

AD 6/25

LIMITE

CONF-ALB 6

ACCESSION DOCUMENT

Subject: EUROPEAN UNION COMMON POSITION
– Cluster 3: Competitiveness and inclusive growth

EUROPEAN UNION COMMON POSITION

(following Albania's Negotiating Position AD 2/25 CONF-ALB 2 REV1)

Negotiating Cluster: 3

Competitiveness and inclusive growth

Including chapters 10 - Digital transformation and media, 16 - Taxation, 17 - Economic and monetary policy, 19 - Social policy and employment, 20 - Enterprise and industrial policy, 25 - Science and research, 26 - Education and culture, 29 - Customs union

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 2, 3, 5, 10, 14, 16, 23, 26, 28, 31, 38, 39, 45, 46, 47 and 48 of the Negotiating Framework.

The EU encourages Albania to continue the process of alignment with the EU *acquis* 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 2/25 CONF-ALB 2 REV1, accepts the EU *acquis* under Cluster 3 as in force on 28 February 2025 and declares that it will be ready to implement it by the date of its accession to the European Union, except for areas in chapters 16 and 19 where Albania requested transition periods as set out below.

As an overall response to Albania's requests for transitional periods and derogations, the EU recalls its general negotiating position that transitional measures are exceptional, limited in time and scope, and accompanied by a plan with clearly defined stages for the application of the EU *acquis*. They must not involve amendments to the rules or policies of the EU, disrupt their proper functioning, or lead to significant distortion of competition.

1. Chapter 10 – Digital transformation and media

The EU welcomes Albania's well-structured **institutional set-up** and high level of **legal alignment**. The EU notes Albania's progress in the field of digital transformation, in particular regarding the digitalisation of public services. The EU invites Albania to align its existing legislation with the EU *acquis* in the areas of electronic documents, state databases, public consultation, and to align its digital agenda with the EU *acquis*. The EU positively notes Albania's new law on cybersecurity aligning to the NIS2 Directive ⁽¹⁾.

The EU welcomes Albania's high level of alignment with the EU *acquis* in the area of **electronic communications and information technologies**, especially with the adoption of the new Law on Electronic Communications, aligning with the European Electronic Communications Code ⁽²⁾. The EU notes Albania's efforts made concerning measures outlined in the roadmap for lowering roaming charges between the EU and the Western Balkans. The EU invites Albania to adopt measures to promote fairness and transparency for business users of online intermediation services. The EU underlines that Albania should ensure full alignment with the EU *acquis* on geo-blocking ⁽³⁾ and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market. In addition, the EU invites Albania to continue implementing the 5G Cybersecurity Toolbox measures (through the necessary bylaws) and align with, *inter alia*, the Digital Services Act ⁽⁴⁾, the Digital Markets Act ⁽⁵⁾, the European Media Freedom Act, and the UHF Decision ⁽⁶⁾.

The EU notes Albania's partial alignment with the EU *acquis* related to **digital transformations**. The EU welcomes Albania's high level of alignment with the EU *acquis* related to electronic identification, open data and broadband. The EU invites Albania to strengthen efforts to fully align with the EU *acquis* in the area of digital transformation and notably cybersecurity ⁽⁷⁾. In addition, the EU invites Albania to align with the EU Artificial Intelligence Act ⁽⁸⁾.

⁽¹⁾ Directive (EU) 2022/2555

⁽²⁾ Directive (EU) 2018/1972

⁽³⁾ Regulation (EU) 2018/302.

⁽⁴⁾ Regulation (EU) 2022/2065.

⁽⁵⁾ Regulation (EU) 2022/1925.

⁽⁶⁾ Decision (EU) 2017/899.

⁽⁷⁾ Cyber Resilience Act (Regulation (EU) 2024/2847).

⁽⁸⁾ Regulation (EU) 2024/1689.

The EU welcomes Albania's high level of alignment with the EU *acquis* in the area of **audio-visual media**. The EU notes that Albania's plans are in line with the EU policy frameworks. The EU invites Albania to make full use of the Digital Europe Programme. The EU underlines the need for Albania to treat the full alignment with the Audiovisual Media Services Directive ⁽⁹⁾ as a matter of priority.

