



Brussels, 26 February 2026  
(OR. en)

6819/26

LIMITE

ELARG 27

**NOTE**

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From: General Secretariat of the Council  
To: Delegations  
Subject: ENLARGEMENT  
- Accession negotiations with Albania  
= Draft Interim Common Position, Cluster 1 – Fundamentals

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Delegations will find attached a draft Interim Common Position on the above-mentioned cluster, submitted by the Commission<sup>1</sup>.

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<sup>1</sup> The document has been transmitted to the Council in English only.

**ACCESSION NEGOTIATIONS**

**Albania**

**DRAFT INTERIM COMMON POSITION**

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**Negotiating Cluster: 1**

**Fundamentals**

**Including the Functioning of democratic institutions, Public administration reform, chapters 23 - Judiciary and fundamental rights, 24 – Justice, freedom and security, Economic criteria, chapters 5 - Public procurement, 18 - Statistics, 32 - Financial control**

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## I. INTRODUCTION

Taking into account the EU *acquis* and relevant European standards in this cluster, and on the basis of the available information, including that provided by Albania during the bilateral screening meetings, its roadmaps, its Negotiating Positions and the regular reporting on the interim benchmarks, the Commission notes that Albania has overall met the interim benchmarks on the Rule of Law chapters 23 and 24, has further increased its level of alignment and is making progress with the implementation of the EU *acquis* and European standards in this cluster. Based on the detailed analysis of the progress provided by Albania in the attached **interim benchmark assessment** report, the European Commission presents this Draft Common Position.

Further sustained efforts are still needed across the board, including to ensure that the necessary administrative and enforcement capacities will continue to be strengthened and be in place before accession, and to establish a convincing track record of implementation, thereby demonstrating that the reforms being introduced deliver concrete and irreversible results.

**Issues of particular importance** in the Rule of Law chapters 23 and 24 remain the independence, including effectively addressing and preventing undue influence from the executive and legislative, accountability, quality and effectiveness of the judiciary, further concrete results in effectively preventing and fighting corruption, including high-level corruption, and fully respecting and enforcing fundamental rights and freedoms, including media freedom, property rights, as well as non-discrimination, gender equality and rights of the child and vulnerable groups, further concrete results in effectively fighting serious and organised crime, cooperation in the field of drugs, the fight against terrorism and protection of critical infrastructures, migration, border management, visa policy and asylum, as well as preparations for Schengen accession.

In view of these, in operational terms, the interim EU Common Position, once agreed by the Council, will set the **closing benchmarks** that will provide further guidance on the work ahead on both Rule of Law chapters 23 and 24, as well as on horizontal issues and on Economic Criteria.

For the other **issues requiring attention**, as further set out below for the various themes, the Commission is also proposing **policy statements** to be conveyed to Albania.

## **Functioning of democratic institutions**

In line with the commitments made in its Functioning of Democratic Institutions (FDI) roadmap, the elections which took place in May 2025 were seen as having been ‘professionally conducted’, with some shortcomings, according to the OSCE/ODIHR’s final report. The establishment of a cross-party Parliamentary Committee on electoral reform and its ongoing work on an update to the law on political party financing is a further positive sign that Albania is committed to implementing its roadmap.

Priority issues in which Albania’s efforts will be crucial to provisionally close the cluster include the alignment with pending recommendations of the OSCE/ODIHR and the Venice Commission on the legislative framework for elections, including alignment and implementation on media in election campaigns, and on political party and political campaign financing, the assembly’s ability to exercise effectively its oversight role over the executive and its legislative functions and ensuring that civil society is broadly consulted by the Albanian governments and that the legislative framework allows for its enabling environment.

*These issues are reflected in the horizontal closing benchmark* proposed at the end of the EU Common Position.

## **Public administration reform (PAR)**

In line with its general negotiation position and its roadmap, Albania has demonstrated commitment to tangible progress over the period 2023-2030 on the key reform priorities related to this chapter and identified during the screening process and the EU Common Position to open Cluster 1.

Priority issues are the full implementation of the PAR roadmap as well as timely and consistent implementation of the national PAR and PFM strategies, including the measures on enhancing the use and quality of regulatory impact assessments and public consultations; improving the legislative framework for the civil service, through implementing the revised rules on merit-based recruitment, promotion and dismissal in the civil service law at all levels; ensuring timely implementation of the administration of final court decisions on dismissals and reinstatements, strengthening the legal framework for the organisation of central administrative bodies; enhancing the access of vulnerable groups to public services, including online services; restoring the practice of conducting budget revisions through Parliament and limiting the use of normative acts to exceptional and justified circumstances.

*These issues are reflected in the horizontal closing benchmark* proposed at the end of the EU Common Position.

### **Economic criteria**

In line with its general negotiation position, Albania has demonstrated commitment to fulfilling the Copenhagen economic criteria by accession.

Issues of particular importance include stepping up the implementation of policy guidance jointly agreed at the annual Economic and Financial Dialogue as well as implementation of the commitments under the Growth Plan and complying with the criterion regarding the capacity to cope with competitive pressure and market forces within the EU by the time of accession. This is reflected in the policy messages set out in the proposed EU Common Position.

Priority issues in order to be able to close the cluster include fulfilling the criteria to become a functioning market economy. *This is reflected in the closing benchmarks* proposed at the end of the EU Common Position.

## II. DRAFT COMMON POSITION

The EU agrees that Albania has, overall, met the interim benchmarks set in the opening European Union Common Position (AD 18/24 CONF-ALB 3). Based on this assessment, this interim EU Common Position complements the EU Common Position opening Cluster 1, which had already set the position of the EU and the closing benchmarks for chapters 5, 18, 32 which remain valid. This interim EU Common Position serves amongst others to set the remaining closing benchmarks under this cluster.

This position of the European Union is based on its general position for the Accession conference with Albania (AD 5/22 CONF-ALB 2), and is subject to the negotiating principles endorsed therein, in particular:

- any view expressed by either Albania or the EU on a specific chapter of the negotiations will in no way prejudice the position which may be taken on other chapters;
- agreements reached in the course of negotiations on specific chapters, even partial ones, may not be considered as final until an overall agreement has been reached for all chapters;
- as well as to the requirements set out in points 3, 5, 10, 14, 16, 31, 33, 36, 38, 39, 46, 47 and 48 of the Negotiating Framework.

