

HEAD OF PRESENCE INTERVIEW WITH *ORA NEWS TV*

Live on 'Tonight with Ilva Tare', 15 September

Q: Exactly one year ago, on 16 September you arrived in Albania as the new Ambassador of OSCE. What were you told about Albania before you arrived here?

A: Well, that it needed support. That it had committed itself to the OSCE commitments and therefore I was looking forward to an interesting post, and that, I can tell you, has come true. It was a fascinating year to start working with the Albanian people in many respects. The people are great people and I'm happy to work here.

Q: And what was the first, the most striking impression you had when you arrived?

A: I felt welcome since the first day. As you said, I arrived on 16 September 2010, and from my first working day, from walking into the office and talking to my team, to the people and to the political counterparts... it was a warm welcome. It was interesting, challenging and also rewarding. But it is not over yet. I do not want to say too much, but it is definitely important to be here in these times.

Q: The goal of the Presence over the last year, and in general, is to promote democratisation, the rule of law and human rights, as well as to consolidate democratic institutions in line with OSCE principles in other countries as well. How is Albania implementing such principles since when after your arrival as the OSCE Ambassador?

A: Albania has important legislation, starting with the Constitution that is in place. It is working pretty well. It is, of course, in developing and carrying out the next steps to be able to integrate even more into European structures and making Albania an even more modern state every day or every month. This is very comprehensive and complex work. It needs reforms and co-operation at many stages as the Constitution also states that the Government and Opposition have to work together when it comes to key pieces of legislation requiring qualified majority voting. Therefore, co-operation is a very important part in Albanian politics...

Q: We will touch upon this topic later during the interview as well. In the last day you presented in Vienna, the annual of the OSCE Presence in Albania. Did you have any comments from Albanian political parties regarding the report?

A: What I heard was that it was a fair description of what occurred, also giving an outlook and creating a higher level of awareness. But more importantly than the past, I think is the present and the future: where do we go from here? And there, I would say, the *name of the game* is dialogue, dialogue, dialogue.

Q: Talking about that. In your report you state that the main political issue has been the continuation of the political impasse that has been ongoing since the autumn of 2009. What has been your contribution to bridge the dialogue between political parties?

A: Shortly after my arrival, I used visits and the courtesy calls also to point out the fact that electoral reform was needed. We would have wished to see some of it, if not all of it, before the local government elections took place. And one of the efforts at least materialised in one of the meetings was a round table of the party chairs on the 22nd of October 2010. This was an important event. The leader of both main parties and the leaders of the other parties participated as well as some important parts of civil society. It looked like dialogue was possible. But then elections were approaching and other events occurred and now we are back to the possibility in a new autumn approaching, taking up the dialogue. The signs look very encouraging so far, but we need to see more.

Q: So Mr. Ambassador, I'm going to quote a part of your report, which says that 'when all sides begin to fully understand what being in Government and being in Opposition actually means within a democratic system, will be the time when Albania will be able to make significant headway on the reform agenda. You are in constant contact with Albanian politicians. Do you think such understanding – of what it means to be in Government and in Opposition - has been finally reached?

A: Some of it has been reached and that includes also some important parts. But it is not complete. To really co-operate is also important for Government and Opposition to identify where common ground is needed to move Albania forward. And the European Integration process is clearly one that needs common ground. For key decision making, a lot of unanimity and consensus is needed, which can be found through dialogue and then finally lead also to decisions in lawmaking requiring the qualified majority. Therefore, a true Government and a true Opposition can exclude any political struggle when it comes to European integration and can include their points in solution-oriented dialogue. And to come to that solution is very important, and the feeling that responsibility and finally delivering what is expected will bring the Albanian people and Albania at large forward.

Q: There is always debate, especially in the public eye on who should be more tolerant – the Government or the Opposition regarding decisions and statements that they should make. Do you have any comments on who should be more tolerant?

A: Let me say that adding spice, making political dialogue spicy is not only legitimate, but also important to retain public interest. Of course, the Government has every political and legal right to be in the lead – that's what it was elected for. But it should also be more forthcoming since it is in a somewhat more comfortable position being in the lead. Of course, respect and more tolerance are needed when reaching out to the Opposition. The Opposition has to answer with at least a similar degree of respect and also do its utmost to exclude topics from the political fight where clearly they come together and a joint solution is needed. Understanding and respect from both sides and engaging in a truthful dialogue is key.

