

## NATIONAL CONVENTION ON EUROPEAN INTEGRATION

### Session 4, Working Group I (Judiciary and Fundamental Rights)

#### Topic: Bilateral Screening – Experiences and preparation of the Negotiation Group for the Chapter 23

June 29, 2021

#### **Slovak Expert: Jan Figel's speech**

We are sort of at least in my case returning back to the previous possibilities to mobility and communication after a year full of covid restrictions so I wish that all these renewed possibilities could serve the good decisions of Albania of European Council including enlargement process. Because enlargement is important and in the last over 20 years this was the most successful part of EU policy, very visible and overall positive and it's not finished it's not complete because enlargement means Europeanization of the Union with other countries. Western Balkan countries it is and it can be and I believe it will be more European more complete the original idea and dream was to have Europe whole and free and it's still not complete in terms of integration. I mentioned last time and I again must congratulate Ministry of Justice the European Movement Albania and Slovak Foreign Policy Association.

This was a success story after long years of isolation and problems we have been invited to the process and then negotiated 34 months three years in very complex situation and of course very complex agenda with a success at the end by a referendum of people voting on accession yes. Why I mention it because your case is different but still there are many lessons to be learned but I am glad that Albania is preparing that you take care on details or necessities because it is overall again complex process and people decide on both sides on the side of EU as it is, and then Albania as a democratic nation.

So, nothing should be underestimated or simply and easily taken because at the end it will be and may be very important for the final decisions. So not to make my contribution too complicated or long it is about combination of screening, harmonization and implementation and all three parts of this process are very important because you need to know precisely what is going on and where is the situation in legislation of Albania and moving European Union because it is constantly developing. Second then harmonization means taking over either directives or regulations and make the transposition really functioning not only in theory or seemingly, but in in real worlds and clauses. And then implementation which is always the most substantial, because only implementation shows maturity or compliance of the country and its institutions with the Acquis as you know it is divided by also developing tradition into chapters.

Some are smaller some are bigger some are easier some are harder or difficult so then chapter opening and closing will be a process with very different dynamics. Some quick and some slow, where justice is one of more heavy issues as usually it is a very substantial chapter of Acquis, in terms of consequences. In our case it was not 23 but 24 called justice and home affairs with a lot of administrative judicial issues and for real full freedom of EU citizens it was about visa regime. Visa harmonization because this country needs to get into full not overwhelming but full 100% compliance with the list of countries and relations to countries then there is preparation for very sensitive and special Schengen visas. As you know especially since 2015 it is also about the immigration policy which remains national which, is not a communitarian thing but there are many similarities and limitations is to adopt more because we face challenges. Refugee and migration pressures are growing and importance of police cooperation including Interpol and including Europol. We had to adopt new driving licenses but also European arms license was adopted in Slovakia, that is kind of arms passport. That quite substantial reform was connected with the criminal law with procedures and procedural harmonization but also material law the new phenomenon in European cooperation and it will be even more sensitive with new admissions like anti-terrorism.

As you know it became one of the major international point since 15-20 years now but especially in the last decade, and then last not least was judicial cooperation in criminal matters and in civilian matters so I don't want to and I cannot go even into details of many of these issues but I wanted to stress sensitivity of this agenda, so please take it thoroughly professionally carefully with the sense of detail and then of course rely on good cooperation with friends in the process. As you mentioned Croatia and Slovakia or and especially with European Commission. European commission is your ally. Many countries you know behave according their national interests which is okay logical but there is a guardian of communitarian interest which is European Commission so don't be afraid or shy to use commission as your friend.

Chapters need of course very qualified teams and leaders of the team. It is important that several ministries concerned ministries are involved and that they work in the team spirit that there is no kind of competition or fragmentation, but rather cohesion, coordination, cooperation. Several ministries and central state agencies must be involved in this important chapter. You need qualified professionals in the team and realize also intense communication with as I mentioned Brussels with government as a whole and especially with people through media directly through civil society.

There is as I said inter-relatedness of different parts of this process one is screening then a key transposition in the parliament it's a very demanding process and then also don't

don't forget institutional stability and administrative capacity, because in many cases transposition of legislation is relatively easier part but then to have a reliable and professional institutions means to have people qualified. Educated trained people who are in service to public interest and this is frequently underestimated that's why European Union in 90s adopted not only Copenhagen criteria but also Madrid criteria. Copenhagen is on compatibility in political economic administrative sense a legislative sense but Madrid criteria was added later as an important expression of administrative capacity that there are enough people and qualified people to represent European policy.

Remember then that nothing is closed under everything is closed so this also means inter relatedness of many issues between and among chapters. So, again fragmentation in the process means weakness. You need to think in an act in holistic manner. And maybe the last not least message from my side is that you your young people and I like your interests you should think about European integration as European negotiations as about your interest. Acquis is the key because you want us to be to become and to stay a reliable part of a community.

Please don't communicate and don't understand all these demands requests conditions as Brussels made. You need to share it and to spread this as your basic national demand solutions of your problems and needs and deficits so please use it with expressions we want we need for Albania because this compatibility must be nurtured must become an ownership of people. It cannot be imposed and it shouldn't be never imposed but developed constructed and created in Albania through Albanians for Albania. So basically that's my message.