The EU encourages Albania to continue the process of alignment with the EU *acquis* and relevant European Standards and its effective implementation and enforcement, and in general to develop already before accession, policies and instruments as close as possible to those of the EU.

The EU notes that Albania, in its position AD 19/24 CONF-ALB 4 accepts the EU *acquis* under Cluster 1 as in force on 2 October 2024 and that it will be ready to implement it by the date of its accession to the European Union.

The EU notes the various steps and measures adopted and implemented by Albania based inter alia on its Roadmaps on the Rule of Law, Public Administration Reform and Functioning of Democratic Institutions as well as its efforts to meet the interim benchmarks set in AD 18/24 CONF-ALB 3.

## 1. Functioning of democratic institutions

The EU notes that Albania has continued consolidating its democratic institutions and that its legal and institutional framework allows for a democratic electoral process. The EU invites Albania to address remaining legal ambiguities and discrepancies highlighted by OSCE/ODIHR, as well as other joint recommendations of OSCE/ODIHR and the Venice Commission, notably as regards the electoral legislation, rules and administration, which also need to be implemented effectively. The EU urges Albania to further strengthen the legislation on media in election campaigns, in particular on political advertising, disinformation and online platforms, to align it with EU *acquis* and European standards, and implement it effectively. The EU stresses that, although most parties signed a voluntary code of conduct on digital campaigning, divisive and manipulative content remained prevalent and monitoring efforts were limited. The EU takes note of the establishment of a cross-party Parliamentary Committee dedicated to electoral reform.

The EU notes that the role of Albania's **assembly** has been consolidating over time. The EU notes however that parliamentary sessions continue to be marked by tensions and limited oversight of the executive. The EU encourages further efforts to increase transparency and accountability, integrity, and effectiveness, including with regard to interactions within the Parliament and between the Parliament and NGOs/CSOs including with regard to the timeliness of its publications. The EU recalls that a functioning Parliament must be able to exercise in a sustainable way an effective oversight over the executive as well as its legislative role working with transparency and accountability, integrity, and effectiveness, including through constructive and inclusive political dialogue. Ensuring these functions constitute a central pillar of the accession process.

The EU underlines that overall, the legal, regulatory and institutional framework for **civil society** is in place, but improvements are needed to enable full implementation of the legal framework, in particular for the registration procedures. The EU notes that consultation processes need to be improved to become more inclusive, to increase their effectiveness and quality, and that additional efforts and resources are needed to ensure a sustainable and enabling environment for civil society.

## 2. Public administration reform

The EU notes that Albania's **strategic framework for public administration** is in place. The EU welcomes the adoption of a new Public Administration Reform strategy 2025-2030 and a new Public Finance Management Strategy 2024-2030. The EU underlines that effective and timely implementation of the strategies should be ensured and encourages Albania to improve monitoring and reporting frameworks. The overall consistency of the PAR Strategy with other strategic and policy-planning documents, as well as the financial sustainability of PAR-related measures should be ensured. The EU also underlines that the policy coordination system remains complex and should be further simplified.

The EU underlines that Albania is moderately prepared on its **policy development and coordination**. In the area of policy development, the legal basis and the institutional set-up for consistent policy-making are largely in place. The EU underlines that Albania needs to upgrade its regulatory framework to improve medium-term policy planning, to enhance the quality of regulatory impact assessments (RIAs) and public consultations, and to extend their use to all secondary legislation. The EU notes that Albania should ensure adequate follow-up to public consultations and enable increased participation of civil society. The EU underlines that Albania needs to reinforce the role of parliamentary oversight of government.

The EU notes Albania's **civil service** legislation is broadly aligned with the core principles of merit-based and transparent recruitment, promotion and dismissal. However, provisions on merit-based recruitment and promotion need to be consistently implemented at all levels in practice. The EU notes the steps taken by Albania to revise the civil service legislation, aimed at improving merit-based and senior-level recruitment, and calls on Albania to advance with its adoption and implementation. The EU notes the finalisation of the salary reform for civil servants, including its extension to local administrations. The EU underlines that Albania needs to further harmonise and implement the job classification system across the institutions.

The EU notes Albania's work to improve the legal framework for the **organisation of central administrative bodies**. The EU invites Albania to advance with the effective implementation of the revised Law on the Organisation and Functioning of State Administration. The EU invites Albania to strengthen the oversight of subordinated agencies by the respective ministries. The EU invites Albania to improve the transparency of public institutions, including by strengthening access to public information for citizens.

The EU recalls that digitalisation is the path to a better public administration providing more transparent, efficient, effective and high-quality e-services with reduced administrative costs and burden for citizens and businesses. The EU takes note of Albania's overall high degree of **digitalisation of public services**, covering about 95% of all public services. The EU invites Albania to further guarantee equal treatment and accessibility to administrative services for all citizens and businesses. The EU encourages Albania to step up efforts on simplification of administrative processes and services and to strengthen cyber security. The EU welcomes the adoption of the National Interoperability Framework in line with the latest European Interoperability Framework. The EU encourages Albania to further monitor developments in the EU's digital *acquis*, in particular EU's legislation on electronic identification and trust services (eIDAS Regulation) in order to set up a national digital identity wallet.

The EU notes that the framework for **public finance management** is in place, albeit with scope for further improvement. The EU notes that Albania has made some progress in improving its medium-term budgetary framework and welcomes the adoption of the Medium-Term Revenue Strategy 2024-2027. The EU calls on Albania to fully restore the practice of conducting budget revisions through Parliament and to limit the use of normative acts to exceptional and justified circumstances. The EU underlines the importance for Albania to increase the institutional capacities for the monitoring of fiscal risks and enhance public investment management. The EU encourages Albania to establish and operationalise a Fiscal Council in order to strengthen the credibility of fiscal policies in the country.

### 3. Chapter 23: Judiciary and fundamental rights

The EU underlines that Albania's legislative and institutional framework has a high level of alignment with the EU *acquis* and relevant European standards in the **functioning of the judiciary**.

