sent to the Prime Minister of Albania, stresses that "the path of [the] country will indeed require constructive cross-party dialogue and cooperation".¹³

In most cases, the opposition in Albania, from all political wings, has played indirectly a deterrent role in advancing the European integration process and often it has taken drastic measures through boycotting the process. This has been seen as the only way to impose on the arrogant attitudes of the government. EU has been playing a decisive role in mediating and reaching agreement between the parties, this has been the case of the European Parliament's intervention in 2010 to end the boycott of the Socialist Party, or

¹⁰ "Executive Summary" in Jacques Rupnik ed. *The Western Balkans and the EU: 'the hour of Europe'*, Chaillot Paper, EU Institute for Security Studies, Paris, June 2011, pg. 9

¹¹ Section 5.1 for the party system assesses whether there is a viable party system capable of articulating and representing social interests, given the level of polarization. A rating of less than 4 indicates high polarization, values 4 to 7 show moderate polarization and a higher rating of up to 10 presents the low polarization of the party system. The Party System in Albania in 2006 is assessed with 7 and

afterwards until 2016 with 6, indicating a polarization increase of the party system with 1 point. See: BTI database <https://www.bti-project.org/>.

¹² European Commission (2016) Albania 2016 Report, Brussels, 9.11.2016, SWD (2016) 364 final, pg.7.

¹³ The letter that President Juncker sends to Prime Minister Rama, date 03.07.2017, in Oliphant, Vickie (2017) EU to replace Britain with ALBANIA? Juncker launches big push for full membership, www.express.co.uk, 4 July.

in 2014 to end the 5-month parliamentary boycott of the Democratic Party.

Both the opposition and the government are careful in their public pronouncements. They accuse each other of not fulfilling the European agenda, because none of them want to be identified in front of the electorate, who mostly is pro-European, as a deterrent force of the country's progress towards European integration. In the rhetoric of the political elite of the ruling parties, always the failure to the country's advancement on European integration has been the brakemen role of the opposition.

In her public speech, the former Minister of European Integration, Bregu, said that 'Albania has lost two years of not receiving the candidate status. We have harmed ourselves. It is enough with the internal fights over the last two years! Though we have made compromises, we have not done enough'¹⁴. In the same way of thinking, but now with the roles changed, the current Prime Minister of Albania, Rama has emphasised in his public speech that in order to achieve as soon as possible the country's integration objective, it is needed cooperation with the opposition, for which he has not found the proper support.¹⁵

CONTINUOUS LIMITED PROGRESS: COMPLIANCE WITH EUROPEAN STANDARDS

In assessing Albania's progress towards EU membership, the issue is not only *when* but

also *how* and *to what extent* the European standards have been met. In other words, to what extent Albania has progressed in adopting and implementing EU policies.

In order to provide a systematic and comprehensive assessment of the degree of the country's compliance with the European standards, we will refer to the progress reports of the European Commission, which monitor in detail and on a yearly base the progress in meeting the Copenhagen criteria. Methodologically, the progress reports have a standardized and rigorous form, mostly they follow the same structure as in the previous years. The assessment of the annual progress reports provides a very useful source of analysis as they present comprehensive and systematic data based on a large number of sources. Reports are drafted by the European Commission on the basis of information gathered from many sources, including information and contributions from the EU delegations, the governments of member states and candidate countries, the reports of the European Parliament and the assessments made by various non-governmental organizations and international organizations (in particular the Council of Europe, the OSCE, the International Financial Institutions etc.). The Commission Reports are a good source of data to assess qualitatively the changes in almost all sectors of public policy, both in legislative terms (the adoption of EU legislation and government policies) and in

¹⁴ Former Minister of European Integration, Mrs. Majlinda Bregu, cited from: European Policy Center (2012) 'To compromise or not to compromise? Albanian politicians between outdated dilemmas and European imperatives', report, September.

¹⁵ In four years from now, Albania must be much closer to the European Union than it is today, it is and it will be my responsibility, a responsibility that

does not frighten me, but it encourages me ... I have begged our opponents for a pact to work together for this purpose and for some objectives of national interest. See weekly communication of the Prime Minister date 28 October 2017, 17.20.

