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## **VISA LIBERALISATION IN THE REPUBLIC OF ALBANIA**

### **Abstract:**

The visa liberalization concerns the right to freedom of movement is accomplished through the area of freedom, security and justice without internal frontiers. The abolition of the visa regime has made it possible for many Albanian citizens to bring down the enormous bureaucratic and discriminatory barrier that separated them from other Europeans. First we want to deal with the history and evolution, together with the development of the idea of freedom of movement. Secondly, we have analyzed the meaning of the abolition of the visa regime in Albania and the changes made by the Treaty of Lisbon in 2009. Finally, we examined the possibility that the abolition of the visa regime involves a step forward in the process of European integration of Albania.

The road to European integration of our country, Albania, is very long, but achieving the goal of being able to travel freely in the Schengen countries should not be a point of arrival but must be regarded as the beginning of a path inside a tunnel where we can see, even if from a distance, the light.

### **Keywords:**

visa liberalisation, concept, history, Albania, international law, ue

**JEL Classification:** F22

Visa liberalization has undoubtedly changed the lives of Albanian citizens by giving them ample opportunity to be able to travel freely, realizing a dream agonists for a long time.

Since the nineties, about a third of Albanians live all 'foreign, and mainly in the two countries more' neighbors of the "Schengen Area", Italy and Greece.

The decision to abolish the visa regime, has given the opportunity 'to many Albanian citizens to travel not only for tourism, but also to be able to visit their loved ones who are located in different European countries.

Also, shorten the psychological distance by breaking down the enormous bureaucratic and discriminatory barrier that separated them from other citizens of the world.

The emigration abroad is part of the traditions of the Albanian people. During the period of Ottoman rule, for example, caught on a wide practice of temporary and seasonal migrations, usually for purely economic reasons.

This tradition was interrupted by the birth of the communist state in 1944, which lasted until 1990, which initiated a period of denied emigration, where the boundaries were rigidly closed.

Today Albania is institutionally stable and with an economy that grows with the typical rhythms of the emerging countries.

A milestone in the process of institutional reconstruction was the enactment of the new Constitution, written with the collaboration of the European Community and approved November 22, 1998, the last of Europe's post-communist democratic constitutions.

The Constitution has made Albania a Parliamentary Republic based on the principle of separation of powers, pluralism, freedom of religion (article. 24) and the protection of minorities (article. 18).

The Constitution of 1998 also explicitly restores the right of movement both inside and outside of the country and provides explicit protection of migrants in the Articles 8 and 38.

The initiative of the European Community in the spring of 2008 to open a dialogue regarding the removal of the visa regime in the countries of Western Balkans must be

consider as a natural phase, and it also implements the process of integration of these societies in the European Union.

The perspective of visa liberalization was projected for the first time in the Thessaloniki Summit in 2003.

The dialogue for visa liberalization was followed by the presentation of their roadmap to the visa-free regime for the Western Balkan countries, which indicated the criteria that had to be made.

The roadmap includes 42 standards organized into four identical blocks for the participating countries in this process, including precisely the Albania:

- 1) Document Security
- 2) Illegal immigration and the re-admission
- 3) Public order and safety
- 4) The relations with the other countries and fundamental rights

With the entry into force of the law of the visa liberalization from the European Union in December 2010, Albanian citizens have the opportunity to travel in 25 states of the EU members of the "Schengen Area", and in 3 States that are not part of the EU, but have accepted the *acquis*.

The citizens that possessed a Biometric passport, have the right to travel in a period of time up to 90 days (corresponding to 3 months) every 180 days (corresponding to 6 months) for reasons of tourism or study.

It's important to note that this right belongs only to those who are in possession of the biometric passport.

The days are counted from the moment in which an Albanian citizen enters the border of one of the States of the "Schengen Area". Because Britain and Ireland are out of the "Schengen Area", citizens who want to travel to these destinations must be in possession not only of the biometric passport but they also need a visa, as was previously the case.

The process of integration in the EU intensifies more and more, and also goes through the process of liberalization of the visa regime, affecting areas more and more important, such as democratization and economic development.

In the achievement of this utopia of freedom of movement from the Albania, is important to remember that the Albanian state must also think about increasing the capacity and the improvement of the quality of the services of its citizens in its consulates located in the Schengen Area .

When we speak of the abolition of the visa regime in Albania, we cannot refer to the changes introduced by the Lisbon Treaty innovations that have helped my country to achieve this important arrival such as the visa liberalisation.

The Treaty of Lisbon, signed on 13 December 2007, put an end to the crisis of the European Union, which lasted more than two years, begun after the negative outcome of the French and Dutch referenda on the Treaty establishing a Constitution for Europe .

The Treaty of Lisbon has officially entered into force on 1 December 2009, and had led to major innovations in the field of freedom of movement on the part of Europeans.

In fact, it introduced a new Title V entitled "Area of freedom, security and justice".

It provides for the provisions of the European Union in the field of border controls, asylum and immigration, justice cooperation in civil and criminal matters and police cooperation.

Finally, on November 8, 2010, the European Union has approved the "abolition of the visa regime for Albania".

There are, however, limits placed on the base of this process, including one of the fundamental limits cover the period of stay.

In fact, the process of liberalization only affects short-term visas (up to 90 days every six months), while it remains unchanged legislation on long-term visas, such as visas or national type D visa and the reasons for of medical care.

The process of visa liberalization and the subsequent abolition of the visa regime is a first step of the Albanian State to Europe.

Over the years, paradoxically, the "Berlin Wall" was replaced by the "Schengen Wall", becoming a symbol of long queues formed by the Albanian citizens in the various Embassies of member countries.

Unfortunately, the image of the countries of the EU in the eyes of the citizens of the Western Balkans, in most of the cases were linked to visa policy, and not to the development or progress.

Important in the process of integration was the creation of free trade areas between the countries of the region and between the region and the European Union, as well as the deepening of regional cooperation in general.

Tirana has filed the application for membership to the EU in 2009 to Brussels, and in the 2010 the application was rejected standing that a high number of the roadmap, including stability of the institutions, were not satisfied.

In 2012, the European Commission has recommended to the European Council to grant to Albania the status of candidate country once made the necessary reforms.

Therefore, the elections of June 23, 2013 have been considered a test case for Tirana, a test widely exceeded.

The process of integration in the EU is a national target, according to the democratization and transformation of the society of Albania in accordance with the values of the United Europe.

Get the status of candidate country (the milestone 06/24/2014) and the start of trading for the membership in the EU is a priority action for the new political majority.

Among the freedom of the person, to be able to decide where to spend the moments of his life has a fundamental importance.

It constitutes a prerequisite for the enjoyment of the other rights.

What I want to make it clear to my fellow citizens is the difference between the law written on paper and the law implemented, since the difference between these two rights is very broad, since, as in the life of each of us just do not want one thing to be able to get, so in the various laws and constitutions not enough to state the principles in the laws and constitutions to be sure that they are respected and guaranteed.

Freedom movement is an indispensable condition for the free development of the human being. On the regulatory side, however, it is considered separately, depending if it occurs inside the territory of a state or outside the state of origin.

The phenomenon of movement and displacement of people, can be defined as a dimension of the existence of "man in society".

Earlier I referred to the "Schengen Area", which is a territory where the free movement of persons is guaranteed. It was for decades agonist to all Albanian citizens, and today more than ever they feel part of this "family."

I am aware that the road to the European integration of my country, the Albania is still long, and the achievement of the objective of being able to travel freely in the countries of the Schengen area should not be a point of arrival, but the beginning of a route inside a tunnel where we can see, even if from a distance, a light.

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