The EU notes Albania's advances in the **independence and impartiality** of the judicial and prosecutorial systems. The EU notes Albania's achievements so far and its plans to continue to develop the capacity, independence and efficiency of the self-governing bodies of the judiciary and to consolidate progress through merit-based appointments and career advancement, enhancing transparency of promotions, rigorously upholding and applying thorough periodic integrity checks in the course of a magistrate's career. The EU also notes Albania's steps towards following the high standards set by the vetting process and to ensure that the rules of random allocation of cases are effectively applied in practice, although further efforts are needed to make it fully automated. The EU urges Albania to effectively address attempts by public officials or politicians to exert undue influence on justice institutions and personal attacks on judges and prosecutors and to further strengthen the resilience of the justice institutions to instances of internal and external interference, including the need for the HJC and HPC to continue to firmly react to attacks on judiciary from representatives of the executive or legislative branch. The EU underlines the need for both the executive and the legislative of Albania to fully respect the independence of the judiciary and fully implement, as a matter of priority, binding decisions of the Constitutional Court. The EU underlines the importance for Albania to ensure the highest integrity, transparency and merit-based standards in the appointment of all members of the self-regulatory bodies and of other key judicial and prosecutorial bodies.

The EU notes that Albania has a legal and institutional framework that ensures a robust regulation of **accountability** of the judicial system. The EU welcomes Albania's completion of the vetting process in first instance and notes its plan for orderly completion of the vetting process in appeal phase within the constitutional deadlines, under the oversight of the International Monitoring Operation. The EU underlines Albania's need to continue the initiation of criminal procedures against judges and prosecutors accused of criminal conduct during the vetting process and the importance of applying the high standards set by the vetting process in practice. The EU also notes Albania's initial steps to ensure that inspection services and the self-governing institutions, notably the High Justice Inspector, the High Judicial Council and the High Prosecutorial Council, can develop a solid track record of accountability and integrity in the judicial system at all levels, while further efforts are needed to strengthen the capacities of the High Justice Inspector and to ensure greater transparency and a more limited use of lateral transfers, notably avoiding their use for promotions. The EU notes the revision of the provisions applicable to the appointment of non-magistrate members to ensure the highest level of integrity and merit in the appointments of non-magistrate members of the High Judicial and the High Prosecutorial Council.

The EU notes Albania's good basis for **quality and efficiency** of the judicial system. The EU notes Albania's plan to ensure sufficient human and financial resources to enable the judiciary to function fully, efficiently and independently and to guarantee the right of access to justice, including by further reducing the evaluation backlog. The EU notes the progress achieved in strengthening the School of Magistrates to offer a higher-level education to the aspiring magistrates, and invites Albania to further consolidate these efforts, including the improvement and effective implementation of an entry examination based on transparency and fair competition. The EU concurs that Albania needs to further improve the IT tools at the disposal of courts and notes Albania's plan in this regard. The EU further calls for the timely establishment of an integrated case management system and steady filling of remaining judicial vacancies as a matter of urgency to ensure the efficiency of justice, for which it will also be necessary to set quotas for candidate magistrates that adequately address the needs of the judicial system.

The EU notes that Albania's legislative and institutional framework on **anti-corruption** is partially aligned with the EU *acquis*. The EU welcomes Albania's tangible progress in the investigation, prosecution and convictions on corruption charges, including against high-ranking officials. The EU underlines nevertheless that corruption remains prevalent in most areas of public and business life, including in all branches of central and local government and institutions and remains an area of serious concern. The EU notes Albania's progress to further amend and supplement its legal and institutional framework on the fight against corruption. The EU underlines that these measures now need to be implemented with resolve and bear impact particularly in the sectors most at risk of corruption, above all public infrastructure, cadastre and property rights, customs, tax administration, education, health, public procurement, and Public Private Partnership contracts. The EU invites Albania to finalise the revision and effective implementation of legislation on donations and sponsorships and on political party financing, through an inclusive and constructive cross-party dialogue. The EU underlines that Albania needs to make significant further progress towards preventing and tackling the generalised and wide-spread nature of corruption. The EU notes Albania's efforts to strengthen the institutional capacities and coordination of the corruption prevention institutions. The EU also notes the consolidation of the operational and human capacities of Special Prosecutor for Corruption and Organised Crime (SPAK) and SPAK courts, which needs to be further increased. The EU welcomes the decisive progress towards establishing a solid track-record in the systemic repression of corruption, notably at high level, including final confiscation of assets, and calls on Albania to further consolidate these efforts and to increase the number of referrals to SPAK from other authorities. The EU notes the progress achieved in strengthening the efficiency of the corruption prevention framework, and calls on Albania to further consolidate these efforts, including by further aligning it with the EU *acquis* and addressing systematically and effectively all the recommendations stemming from international monitoring mechanisms on Conventions it is party to, including the UN Convention Against Corruption and Council of Europe's Group of States against Corruption (GRECO). The EU underlines the prime importance for Albania of ensuring that future legal changes to criminal legislation, including potential amnesties, are in line with the EU *acquis* and European standards and are conducive to the country's plan to consistently reduce corruption.

The EU notes that Albania's legal and institutional framework is partially aligned with the EU *acquis* and European standards on **fundamental rights** and underlines that implementation needs to be strengthened to guarantee the enjoyment of fundamental rights in practice, including strengthening the capacities of the independent fundamental rights institutions and systematically addressing their recommendations as well as those of international monitoring bodies, including the European Committee for the Prevention of Torture, as well as implementing the judgements of the European Court of Human Rights. The EU notes that Albania needs to align with EU *acquis* in criminal proceedings.

The EU welcomes the adoption of a new law on **protection of personal data** and its ten accompanying pieces of implementing legislation in alignment with the relevant EU *acquis*. The EU notes that Albania now needs to ensure effective implementation and enforcement of the new legal framework. The EU notes that Albania plans to enhance the institutional capacity of the Information and Data Protection Commissioner as well as of public and private controllers to ensure effective enforcement of the right, including public awareness measures. The EU underlines the importance for Albania to carry out its plan to effectively investigate breaches of data protection rights, including large-scale ones.