The EU welcomes that Albania has in place a legal and strategic framework for **fighting corruption in the area of digital transformation**. The EU encourages Albania to maintain a monitoring system in place ensuring the implementation of the framework, paying particular attention to the media sector.

2. Chapter 16 – Taxation

The EU notes that Albania's legal framework is partially aligned with the EU *acquis* on **indirect taxation**. The EU invites Albania to align its legislation with the EU *acquis* including the Directive on the common system of value added tax ⁽¹⁰⁾. The EU also notes Albania needs to align with all the EU *acquis* on VAT⁽¹¹⁾. The EU underlines that Albania should align its legislation with the *acquis* on car taxation and excise duties, including tobacco and alcohol. The EU recalls that Albania needs to eliminate any discriminatory taxation. The EU also invites Albania to reduce its tax exemptions and tax rulings.

Regarding Albania's requests for derogations, transitional periods and exemptions to the EU *acquis*, the EU recalls that any deviation from the EU's VAT system in respect of the tax base could have an effect on the Union's own resources for which the basis of assessment would have to be adjusted in accordance with the relevant *acquis*.

⁽⁹⁾ Directive (EU) 2018/1808.

⁽¹⁰⁾ Directive (EU) 2006/112, as amended.

⁽¹¹⁾ Including but not limited to Council Directive 2008/9/EC, Thirteenth Council Directive 86/560/EEC, Council Directive 2006/79/EC, Council Directive 2007/74/EC, Council Directive 2009/132/EC.

The EU takes note of Albania's request for transitional derogations from the VAT *acquis*, in order to:

- a) Exempt (without the right of deduction) until 31 December 2035, the import, intracommunity acquisition and supply of the following agricultural inputs: agricultural machinery, live animals for fattening, live animals of pure breed, pregnant and non-pregnant for reproduction as well as biological material for artificial insemination.

The EU invites Albania to reconsider its request and envisage alternative policy measures, in particular, its flat-rate compensation percentages under the common flat-rate scheme for farmers.

- b) Exempt (with a right of deduction) until 31 December 2036, the importation, intracommunity acquisition and supply of battery electric vehicles (BEV) and Plug in Hybrid electric vehicles (PHEV), which have not been previously registered to operate outside Albania.

The EU invites Albania to reconsider the request due to its adverse cross-border effects.

- c) Apply a reduced rate of 10% until 31 December of 2035 to the import, intracommunity acquisition and supply of military equipment.

The EU encourages Albania to consider achieving its defence objectives by allocating to that end the revenue arising from the implementation of the VAT *acquis*.

- d) Exempt with a right of deduction until 31 December 2036, the importation, intracommunity acquisition and supplies of goods as well as the supplies of services intended to be used or placed in the technological and scientific parks.

The EU invites Albania to provide more information about the scope of the derogation it requests and its financial impact before the EU can take a position on this request.

- e) Exempt with a right of deduction until 31 December 2034 the importation, intracommunity acquisition and supplies of goods, as well as the supplies of services intended to be used or placed in the technology and economic development zones.

The EU invites Albania to provide more information about the scope of the derogation it requests and its financial impact before the EU can take a position on this request.

As regards any contractual arrangements which Albania may have concluded with operators in either the parks or the zones in points (d) and (e), the EU stresses the fact that, as a candidate country, Albania is required to bring any such arrangements in compliance with the EU *acquis* no later than by the time of its accession to the EU and cannot be bound by contractual arrangements to disapply the EU *acquis*. The EU invites Albania to advise current operators thereof and to abstain from concluding any further such contractual obligations until it secures any possible derogation from the *acquis*.

- f) Apply until 31 December 2036 a reduced VAT rate of 6% to the supplies of services consisting on the maintenance, cleaning, storage and repair of vessels in the Durres, Vlora and Saranda Marinas¹².

The EU invites Albania to reconsider its request as it would adversely affect fair competition in the single market.