<https://www.facebook.com/edirama.al/videos/10155264880831523/>.

the aspect of their practical implementation.¹⁶ Progress is measured on the basis of the established or upgrading of the institutions, decisions taken, adopted laws and measures implemented (usually, laws or measures that are under preparation or awaiting parliament's approval are not taken into account as fulfilled). So we can give a qualitative assessment of whether progress has been made or not, or whether the progress achieved is significant or limited, referring to the specific qualitative expressions that the reports use to describe the progress in meeting with the EU requirements. The word 'progress' is the key qualitative expression.

To calculate a compliance performance index, we will consider the *intensity* and *frequency* of the performance (*progress*) achieved in each policy sector of the *acquis* or differently said in the 33 accession negotiation chapters of the European Commission's reports in Albania. In order to decide on the *intensity* of the performance in each of the public policy area (for each negotiating chapter), we will refer to the scale used by the European Commission. In the European Commission progress reports, we can record four major assessments¹⁷ for each of the public policy areas ranked as 'important, good or significant progress' (giving a value 1); simply stating 'progress' (giving a value of 0.67); 'little, limited or somehow progress' (giving a value of 0.33); and the case when there is no 'progress' (we give a value 0) in a given public policy area. Based on the degree of the intensity of the progress we also count the number of public policy areas

that fall under each of the above categories. To create an annual performance index of compliance with European standards, we calculate an average where the sum of the number of public policy areas multiplied by the coefficient of the intensity of the progress (according to the values given by us) is divided by the total number of public policies (this number in principle is 33, as the negotiating chapters) mentioned for the specific year. The results of this calculation are presented in the table below.

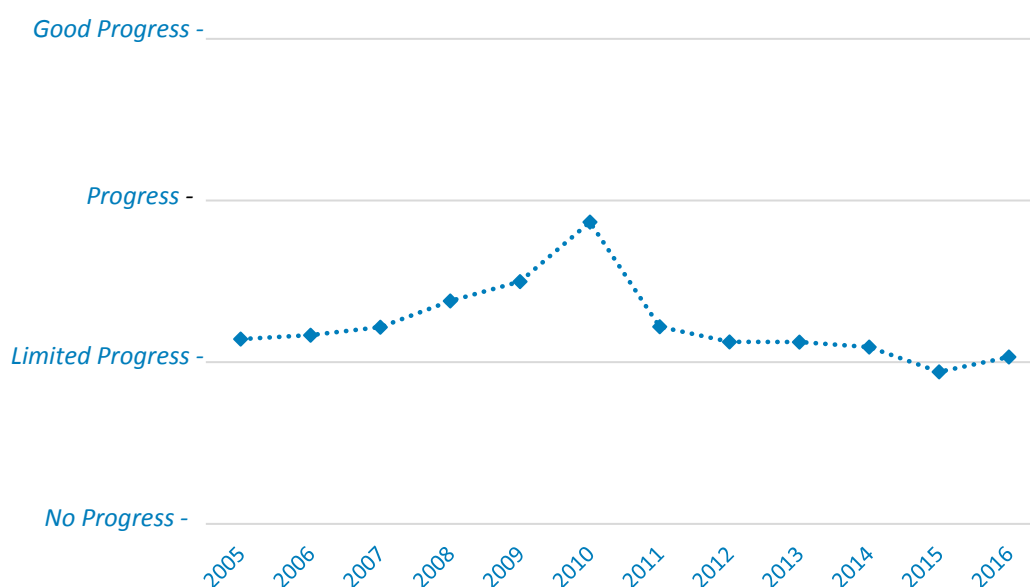
¹⁶ Hille, P., and C. Knill. (2006) 'It's the bureaucracy, stupid': the implementation of the *acquis communautaire* in EU candidate countries, 1999–2003. *European Union Politics*, pg.541.

¹⁷ Recent EU Commission progress reports have changed the methodology, adding a fifth assessment, that of regression.

