



# EU enlargement procedure and acquis adoption in integration process

- EU and enlargement procedure
- Integration in the EU: Western Balkans and Albanian prospective

Lublin, **23 March 2023**



# Legislative framework



- Regulation in TEU
  - Article 2 and 49
- Article 2 TEU – EU values to fulfill
  - The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.
- Article 49 TEU – Legal basis for EU adhesion
  - Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.
  - The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.
- European Council sets the criteria to meet for adhesion
  - European country
  - To respect the values of article 2 TEU

# Criteria of adhesion



- European Council sets the criteria for being selected for membership from EU
- Copenhagen Criteria (European Council in Copenhagen in June 1993)
  - stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
  - a functioning market economy and the capacity to cope with competition and market forces in the EU;
  - the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.
- Madrid European Council 1995
  - Being ready for the application of the EU legislation
  - To guarantee that the transposition of the EU legislation in their state is implemented and it is applied in an effective way through an adequate administrative and judicial structure.
- Evaluation if a candidate country is ready is within the EU competencies
  - The evaluation is made benchmarking to the criteria every candidate state according to the “merit based evaluation” formula

# Adhesion procedure



- **Application of a State**
  - Council of EU receive the application and inform the Parliament, the Commission and the Parliaments of Member States
- **Opinion of the European Commission**
- **Receiving the status of Candidate Country**
  - from the Council of EU with unanimity
- **Opening of negotiations**
  - After a unanimous decision by the Council of EU
  - Through intergovernmental conferences between governments of the EU members and candidate country
  - Acquis is divided in 35 topics for an effective discussion by topic
    - 35 chapter of negotiations
  - Screening report for each of the chapters in order to understand the real progress made for fulfilling the criterias
  - Closing of the chapter of negotiations provisionally only when the candidate state shows that has achieved the necessary progress
    - Acquis adoption completed in that chapter
  - Constant monitoring for the implementation of the acquis
- **Transitional agreements (eventually)**
  - Gradual adoption of some provisions of the EU legislation within the candidate state. Offering a certain time for adoption without causing internal problematics to the candidate state
- **Adhesion**
  - A Treaty is signed when the negotiations are concluded
  - Approved from the Council of EU, on favorable decision from the EU Parliament
  - Ratified from each Member State
- **The process for the Western Balkans is a special process (with ASA procedure and treaty)**



# Institutions – Role of the Commission of EU

- **Important role of the EU Commission**
  - European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)
- **Enlargement policy**
  - Western Balkans countries
  - Turkey
  - Georgia
  - Moldova
  - Ukraine
- **Instruments and action plan**
  - Coordination with the candidate countries and potential candidates
  - IPA (Instruments of pre-accession)
    - Financial and technical support for reforms within the integrations process
    - Actually IPA III (2021-2027)
  - Legal basis for integration process THE TREATY
- **Objective of EU with neighbor countries and candidates**
  - Peace and stability in the neighbor countries
  - Enhancing the quality of life
  - Growth of prosperity and opportunities for EU entrepreneurship and citizens
  - Mentor, support and monitoring of developments in the countries that willing to adhere in EU according to the values, law and standards of the EU

- Special framework for the Western Balkans
  - 3 aims
    - stabilizing the countries politically and encouraging their swift transition to a market economy
    - Promoting regional cooperation
    - Eventual membership of the EU
- Partnership EU – Western Balkans
  - Trade concessions – Accessing EU market duty free
  - Economic and financial assistance
  - assistance for reconstruction, development and stabilization
  - Stabilization and Association agreements
    - Starting in 1999 and strengthen with the summit of Thessaloniki 2003
  - ASA with Albania in 2006
- New era for Adhesion – Summit of Tirana 2022 (!?)
  - A new perspective for WB countries



# European integration – The case of Albania

- Pre - screening
  - <https://punetejashtme.gov.al/pre-screening/>
- Integration in detail
  - <https://integrimi-ne-be.punetejashtme.gov.al/>
- National plan on Integration – updated each year
- National Council on Integration
- Interinstitutional meeting with EU
- Negotiation for adhesion
  - Analytical evaluation of the legislation (Screening);
  - Opening benchmarks and continuity on every chapter of acquis;
  - Conclusion of negotiations for each chapter and the adoption of the Treaty of Adhesion





# European integration – The case of Albania

- 35 chapters of negotiations
- Structure of negotiation group
  - Chief negotiator of Albania – Level of Ministry
  - State committee for European Integration
  - State delegation
  - Negotiator group
  - Albania Mission in the EU;
  - Secretariat of EU Integration;
  - Interinstitutional working group;
  - Platform of the partnership for EU integration.
- **VKM Nr.749 datë 19.12.2018** "On creation, organisation and functioning of the state structure responsible for the negotiation and signing of the Treaty of Adhesion of the Republic of Albania in the European Union"
- **VKM Nr.94 datë 20.05.2019** "On appointment, composition and functioning of the interinstitutional working group for the European integration"





# ***Contacts:***

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Thank you for your attention!  
Any question ?

**Assoc. Prof. Dr. Av. Arber Gjeta**

Chair JM in EU Law  
Department of Law  
Faculty of Economy  
University of Elbasan  
[arber.gjeta@uniel.edu.al](mailto:arber.gjeta@uniel.edu.al)



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