The EU takes note of Albania's request for the following permanent derogations from the VAT *acquis*, in order to:

- a) Exempt (with a right to deduct) the international transport of passengers.

The EU considers that the request for a derogation unnecessary in view of Article 98 paragraph 2 letter a) and Annex III point (5) of Directive 2006/112/EC.

- b) Exempt (without a right to deduct) the supply of buildings or parts of buildings and the supply of the land in which the building stands while allowing legal persons buying buildings not intended for residential use to opt for taxation.

The EU invites Albania to provide more information about this derogation request including on the current taxation scheme for buildings and land, need, scope and economic and financial impact before the EU can take a position on this request.

(12) Boat repairs, maintenance, cleaning and storage.

The EU takes note of Albania's requests for the following transitional derogations to the Excise *acquis*:

- a) A period until 31 December 2033 to gradually meet (in accordance with a calendar it includes in its negotiation position) the requirements in Directive 2011/64/EU as regards both the inclusion of an *ad valorem* element in its cigarette excise and the minimum excise level.

The EU considers that Albania's proposed calendar for alignment with the *acquis* should be reviewed in the light of possible cross border effects of such lower rates before the EU can take a position on this request.

- b) A period until the 31 December 2036 to gradually meet (in accordance with a calendar it includes in its negotiating position), the minimum excise requirements in Directive 2003/96 as regards LPG.

The EU invites Albania to provide more detailed justification of its request including the current economic conditions in this sector in Albania and its fiscal impact before the EU can take a position on this request.

- c) A period until the 31 December 2036 to meet the minimum excise requirements in Directive 2003/96/EC as regards natural gas.

The EU invites Albania to provide more detailed information on the scope and rationale for its request including the current economic conditions in this sector in Albania and fiscal impact before the EU can take a position on this request.

- d) A period until the 31 December 2036 to maintain at 100 litres the amount of yearly production of fruit spirits which it may exempt under Article 22 paragraph 8 of Directive 92/83.

As regards the annual amounts of fruit spirits which Member States are allowed to exempt from alcohol excise, the EU invites Albania to reconsider request as it would negatively affect EU policy goals.

In the field of Direct Taxation, the EU notes Albania's request for a transitional derogation until 31 December 2036 allowing it to continue taxing at source interest and royalty payments made by companies in Albania to associated companies in other Member States.

Regarding the implementation of Directive 2003/49/EC concerning interest and royalties, the EU invites Albania to reconsider its request as far as interest is concerned. Regarding royalties, without prejudice to the final EU position, the EU requests that Albania would provide more information on its plans for gradual phasing in of the EU rules.

The EU recalls that in the area of **direct taxation**, the legislation remains to be fully aligned with the EU *acquis* including the Merger Directive ⁽¹³⁾, the Directive on ensuring a global minimum level of taxation for multinational enterprise groups and large-scale domestic groups in the Union ⁽¹⁴⁾ and the Anti-Tax Avoidance Directive ⁽¹⁵⁾. The EU underlines that all tax subjects need to be treated equally, and any special tax treatments or regimes need to be abolished upon accession.

The EU notes that Albania's tax system is moderately prepared in the field of **administrative cooperation and computerisation**. The EU underlines the need for Albania to ensure adequate administrative capacity and integrity of the Tax Administration. The EU recalls the need for Albania to strengthen efforts to achieve interconnection and interoperability with EU systems.

The EU welcomes that Albania has in place the structures and tools to **prevent corruption in the tax system**. The EU encourages Albania to focus on increasing staffing and training at the General Directorate on Taxation and the General Directorate on Customs. The EU further encourages Albania to continue preventing and prosecuting corruption cases related to taxation. The EU further encourages Albania to reinforce monitoring systems of corruption cases related to taxation and to reinforce the capacity of law enforcement institutions to investigate and prosecute these cases.

⁽¹³⁾ Directive (EU) 2009/133/EC.

⁽¹⁴⁾ Directive (EU) 2022/2523.

⁽¹⁵⁾ Directive (EU) 2016/1164.

