

THE ROLE OF THE EU AS A NORMATIVE POWER ON THE PROTECTION OF HUMAN RIGHTS IN ALBANIA⁹⁰

Abstract:	<p><i>Protection of human rights is a core value for the EU as well as a precondition for candidate countries. The European Commission, through the annual progress reports, monitors the protection of human rights and compliance of domestic legislation with international human rights instruments, particularly the European Convention on Human Rights.</i></p> <p><i>EU membership has always been the most cherished objective and has shaped the implementation of structural reforms and the protection of human rights. The European Union has grown as a normative power fostering democracy and promoting human rights through the promise of future accession.</i></p> <p><i>After the fall of the communist regime Albania has made significant progress toward respect for civil and political rights but still now due to the last report of the Freedom House is defined as partly free. The respect for civil liberties, especially the freedom of expression is still one of the main problems in Albania. While the Constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent news outlets.</i></p> <p><i>The paper aims to analyze how the EU perspective membership has influenced the protection of human rights, especially civic rights like the freedom of media and expression, but also its limits.</i></p> <p><i>Methodologically, will be analyzed and compare progress reports, public speeches and declarations, national integration strategies, and the revised enlargement strategy.</i></p>
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Introduction and Theoretical Approach

The article analyzes the impact of the integration process on the protection of human rights in Albania, after granting the candidate status in 2014. The EU has been considered the only possible choice for Albania after the communist regime and a constant Albanian foreign policy objective. The EU has made a solid effort to promote and protect human rights, especially since the Treaty of Lisbon. As De Burca explains, the Treaty of Lisbon identified human rights as a foundational value of the EU, and this is evident due to the binding character of the European Charter of Fundamental Rights and the commitment of the EU to be part of the European Convention on Human Rights⁹¹.

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⁹¹ Grainne De Burca, *The Road Not Taken: the European Union as a global human rights actor*, "The American Journal of International Law", Vol. 105, No. 4, 2011, p. 649

The EU promotes civil, political, and human rights, peace, liberty, and the rule of law; in Manners's words, it enables these core norms embodied in the EU treaties⁹². Consolidation of democracy, the rule of law, social justice, and respect for human rights are core values of the EU, institutionalized in the TEU and promoted in the candidate countries⁹³. (Article 2 and Article 6, TEU) This ability to influence states' behavior to internalize the EU values defines the EU as a *distinct* actor in politics and as a normative power⁹⁴.

The normative influence of the EU in Albania is strictly connected with the enlargement process, and these two aspects cannot be distinguished.⁹⁵ Through the enlargement process and Conditionality, the EU promotes and influences the reception of these values. Using Junco's theory, we can assume that the EU promotes core norms and values through Conditionality in the region, and we need to evaluate the power practices exhibited and the impact of this power.

Conditionality is defined as an instrument facilitating the diffusion of European norms, a tool for normative power transference when the EU relates with other states⁹⁶. Also, Conditionality is the EU's most potent instrument for dealing with the candidate and potential-candidate countries like Albania. Conditionality is the most powerful of the six diffusion factors mentioned by Manners in the Albanian case and generally in the Western Balkan case. EU conditionality aims to integrate the Balkan states into the EU: it intends to promote reform, prescribe criteria attached to EU-granted benefits, and differentiate among countries by assessing each on its own merits⁹⁷. The Conditionality used till now in Albania is positive and not negative. Until now, the EU practice has not involved a "punishment"; if one state fell short of applying a reform, the integration process was delayed, and its benefits were withheld⁹⁸.

However, using positive Conditionality in the region is often considered a fallout on the definition of the EU as a normative power and as a limit on enforcing EU norms⁹⁹. This fact can be actual regarding the influence of the EU as an international actor outside the continent. But, in the Balkans, the EU has assumed a "gatekeeping" behavior, as Grabbe describes it, to encourage and reward positive steps and performance but not to discourage the other states too much¹⁰⁰.

