CONFERENCE ON ACCESSION TO THE EUROPEAN UNION – ALBANIA –

Brussels, 9 December 2024 (OR. en)

AD 23/24

LIMITE

CONF-ALB 6

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DRAFT SUMMARY CONCLUSIONS

Subject:	Second meeting of the Intergovernmental Confererence on the accession of Albania to the European Union at ministerial level held in Luxembourg on Tuesday, 15 October 2024

1. ADOPTION OF THE DRAFT AGENDA

The Conference adopted the meeting agenda as set out in AD 16/24 CONF-ALB 1.

2. APPROVAL OF THE DRAFT SUMMARY CONCLUSIONS OF THE FIRST MEETING OF THE INTERGOVERNMENTAL CONFERENCE AT MINISTERIAL LEVEL HELD ON 19 JULY 2022 (AD 17/24 CONF-ALB 2)

The Conference approved the Summary Conclusions of the first meeting of the Intergovernmental Conference at Ministerial level held on 19 July 2022 (AD 17/24 CONF-ALB 2).

3. OPENING SESSION

The Presidency of the Council of the EU, represented by the Minister of Foreign Affairs and Trade Péter SZIJJÁRTÓ welcomed, on behalf of the European Union, the delegation of Albania led by Prime Minister Edi RAMA.

The Presidency expressed its appreciation for Commissioner VÁRHELYI's work and for the results achieved during his term in office. Recalling that the latest concluded accession negotiations were finalised during the Hungarian EU Presidency in 2011, the Chair stressed that enlargement remains essential for the EU and underlined the clear need to uphold its credibility.

The Presidency recalled that the accession process is merit-based, clear and conditional, with Member States (MS) offering to help the candidate countries to advance as fast as possible on their respective EU paths. The Presidency congratulated Albania for its reform achievements, underlining that the fulfilment of the opening benchmarks for the fundamentals cluster had made it possible to hold the present meeting. The Presidency recalled that progress in the fundamentals cluster would determine the overall pace of the negotiations. The Chair also mentioned that PM Rama had visited Budapest the week before the accession conference, during which it had been agreed that Hungary would train 50 staff members of the Albanian administration to prepare them for the accession negotiations.

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The Commission, represented by the Commissioner for Neighbourhood and Enlargement Olivér VÁRHELYI, congratulated Albania for the reform progress achieved and reiterated that the opening of the fundamentals cluster was a pivotal moment on Albania's EU path. He thanked the Hungarian Presidency for its dedication to further the process, and expressed hopes that further accession conferences soon would follow. The Commission encouraged the further promotion of good neighbourly relations, noting the importance of political will for positive results. Encouraging the acceleration of further reforms, the Commission noted that Albania would need to continue its comprehensive reform of the judiciary, strengthen the rule of law, and intensify the fight against corruption and organised crime. In addition to maintained commitment to reforms, domestic cross-party consensus would also be crucial for success in the accession negotiations. The Commission noted that it would present its screening reports on clusters 6 (External relations) and 3 (Competitiveness and inclusive growth) to the Council in the following week, and was also finalising the screening reports on clusters 4 (Green agenda and sustainable connectivity) and 5 (Resources, agriculture and cohesion). At that pace, the Commission could envisage another Accession Conference opening negotiations on cluster 6 towards the end of 2024. Supporting Albania's ambitions in this regard, the Commission expressed its view that all remaining clusters could be opened by the end of 2025, with a view to closing all negotiating chapters by the end of 2027.

Albania, represented by Prime Minister Edi RAMA, expressed its pleasure over having reached this stage in the accession process, thanking the Presidency, the Commissioner and the Member States for their support. Albania reiterated its unwavering commitment to EU membership, including full support and alignment to the EU CFSP. Noting that much further work remained to be done, Albania, asserted that the EU could be confident that all its obligations would be fulfilled in the best and fastest way possible, in order to achieve the objective of membership by 2030. Albania recalled that it would continue to be a constructive and proactive partner, reiterated the country's commitment to the rule of law, democracy, and respect for human rights, concluding that it would always stand by the EU, at all times and unconditionally.

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Representatives from several EU Member States, including Netherlands (on behalf of Belgium and Luxembourg), Denmark (on behalf of Estonia, Lithuania, Latvia, Finland and Sweden), Malta (on behalf of Portugal), Greece, Austria, the Czech Republic, Germany, Ireland, Slovenia, Poland, Cyprus, Croatia, Romania, Spain, Bulgaria, France, Italy and Slovakia provided short remarks, generally welcoming Albania's progress, while emphasised the significance of the fundamentals and the importance of qualitative implementation of the reforms outlined in the EU negotiating position. The representatives encouraged Albania to make full use of the Reform Agenda under the Western Balkans Reform and Growth Facility, offered their assistance with a view to the work ahead, and expressed appreciation for Albania's full alignment with the EU CFSP.