3. Chapter 17 – Economic and monetary policy

The EU welcomes that regarding **monetary policy**, Albania has a high level of alignment with the EU *acquis* on the prohibition of privileged access of the public sector to financial institutions. The EU notes that Albania's legislation is partly aligned with the EU *acquis* on the central bank independence and on the prohibition of monetary financing to the public sector. The EU invites Albania to take the necessary steps to fully align the objectives of the Bank of Albania (BoA) with the EU *acquis*. The EU underlines the need for Albania to increase efforts to ensure the full personal independence of the BoA's governor, the BoA's bodies and members, excluding governmental or parliamentary interference. The EU recalls that Albania needs to ensure that the BoA fully complies with the monetary financing prohibition.

As foreseen in the Negotiating Framework, after accession Albania will not immediately become part of the euro area and Eurosystem. The EU will determine how to apply the EU's framework for the adoption of the euro prior to the provisional closure of this chapter.

The EU welcomes that regarding **economic policy**, Albania has made progress in strengthening its fiscal governance and is partially aligned with the EU *acquis* on the medium-term budgetary frameworks. The EU notes Albania's partial alignment of national legislation with the EU *acquis* on budgetary forecasts, statistics, numerical fiscal rules, transparency of general government finances, and macroeconomic imbalance procedure. The EU stresses further efforts are needed to improve Albania's macroeconomic and government finance statistics, to establish an independent fiscal institution, to produce a forecast, and to refine its forecasting process. The EU underlines the need for Albania to align its budget legislation and practices with the requirements set in the EU *acquis* on national budgetary frameworks⁽¹⁶⁾.

The EU welcomes that Albania has in place a legislative and institutional framework on **fight against corruption in economic and monetary policy**. The EU encourages Albania to make progress, as part of a track record, in its implementation and in the prevention of corruption and integrity of public officials.

⁽¹⁶⁾ Directive (EU) 2011/85, as amended.

4. Chapter 19 – Social policy and employment

The EU notes Albania's partial alignment with the **European Pillar of Social Rights**. The EU notes that Albania is committed to the EU policy and principles guiding its social policy and employment policies. The EU invites Albania to adopt its Social Rights Action Plan in line with the European Pillar of Social Rights.

The EU notes that regarding **labour law**, Albania is partially aligned with the EU *acquis* in the area of working conditions and information and consultation of workers. The EU encourages Albania to further align with the EU *acquis* to ensure comprehensive harmonisation with all European labour standards. The EU underlines the need for Albania to strengthen administrative capacities for enforcement and inspection to combat informal employment effectively.

The EU notes Albania's partial alignment with the EU *acquis* on **health and safety at work**. The EU also notes Albania's partial alignment with the EU *acquis* on workplaces, on specific risks including chemical, biological, and physical agents, and regarding institutional aspects. The EU underlines that Albania needs to align its legislation in the fields of labour law and health and safety at work with the EU *acquis*, and to strengthen institutional capacities and inspections processes.

The EU takes note of Albania's request for a transitional period until 31 December 2032 for the implementation of limit value for nitrogen monoxide, nitrogen dioxide and carbon monoxide in underground mining and tunnelling facilities set out in Commission Directive (EU) 2017/164 in accordance with Council Directive 98/24/EC on the Protection of Workers' Health and Safety from risks related to chemical agents at work.

The EU invites Albania to provide more information, before the EU can take a position on this request, regarding:

- a) Current measures in the area of health and safety at work applicable to these substances in the said worksites and industries;

- b) More information on the companies and worksites concerned and on the impact of applying the Directive (EU) 2017/164 as regards the mentioned specific substances on accession in these industries;
- c) The plans of these industries to gradually comply with the Directive (EU) 2017/164 as regards the mentioned specific substances.

The EU notes that Albania's framework for social dialogue is partially aligned with the current EU standards and practices on **social dialogue**. The EU underlines the need for Albania to take measures to enhance both bipartite and tripartite social dialogue, and ensure capacity building for social partners.

The EU notes that regarding **employment policy**, Albania is partially aligned with the EU *acquis* on economic and social policies, social economy and just transition, as well as on employment support schemes and youth employment. The EU recalls the need to further strengthening active labour market measures and employment support schemes.