Using this positive Conditionality, the EU impacted the promotion of essential reforms and values such as democracy, respect for the rule of law, and the protection of human rights in the region, offering financial and technical assistance to meet the EU conditions. By 2023, European membership will be vital to the region's future, and all the countries are advancing the institutional framework built by the SAA. Conditionality is a powerful tool of the normative power in Albania. Still, another critical aspect that enforces the normative power of the EU is the high support of public opinion for the integration process. Also, the normative influence is possible due to the willingness to be open toward the normative power of the EU. Integration has always been the primary goal of Albanian foreign policy. Also, public opinion perceived the integration as a sign of political stability, economic progress, and social equality—in this way, the necessary reforms are often seen as a positive step. So, the Balkan Public Barometer in 2022, a survey conducted among private citizens and businesses in the region commissioned by the Regional Council, finds that in Albania, the support for EU membership is at 89%¹⁰¹. The EU uses the instrument of Conditionality to be a normative power in Albania,

⁹² Ian Manners, *Normative Power Europe: A contradiction in terms?*, "Journal of Common Market Studies", Vol. 40, No. 2, 2002, pp. 235-258

⁹³ *Treaty of the European Union*, https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF, (13.11.2022)

⁹⁴ *Idem*

⁹⁵ Ana E. Juncos, *Normative Power Europe, Empirical and theoretical perspectives*, Palgrave Macmillan, London, 2011, p. 87

⁹⁶ Ian Manners, *Normative Power Europe: A contradiction in terms?*, "Journal of Common Market Studies", Vol. 40, No. 2, 2002, p. 235

⁹⁷ Othon Anastasakis, *The Europeanization of the Balkans*, "The Brown Journal of World Affairs", Vol. 12, No.1, 2005, pp. 77–88, <http://www.jstor.org/stable/24590667> (08.11.2023)

⁹⁸ Nathalie Tocci, *The European Union as a normative foreign policy actor*, 2008, <https://www.ceps.eu/> (08.11.2023)

⁹⁹ Raja Noureddine, *Normative Power Europe and in Field of Human Rights: is EU a force of good in the world?*, "Australia and New Zealand Journal of European Studies", Vol. 8, No. 2, 2016, p. 4

¹⁰⁰ Heather Grabbe, *European Union Conditionality and the 'Acquis Communautaire*, "International Political Science Review", Vol. 23, No. 3, 2002, pp. 249–68, <http://www.jstor.org/stable/1601310> (08.11.2023)

¹⁰¹ Regional Cooperation Council, *Balkan Barometer 2023*, <https://www.rcc.int/balkanbarometer/results/2/public> (09.11.2023)

but this is also related to the political elite desire to be part of the EU and with a solid European feeling and support for the integration process from the public opinion.

This high level of support influences the adoption of the necessary reforms and the amendment of the secondary legislation to protect human rights. The EU has used strategies to promote human rights, mitigating Albanians' lack of tradition in human rights issues. In Albania, respect for human rights is a recent issue, as during the communist regime, Albania lacked human rights protection tools, especially the right to life, freedom of speech, belief and religion, detainee rights, vulnerable groups, etc. To embrace the protection of human rights and to cut ties with the communist past, in 1996, Albania ratified the European Convention on Human Rights and its Protocols. Embracing the protection of human rights leads to a more just and equitable society. Albania has undertaken legal reforms that prioritize and protect human rights that involve revisiting and amending existing laws to align them with international and European human rights standards. The EU provides guidance and support to Albania in its accession process, which includes adopting and implementing human rights reforms. The European Union has a vital role in the protection of human rights in Albania. The ratification of the international instruments and national reforms were adopted due to the integration process to fulfill the accession criteria.

