

Can the Balkans Fight Corruption Without Weakening Due Process?

By
Luka Petrović

Published: April 13, 2026

Judicial reform for many post-socialist countries is an ongoing process. The fall of the Soviet Union in 1991 saw several Eastern European states embark on a journey to integrate into the EU, facing extensive pressure to conform to more stringent standards of judicial independence and rule of law. Anti-corruption campaigns have become central to this effort, particularly across the Balkans. Yet the question remains, “How can governments pursue aggressive anti-corruption prosecutions while still safeguarding democratic justice systems?”

Pressure increased significantly in February of 2018 when the [EU–Western Balkans Strategy](#) was adopted. This ramped up pressures through the introduction of comprehensive rule-of-law initiatives. Regional judicial overhauls commenced, with efforts to create specialized anti-corruption bodies taking center stage, whereas structural judicial changes in each country have often been paired with anti-corruption efforts encouraged by the EU. The aim of these efforts has been the eradication of entrenched exploitative networks. As a cursory review of these processes reveal, reform can often create new imbalances.

The case of Albania is one example. There was a time when Tirana was depicted as a leader for EU accession. Indeed, the country commenced one of the region’s most ambitious justice reforms, with extensive international support from the U.S. and the EU, with the centerpiece of this new anti-corruption architecture being the [Special Structure against Corruption and Organized Crime](#) (SPAK), established in 2019.

Highlighting the extent of the involvement of actors from outside the EU, this institution was created with assistance from USAID and the U.S. State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL). The U.S. Department of Justice (DOJ), including the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) and the International Criminal Investigative Training Assistance Program (ICITAP), also played supporting roles, [creating a structure](#) that would resemble that of the FBI.

SPAK was intended to strengthen investigative capacity, supporting broader rule-of-law reforms and civil society oversight. SPAK was depicted as a landmark achievement capable of accelerating the country’s path toward EU membership, however SPAK has increasingly become the subject of debate. Possessing the mechanism and budgets to combat corruption the challenge facing Albania today is how to ensure the methods used remain consistent with rule-of-law principles.

Fighting corruption does not produce immediate results. Institutional restraint and procedural fairness are required. Concerns have grown that the sweeping powers granted to anti-corruption prosecutors risk undermining these very safeguards. Congressman [Keith Self](#) noted that Albania’s judicial reforms have created delays of 8 to 15 years, a backlog that “undermines the rule of law, public trust, and due process.” Systemic delays illustrate how institutional reforms are not a catchall solution.

An area of particular concern is the expanded use of pretrial detention, which usually serves as an exceptional measure when courts determine there to be a genuine flight risk, threat of interference with an investigation, or threat to public safety. In Albania this has increasingly become a routine prosecutorial tool.

The case of Tirana mayor Erion Veliaj illustrates the controversy. Veliaj was detained by SPAK over a year ago, while to date, no formal charges have been levied. He continues to be held without bail, with another postponement in March 2026, and prevented from being able to perform his municipal duties. Veliaj's detention, and that of other elected officials, presents a governance dilemma.

When elected officials are held for extended periods without conviction, public service becomes inhibited and voters disenfranchised. Tirana's Council of Ministers attempted to remove Veliaj from office after three months of detention but the Constitutional Court later [reinstated](#) him as mayor, ruling that elected officials cannot be removed from office solely due to being detained.

Similar controversies have emerged in Turkey, where the detention, and [trial](#) of Istanbul mayor Ekrem Imamoglu, has been criticized as politically motivated. In Bulgaria, the detention of [Varna mayor](#) Blagomir Kotsev sparked nationwide protests. Although each case must be seen within its own political context, together they illustrate a broader tension between anti-corruption enforcement and democratic governance.

A November 20, 2025, Washington Post [article](#) described Albania's approach as an example of "muscular prosecution," as part of which Albania seems to emphasize that no one should be above the law. Yet framing anti-corruption in these terms risks conflating aggressive enforcement with lawful enforcement. Effective justice systems depend not only on the vigor of prosecutions but also on strict adherence to procedural safeguards, without which the legitimacy of such prosecutions should be brought into question.

In Veliaj's case, for example, SPAK has barred him from communication with the public. Criticisms have also been levied against the prosecution for violating the principle of equality of arms, a [core judicial standard](#) according to which all parties must have equal procedural opportunities, including access to evidence. The balance of power between prosecutors, judges, and defendants within Albania's evolving justice system is thus brought into question.

Albania's reliance on pretrial detention has drawn criticism from the U.S. [State Department](#), the [European Court](#) of Human Rights, and United Nations torture prevention [experts](#). NGOs have similarly warned about structural imbalances that leave judges reluctant to challenge anti-corruption prosecutors.

Concerns have also been raised by [regional leaders](#). The mayors of the B40 Balkan Cities Network, representing 76 municipalities across the region, recently issued a joint letter warning of a "dangerous trend" threatening local democracy. Citing both the European Convention on Human Rights and the Venice Commission's October 2025 report, the mayors emphasized that pretrial detention of sitting elected officials must remain a measure of last resort.

Under Albanian law, consistent with prevailing standards across the EU and the U.S., detention before trial is intended to remain exceptional. The EU, considering Albania's accession ambitions, has a clear interest in this. At the same time, the U.S. cannot simply distance itself from an institution it helped create. Successful judicial reforms must be judged through the way institutions can uphold accountability while preserving democratic liberties. For Albania, it must reconcile the need to fight longstanding corruption while maintaining an open and fair judicial system that is acceptable to the global community.

Luka Petrović is a political analyst of Balkan descent based in Germany, with a focus on the Western Balkans, international relations, and human rights. Luka has contributed research and analysis for major international NGOs, including Amnesty International, Human Rights Watch, and the International Committee of the Red Cross (ICRC), with a focus on human rights monitoring, minority protection, and conflict-affected communities in the Balkans. The views expressed are the author's own.