The EU notes that Albania is not aligned with the EU *acquis* on **social protection and social inclusion** and encourages Albania to step up its efforts. The EU also notes that Albania has partially aligned its institutional and legal framework on persons with disabilities and child protection and care with the EU *acquis*. The EU invites Albania to strengthen the social protection system including for vulnerable groups and the social inclusion of persons with disabilities, including children with disabilities, in line with the Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding ⁽¹⁷⁾.

The EU also underlines the need for Albania to fully align with the EU *acquis* on **non-discrimination, and on equality between women and men in employment and social policy**. The EU also invites Albania to further align its legislation with the EU *acquis* on parenthood, and the equal treatment of the self-employed. The EU notes that further efforts are needed to increase labour market mobility and tackle discrimination of Roma and Egyptians.

⁽¹⁷⁾ Commission Notice – Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding

The EU takes note that Albania also requests a transition period of Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security until 2056 for the purposes of equalising the retirement age between men and women.

The EU considers that such a long transitional period to align the retirement age of men and women is not justified and that a shorter transitional period with steeper increases in female retirement age is preferable to adapt to the *acquis*. Before the EU can take a position on this request, the EU invites Albania to provide more information in order to consider the possibility of a shorter transitional period regarding:

- a) Plans and projects on pension reform
- b) A new schedule of retirement age alignment
- c) Assessment of the impact of the increase in retirement age on public finances and in the labour market.

The EU notes that Albania has partially aligned its institutional and legislative framework with the EU *acquis* on the **European Social Fund Plus**. The EU underlines the need for Albania to enhance capacities within state bodies to ensure their readiness to manage the European Social Fund Plus.

The EU welcomes that Albania has in place a comprehensive national legislation and strategy for the **fight against corruption in social policy and employment**. The EU notes that Albania also aims at increasing the use of digitalisation as a means to fight corruption.

5. Chapter 20 – Enterprise and industrial policy

The EU notes that Albania is partially aligned with **horizontal aspects of EU industry policy**, in particular on skills development and Corporate Social Responsibility. The EU invites Albania to continue to pursue alignment with these horizontal aspects. The EU also invites Albania to implement the Council recommendation on developing social economy framework conditions, fostering the entrepreneurial skills in SMEs. The EU underlines Albania's extensive strategic industrial approach, targeting advancements in digitalisation, green growth, skills, and sector-specific development. The EU further invites Albania to maintain its focus on adopting EU best practices and policies across these sectors, reinforcing its commitment to sustainable development.

The EU notes that in the field of **enterprise policy and instruments**, Albania is partially aligned with the EU SME policy and instruments. The EU underlines that Albania needs to ensure adequate administrative capacity to ensure further alignment in these areas, to strengthen its monitoring and evaluation mechanisms, including developing a comprehensive framework for assessing SME policies and improving impact measurement. The EU invites Albania to explore the opportunities within the Single Market Programme, clusters, and European Enterprise Networks, with an emphasis on green and digital transition and triple resilience (social, climate and economic). The EU further invites Albania to ensure full alignment with the EU *acquis* on late payments ⁽¹⁸⁾.

The EU notes Albania's partial alignment with the EU *acquis* on specific **industrial initiatives**. The EU welcomes Albania's good progress on aligning with the EU *acquis* in several industrial sectors, with significant efforts in areas like textiles, tourism, and space. The EU invites Albania concerning the tourism sector to enhance consumer protection, data sharing and the monitoring of tourist flows. The EU also invites Albania to step up efforts especially in sectors where further alignment with the EU *acquis* is required, including construction, mining, critical raw materials, defence and the steel industry.

⁽¹⁸⁾ Directive (EU) 2011/7, particularly in Art. 9 and the Code of Civil Procedure, as amended.

The EU welcomes that Albania has institutions and strategies in place to **fight corruption in the field of industry and enterprise**. The EU encourages Albania to intensify efforts in the fight against corruption, particularly through the digitalisation of public services, offering transparency, efficiency and accountability.