The EU attaches conditions to the accession process, requiring Albania to make tangible improvements in human rights protection. This Conditionality incentivizes Albania to address issues such as corruption, judicial independence, media freedom, and the rights of vulnerable groups. Due to the EU's Conditionality, Albania ratified Protocol 13 of the ECHR. As a Council of Europe member, Albania needed to abolish capital punishment, but the use of Conditionality of the European Union convinced the Albanian government to ban the penalty in any circumstance¹⁰². The abolishment of the death penalty was a clear sign of dissociation from the communist past.

Also, from 2016 until now, the European Union in Albania has acted as an essential normative power to adopt and implement the reform of the judicial system. It is considered crucial in the integration process and is being implemented under the observation of the EU. The reform was undertaken due to the need to rebuild the judiciary system to ensure it is accountable, transparent, and independent. Strengthening the judiciary, law enforcement agencies, and other government bodies will help protect human rights and prevent abuse of power. In this case, the EU used Conditionality and clarified that the integration process was at stake without justice reform.

However, while Conditionality enhances the legal framework, it cannot ensure its implementation. The EU monitors Albania's progress in human rights protection through various mechanisms, such as regular reports and assessments. According to the Progress Reports on freedom of expression, the legal framework is adequate with European values, but its performance still needs to improve. This specific case will be considered in the next part of the article.

The Freedom of Expression in Albania 2014-2022

For many years during the communist regime, Albania lacked freedom of expression and free speech due to one of the most ferocious dictatorial regimes in Europe. After the fall of communism, Albania began the first baby steps to protect civil liberties like freedom of expression and belief. Also, the immediate post-communist period was characterized by the politicization of media and the emergence of the media as a place of conflict and a party press¹⁰³. During the first decade of the democratic changes, the analysts concurred that there was no political will to implement existing laws and to improve legislation on freedom of expression, media, and access to information¹⁰⁴.

The legal instruments dedicated to the freedom of expression are the Constitution, the European Convention on Human Rights, and many laws. The Albanian Constitution protects the freedom of the press, radio, and television and prohibits the censorship of the means of communication. (Articles 22 and 23). The Constitution aligns with the European Convention on Human Rights, which protects everyone's freedom of

¹⁰² Meljana Bregu, *The Impact of the Council of Europe and the Process of European Integration on Protection of Human Rights in Albania*, "The Review of European Affairs", Vol .4, No. 7, 2020, p.19

¹⁰³ Marta Dyczok, Oksana Viktorovna Gaman-Golutvina, *Media, Democracy and Freedom: The post-Communist Experience*, Peter Lang, Bern, 2009, p. 177

¹⁰⁴ IREX, *Media Sustainability Index-Albania*, 2009, <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2009-albania.pdf.pdf> (10.11.2023)

expression. (Article 10). In addition to the constitutional framework, Albania has adopted a broad legal framework related explicitly to the media, information, and mass communication over the years to protect the freedom of media and expression. This legislative framework aims to fulfill the European free and independent media standard. There is no special law that regulates written media. The visual media is regulated by the law on audiovisual media (97/2013); other laws are the law on the right to information (2014), the law on Electronic Communications (2008, with some amendments in 2012), the Personal Data Protection Law (2008, with some revisions in 2012 and 2014)¹⁰⁵. The progress of the European integration process impacted the legislative framework, especially after granting the candidate status. So, in this angle, Albania, due to the commitment to align national legislation with the EU legal framework, amended the 97/2013 law on audiovisual media in 2019 to be in line with the directive 2010/13/EU (*Audiovisual Media Services Directive*)¹⁰⁶. The law was amended again in 2023 to align with the European Directive 2018/1808, which amended the 2010 directive.

Regardless of these developments in the legal framework, the influence of politics over media has always been evident in Albania, which aimed to exercise greater control over the media to convey to the citizens the information that it wants to share and not what is objective and accurate as it is. Albanian legislation prohibits the establishment of radio or television stations owned by the parties to avoid the direct control of political parties over audiovisual media, but the relations between media and politics remain evident.

