



By: Tomorrow's Affairs Staff

Offshore borders of Europe - why the project in Albania will not survive



When Italy **decided** to shift part of the burden of the migrant crisis to Albania two years ago, the project was presented as pragmatic and daringly innovative.

The idea was simple: take the processing of asylum applications out of Italy, move them a few hundred kilometres east, and thus reduce the pressure on Sicily and Lampedusa.

Tirana saw this as an opportunity to **present** itself as a reliable partner of the European Union and to receive a financial injection for the infrastructurally neglected north of the country.

The deal sounded like a compromise. Rome would build and finance the centres; Tirana would provide the territory and police for security, and Italian law would apply within the perimeter.

In the Albanian towns of Gjader and Shengjin, up to 36,000 people were to be **processed** annually in centres with a simultaneous capacity of 3,000.

The figure repeated in public – 670 million euros over five years – was high but politically profitable: Meloni received proof that Italy was taking action, and Albanian Prime Minister Edi Rama confirmed that Albania could play in the European league.

A fragile legal footing

The first convoy **arrived** in October 2024 and showed almost immediately that the project was on a fragile legal footing.

The complaints of two Bangladeshi citizens, whose applications were quickly **rejected** on the basis of the Italian **list** of "safe countries of origin" and who were transferred to Albania, were submitted to the courts in Rome.

The court ordered their return to Italy and declared that the accelerated procedure did not offer sufficient guarantees for a fair hearing. This cleared the way to Luxembourg, to the Court of Justice of the EU.

The Italian variation – the "safe" list with political exceptions and a weak appeal mechanism – is inadequate

When the Court of Justice of the EU (CJEU) **ruled** on joined cases C-758/24 (Alace) and C-759/24 (Canpelli) on 1 August, it appeared to be another technical ruling on asylum rules. In reality, the ruling broke through the logic of the "externalisation" of asylum.

Member states can draw up lists of "safe countries of origin"; they can speed up procedures – but all of this must be subject to judicial review, be based on publicly verifiable criteria, and be applicable to the entire population of the country in question, with no tacit exceptions.

The Italian variation – the "safe" list with political exceptions and a weak appeal mechanism – is inadequate. The CJEU has thus indirectly penetrated the heart of the Italian-Albanian model of "camps outside the EU".

From speed and efficiency to rising costs

The Court's decision was not a political document against migration innovations but cold legal logic.

If Italy decides on asylum, it must also **offer** all the guarantees required by EU law, regardless of whether the facility is located in Rome, Palermo or Gjader. An offshore location does not release it from its responsibilities or obligations.

Furthermore, the Court emphasised that "safe origin" cannot be an abstract concept. If there are groups that are still at risk in the country of origin, the presumption of safety falls apart for everyone.

As soon as serious judicial control comes into play, the speed drops and the costs rise

This ruling has practically destroyed the logic of the Italian arrangement. The project was based on the assumption of speed and efficiency.

As soon as serious judicial control comes into play, the speed drops and the costs rise. Even before the ruling, the **price** was politically problematic. Investments of over 70 million euros in construction works and operating costs without a clear return on investment and idling of the facilities in the first year.

Now that each individual case can be challenged before both the court in Rome and the European courts, the project is losing what should be its only advantage – efficiency.

A service station for political experiments

For Albania, the whole arrangement becomes ambiguous. The gains are obvious - the rapprochement with the EU and the direct financial benefits.

But the risks are now clearer: the candidate country's reputation could be undermined if Tirana is seen as a service station for political experiments that do not pass the European legal filters.

In the domestic political discourse, the question is already being raised as to whether Albania, instead of a partner, has actually become a border drawn by the EU outside its territory.

If the Italian model is officially renamed a "repatriation hub", which Rome has already announced, Tirana will face an even more unpleasant role - it will become a transit point for deportations, with all the consequences for relations with the countries of origin.

The new migration pact, which was adopted in 2024, will come into force in June 2026

Meanwhile, the European migration framework is changing in other ways. The new migration pact, which was **adopted** in 2024, will come into force in June 2026.

It provides for longer deadlines at the border, extended procedures, and mandatory solidarity from member states through resettlement or financial contributions.

This implies that offshore experiments, such as the Italian-Albanian one, will very soon be compared with the new centralised framework.

If the experiments prove to be more costly and slower, as they currently are, their political and economic significance will diminish.

Europe cannot hide its borders in a foreign backyard

For Italy, the choice is **limited**. It can try to "fix" the list of safe countries and provide procedures with minimal legal viability, but this will only prolong disputes and increase costs.

It can turn centres in Albania into logistical hubs for repatriations, but that is a solution that scores fewer political points than promised to voters.



The ruling of the EU Court of Justice is a reminder that Europe cannot hide its borders in a foreign backyard

Most realistically, Meloni will strive to uphold the symbolic significance of the agreement - depicting buses and centres as evidence of a "hard line" - while the actual asylum procedures continue to be conducted in Italy, under judicial oversight.

For the EU, the ruling is a warning that external strategies cannot be shortcuts. All creativity in the search for partners and locations falls flat when confronted with the basic principles of EU law.

Attempts to "take" asylum outside the borders are actually brought back inside by the obligation of judicial review and equal treatment.

Therefore, the next period, until the full implementation of the Pact, will be a test of whether the Union can build an internal system that is efficient enough to avoid the need for experiments in Albania and elsewhere.

And for Albania, the question is how to find the balance between short-term gain and long-term identity. As a candidate for EU membership, Tirana cannot build its reputation on jobs that the European courts overturn.

To stay a part of the solution, Tirana must insist on securing its status through European frameworks, not just bilateral agreements. Otherwise, it risks being remembered as a political experiment that has quickly lost its purpose.

At a time when migration issues are determining the political stability of the entire continent, the Italian-Albanian project shows how short-sighted solutions that attempt to push the problem "over the fence" are.

The ruling of the EU Court of Justice is a reminder that Europe cannot hide its borders in a foreign backyard. The process remains European, no matter where it takes place.

It is a lesson that will shape all future debates on migration - and it already shows today that the path to a lasting solution does not lead via Gjader and Shengjin, but via European courts and internal responsibility.