The EU notes that regarding **freedom of expression** Albania's legal and institutional framework is partially aligned with the EU *acquis* and European standards and that significant improvements remain necessary. The EU notes Albania's first steps in its plan to enable a deep reform and urges it to complete the amendments to the legal and regulatory framework, and to put in place the necessary implementing and enforcement measures to further strengthen the transparency of media ownership, media plurality and editorial independence, strengthen transparency of media financing from private and state resources and strengthen the autonomy of the media regulator and the independence of the state broadcaster, in line with the EU *acquis*.

The EU notes that the atmosphere of verbal and physical attacks, smear campaigns and strategic lawsuits against public participation (SLAPP) targeting journalists has not improved and remains to be fully addressed. The EU takes note of the new provisions of the Criminal Code regarding the decriminalisation of defamation in the case of journalists. The EU recalls the importance for Albania to fully repeal the remaining criminal provisions on insult and defamation and align civil aspects of defamation with European standards and calls for a full alignment with the EU Anti-SLAPP Directive. The EU underlines that attentive follow up will be needed so that the formal measures and safeguards are effectively implemented and translated into tangible improvements in the safety as well as in the working environment of journalists. Any change to the legal framework should be in line with European standards and recommendations, including the Venice Commission opinions, and be subject to inclusive consultations with media organisations and civil society. In this context, the EU notes the ongoing structured dialogue between institutions and media actors to discuss key reforms to enhance freedom of expression, including media freedom and pluralism.

Regarding **gender equality and non-discrimination**, where Albania has achieved partial alignment with the EU *acquis*, the EU notes Albania's further progress in its plans to fully align its legal framework on non-discrimination with the EU *acquis* as well as alignment measures regarding the race equality directive. The EU underlines the need to ensure the timely implementation of measures including alignment of legal provisions on non-discrimination, combating hate crime and hate speech, and protecting the rights of LGBTIQ+ persons, including through the work of the Commissioner for the Protection against Discrimination, which needs to be re-appointed since 2023, and the People's Advocate, whose institutional capacity needs to be increased. The EU also notes Albania's plans to complete alignment with the EU *acquis* on gender equality, in particular to effectively tackle gender-based violence, and welcomes the adoption of the Gender Equality Law. Efforts will need to focus on effective implementation and on enhancing sustainability of shelters for victims of violence. The EU invites Albania to allocate further resources to increase institutional capacity and to ensure the sustainability of services for redress and assistance to victims. The EU notes the importance for Albania to strengthen the rights of persons with disabilities, including in terms of significant progress towards deinstitutionalisation, support of independent living, and accessibility.

The EU recalls Albania's plan to uphold and enhance the **rights of the child**, including by reinforcing an integrated child protection system and by expanding availability of community-based services with a view to completing the deinstitutionalisation of children. The EU underlines the need for a timely implementation of the reform to ensure respect for the principle of best interest of the child.

Regarding the **right to property**, the EU notes that Albania adopted implementing legislation on the Law on cadastre and the Law on the finalisation of transitional ownership processes, but significant implementation challenges remain. In particular, according to the Roadmap for the Rule of Law chapters, an efficient and transparent property registration and integrated management system, which shall offer clear and secure property titles in Albania, is being put in place to ensure the right to property by a fully digitalised service in practice by 2030. In this context, Albania has set two interim goals for 2026 and 2028, respectively. The first goal pertains to the digitalisation of the cadastral maps, while the second one concerns the completion of the first registration. In this respect, the EU also emphasises that Albania must ensure the publication of the cadastral maps, in line with the digitalisation process, which so far remains limited. It stresses the importance for Albania to also ensure that, once the individual cadastral maps are published and the interested party submits the required documents for the registration of its property, the State Cadastre Agency, as defined in its legal framework in place, proceeds within the established 45 days deadline with the issuance of the final property certificate or informs the interested party that the said property is also claimed by third parties (be it state or private), so that the interested party can resort to justice. The EU notes that the State Cadastre Agency put in place an Integrity Plan, reflecting stakeholder's feedback with the view to improve transparency, efficiency and accountability in service delivery from 2025 onwards, as foreseen in the Roadmap for the Rule of Law Chapters. The EU also underlines that receiving periodic and thorough clarifications regarding the implementation of the AIP remains crucial. The EU stresses that the 'Agency for the Treatment of Property' should also function in full transparency. It calls for the establishment of a realistic timeframe for the execution of potential compensations to be completed by 2026, as foreseen in the Rule of Law Roadmap. In this respect, the EU calls on the Albanian authorities to also deal with the issue of falsified documents, as described in the Council Conclusions on Enlargement of December 2023. Furthermore, the EU reiterates that a revision of the investment laws in line with EU best practices remains a matter of utmost priority to be addressed by 2026, as foreseen in the Reform Agenda of the Growth Plan. In particular, it calls on the Albanian authorities to ensure that expropriations in the name of "public interest" are accompanied with fair compensations to the rightful owners. It also emphasises that a clear process of classification of the properties (arable land or land for construction) would help prevent misclassifications or any acts of abuse. The EU notes Albania's plan to ensure effective judicial protection and to ensure consistent implementation of court judgements, notably the judgements of the European Court of Human Rights, in this area.

The EU notes Albania's plans to protect and promote the rights of persons belonging to **minorities**, in line with its international obligations and European and international standards, amongst others by ensuring effective implementation of the legislative framework. It welcomes the adoption of the remaining implementing bylaws regarding self-identification and other related rights and the use of languages of national minorities in their contacts with administrative bodies and public authorities in December 2024, as foreseen in the Rule of Law Roadmap. It stresses that the implementation of these bylaws in the entire territory should be in line with European and international standards, with the involvement of all relevant stakeholders, in accordance with the Council Conclusions on Enlargement of December 2023. The EU calls on the Albanian authorities to ensure that the right to free self-identification is upheld in practice in accordance with European and international standards during the implementation of the aforementioned bylaws. The EU also notes the need to continue enhancing the institutional capacity and the resources of the State Committee on National Minorities and local authorities. Regarding the Roma and Egyptian minority, the EU notes Albania's plans to meet the Poznan Declaration commitments in the area of education, employment, housing and health and to strengthen the National Roma Contact Point. The EU invites Albania to allocate adequate public resources for the implementation of the policy measures and reinforce coordination in this area. It further notes that Albania has provisions in place enabling persons belonging to minorities to preserve and develop their cultural heritage and to foster knowledge of their history.