Table 2: Performance of Albania's Compliance with European Standards (2005 - 2016)

Year	Number of policy chapters/sectors assessed to have achieved...				Index of Compliance with European Standards
	<i>No Progress</i> 0	<i>Limited Progress</i> 0.33	<i>Progress</i> 0.67	<i>Good Progress</i> 1	
2005	3	14	4	1	0.38
2006	2	17	6	0	0.39
2007	3	14	6	1	0.40
2008	1	17	12	0	0.46
2009	1	23	10	5	0.49
2010	0	13	12	8	0.62
2011	1	24	8	0	0.40
2012	2	26	4	1	0.37
2013	1	28	3	1	0.37
2014	0	30	3	0	0.36
2015	4	28	0	1	0.31
2016	3	28	0	2	0.34

Source: Own calculation. Qualitative data on the state of 'progress' on the EU legislation part are extracted from Commission's progress reports. The EU legislation part of the reports is divided into policy areas or chapters, the number of which varies depending on the stage of accession (from 20 for potential candidate countries to 33 for candidate countries). The aggregated compliance index is computed taking into account the frequency (nr of policy areas) and intensity (ordinal four-value assessment) of the stated 'progress'. It is calculated as the sum of the number of policy areas per progress-scale divided by the total number of policy area mentioned in the specific year.

Figure 1: The Index of Complying with European Standards in Albania (2005 - 2016)

The European Commission reports on Albania before 2002, were focused mainly on the development and achievement of the minimum conditions of a functioning democracy and free market economy rather than the approximation of national legislation and policies to European standards. Therefore, the reports did not refer to compliance with the EU acquis. If we refer to Albania's starting point, although the reforms related to the European integration have been far from the level of achievements in the Central and Eastern Europe, the country's performance in 2002 compared to previous years is estimated to have achieved relative but sufficient progress bringing Albania to the threshold of negotiating SAA with the EU.¹⁸ In spite of this relative formal progress, there was 'considerable lack of implementing capacity' in 'almost every area where Albania would be expected to meet its obligations within the SAA'.¹⁹ During 2003, only 'limited progress was made by Albania' in terms of formal adoption, since the recommendations of the Stabilization and Association Report of 2002 were only partially fulfilled.²⁰

Moreover, Albania still was lacking the ability to implement the provisions of a future agreement, considering 'the current pace of implementation of the reforms, the negotiations threatened to be prolonged and postponed'.²¹ Progress has been limited to only a few specific areas in 2004, and many of the recommendations contained in the Stabilization and Association Report of 2003 were not implemented properly.²² During 2005 and 2006, the country has made some progress towards meeting European standards, both in terms of adopting new legislation and establishing new institutions.²³ Albania during 2007 and 2008 made 'progress in approximating its legislation, policies, and capacities with European standards'.²⁴ But the outcome of the implementation was positive only for 2007, while for 2008 the report warned Albania on the need to 'increase its efforts in implementing the adopted laws and policies'.²⁵ In 2009 and 2010, although the results in different fields were uneven, still Albania has generally made progress in aligning legislation and policies to

¹⁸ European Commission (2002) "The Stabilisation and Association process for South East Europe", First Annual Report Brussels, 03.04.2002, COM (2002) 163 final, pg.15.

¹⁹ *Ibid.*

²⁰ European Commission (2003) "The Stabilisation and Association process for South East Europe", Second Annual Report, Brussels, 26.3.2003, COM (2003) 139 final, pg.26.

²¹ *Ibid.*

²² European Commission (2004) "The Stabilisation and Association process for South East Europe", Third Annual Report, Brussels, 30.3.2004, COM (2004) 202 final, pg.34.

²³ MEMO/05/410 "Key findings of the 2005 Progress Reports on Albania, Bosnia and Herzegovina, Serbia and Montenegro and Kosovo" Brussels, 9 November 2005, pg.2;

MEMO/06/412 "Key findings of the progress reports on Kosovo and the potential candidate countries: Albania, Bosnia and Herzegovina, Montenegro, Serbia" Brussels, 8 November 2006, pg.2

²⁴ MEMO/07/446 "Key findings of the progress reports on Kosovo and the potential candidate countries: Albania, Bosnia and Herzegovina, Montenegro, Serbia" Brussels, 6 November 2007, pg.1;

MEMO/08/672 "Key findings of the progress reports on Albania, Montenegro, Bosnia and Herzegovina, Serbia, and Kosovo" Brussels, 5 November 2008, pg.1.

²⁵ MEMO/08/672 "Key findings of the progress reports on Albania, Montenegro, Bosnia and Herzegovina, Serbia, and Kosovo" Brussels, 5 November 2008, pg.1.