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4. OPENING NEGOTIATIONS ON THE FOLLOWING CLUSTER: FUNDAMENTALS (AD 18/24 CONF-ALB 3 AND AD 19/24 CONF-ALB 4)

The Conference, further to the general principles enshrined in the general position of the EU presented at the first Accession Conference, agreed **two important principles**:

1) Any view expressed by either Albania or the EU on a specific chapter of the negotiations will in no way prejudge the position which may be taken on other chapters;
2) 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.

On the basis of the positions of the Parties, the Conference held substantive negotiations on **Cluster 1: fundamentals**, which comprises the Functioning of democratic institutions, Public administration reform, chapter 23 - Judiciary and fundamental rights, chapter 24 – Justice, freedom and security, the Economic criteria, chapter 5 - Public procurement, chapter 18 - Statistics, and chapter 32 - Financial control.

More specifically, the Conference noted that the EU had closely examined Albania's state of preparations in the area of Cluster 1: fundamentals.

The Conference noted that Albania, in its position accepted 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 EU.

Taking into account Albania's present state of preparations, and 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, the Conference agreed that the following ***interim benchmarks*** would need to be met before the next steps in the negotiation process of the cluster can be taken:

- **on a horizontal level for Cluster 1:** Albania ensures a close and permanent monitoring of the sustained implementation of the roadmaps on rule of law, public administration reform and functioning of democratic institutions 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.

Chapter 23 - Judiciary and fundamental rights

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

- Continued good implementation of justice reform, to be consolidated in line with the relevant EU acquis and European standards, including by strengthening further the capacity, effectiveness and independence, including the principles of integrity, merit and transparency, of the self-governing bodies of the judiciary, notably High Judicial Council and High Prosecutorial Council, including in the appointment of their members;

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- Strengthened independence and accountability by orderly completion of the vetting process, under the oversight of the International Monitoring Operation and sustained accountability and integrity in the judicial system at all levels post-vetting by the well-capacitated High Justice Inspector and High Judicial Council and High Prosecutorial Council, including by thorough evaluations, systematic and effective verification of asset-declarations consistently with the high standards set by vetting, consistent application of merit-based appointment and promotions and ensured systemic resilience of the judicial system to attempts of undue internal and external influence;

- Improved the quality of the judiciary, including by significant reduction of evaluation backlog by reaching two thirds of the annual planning projections based on objective criteria with qualitative and quantitative elements, significantly advancing timely publication of reasoned decisions, enhancing the quality of initial and continuous training, strengthening the School of Magistrates, notably by ensuring the integrity and quality of the teaching staff, and by improving capacity, and the admission examination;

- Enhanced gradually the efficiency and performance of Courts and prosecution offices and promoted quality justice services, including shorter disposition times, reduction of the backlog of cases, filling about half of the judicial vacancies and increase of support staff, making sufficient investments in judicial budget to adequately cover judicial needs, including infrastructure, towards EU average, promotion of alternative dispute resolution and establishment of a well-functioning integrated case management system.

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Albania makes significant further progress tackling and preventing corruption. In particular, Albania will meet this interim benchmark once it has:

- Enhanced operational capacities and consolidated financial and human resources of the specialised anti-corruption bodies and ordinary judicial institutions to fight corruption;

- Made tangible progress at all levels towards a solid track record of investigations, prosecutions, and convictions in corruption cases, in particular final convictions at high level, including seizure and confiscation of assets;

- Strengthened efficiency of the corruption prevention framework, including by making significant progress in implementing GRECO recommendations, ensuring effective verification of asset declarations and consistently concluding administrative investigations with relevant sanctions and referral to prosecution;

Albania further strengthens the protection of fundamental rights in practice. In particular, Albania will meet this interim benchmark once it has:

- Adopted and started implementing the data protection reform in line with the EU *acquis*, including implementation of systematic response and effective safeguards to protect privacy and personal data;

- Enhanced freedom of expression, including media freedom, inter alia through a reformed legislative and regulatory framework in line with European standards, best practices and recommendations and concrete measures to enhance safety of journalists;

- Strengthened institutional capacities, including of equality bodies, ensured legislative alignment with the EU *acquis* on non-discrimination, gender equality and combating gender based violence, and provided effective mechanisms for redress and assistance to victims ensured in majority from the state budget;

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- Reinforced 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 completion of transition towards community based care;

- Has made decisive progress towards establishing an efficient and transparent property registration and integrated management system, which offers clear and secure property titles and towards a fully digitalised service in practice at the latest according to the relevant commitments of Albania as undertaken in the Rule of Law Roadmap. Has made decisive progress towards ensuring that all 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 towards the completion of the first registration of properties at the latest according to the relevant commitments of Albania as undertaken in the Rule of Law Roadmap. Reduced court case backlog on property cases and effective enforcement of court rulings;

- Adopted the bylaws related to free self-identification and the use of languages of persons belonging to minorities as foreseen in the Rule of Law Roadmap, and in line with European standards and strengthened the implementation capacity, including of the Committee on National Minorities and its resources;

- Strengthened alignment of its legislative framework with the EU *acquis* on citizenship rights.