The EU underlines that Albania needs to ensure full alignment of its legislative framework with the EU *acquis* upon accession to ensure full enjoyment of **EU citizenship rights**.

#### 4. Chapter 24: Justice, Freedom and Security

The EU notes that Albania has a legal and institutional framework in place to **fight against organised crime**. The EU welcomes Albania's revision of the Criminal Code, which is aligned with the criminal provisions of key legal acts as part the EU *acquis* on the fight against serious and organised crime, terrorism and money laundering. Further amendments to this framework need to be adopted to fully align with the EU *acquis*, beyond the recent amendments to the Criminal Code. The EU invites Albania to ensure the criminalisation of the violation of Union restrictive measures, as well as environmental crimes. The EU underlines that Albania's law enforcement cooperation with EU Member States, Europol, Eurojust and CEPOL as well as a very active involvement in EMPACT, are yielding positive results in dismantling organised criminal groups. The EU notes these efforts should be further strengthened. At the same time, further efforts are needed to address integrity issues within the police which remains highly vulnerable to corruption. The EU also underlines that further efforts are needed to consolidate the track record of investigations, prosecutions, final convictions and seizure and confiscation of assets related to serious and organised crime, including money laundering and to demonstrate a proactive and effective approach to international cooperation. The EU stresses that Albania should provide the institutions fighting against organised crime with adequate resources, technical and operational capacities and build strong interinstitutional coordination. The EU also notes Albania's progress in ensuring that criminal proceedings are systematically accompanied by financial investigations from the start and encourages Albania to develop the capacity to tackle complex financial investigations. The EU invites Albania to further consolidate progress in this area. The EU further notes Albania's continuous efforts to increase assets seizure and confiscation, to freeze assets related to criminal activities and promote their social re-use. The EU takes positive note of the adoption of the Asset Recovery Office Law and the establishment of an Asset Recovery Office within the Albanian State Police and stresses that the full operationalisation of the Asset Recovery Office is expected to lead to increased asset seizure and confiscation.

The EU recalls that Albania was delisted from the Financial Action Task Force (FATF) list of jurisdictions under increased monitoring in October 2023 after completion of its Action Plan and the suspension of the planned fiscal amnesty and voluntary tax compliance programme. The EU reiterates the importance for Albania to ensure that future legal changes to criminal law, including potential amnesties and voluntary tax compliance programmes, are consistent with the country's plans and advance the fight against organised crime and are in alignment with the relevant EU *acquis* and international standards, such as those set by Moneyval and the FATF.

The EU invites Albania to adopt all necessary legislation and implementing measures in the area of **cybercrime** and to accede to the second additional protocol to the Budapest Convention to effectively fight cybercrime. The EU notes that Albania should develop a solid track record with regard to the prevention and repression of cybercrime, notably through the establishment of a more effective law enforcement response focusing on the detection, traceability and prosecution of cyber criminals.

The EU notes Albania's progress on criminalising all forms of **child sexual abuse** and invites Albania to place particular attention on protection and prevention (including prevention of re-victimisation) of child sexual abuse online and offline.

The EU notes that large numbers of firearms are available in Albania and invites Albania to reduce the illegal possession and **trafficking in firearms**. The EU welcomes Albania's adoption of a national strategy and an action plan on the control of small arms and light weapons (SALW) which are largely aligned with the goals and overall targets of the Regional Roadmap to better control SALW in the Western Balkans. The EU encourages Albania to ensure their full implementation. The EU also takes positive note of the adoption of the law on import, export and transit of firearms, further aligning with the EU *acquis*. The EU also notes Albania's plan to increase its efforts on awareness raising, outreach and education on the dangers and risks related to the misuse, illicit possession, and trafficking of firearms/SALW, as well as the reduction of illicit firearms through legalisation, voluntary surrender and deactivation.

The EU notes that Albania is a country of origin, transit and destination of **trafficking in human beings** and needs to continue strengthening its anti-trafficking measures with a focus on the significant impact on women and girls. The EU underlines the importance of further results in this area.

The EU notes that Albania's law enforcement authorities have a good level of cooperation in the field of drugs with their counterparts in EU Member States, notably when it comes to tackling the trafficking of drugs. The EU underlines that beyond the adoption of the formal strategic framework, it will be crucial that Albania implements an overarching strategic approach to fight and prevent effectively and consistently the illicit cultivation, production and trafficking in drugs. The EU acknowledges Albania's plan to strengthen and operationalise its institutional framework and takes positive notes of the establishment of a National Drugs Observatory (NDO) and a National Early Warning System (EWS) on the information exchange about new psychoactive substances. The EU underlines Albania's need to develop a solid track record of drug seizures and destruction, and of confiscation of the corresponding assets.

The EU notes that Albania has a strategic and legal framework to **fight against terrorism and violent extremism**, largely in line with EU *acquis*, though some further amendments are still necessary in order to reach full alignment. The EU also notes that the strategic and legal framework needs to be effectively implemented in practice. The EU also encourages Albania to implement the new Joint Action Plan on Preventing and Countering of Terrorism and Violent Extremism for the Western Balkans signed in October 2025, starting with the adoption of a national roadmap. The EU notes Albania's plan to provide adequate resources, enhance inter-agency and international cooperation, and strengthen the case management and referral mechanisms for radicalised individuals and terrorist offenders. The EU notes the efforts on preventing violent extremism and in particular the work carried out by the Coordination Center for Countering Violent Extremism. The EU notes that radicalisation in prison and dissemination of terrorist content online continue to require attention. The EU notes that regional cooperation and the exchange of sensitive information with Europol and the Member States is satisfactory and that efforts should continue. The EU underlines that further work is needed to address terrorism financing and money laundering in particular by improving the effectiveness of terrorism financing investigations. The EU takes positive note of the adoption of a new law on advance passenger information (API) and passenger name records (PNR) with a view to enhance the capability to combat terrorism and serious criminal offences having a link to air travel.