European standards.²⁶ Despite this formal progress, there is still need to increase its efforts to implement these laws and policies.²⁷ After 2010, there was a deterioration regarding the level of compliance with European standards. Regarding the degree of its annual progress, during 2010-2016 Albania has had for most policy areas only some progress, and its efforts towards alignment with EU legislation are limited. Progress has been achieved in 68 cases, while significant progress has been achieved in only 20 cases. In other 21 cases, there is no progress at all. Regarding the level of preparation for the 33 chapters, the European Commission in its opinion in November 2010 assessed that in Albania: 8 chapters were very easy to approximate with EU legislation; 12 chapters were considered easy to approximate; while for the remaining 12 chapters additional efforts were required to approximate as they were considered to be difficult; whereas the chapter on the environment was assessed as too difficult to approximate with EU legislation.²⁸ While in the last 2016 report, the European Commission estimates that: 5 chapters are at an early stage, for 11 chapters only a certain level of progress has been achieved, while for 16 chapters the preparation is moderate and only one chapter has a good level of preparation (the chapter on foreign policy, security and defence).²⁹

In the case of Albania, regarding the fulfilment of the European standards, both in terms of adopting policies and laws and

in terms of their implementation, based on the data obtained from the progress reports, we notice only a continuous limited progress except for an impetus in 2010 where adoption results improve somewhat, a trend that decline soon after. According to this assessment and based on the data obtained from the Commission's reports, Albania could be assessed as having limited progress in meeting with European standards.

REASONS FOR THE FLAWED PROGRESS WITH REFORMS

The poor performance of Albania, with the flawed progress, should make us think and explore further what are the main factors explaining Albania's limited performance. In this policy paper, we will propose some of the arguments that are important to understanding why there is a negative trend in Albania's progress with reforms, leaving apart the detailed and methodological analysis, which should be another research topic.

Albania's progress has gained momentum around 2010, the time of the visa liberalization process with the Western Balkan countries. The dialogue with the EU to lift the visa regime in Western Balkan countries began in the spring of 2008 and at the end of 2010 EU assessed that Albania had successfully fulfilled the conditions for

²⁶ MEMO/09/450 "Key findings of the progress reports on Albania, Montenegro, Bosnia and Herzegovina, Serbia, and Kosovo" Brussels, 14 October 2009, pg.2;

MEMO/10/553 "Key findings of the Opinion on Albania", Brussels, 9 November 2010, pg.2.

²⁷ *Ibid.*

²⁸ European Commission (2010) Commission Opinion on Albania's application for membership of the European Union, Brussels, 9.11. 2010, COM(2010) 680, pg.9-10

²⁹ See the assessment of every chapter: European Commission (2016) Albania 2016 Report, COM(2016) 715 final

visa liberalization.³⁰ Most of the criteria for visa liberalization were part of the various sub-sectors of public policies related to security, migration, public order, foreign affairs, and human rights issues. This explains why the entire visa liberalization process is closely linked to the slight progress in meeting European standards at that time. The visa liberalization with Montenegro, Macedonia, and Serbia in 2009 increased the credibility of the process for Albania as well, inducing the expectation that if the EU conditions are met, the 'reward' could be gained.

Whereas, in other cases, limited progress could be explained through internal constraints, such as the non-political cooperation delaying the adoption of the legislation and other most important administrative barriers related to the lack of public administration efficiency and financial resources or the uneven distribution of human capacities, the lack of an established practice of consultation with interest groups on drafting specific legislation, as well as the inability to apply instruments of sound planning and realistic evaluation which reflects especially on the weak implementation of EU policies.³¹ Moreover, after 2014 no sector showed progress, and the general progress has slowed even further. This is also because of sectorial policies that take advantages at a certain period of times. Over the past two years, the justice reform has been the primary and the only governmental priority, which may have adversely affected the progress of other policies.