The progress reports after the candidate status declared almost the same problems and findings. In May 2014, after granting the candidate status, Albania adopted the new National Strategy for Development and Integration, laying down and structuring its planned reforms under the key priorities. The European Commission's 2014 progress report declares that Albania has some level of preparation concerning the right to freedom of expression and has made some progress. However, better implementation of the legislation is needed. The National Strategy affirms the alignment of the legislation for the protection of human rights with EU legislation and its implementation as a challenge to the protection of human rights¹⁰⁷.

According to the Progress Report in 2014, the lack of transparency in media financing and the use of the media to promote political and private economic interests were significant challenges¹⁰⁸. In 2015, the European Commission evaluated the progress made within a year, especially the alignment of the Constitution and the legislation with European standards and international human rights law. Still, it recommended enhancing the transparency of government advertising in the media¹⁰⁹. Concern about using the media as a tool to promote political and private interests remains a common denominator of the last 12 years of Progress Reports.

In 2016, the country made no progress on freedom of speech, and the problem of transparency of government advertising needed to be addressed. The Commission recommended the introduction of legislation in line with European and international best practices on this problem¹¹⁰. The same recommendations were made in 2017 and 2018, but the problem still needs to be addressed, and the situation remains almost the same.

From 2019 to 2022, the country experienced a worsening freedom of speech. In June 2019, an international mission composed of the representatives of 6 organizations and organized by the European Center for Press and Media Freedom visited Albania. According to the delegation press freedom in Albania needed to be improved due to non-transparent relations between the public administration and the press, inappropriate language from the government to the journalists, and a small number of critical journalists.¹¹¹

¹⁰⁵ *Raportimin e Ngjarjeve Kriminale dhe Çështjeve Gjyqësore në Media*, <https://www.reporter.al/manualidrejttese/LIRIA%20E%20SHPREHJES%20DHE%20E%20MEDIAS.html> (10.11.2023)

¹⁰⁶ OSCE, *Legal analysis on the draft laws on changes and amendments to the law on audiovisual media and the law of electronic communications, in the Republic of Albania*, <https://www.osce.org/files/f/documents/e/1/440879.pdf>, p.11 (10.11.2023)

¹⁰⁷ Council of Ministers, *National Strategy for Development, and Integration 2015-2020*, <https://ips.gov.al/wp-content/uploads/2019/11/NSDI-eng.pdf> (10.11.2023)

¹⁰⁸ European Commission, *2014 Albania Progress Report*, https://neighbourhood-enlargement.ec.europa.eu/system/files/2018-12/20141008-albania-progress-report_en.pdf (10.10.2023)

¹⁰⁹ European Commission, *2015 Albania Progress Report*, https://neighbourhood-enlargement.ec.europa.eu/system/files/2018-12/20151110_report_albania.pdf (10.10.2023)

¹¹⁰ European Commission, *2016 Albania Progress Report*, https://neighbourhood-enlargement.ec.europa.eu/system/files/2018-12/20151110_report_albania.pdf (10.10.2023)

¹¹¹ European Centre for Press & Media Freedom, *Albania: Preliminary findings of joint freedom of expression mission, 2019*, <https://www.ecpmf.eu/albania-preliminary-findings-of-joint-freedom-of-expression-mission/> (11.11.2023)

This situation was due to a smear campaign against journalists from important political actors like Prime Minister Edi Rama and the leader of the opposition. Prime Minister Rama usually referred to the media as the "kazan" trash bin and the opposition leader Lulzim Basha as "caught" media and serves of the government¹¹². Reporters Without Borders, in 2019, noted a significant decline in levels of press freedom in Albania due to the government attack on the media; Albania was ranked 82nd down to 7 places¹¹³.