The EU underlines the importance for Albania to ensure the protection of **critical infrastructure** by aligning its legal framework on critical entities resilience with the EU *acquis*, identifying key critical infrastructures and designing criteria for their management, including risk analysis.

The EU notes that Albania has the basic principles of **judicial cooperation in criminal, civil and commercial matters** enshrined in its legislation, but that further alignment with the EU *acquis* is needed. The EU notes Albania's plan to ratify the remaining relevant international conventions in the field of judicial cooperation. The EU notes that Albania ratified the Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (2019) in February 2025. The EU also invites Albania to step up its administrative capacity to meet EU requirements on judicial cooperation in criminal, civil and commercial matters.

The EU welcomes that, on **migration**, Albania adopted and implements a comprehensive National Strategy for Migration (2024-2030) and its related action plan (2024-2026), aligned with the EU Action Plan on Western Balkans presented by the Commission in December 2022. The EU welcomes Albania's adoption of a national contingency plan, which was prepared in accordance with the methodology of the European Union Agency for Asylum (EUAA) and European Border and Coast Guard Agency (Frontex), with adequate budget for its implementation in case of a substantial number of arrivals of migrants and applicants for international protection. The EU also notes Albania's plan to adopt the necessary amendments in the field of legal migration to align with certain provisions on family reunification, with the single permit, and with the recent changes on the EU Blue Card. The EU invites Albania to align with the EU *acquis* to further strengthen the fight against irregular migration. The EU takes note of Albania's commitment on the fight against migrant smuggling, notably under the Global Alliance to Counter Migrant Smuggling, and underlines that Albania should continue its ongoing efforts at all levels to dismantle organised criminal groups involved in migrant smuggling. As part of the development of labour migration in Albania, the EU invites Albania to develop readmission cooperation with third countries and to strengthen labour inspection to prevent forced labour and irregular onward movements to the EU.

The EU underlines that Albania's cooperation with Member States and Frontex on readmission and return operations is very good. The EU invites Albania to ensure adequate reception capacities and apply return procedures in compliance with the revised law on foreigners and in line with the EU *acquis*. The EU also invites Albania to further strengthen cooperation on returns and readmission with countries of origin, including through sustained technical and high-level engagement, as well as the development of practical cooperation on readmission.

The EU notes the cooperation with the EUAA on strengthening the national **asylum** and reception system through the continuous implementation of the second phase of the cooperation roadmap endorsed in October 2024. The EU invites Albania to make a quality implementation of the law on asylum and to develop the necessary additional administrative capacities, while ensuring further alignment with the EU *acquis*. The EU also invites Albania to make systematic referrals to the asylum procedure, and to increase the number and quality of decisions in asylum cases. The EU also notes a temporary entrustment of a reception facility for unaccompanied minors with an NGO and recalls Albania's plan to handle asylum seekers through direct government's support and services. The EU calls on Albania to establish a permanent solution for the reception and accommodation of unaccompanied minors in line with EU standards. The EU notes that the issue of Albanian citizens lodging unfounded asylum requests in EU Member States still requires continuous and sustained efforts.

The EU notes that Albania's visa policy is not yet fully aligned with the EU list of visa-required third countries. The EU recalls that temporary lifting of visa requirements is not in line with the EU *acquis*. The EU notes some progress from Albania towards visa policy alignment and welcomes the adoption of a roadmap towards full alignment, as well as underlines the need for Albania to ensure the timely implementation of this roadmap. The EU also notes that Albania's information systems will require additional technical adaptations to comply with the Visa Information System (VIS).

Regarding **Schengen and External Borders**, the EU takes note of the good and continued operational cooperation with Frontex on border surveillance and tackling cross border crime via the Joint Operation deployed since 2019 and the continuous implementation of the updated Frontex Status Agreement of June 2024. The EU recalls that part of the Schengen *acquis* will only apply in Albania following a Council decision to lift controls at internal borders, following the completion of the applicable Schengen evaluation of Albania's readiness. The EU invites Albania to continue the implementation of the National Integrated Border Management Strategy (2021–2027) and welcomes the adoption of the revised Law on State Border Control. The EU notes the continuous increase in Border Police staff since 2020 and underlines the need to maintain adequate staffing levels and operational capacities. The EU notes in this context Albania's plan to address the high turnover of officers at the border. The EU welcomes the adoption of a Schengen Action Plan in January 2026 in line with the guidance provided by the Commission, and invites Albania to implement it, via legal changes and by investing in the required infrastructure, equipment, staffing, and trainings.

Regarding the **counterfeiting of the euro**, the EU notes Albania's plan to pursue further exchanges of information with the European Commission, Europol and the European Central Bank, according to respective cooperation agreements on the protection of the euro currency against counterfeiting.

## 5. Economic criteria

The EU notes that Albania is on track to becoming a **functioning market economy**. The EU underlines the continued broad domestic consensus on the fundamentals of economic policy including a limited role of the state in the economy and a political commitment to market liberalisation. The EU notes that despite progress over the recent years, weak legal security, a high level of informal economic activity, a low level of financial sector development, difficulties with the registration of land titles, and broader structural reform gaps in governance, as well as concerns related to corruption, continue to limit the effective functioning of the market economy, resulting in slow convergence and growth below potential. Given low levels of revenue mobilisation, the EU welcomes the adoption of the Medium-Term Revenue Strategy and encourages its implementation to increase the level of revenue mobilisation. The EU stresses Albania needs to enhance the operationalisation of the public management investment framework. The EU invites Albania to systematically and thoroughly address both the EU's policy recommendations set out in the successive enlargement packages and the jointly agreed policy guidance in the context of the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Regional Partners as well as commitments undertaken as part of the reform agenda of the Growth Plan for the Western Balkans. The EU notes these reforms will contribute to support Albania meeting the functioning market economy criteria.

The EU notes that Albania is advancing in its **capacity to cope with competitive pressure and market forces** within the Union. Despite significant gaps remaining with regional and European levels, the EU underlines that Albania's energy and transport infrastructure, and the digitalisation of the economy have greatly improved. The EU also notes that investment into all areas of physical infrastructure needs to continue on a high level, complemented by improved public investment management, governance reforms and strengthened cyber resilience. The EU invites Albania to improve its competitiveness, currently hindered by a lack of entrepreneurial and technological know-how, unmet investment needs in human development, and persistently low spending on R&D through higher quality and levels of education outcomes including in Vocational Education and Training (VET), and incentives to invest into research. The EU also invites Albania to increase coverage and adequacy of social protection and health insurance to reduce the share of population at risk of poverty to enable an inclusive and socially balanced economic development.