6. Chapter 25 – Science and research

The EU welcomes that regarding **research and innovation policy**, Albania is fully associated to the Union flagship Framework Programme for Research and Innovation - Horizon Europe. The EU invites Albania to strengthen its integration efforts into the European Research Area (ERA). The EU also invites Albania to strengthen the Albanian research and innovation ecosystem and the necessary accompanying measures. The EU further invites Albania to increase investment in research and science, including public funding. The EU encourages Albania to put in place necessary structures to enhance cooperation between the private and public sector and work towards more reliable statistics in this area. The EU further invites Albania to implement Smart Specialisation Strategies (S3) and to establish the S3 implementation governance, the continuous Entrepreneurial Discovery Process (EDP), and the S3 Monitoring and Evaluation system. The EU also encourages Albania to rapidly implement the new Law on Scientific Research and the National Strategy on Scientific Research. The EU further invites Albania to rapidly implement the European Research Infrastructures Consortium *acquis* ⁽¹⁹⁾.

The EU welcomes that regarding the **Horizon Europe Framework Programme for Research and Innovation and the achievement of the European Research Area**, Albania is progressing well. The EU invites Albania to reach out to and engage an even larger set of stakeholders – particularly in the field of innovation. The EU notes that integration into the European Research Area is still at an early stage and invites Albania to step up its efforts.

The EU recalls that Albania has to adopt an action plan with measures to ensure progress, for Albania to be classified as a Moderate Innovator in the European Innovation Scoreboard (EIS).

⁽¹⁹⁾ Regulation (EC) No 723/2009 and Regulation (EU) No 1261/2013

The EU welcomes that Albania has an effective framework to **fight corruption in the area of research and science**. The EU encourages Albania to continue active monitoring and reporting in order to ensure effective implementation and monitoring of the strategy against corruption and its action plan notably in the field of research and innovation.

7. Chapter 26 – Education and culture

The EU notes Albania's partial alignment with the EU *acquis* on **education and training**. The EU notes Albania's interest in further engaging in Erasmus+. The EU underlines the need for Albania to ensure sufficient budget for education in line with its ambitions and targets. The EU invites Albania to undertake further efforts regarding the use of transparency tools of the European Qualifications Framework, competence-based education and digital skills. The EU further underlines that Albania needs to demonstrate that it has taken sufficient measures to ensure inclusive education, including for minority groups. The EU takes note of the information provided by Albania on educational rights stemming from its Law on the Protection of National Minorities and National Education Strategy 2021-2026 and underlines the need to ensure full implementation. The EU invites Albania to take into account Council Recommendation of 22 May 2018 ⁽²⁰⁾. In line with promoting common values, inclusive education, and the European dimension of teaching, all levels and types of education should strengthen social cohesion, a European positive and inclusive sense of belonging complementing their local, regional and national identities and fostering tolerant and democratic attitudes. The EU further invites Albania in the field of higher education to fully implement the Bologna key commitments and to align with the Tirana Communiqué. The EU recalls that Albania has to make sufficient progress in reaching the targets as established under the European Education Area and has to put in place monitoring system that allows reliable tracking of these targets.

⁽²⁰⁾ Council Recommendation of 22 May 2018 on promoting common values, inclusive education, and the European dimension of teaching (2018/C 195/01).

The EU notes Albania's partial alignment with the EU *acquis* on **Vocational Education and Training** (VET). The EU invites Albania to complete the legislation implementing the 2017 VET Law. The EU also invites Albania to reinforce the National Agency for Employment and Skills and the National Agency for VET and Qualifications. The EU underlines the need for Albania to ensure sufficient resources for the optimisation of the VET system in line with the needs of the labour market, including capacity building and increasing the numbers and quality of VET teachers. The EU invites Albania to reinforce apprenticeship schemes and promote further engagement on apprenticeships and work-based learning in the framework of the European Alliance for Apprenticeships by developing and expanding membership from national and regional organisations through pledges.

The EU notes Albania's partial alignment with the EU *acquis* on **youth**. The EU invites Albania to continue prioritising youth work and youth participation, and continue adhering to the European Youth Work Agenda as central objectives. The EU also invites Albania to continue and strengthen measures envisaged to support digital literacy of young people.