2019 was one of the worst years for media freedom in Albania, also due to the introduction of the 'anti-defamation' package, which was a direct threat to online media and to the freedom of media in general and an attempt to take control over the press with the excuse of fighting fake news¹¹⁴. In December, the Albanian parliament intended to pass two laws as part of the "Anti-Defamation" package aimed at organizing virtual media and fighting fake news, in theory¹¹⁵. However, the real *ratio* of the amendments was the control of virtual media through the introduction of state regulation of online media, which constitutes a threat to the freedom of expression and transparency. Introducing mandatory registration requirements for online media and establishing an administrative body with the power to fine, shut down, and block foreign online media without a court order raises important considerations related to freedom of expression, media independence, and potential abuse of power. While there may be legitimate concerns about the spread of misinformation and the need to regulate online media, it's crucial to strike a balance between ensuring accountability and safeguarding fundamental rights¹¹⁶. By vesting judicial powers to two national media operators, the Audiovisual Media Authority (AMA) and Electronic and Postal Communications Authority (AKEP), all online media would have been under the supervision of the state¹¹⁷.

This was contrary to international best practices, European values, the Albanian Constitution, and the European Convention on Human Rights, and it would have brought an ulterior deterioration of the freedom of expression and press freedom in Albania. The Albanian President vetoed the package. In this environment, we can identify one clear example of the influence of the normative power of the European Union in Albania regarding the freedom of media and expression. The EU reacted with local journalists' associations and international press freedom groups, including the Reporters without Borders, were immediate. In 2020, the President of the European Parliament visited Albania after the Council's adverse decision on opening the accession negotiations. He also stated the importance of the freedom of media and expression as fundamental values of the EU¹¹⁸.

The EU, Council of Europe, OSCE, and the Venice Commission also reviewed the package. The Venice Commission considered that these amendments were dangerously vague and may produce a "chilling effect" on the freedom of online journalism and not ready for adoption. The draft amendments were postponed for revision¹¹⁹. Journalism Organizations from Albania and the region asked the European Commission to intervene. The Commission didn't consider the withdrawal of the amendments as a condition for the accession

¹¹² *Idem*

¹¹³ Reporters Without Borders, *Albania 2019*, <https://rsf.org/en/country/albania> (11.11.2023)

¹¹⁴ Albanian Media Institute, *Albania ranks 84th in Reporters without Borders' 2020 World Press Freedom Index*, <https://www.institutemedia.org/albania-ranks-84th-in-reporters-without-borders-2020-world-press-freedom-index/> (11.11.2023)

¹¹⁵ Albanian Helsinki Committee, *National Barometer of Media Freedom in Albania*, Tirana: Albanian Helsinki Committee, 2020, p. 16, <https://ahc.org.al/wp-content/uploads/2021/10/National-Barometer-on-Media-Freedom.pdf>. (11.11.2023)

¹¹⁶ European Centre for Press & Media Freedom, *Albania: Preliminary findings of joint freedom of expression mission, 2019*, <https://www.ecpmf.eu/albania-preliminary-findings-of-joint-freedom-of-expression-mission/> (11.11.2023)

¹¹⁷ Rovena Sulstarova, *The defamation package violates human rights and the Constitution, Tirana, Albania* <https://idmalbania.org/defamation-package-december-2019/> (23.10.2023)

¹¹⁸ European Parliament, *President Sassoli to visit Tirana: Let us turn disappointment into new energy for the way forward*, https://www.europarl.europa.eu/former_ep_presidents/president-sassoli/en/newsroom/president-sassoli-to-visit-tirana-let-us-turn-disappointment-into-new-energy-for-the-way-forward.html (11.11.2023)

¹¹⁹ Venice Commission of the Council of Europe, *Annual Report of Activities 2020*, p.9, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-RA\(2020\)001-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-RA(2020)001-e). (11.10.2023)

talks but recommended that the changes to media law should respect the European standards and the Venice Commission's opinion¹²⁰.

