

ALBANIA'S PATH TO THE EU: CAN IT BE AN EXAMPLE FOR UKRAINE?

ШЛЯХ АЛБАНІЇ ДО ЄС: ЧИ МОЖЕ БУТИ ПРИКЛАДОМ ДЛЯ УКРАЇНИ?

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The discussion of Ukraine's accession to the European Union is important not only for scientists, politicians and statesmen, but also for ordinary people who care about the fate of their country. Some may believe that there is one well-known plan of action regarding the acceptance of the state into the union of European countries. However, this is not true, the processes are significantly different from each other, sometimes striking with their features, dynamism or noticeable duration, and have only similar, not equivalent features.

For each future member of the European Union, the procedure and duration of the course of events varies. For example, it took six years for Spain to become a full member, twelve years for Romania, and eighteen years for North Macedonia, and for this country, it is not yet a finished stage, because it still has the status of a candidate state. The longer this European association exists, the more new requirements appear for future members, because the organization clearly defines its goals and cannot make mistakes in making such important decisions.

In this article, the author analyzes the process of accession of Albania to the European Union, which, by the way, has not yet been completed, and Ukraine. These two countries are not chosen by chance, despite the fact that they are geographically, culturally and economically very different, but the challenges, difficulties and time frames on the way to the EU are somewhat similar. The chronological process of the accession of this Balkan state and the problems that existed throughout the period were studied for demonstration and historical comparison with the course of Ukraine's acquisition of membership in this political and economic union.

In the opinion of the author, it is important to show historical models of the development of events during the accession of countries to the EU, common and distinctive features of the processes, to acquaint the public with possible challenges and examples of solutions to these potential problems.

Key words: Ukraine, Albania, European Union, Association Agreement, accession to the EU.

Обговорення вступу України до Європейського Союзу є важливим не тільки для науковців, політиків та державних діячів, а й для звичайних людей, яким небайдужа доля їхньої країни. Дехто може вважати, що існує один загальновідомий план дій стосовно прийняття держави до союзу європейських країн. Однак, це не відповідає дійсності, процеси значно відрізняються один від одного, іноді вражають своїми особливостями, динамічністю або ж помітною тривалістю, і мають лише подібні, а не еквівалентні риси.

Для кожного майбутнього члена Європейського Союзу порядок дій та тривалість перебігу подій варіюється. Наприклад Іспанії для повноправного членства знадобилося шість років, Румунії – дванадцять років, а для Північної Македонії уже вісімнадцять років, і для цієї країни це ще не завершений етап, адже вона досі має статус держави-кандидата. Чим довше існує це європейське об'єднання, тим усе більше з'являється нових вимог для майбутніх членів, адже організація чітко визначає свої цілі і не може допустити помилок у прийнятті таких важливих рішень.

У цій статті автором проаналізовано процес вступу Албанії до Європейського Союзу, що, до речі, ще теж не завершився, та України. Ці дві країни обрані не випадково, незважаючи на те, що географічно, культурно та економічно вони значно відрізняються, однак виклики, труднощі та часові рамки на шляху до ЄС дещо подібні. Досліджено хронологічний процес приєднання цієї балканської держави та проблеми, що були впродовж усього періоду, для демонстрації та історичного порівняння із ходом набуття членства України в цьому політично-економічному союзі.

На думку автора, важливо показувати історичні моделі розвитку подій під час вступу країн до ЄС, спільні та відмінні особливості процесів, ознайомлювати громадськість з можливими викликами та прикладами вирішення цих потенційних проблем.

Ключові слова: Україна, Албанія, Європейський Союз, Угода про асоціацію, вступ до ЄС.

Formulation of the problem: The issue of Ukraine's accession to the European Union is relevant for Ukrainian society, and especially discussed after the full-scale invasion of Russian Federation on February 24, 2022. This is confirmed by variety of social polls; in particular, the Kyiv International Institute of Sociology conducted one in July. This poll provide us with information that nearly 81 percent of respondents is in favor of joining the EU, and the number of those who support this idea, compared to 2021, has increased by almost 30 percent [1]. Nonetheless, is there an ideal example or plan of action for a country that wants to be a member of the European Union? This question is debatable; however, a possible option is to study the history of the accession of other countries to the Union. I chose example of Albania due to several factors: this country's path to accession was not easy, it has not yet become a member of the EU, but only in the process, and some historical events and solutions to mistakes can serve as an example for those who make Ukraine's accession to the EU closer.