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Chapter 24 - Justice, freedom and security

Albania makes tangible progress in the fight against organised crime. In particular, Albania will meet this interim benchmark once it has:

- Further aligned with the EU *acquis* on the fight against organised crime, including on the criminalisation of money laundering, as well as asset recovery and confiscation;
- Made tangible progress towards a solid track record of investigations, prosecutions, and final convictions in all fields of serious and organised crime (including trafficking in human beings and child sexual abuse, cybercrime, trafficking of weapons, drugs trafficking), money laundering and terrorist financing;
- Demonstrated a credible and consistent practice of launching parallel financial investigations when dealing with organised crime and money laundering.
- Made tangible progress towards a solid track record in seizure and final confiscation of assets, with a fully operational asset recovery office responsible for identifying and tracing criminal assets, as foreseen by national legislation;
- Made substantial progress in dismantling networks of trafficking in human beings, with a focus on the significant impact on women and girls.

Albania enhances its efforts in the co-operation in the field of drugs. In particular, Albania will meet this interim benchmark once it has:

- Established a functioning and sufficiently resourced National Early Warning System and a National Drugs Observatory, and aligned its legislation with the EU *acquis* on drugs and drug precursors;
- Made tangible progress towards a solid track record of drugs seizures, destruction and confiscation of corresponding assets, while ensuring there is strong enforcement of infringements against the legal cultivation of cannabis.

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

- Ensured sufficient and sustained border management capacities and adequate staffing to manage mixed migration flows, including sufficient reception capacities, efficient means to conduct returns, plans to manage increased arrivals, in line with the existing migration strategies in place, as well as increased alignment in visa policy based on a concrete plan;
- Made substantial progress in fighting migrant smuggling;
- Ensured there is a functioning asylum procedure according to EU *acquis* and European standards, with the state offering the necessary services to asylum seekers.

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In view of the present state of Albania's preparations, and subject to Albania meeting the interim benchmarks on the rule of law chapters, on the understanding that Albania has to continue to make progress in the alignment with and implementation of the EU *acquis* covered by the following chapters, and without prejudice to any additional conditions established in the further benchmarks defined for Cluster 1, the Conference agreed that these chapters may only be provisionally closed once it is agreed by the EU that the following ***closing benchmarks*** are met:

Chapter 5 - Public procurement

- Albania fully aligns its national legal framework with the EU *acquis* with regard to all areas of public procurement, including its legislation on concessions and public-private partnerships, and international agreements exempting certain procurement from public procurement rules, in conformity with the EC Treaty, EU procurement legislation and other relevant provisions of the EU *acquis*;

- Albania puts in place adequate administrative and institutional capacity at all levels and takes appropriate measures to ensure the proper implementation and enforcement of national legislation in this area in good time before accession;

- Albania demonstrates a solid track record of a fair and transparent public procurement system, which provides value for money, competition and strong safeguards against corruption.

Chapter - 18 Statistics

- Albania submits key macroeconomics data (national accounts and GFS /EDP) in accordance with the methodology of the European System of National and Regional Accounts (ESA) 2010, as well as the ESA 2010 transmission programme, EDP notification requirements and other relevant requirements together with the required detailed description of the methodology used and that Eurostat will have already verified the data and the descriptions presented and will have already confirmed appropriate alignment with the EU rules as regards timeliness, completeness, coherence, transparency, and accuracy;

- Albania adopts a roadmap for: (i) closing any remaining gaps in all ESA 2010 tables, (ii) the transmission of any remaining tables from the ESA 2010 Transmission Programme, (iii), closing any remaining gaps in information to be provided alongside the EDP tables, and (iv) implementation of any remaining methodological issues. Eurostat confirms the relevance of the roadmap.

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Chapter 32 - Financial control

- Albania puts in place adequate administrative and institutional capacity at all levels and takes appropriate measures to ensure the proper implementation and enforcement of national public internal financial control legislation;

- The State Audit Institution (SAI) of Albania complies with the standards of the International Organisation of Supreme Audit Institutions (INTOSAI);

- Albania ensures a comprehensive legal basis to safeguard the confidentiality of OLAF investigation and sufficient operational capacity for its national anti-fraud coordination service. Albania implements an efficient National Anti-Fraud Strategy for the protection of the EU's financial interests. Albania implements effective coordination of anti-fraud activities and a solid track record on cooperation with the Commission, OLAF and the European Public Prosecutor's Office (EPPO), on reported irregularities and investigation cases involving EU funds so they can fully discharge their duty;

- Albania implements the 1929 Geneva International Convention for the suppression of counterfeiting currency, aligns its legislation with the EU *acquis* on authentication of euro coins and the handling of euro coins unfit for circulation and on authentication of euro banknotes.

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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.

5. ANY OTHER BUSINESS

No points were raised under this item.

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