After the European reaction, the ruling party followed the Venice Commission's opinion. The Progress Report recognized the stepping back of the government, but due to the findings, more progress was needed in freedom of expression¹²¹. The prime minister and the ruling party stepped back due to internal and external pressure; the EU was clear that the media law needed to be in line with the Venice Commission's accommodation. The situation still needs to improve despite the European Commission's insistence on media freedom. Albania has good preparation regarding the legislative framework, but implementation still needs to be improved, and the institutions undermine access to information and space of media freedom. Addressing the gap between legislative preparation and implementation, along with improving institutional effectiveness, is crucial for fostering media freedom and access to information in Albania.

The progress reports in 2021 and 2022 have identified the same problems which, after the opening of the accession negotiations, are still there, like the transparency enhancement of government advertising in the media, the independence of the press, and the quality of journalism, which is threatened by the intersection of business and political interest¹²². Albania has a moderate level of preparation, but for almost 5 years, progress has not been made in this field. Freedom House, in its report of freedom in 2022, identified Albania as partly free and estimates that while the Albanian Constitution guarantees freedom of expression, the combination of business, political, and media interests inhibits the development of independent news outlets despite the high number of outlets and visual media in the country¹²³.

Similarly, Reporters Without Borders ranked Albania at 96th among 180 countries and explained the lack of transparency and media pluralism due to the influence of business and politics¹²⁴. In November 2022, the partners of the Council of Europe Platform on the Safety of Journalists organized a two-day mission in Tirana. According to their report, Albania experiences no progress in media freedom. The legal framework is adequate, but there needs to be an improvement for independent journalism and media freedom, especially regarding the need for more transparency and access to information¹²⁵. The screening report 2023 finds that Albania is partially aligned with the EU acquis and European standards on freedom of expression, especially addressing the fact that legal changes should reflect the Council of Europe and Venice Commission's recommendation¹²⁶. The Albanian government is preparing a roadmap that will outline the key measures in response to the screening report specifically addressing Chapter 23, and it remains to be seen in which way the Albanian government will address the issue. This level of preparation cannot fulfill the criteria requested by the EU on freedom of expression.

The problem remains the same: the EU can influence the approval of an appropriate legislative framework and, in some cases, prevent the adoption of an inappropriate legislative framework but cannot ensure the implementation of this legislative framework. Indeed, the concept of normative power referring to the EU's ability to shape global norms and standards through its practices and values, has its limits. When it comes to freedom of expression in Albania, these limits are often evident in the face of political internal interests within the state. The normative power in this specific area didn't overcome political internal interests.

¹²⁰ Alice Taylor, *Albania's declining media freedom won't impact EU accession*, Tirana, <https://www.euractiv.com/section/global-europe/news/albanias-declining-media-freedom-wont-impact-eu-accession/> (10.10.2023)

¹²¹ European Commission, *Albania – Progress Report 2020*, https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-10/albania_report_2020.pdf (11.11.2023)

¹²² European Commission, *Albania – Progress Report 2021*, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2021-10/Albania-Report-2021.pdf> (11.11.2023)

¹²³ Freedom House, *Freedom in the World -Albania*, <https://freedomhouse.org/country/albania/freedom-world/2023> (23.10.2023)

¹²⁴ Reporters Without Borders, *Albania Factsheet-2023*, <https://rsf.org/en/index/score-eco?year=2023> (23.10.2023)

¹²⁵ Reporters Without Borders, *Albania: Media pluralism and transparency concerns fuel deterioration in media freedom*, 2022 <https://rsf.org/en/albania-media-pluralism-and-transparency-concerns-fuel-deterioration-media-freedom> (23.10.2023)

¹²⁶ European Commission, *Screening Report Albania – 2023*, https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-07/AL%20Cluster_1%20Draft%20screening%20report_external%20version.pdf (11.11.2023)