Main part: Albania's first steps on the way to the European Union can be determined in 1991–1992, when diplomatic relations were established and The Agreement on Trade and Commercial and Economic Cooperation between the European Economic Community and Albania was signed in May, 1992. Five years later, the Council of Ministers of the European Union approved economic and political conditions for five countries, including Albania, for the further

development of bilateral relations and closer connections [2]. A similar situation was with Ukraine, because the birth of international relations began in 1991–1994. The first step was the recognition of Ukraine's independence by the European Communities in December 1991 [3]. Moreover, in 1994, the Partnership and co-operation agreement between the European communities and their member states, and Ukraine, was signed [4]. This legal act marked the beginning of closer cooperation in various government issues. At the second Ukraine-EU summit in Vienna in 1998, Ukraine declared its desire to become an associate member of the EU, and relations between the country and the organization were recognized as strategic and unique [5].

The next rather significant step for Albania was that in 2000, goods from Albania were granted duty-free access to the EU market, which in turn helped to develop national foreign economic activity and improve economic ties with the rest of the Europe [6]. There were similar events in the history of Ukrainian integration. Discussions of economic rapprochement and cooperation between Ukraine and the EU, the creation of a free trade zone began in 1999. As a result of the process was the Deep and Comprehensive Free Trade Area (DCFTA), the final version of the agreement was pre-signed in 2012 [7], but ratification by the countries was delayed due to the problems of the rule of law in Ukraine [8]. The Deep and Comprehensive Free Trade Area has been provisionally applied since January 2016 [9].

In November 2000, the Stabilization and Association Process was approved at the summit in Zagreb, which was convened to discuss closer cooperation between five countries on the one hand (Albania, Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia) and the EU on the other hand [10]. Then the process of implementation of the arrangement by the parties and preparation for the signing of the Stabilization and Association Agreement (SAA) between the EU member states and Albania began. After years of painstaking work within the country and fulfilment of part of the commitments, official signing of the agreement took place in June 12, 2006, and agreement entered into force on April 1, 2009. This agreement provided for economic and technical support from the EU, in exchange for carrying out reforms designed to ensure human rights, promote democracy and the rule of law, and ensure the development of political, trade and economic relations. The event became one of the most important points on the way to admission. Corresponding historical events took place for Ukraine as well, in particular, the negotiations on the Association Agreement (AA) lasted from 2007 to 2011, but after that, negotiations were stopped to some extent due to debatable issues in the state policy of Ukraine. Nevertheless, the agreement was signed on 21 March and 27 June 2014 after dramatic events in the history of Ukraine and changes of the political leadership of the country and the future direction of the state's development [9].

The next step for Albania was in 2008 when the Visa Facilitation Agreement entered into force, and almost three years later, the visa regime for Balkan state was finally abolished with the countries of Schengen Area [2]. For citizens of Ukraine, the visa regime was also simplified in 2008, in connection with the signing and entry into force of the Agreement between Ukraine and the European Community on visa facilitation [11]. Since then, a new process has begun, namely, the harmonization of Ukrainian legislation and procedural aspects, in order to create a visa-free regime with countries of Schengen Area. This happened on May 17, 2017 with the signing of the Agreement on visa-free regime between Ukraine and the EU, which entered into force on June 11 of the same year [12]. This improved opportunities for citizens from both sides and initiated a new stage in the development of relations on the way to Ukraine's accession.

More than 5 years more have passed between Albania's formal application for EU membership (April 28, 2009) and receiving candidate status (June 24, 2014). During this period, the government of Albania was doing a persistent work to fulfil many obligations, which they agreed and promised to do. In particular, these commitments were related to democratization of the state and order, improvement of cooperation between Albania and European Union, between Albania and neighbouring countries, creation of mutually beneficial conditions. Some of these obligations were such as Albania was required to resolve the long-term political crisis in the country, promote sustainable work on national parliament; create conditions for conducting and hold fair, transparent, independent elections to the parliament; create the legal basis and provide aspiration to fight corruption and organized crime; remove immunity from parliamentarians, ministers and other top officials [13]. After all, essential conditions were fulfilled to a greater or lesser extent. However, some countries (Denmark and the Netherlands) wanted to make sure that the results of the reforms could be maintained and additional efforts in the field of fighting corruption and organized crime was going to be provided, so the granting of the candidate status was postponed from December 2013 to June 2014 [14]. For Ukraine, this process lasted much shorter, in comparison to Albania. On February 28, 2022, on the fourth day of the Russian Federation's full-scale invasion of Ukraine, the President of Ukraine, Volodymyr Zelenskyi, signed an application for Ukraine's membership in the European Union. In particular,