The EU welcomes Albania's good progress in the field of **sports** and invites Albania to continue the legislative alignment with the EU sports *acquis*.

The EU notes Albania's partial alignment with the EU *acquis* on **culture**. The EU invites Albania to finalise the implementing legislation on Cultural Heritage and Museums.

The EU welcomes Albania's progress regarding **fight against corruption in education and culture**. The EU further invites Albania to ensure that the selection of school principals and appointments within key educational agencies happen without political influence.

8. Chapter 29 – Customs union

The EU welcomes Albania's progress in its alignment with the EU *acquis* on the **customs legislation**. The EU takes positive note of Albania's high level of alignment with the EU *acquis* notably on customs debt and guarantees, customs valuation, customs procedures for import and export, special procedures other than transit, Authorised Economic Operators and controls of baggage of air and sea passengers.

The EU underlines the need for Albania to further align its **legal framework** with the EU *acquis*, including the acts implementing the Union Customs Code and the Common Transit Convention. In particular, Albania should align its legislation on customs status of goods, and on transit, customs risk management and security aspects, cultural goods, cash controls and drug precursors. The scanning fees charged for the performance of customs controls should be abolished, as scanning should be treated as regular customs controls but not as services rendered by the customs authorities.

The EU welcomes Albania's adequate **administrative and operational capacity** to perform its existing customs tasks. The EU invites Albania to reinforce further capacity building and staff recruitment ahead of the accession, in particular in the IT area. The EU underlines the need for Albania to continue developing and upgrading its existing IT systems, in line with the Multiannual Strategic Plan for electronic Customs, to provide for alignment with the EU customs systems, and to ensure interconnectivity. The EU recalls the need for Albania to assign sufficient financial resources to all ongoing and planned IT projects.

The EU welcomes that Albania has anti-corruption structures and measures in place for the **fight against corruption in the customs field**. The EU welcomes Albania's intention to strengthen combating customs fraud, in particular smuggling of tobacco products. The EU positively notes that standards of professional integrity and anti-corruption are currently consistently applied. The EU underlines the need for Albania to have adequate administrative and performance capacity and integrity of the customs administration as well as the required infrastructure in its central and local customs offices to implement and enforce its customs legislation and to effectively control and supervise cross-border movements. The EU notes Albania's consideration to accede to the WHO FCTC Protocol to Eliminate Illicit Trade in Tobacco Products.

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In view of the present state of Albania's preparations, and subject to Albania meeting the interim benchmarks on Cluster 1, the EU notes that, 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 3, these may only be provisionally closed once it is agreed by the EU that the following benchmarks are met:

Chapter 10 – Digital transformation and media

- Albania brings its legislation in line with the EU *acquis* as regards the provisions on the independence of the National Regulatory Authority for electronic communications, digital services, digital trust and cybersecurity, as well as the EU *acquis* in the area of audiovisual and media services.
- Albania demonstrates that it will have sufficient administrative capacity to enforce the EU *acquis* in the fields of electronic communications, digital services, digital trust and cybersecurity, and audiovisual media services, and ensures independence of the respective national regulatory authorities, by the time of accession.

Chapter 16 – Taxation

- Albania has corrected all discriminatory tax measures against EU imports and refrains from adopting new ones. Albania has an advanced level of alignment with the *acquis* in the areas requiring further alignment in particular direct taxation, VAT, excise duties, and car taxation. In the field of energy, alcohol, and tobacco excise it shares with the Commission and consistently implements a calendar for a gradual alignment with the EU minima.

- Albania demonstrates that it has adequate administrative capacity with high standards of integrity in the tax administration, as well as the required infrastructure in its central and local tax offices to implement and enforce its tax legislation and to effectively collect taxes and control its taxpayers. Albania demonstrates that the Central Liaison Office and the Central Excise Liaison Office have the necessary arrangements in order to ensure that they will be sufficiently staffed and operational upon accession.
- Albania demonstrates sufficient progress in developing all the tax administration IT supporting systems, including those related to interconnectivity with relevant EU systems, and in particular those for VAT (VIES, VAT Refund, One Stop Shop and Import One Stop Shop), excise duties (EMCS) and its supporting systems and the IT systems necessary for tax cooperation and exchange of information in the field of direct taxation.