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In view of the state of Albania's preparations, the EU notes, on the understanding that Albania has to continue to make progress in the alignment with and implementation of the EU *acquis* and relevant European standards covered by Cluster 1 - Fundamentals, and the priorities identified in the European Commission's annual reports and in the political dialogue between the EU and Albania, and without prejudice to any additional conditions established in the further benchmarks defined for Cluster 1, these may only be provisionally closed once it is agreed by the EU that the following closing benchmarks are met:

**On a horizontal level for cluster 1 Albania ensures a sustained implementation of its Roadmaps, through a robust and multi-disciplinary mechanism, paying particular attention to the adequacy of human and financial resources, institutional capacity, the respect of set deadlines, and an active dialogue with civil society; specifically as regards:**

- the Roadmap on the Rule of Law, including by addressing benchmarks under Chapters 23 and 24;
- the Roadmap on functioning of democratic institutions, by ensuring that stable and consolidated democratic institutions and processes are in place, and adopting including for the conduct of elections, the functioning of its Assembly and by continuing to strengthen the enabling environment for civil society;
- the Roadmap on public administration reform, by demonstrating consistent and verifiable progress across all areas of the strategic framework for public administration reform, policy development and coordination, public service and human resource management, accountability, service delivery, and public finance management.

## Chapter 23 – Judiciary and fundamental rights

**Albania further implements its comprehensive justice reform, consolidating achievements in impartiality, independence, accountability, professionalism, quality and efficiency of the judicial system. In particular, Albania will meet this benchmark once it:**

- Ensures continued implementation of the justice reform in line with the relevant EU *acquis* and European standards, to guarantee **independence, impartiality, integrity, and efficiency** of judiciary, including through the consistent application of the principles of integrity, merit and transparency of the self-governing bodies of the judiciary, including in the appointment of their members ;
- Consolidates **accountability and integrity** in the judicial system at all levels through the systematic and consistent application of merit-based and transparent appointments, transfers and promotions of judges and prosecutors as well as adequate capacity of the High Justice Inspector, the High Judicial Council and the High Prosecutorial Council, notably to perform timely evaluations and systematic verification of asset-declarations, in line with the highest standards set by vetting; and by strengthening the systemic resilience of the judicial system to attempts of undue internal and external interference and influence, notwithstanding the importance for representatives of the executive and legislative branches to refrain from undue interference;
- Ensures the sustained **quality** of the judiciary, including by further reducing evaluation backlog by reaching three quarters of the annual planning projections based on objective criteria with qualitative and quantitative elements, ensuring the timely publication of reasoned decisions and maintaining sufficient resources for the strengthened School of Magistrates to operate in line with EU and European standards, notably in terms of recruitment of staff, candidates selection and quality of training provided;

- Ensures the **efficiency** and performance of Courts and prosecution offices by filling about 75% of the judicial vacancies, further reducing disposition times and decreasing the backlog of cases, notably by increasing human and financial resources to significantly improve the quality of courts infrastructures and the security of individuals and ensure adequate number of magistrates and legal advisers,,aligned with EU average, establishing and consistently using a well-functioning **integrated case management system**, and ensuring a wider and more appropriate use of alternative dispute resolution.

**Albania implements robust and effective systems to prevent and counter corruption, including high-level corruption. In particular, Albania will meet this benchmark once it:**

- Increase **operational capacities**, human and financial resources of the specialised anti-corruption bodies and ordinary judicial institutions to fight corruption in particular for complex cases, including financial investigations, as well as of ordinary judicial.
- Demonstrates a solid and sustained **track record** of investigations, prosecutions, and convictions in corruption cases at all levels, in particular final convictions at high level, as well as continued tangible progress towards a solid track record in asset seizure and confiscation, including a credible and consistent practice of launching parallel financial investigations.
- Consolidates a robust **corruption prevention framework**, including by effectively implementing the newly adopted multiannual strategy across the most vulnerable sectors, the legislative measures as well as pending GRECO/ODIHR recommendations. Further strengthens the effectiveness of asset declaration verifications, and builds a solid and sustained track record of proactive administrative investigations and deterrent sanctions, including ensuring referral to prosecution, and diligent follow up by the relevant authorities.

**Albania protects fundamental rights both in law and in practice and is fully prepared to implement the European Charter of Fundamental Rights and other relevant EU *acquis* and relevant international and European standards. In particular, Albania will meet this benchmark once it:**

- Ensures the effective implementation and enforcement of human rights by increasing the capacity of independent fundamental rights bodies, the application of the rights and freedoms set out in the **European Convention on Human Rights**, its protocols, and the jurisprudence of the European Court of Human Rights. Achieves satisfactory implementation of the recommendations of international human rights monitoring bodies, including the **European Committee for the Prevention of Torture and Inhuman or Degrading Treatment**.
- Ensures enhanced **freedom of expression, including media freedom**, inter alia through the adoption and implementation of a comprehensively reformed legislative and regulatory framework, in line with EU *acquis* and European standards, best practices and recommendations, and more concrete measures to enhance safety of journalists, including the full repeal of criminal provisions on defamation;
- Further strengthened institutional capacities of the Commissioner for Protection against Discrimination, in line with EU *acquis*, and international and European standards. Implements legislation aligned with the EU *acquis*, including EU legislation setting standards for equality bodies, as well as European standards on **non-discrimination, gender equality** and combatting gender-based violence. Sustains effective mechanisms for redress and assistance to victims of violence ensured in majority through public funding including the medium-term budget planning.