CONCLUSIONS

Overall, Albania has achieved substantial transformations since the year 2000 when the European Union launched the enlargement policy for the Western Balkans and recognized Albania and other countries of the region as potential candidate countries. These transformations are more meaningful if we consider the initial stage in which Albania started the process of European integration. After more than 15 years, the country not only has been democratized and achieved economic stability, but it has also increasingly progressed towards EU membership and achieving some European standards. Although Albania, in principle, has the prospect of EU accession, the credibility of membership is far more distant than that of some other countries in the region. Indirectly, this is also evidenced in the recent communication of president Juncker on the Commission's work program, where only Serbia and Montenegro are mentioned as the favourite countries for a possible membership in 2025.³² In the case of the group of countries with belated accession, the costs of meeting EU conditions are high, since in some cases they regard sensitive domestic political issues, or the country's administrative and financial capacity is limited. Given this generally unfavourable situation, delays in accession

³⁰ For more see: ESI project on Visa Liberalization <http://www.esiweb.org/index.php?lang=en&id=342>

³¹ Hajdini, Bojana and Gentjan Skara (2017) Lost in Implementation: EU Law Application in Albanian Legal System, Journal of Legal Studies, 19 (33).

³² European Commission (2017) State of the Union 2017. Letter of intent to the president of the European Parliament Antonio Tajani and the prime minister of Estonia Jüri Ratas, Brussels, 13 September, pg.10.

could bring negative side effects on the Europeanization of the country.³³

From the analysis in this policy paper, we note that Albania's progress towards EU membership is not only slow but also flawed.

If the country continues to procrastinate on the substantial reforms needed for EU membership, Albania will drift away from EU and it will continuously remain at the stagnation zone of the European integration process that already harbours other problematic countries in the region.³⁴ This situation has caused Albania to remain behind, and not be considered in the group of the forerunning countries in the region that have progressed towards accession, but rather aligning with the most problematic countries such as Bosnia and Kosovo. Stagnation, - or the continuously limited progress, - in fulfilling the membership conditions is problematic as there is a risk of deteriorating into complete regression in the long run. Political tensions and conflicts at all the levels of Albanian society, between leadership, political parties, civil society, and media prevent effective cooperation between the parties and consequently any rapid progress towards

implementing the necessary reforms for the country's EU accession.³⁵ Polarization and non-cooperation are a major obstacle to EU membership, which must be overcome since the speed and quality of progress towards EU membership can only be achieved through the political will of the Albanian elites, increasing the administrative capacity and presenting concrete results in the reforms undertaken.

On the other hand, it turns out that Albania is more likely to comply with EU legislation and policies if EU offers intermediate 'rewards' for the country in specific areas of public policy, like for example the visa liberalization in the case of compliance with the conditions in the justice and home affairs sector.³⁶ Maintaining a pressure on key issues and providing benefits will legitimize the process and outcomes since it will be perceived as a real scenario to compensate the low credibility of a fast EU membership.³⁷ The analysis of the current level of Albania's compliance with EU membership conditions and the causes of such performance can help us understand the process and at the same time encourage policymakers to formulate concrete measures aiming to address the real reasons

³³ Analysts see a potentially silent risk of the Western Balkans integration process dividing countries into groups according to their realistic membership perspective. While a group of countries from the Western Balkans moves forward, adhering to the gradual accession process, the perspectives of the laggard group of countries is seriously threatened for many reasons. See: Balkans in Europe Policy Advisory Group (2014) "The Unfulfilled Promise: Completing the Balkan Enlargement", Policy Paper, Maj, pg. 12.

³⁴ Stratulat, Corina and Gjergji Vurmo (2012), Opportunity knocks: can the EU help Albania to help itself?, Policy Brief, European Policy Centre, March.

³⁵ Stern, Ulrike and Sarah Wohlfeld (2012), *Albania's Long Road into the European Union: Internal political power struggle blocks central reforms*, DGAP, Berlin.

³⁶ For more on the argument in all the Western Balkans countries see: Renner, Stephan, and Florian Trauner (2009) "Creeping EU Membership in South-east Europe: The Dynamics of EU Rule Transfer to the Western Balkans". *Journal of European Integration* 31 (4): 449-465.

³⁷ Jano, Dorian (2016) "Compliance with EU Legislation in the Pre-Accession Countries of South East Europe (2005–2011): A Fuzzy-set Qualitative Comparative Analysis". *Journal of European Integration*, pg.19.

behind this poor performance. Albania should seize the momentum and build upon good practices. In this context, it is essential to encourage a constructive and well-informed public debate on the country's current situation as well as the likelihood of fulfilling the conditions of EU membership, since political ambitions in the country cannot override reality.

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