Chapter 17 – Economic and monetary policy

- Albania has aligned its legal framework with the EU *acquis* in order to ensure full central bank independence, the prohibition of monetary financing of the public sector, and to enable the full integration of its central bank into the European System of Central Banks.
- Albania has aligned its legal framework to comply with EU requirements for national budgetary frameworks ⁽²¹⁾.

⁽²¹⁾ as laid down in Directive (EU) 2011/85, as amended.

Chapter 19 – Social policy and employment

- Albania has aligned its legislation in the fields of labour law and health and safety at work with the EU *acquis*, and has demonstrated that adequate administrative structures and enforcement capacity will be in place by the time of accession to implement correctly the EU *acquis* on labour law and health and safety at work, particularly through strengthening of the labour inspection system.
- Albania has aligned with the EU *acquis* on social protection and inclusion, and amends the laws on non-discrimination and on equality between women and men in employment and social policy in order to align its legislation in these fields with the EU *acquis*, and demonstrates that adequate administrative structures, administrative and enforcement capacities will be in place by the time of accession.⁽²²⁾
- Albania demonstrates that it has adequate capacity to ensure effective implementation and enforcement of legislation and policy framework in the areas of employment and social policies, including planning and operational capacities, to foster an effective social dialogue, as well as to ensure capacities for the future management of the European Social Fund+.

Chapter 20 – Enterprise and industrial policy

- Albania puts in place and starts to implement a sustainable comprehensive industrial strategy, and SME policy in line with the corresponding EU policies. Albania demonstrates it has adequate administrative capacities and level of coordination between the concerned ministries and agencies.

Chapter 25 – Science and research

- Albania ensures an increase of investment in research and science, notably public funding, and the necessary implementing capacities.

⁽²²⁾ Council Directives on standards for equality bodies, Directive (EU) 2024/1499 and Directive (EU) 2024/1500 are covered under Chapter 23.

- Albania demonstrates that it has put in place structures to strengthen the research and innovation eco-systems, the implementation of smart specialisation strategies and measures to enhance cooperation between the private and public sectors in research and innovation.
- Albania implements the new Law on Scientific Research and the National Strategy on Scientific Research.

Chapter 26 – Education and culture

- Albania demonstrates that it has put in place the necessary institutional and policy framework, and corresponding budget planning, and anti-corruption measures, aiming to fulfil the EU policy objectives in the fields of education and training, including vocational education and training, youth, sports and culture. This includes measures towards closing the gap with the targets established under the European Education Area, and building progressively a reliable monitoring system, as well as measures to foster inclusive education, including for vulnerable groups.

Chapter 29 – Customs union

- Albania has an advanced level of alignment with the areas requiring further alignment including the acts implementing the Union Customs Code, as amended, with particular attention on customs status of goods, and on transit, customs risk management and security aspects, cultural goods, cash controls, drug precursors and abolish the scanning fees.
- Albania demonstrates that it has adequate administrative capacity with high standards of integrity and performance of the customs administration as well as the required infrastructure in its central and local customs offices to implement and enforce its customs legislation and to effectively control and supervise cross-border movements.

- Albania demonstrates sufficient progress in the preparation and development of the digital customs systems required for the implementation of the Union Customs Code, as amended, and other EU customs legislation, through the preparation and adoption of a national IT strategy and implementation plan for customs and ensuring the necessary budgetary and human resources allowing the development of these digital customs systems and their interoperability with the EU digital customs environment.
- Albania accedes to the Framework Convention on Tobacco Control Protocol to Eliminate Illicit Trade in Tobacco Products (WHO FCTC Protocol) and improves cooperation with the EU in fighting cross-border smuggling of tobacco products and other illicit activities.

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 28 February 2025 and the conclusion of the negotiations.