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The Law on Strategic Investments in Albania between Transparency and Market Concentration: A Legal and Empirical Analysis in Light of the EU Report

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Abstract

This paper examines the legal regime governing strategic investments in Albania, established by Law no. 55/2015 “On Strategic Investments in the Republic of Albania”, focusing on the tension between encouraging investment and safeguarding transparency and fair competition. Through a dual approach —legal and empirical — the study analyses the normative framework regulating the approval procedures, the status of the strategic investor, and the administrative and fiscal incentives, comparing them with European Union standards. The empirical analysis draws on data from approved projects and on the findings of the EU Report on Albania, in order to assess whether the practical implementation of the law has led to market concentration in the hands of a limited number of operators. The results suggest that the broad discretionary power of decision-making bodies and the lack of strong accountability mechanisms increase the risk of distorting competition and weaken public trust. The paper argues that strengthening transparency, publishing contracts, and ensuring independent oversight are preconditions for compliance with the EU acquis. In conclusion, it proposes concrete recommendations for reforming the law towards a more open, competitive, and transparent investment model.

Keywords: Accountability; Competition; Strategic Investments; Rule of Law; Transparency