Conclusions

The article addresses the role of the EU as a normative power in Albania in the protection of human rights. The European Union (EU) has played a significant role in shaping norms and influencing the protection of human rights in Albania. The EU is known for using its normative power to encourage candidate countries, such as Albania, to align their policies and practices with EU standards, including those related to human rights. Human rights are a crucial aspect of the integration process, and the EU often emphasizes the importance of respecting and promoting human rights as part of it. The EU exercises its normative power in different ways, the most common is the use of conditionality. The EU attaches conditions to its engagement with Albania, emphasizing the importance of respecting and protecting human rights. Albania is expected to demonstrate progress in areas such as the rule of law, fundamental rights, and democratic governance as part of the accession process. This conditionality acts as a powerful incentive for Albania to improve its human rights record. By leveraging its normative power, the EU pushes Albania to adopt and implement human rights standards and principles. This influence helps advance the protection of human rights in Albania, promoting democratic values, encouraging respect for fundamental freedoms, and ultimately assisting Albania in cutting ties with its communist past.

In this regard, Albania has undertaken different and important reforms. One important step in the protection of human rights was the ratification of Protocol 13 of the European Convention on Human Rights due to the conditionality of the EU. As a candidate country for EU membership, Albania was expected to align its legal framework and practices with EU standards, which include the abolition of the death penalty. Albania as a state member of the Council of Europe after the ratification of the ECHR suspended the application of the death penalty but only due to the EU conditionality ratified in 2006 Protocol 13 for the abolition of the death penalty in all circumstances. By ratifying Protocol 13, Albania aligned itself with EU norms and values regarding the protection of fundamental rights.

After the granting of candidate status in 2014, Albania has undertaken important reform due to the use of the EU conditionality. The justice reform in Albania has been a significant process aimed at addressing systemic issues in the country's judiciary and ensuring the rule of law. The European Union (EU) has played a crucial role in supporting and facilitating this reform process. The justice reform in Albania is focused on enhancing the independence, efficiency, and transparency of the judiciary. It involves a comprehensive set of measures aimed at improving the overall functioning of the justice system and ensuring the protection of human rights. Through its involvement, the EU aims to ensure that justice reform in Albania is aligned with European standards and principles. The goal is to establish a robust, independent, and efficient justice system that safeguards the rule of law, protects human rights, and enhances the trust of citizens in the judiciary. In this case, the EU was able to influence the adoption of an important reform especially to ensure the political compromise between the government and the opposition to reach the quorum to modify the constitution. The EU was clear on its commitment, the reform was a necessary condition for the progress of the integration process. Despite the success in influencing the adoption of important reforms, normative power and the use of conditionality have their limits regarding the implementation of these reforms.

Therefore, while conditionality can be a powerful tool in promoting human rights, it is not a guarantee of the full and immediate implementation of these laws. The problem remains the same: the EU can influence the approval of an appropriate legislative framework and, in some cases, prevent the adoption of an inappropriate legislative framework but cannot ensure the implementation of this legislative framework. The EU sets expectations and requirements for countries seeking EU membership or cooperation, but ultimately, it is up to the member state to ensure the full implementation and enforcement of human rights.

Indeed, the concept of normative power referring to the EU's ability to shape global norms and standards through its practices and values, has its limits. When it comes to freedom of expression in Albania, these limits are often evident in the face of political internal interests within the state.

The normative power in this specific area didn't overcome political internal interests. In the case of Albania, political internal interests may sometimes hinder the full realization of freedom of expression. While Albania has made progress in adopting legislation that protects freedom of expression, there may still be gaps or inconsistencies in the legal and regulatory framework. Another challenge is the lack of institutional capacity and independence, lack of pluralism, smear campaigns against journalists, and lack of transparency and access to information.

Overcoming these challenges requires a comprehensive approach that includes legal reforms, building institutional capacity, promoting media pluralism, safeguarding the safety of journalists, and fostering a culture of respect for freedom of expression. It also requires continuous monitoring, engagement with civil society organizations, and international support and cooperation to address these challenges effectively. All this panorama cannot depend only on the power of the EU, but it is principally an internal commitment.

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