it was written as follows: "Ukraine, as a European state that respects the values enshrined in Article 2 of the Treaty on the European Union, has the honour to submit an application for membership in the European Union in accordance with Article 49 of the Treaty on the European Union. [15]" Also, together with the Prime Minister of Ukraine Denys Shmyhal and the Chairman of the Verkhovna Rada Ruslan Stefanchuk, they added a joint statement, which noted that: "Ukraine, paying such a huge price for the European choice and security of Europe, will be able to go through this path" [16]. Then the process of compliance of Ukraine and the legislation with the requirements for granting candidate status began. The presidents and parliaments of some EU member states made statements in support of granting Ukraine candidate status [17]. At the same time, representatives of other countries emphasized that in order to obtain the desired status, one must not only have a desire, but also meet certain requirements. They also invited the European Commission to check Ukraine's application in detail and provide balanced conclusions [18]. Later, Ursula von der Leyen, the President of the European Commission, gave Volodymyr Zelenskyi, the President of Ukraine, the legislative questionnaire to begin the application of Ukraine. Ten days after that, Ukraine handed over the completed questionnaire to the EU representative in Ukraine. The European Commission and the European Parliament recommended that the European Council grant candidate status to Ukraine, which was done on June 23, 2022. At the same time, the granting of candidate status to Moldova was supported and the prospect of granting such status to Georgia was expressed [19]. At the same time, the European Commission provided Ukraine with a list of reforms that require further implementation (in the field of justice; anti-corruption and law enforcement activities; protection of basic human rights; media; economic transparency), which in turn will become an even stronger foundation on the way to the EU, and will help improve the country for the citizens. It is also strongly recommended to take into account the comments of the Venice Commission regarding certain changes in legislation [20]. In addition, if Ukraine does not follow the recommendations and carry out reforms, it may even lose its candidate status.

From the time of the European Commission's recommendation to start the process of accession negotiations (November 9, 2016) to the actual start of the process (July 19, 2022), Albania faced many challenges. In particular, Germany's veto in 2016, the members of the Bundestag stressed that Albania should fulfil some obligations from the agreed list, namely carrying out reforms in the field of public administration and justice, combating drug trafficking, eradicating corruption, and showing sustainable preservation of the results of the reforms [21]. Greece further stated that only if the rights of the Greek minority in Albania were respected, it would not prevent accession [22]. Another obstacle to EU accession was that the process is happening together for Albania and North Macedonia, and until the latter solved the problem of the veto from Greece and the actual blocking of the process from Bulgaria [23].

In the end, Albania started negotiations on July 19, 2022, while the screening process (the compliance of the laws and the state of development of many branches of public administration with the requirements of EU legislation) is still ongoing [24]. According to the European Commission's latest report on Albania, the country still has many challenges for the best and fastest possible accession to the EU. In particular, in the field of public administration, legal reforms, fighting corruption, organized crime, ensuring fundamental human rights, issues related to the economy, ecology, and agriculture. The state had the best indicators and received favorable reviews in the fields of external relations, foreign security and defence [25]. In the case of Ukraine, the negotiation process has not yet begun, because this requires thorough studies of the conformity of Ukrainian legislation and legal aspects of the country's life. "They are called negotiations, but they

are not really negotiations. This is the process of introducing European norms, rules, directives and regulations in Ukraine, their transfer into the system of Ukrainian legislation... Each further step in this process, in the process of EU expansion, requires the unanimous consent of all member states. And there are many such steps in this process. So this, unfortunately, is not a sprint. It is a marathon with many roadblocks on this road. And there will be many obstacles on the way that you will have to clear," explained Katarina Maternova, Deputy Director General of the General Directorate for Neighbourhood Affairs and Negotiations on the Enlargement of the European Commission. It was also stated that even if Ukraine fulfils the seven recommendations received during the granting of candidate status, this will not be the beginning of negotiations. To start this process, Ukraine needs to convince all EU member states to create a consensus on this issue [26]. Nevertheless, Ukrainian politicians believe that the negotiation process can be started already in 2023. Thus, the Prime Minister of Ukraine stated that Ukraine has fulfilled approximately 65%–70% of the Association Agreement, and after fulfilling all the requirements that were set after receiving candidate status, it can start negotiations as early as next year, in 2023 [27].

Conclusion: What can serve as an example for Ukraine? After all, it also intends to join the EU despite all the obstacles. In turn, the EU sees the aspirations of Ukrainians, which

is proven not only by words and official visits, but also in a real financial, political, scientific aid. Results of Ukrainian integration towards the EU can be found in the annual Association Implementation Report on Ukraine. In this document, the European Commission cites examples of the development of Ukrainian incorporation and directions to which attention should be paid. At the same time, such annual reports could be used as additional source of information for improving work of legislators and other state officials. By the way, some of the spheres for reformation and enhancement are common to Albania and Ukraine, in particular justice, rule of law, economic policy and the fight against corruption [28]. Moreover, using the example of Albania, Ukraine can see that non-fulfillment or partial fulfillment of certain obligations could delay certain processes. In addition, the situation with the settlement of issues with neighboring countries is somewhat similar, in the case of Ukraine, a problem could arise with Hungary, in relation to the Hungarian community, the issue of the Hungarian language, but the experience of a Balkan country can serve to solve this. The most important thing is that Ukrainians should understand that time intervals can be quite long between decision-making and implementation, between recommendations and actual decisions. Keep in mind that joining the EU requires many reforms and changes within society, processes may take years before the desired is achieved.

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