- Reinforces the **child protection** system, with the best interest of the child as the guiding principle, including as regards children deprived of parental care or with disabilities, notably the effective implementation of the legislation on alternative family care, including by ensuring its harmonisation with existing legislation, with a view to completing deinstitutionalisation. Increases efforts to ensure the rights of **persons with disabilities**, including as concerns significant progress towards the de-institutionalisation of persons with disabilities and accessibility.
- Completes the implementation of an efficient and transparent **property** registration and integrated management system, which offers clear and secure property titles and a fully digitalised service in practice at the latest according to the relevant commitments of Albania as undertaken in the Rule of Law Roadmap. Ensures that all remaining cadastral data, including ownership titles and cadastral maps, are digitalised and carefully updated to systematically remove overlapping or inaccurate data and complaints are efficiently handled, and completes the remaining first registration of properties at the latest according to the relevant commitments of Albania as undertaken in the Rule of Law Roadmap. Further reduces court case backlog on property cases and effectively enforces court rulings;
- Ensures the enhanced implementation of the secondary legislation on national **minorities**, notably by strengthening the capacity and resources to protect the rights of persons belonging to national minorities, including of the Committee on National Minorities;
- Ensures full alignment of its legislative framework with the EU *acquis* on **citizenship rights**, including by repealing the legal basis allowing for the development of an investor citizenship scheme in accordance with relevant CJEU case-law.

## Chapter 24 - Justice, freedom and security

**Albania implements a robust and effective system to fight against serious and organised crime. In particular, Albania will meet this benchmark once it:**

- Aligns its legal framework with the EU *acquis*, European and international standards on the fight against serious and organised crime, and continues to implement a solid strategic framework in these areas in line with EU standards;
- Establishes a solid track record of investigations, prosecutions, and final convictions in all fields of serious and organised crime (including trafficking in human beings, firearms, drugs, child sexual abuse, cybercrime and money laundering, including as a standalone offence), – evidenced by recent and detailed statistics - and demonstrates a pro-active and effective approach to domestic and international law enforcement and judicial cooperation based on improved investigation methodology to tackle complex criminal cases.
- Establishes a solid track record in seizure and final confiscation of assets – evidenced by recent and detailed statistics - including through a fully functional inter-institutional system for the tracing, identification, freezing, management and confiscation of assets, in line with the EU *acquis*;
- Continues to demonstrate a credible and consistent practice of systematically launching financial investigations – evidenced by recent and detailed statistics - when dealing with serious and organised crime, including money laundering.
- Adequately implements a comprehensive, gender-specific and victim-centred approach to prevent and combat trafficking in human beings by creating a legal, institutional and operational framework in line with the EU *acquis*, and establishes a solid track record of proactively dismantling networks of trafficking in human beings with a focus on women and girls, and fully implements the National Referral Mechanism based on enhanced capacities to detect, identify and provide accommodation, protection, assistance and support to victims and potential victims.

**Albania demonstrates sustained and substantial results in the co-operation in the field of drugs. In particular, Albania will meet this closing benchmark once it:**

- Aligns its legal and policy framework on drugs with the EU *acquis*, including provisions to regularly update the list of new psychoactive substances and drug precursors, and effectively implements its international obligations.
- Adopts and implements a National Drugs Strategy, while ensuring the full operationalisation of the National Early Warning System and National Drugs Observatory based on an integrated and institutionalised network of domestic and international partners.
- Establishes a solid track record of drugs seizures, destruction and confiscation of corresponding assets - evidenced by recent and detailed statistics - and strongly enforces safeguards to prevent the diversion of products when implementing the legal cultivation of cannabis.

**Albania implements a robust and effective system to fight and prevent terrorism, radicalisation and violent extremism and to protect critical infrastructures. In particular, Albania will meet this benchmark once it:**

- Ensures that its legal and policy frameworks on countering of terrorism, radicalisation and violent extremism both online and offline and on the protection of critical infrastructures and entities are in line with the EU *acquis* and guided by the principles of anticipation, prevention, protection, and responding.
- Adopts a national roadmap for the implementation of the Joint Action Plan on Preventing and Countering of Terrorism and Violent Extremism for the Western Balkans and ensures its continuous implementation

**Albania delivers sustained, substantial results in the fields of legal and irregular migration, and asylum, and on issues related to the Schengen *acquis*, visa policy and controlling its external borders, in line with the EU Action Plan on the Western Balkans. In particular, Albania will meet this interim benchmark once it:**

- Continues to ensure sufficient and sustained border management capacities and adequate staffing to effectively manage mixed migration flows, including proven ability to properly control its borders, sufficient border and reception capacities, and concrete results in combatting irregular border crossings, prosecuting and dismantling criminal networks involved in migrant smuggling, and effective international cooperation, including on returns and readmission;
- Ensures the continuous implementation of the Schengen Action Plan to effectively prepare the necessary steps to implement the Schengen *acquis* as relevant upon EU accession.
- Fully aligns its visa policy with that of the EU, in particular by ending the practice of issuing seasonal visas and aligning the lists of countries whose citizens are under visa obligation and those whose citizens are exempted of that obligation when entering with those of the EU by fully implementing the roadmap for visa policy alignment adopted in November 2025.
- Ensures there is a functioning asylum system in place in line with the latest EU *acquis*, sufficient capacities to identify and refer people in need of international protection, significant increase in the quality and number of decisions granting international protection and appropriate reception capacity, including separate facilities for unaccompanied minors.

## Economic Criteria

### **Albania fulfils the criterion of being a functioning market economy**

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Monitoring of progress in the alignment with and implementation of the EU *acquis* and relevant European standards will continue throughout the negotiations. The EU underlines that it will devote particular attention to monitoring all specific issues mentioned above with a view to ensuring Albania's administrative capacity, its capacity to complete legal alignment in all sectors under this cluster, as well as further progress in implementation and enforcement. Particular consideration needs to be given to the links between the present cluster and other negotiation clusters. A final assessment of the conformity of Albania's legislation with the EU *acquis* and relevant European standards as well as of its implementation capacity can only be made at a later stage of the negotiations. In addition to all the information the EU may require for the negotiations in this cluster and which is to be provided to the Conference, the EU invites Albania to provide regularly detailed written information to the Stabilisation and Association Council on progress in the implementation of the EU *acquis*.

In view of all the above considerations, the Conference will have to return to this cluster at an appropriate moment.

Furthermore, the EU recalls that there may be new EU *acquis* between 2 October 2024 and the conclusion of the negotiations.