

## The Relationship between EU Legal Order and Albanian Legal Order

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### Abstract

This paper is an analysis of the interaction of Community law with the national law and in particular the ratio between Community - Albanian law. Main purpose of this paper is to clarify the position of the international legal order and in particular that of the Community in the Albanian legal regulated by constitutional provisions. During the analysis of the interaction between the Community and the Albanian law a question arises in case of a conflictual confrontation between the two legal systems, which one will be applied? Such situation always occurs in the cases when a provision of EU law transfers the rights and imposes direct obligations to the citizens of the EU while the content of this provision collides with the rule of national law. To resolve such a situation, the Republic of Albania has held a definite stance: bigotry retains superiority of international versus national law, positioning it in the hierarchy of sources of law immediately after the Constitution of the Republic of Albania. It is clear that the Albanian constitution legislators have been aware of their European perspective and for this fact the EU law and its legal order can survive only if compliance and protection is guaranteed by two cornerstones: direct applicability of Community law and the advantage of Community law over national law. They are two fundamental principles of European law which guarantee the implementation of the uniform and priority of the right of the EU in all Member States.

**Keywords:** *Community legal order, Albanian legal order, Applicability of Community law, Constitution of the Republic of Albania.*

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