Q: But there is another fact that we are coming from a political impasse since autumn 2009. And I'm sure you have shared this opinion with Albanian politicians as well. Should we hold someone responsible for this impasse?

A: It is a responsibility to be shared I would say. And I am not here to reopen the counts, clearly not after one year and probably I will not do it later either. It is important to look forward. Both sides have stated their opinions and views on what has occurred. Now it the moment and now is high time - and I have made this very clear in my report last week in Vienna - to look forward. Enough time has passed and dialogue is now the *name of the game*, with the focus on European Integration and that needs understanding and a meeting somewhere in the middle from both sides.

Q: A personal impression in fact, after reading your report, it was that this is the first report of OSCE Presence that was transmitting a clear message. In the conclusion of your report you said that the message is simple: 'More than enough time has been lost already. If you really want to show the Albanian public and your international partners that you take your responsibilities and obligations seriously, then this is the time to go and work on the political agenda...' How have Albanian politicians reacted when you conveyed this message to them?

A: What is happening this week is very important. It is after summer recess that the parliament convened again in the presence of all parties, all members of Parliament from both sides. This is an important start. Now the engagement of dialogue and a constructive introduction of good ideas, good drafts for common lawmaking when it comes to European

integration is necessary and has just started. The reactions from parliamentarians, politicians in general were quite obvious. Everybody either openly or indirectly admitting that constructive work is needed for moving ahead. On the other hand, there are important issues also that have to be solved before that. But now after summer recess, I have the impression that the situation has improved and there is more forward looking than before the summer. So a more constructive time has just started and I hope that I am not wrong.

Q: I hope that too...In the final report of OSCE/ODIHR of the 8 May 2011 elections it is stated that regarding the Tirana elections the adjudication of appeals in the Electoral College in the adjudication of appeals from the Electoral College in the post- election period presented a variable picture. Mr Ambassador what does a variable picture mean?

A: This is, of course, more a question for ODIHR and Mr Stonestreet who visited Tirana this week to explain. If I remember well, some 56 appeals were taken to the Electoral College. The ODIHR report stated that it was a variable picture. I think that referred mainly to Tirana and I believe they spell it out in the report.

Q: When you say it was ODIHR and not OSCE, does it mean that you think differently from ODIHR?

A: They are in the lead when it comes to election observation and they work like the Presence in Albania under the OSCE family so we are brothers and sisters but we share the work: they do the observation, we assist on electoral reform. Electoral Reform in our case is in the mandate that means we are tasked to provide assistance when it comes to electoral code reform.

Q: During a meeting these days of the leader of the Opposition, Rama with Mr Stonestreet, Rama said that the ODIHR report on election was objective, clear and helped in a way calming the political tension. Do you share this opinion?

A: I think this is an important view of one of the key politicians in this country and should be not definitely underestimated.

Q: Most of the recommendations contained in the 2009 OSCE/ODIHR final report as well as those of OSCE/ODHIR and Venice Commission Joint Legal opinion of 2009 are also directly applicable on the 2011 local elections. What will be the role of the OSCE to make sure that for next 2013 elections these reforms will be done?

A: One of the appeals I've repeated and I will clearly say again: It is now time to make use of the weeks and months ahead in discussing how to adjust the Electoral Code and made good use, in time before the mid of next year, because more events are coming up, among them also the centenary of Albanian Independence in 2012. But even more important in 2013 are the next scheduled general elections and legislation, especially key legislation like the Electoral Code should be well in place before then and ideally one year before. So the ideal time that we would see a decision making finalizing a new Electoral Code is by June 2012

Q: I am used with the idea that the ideal things never happen or being idealistic is not a feature that describes Albanians. What will happen if ...

A: But it can happen. So some things are ideal and people are optimistic here and are looking forward that the political class can deliver. And I am sure that they can deliver. They have understood that they have to move forward.

Q: There is another suggestion of the OSCE/ODIHR final report to change the composition formula of the Central Election Commission in order to increase confidence

in its independence and in its impartial application of the electoral code. What would be a good formula for Albania? What is your suggestion?

A: Of course the final suggestion I would definitely leave to the political parties involved. But perhaps let us re-visit the models that existed also here in Albania before. The current model leaves practically everything to the two main camps; seven members, all seven nominated by the political parties. Before the adjustments in 2008, the political parties did not have the majority. Others could nominate; be it from the judiciary or be it from the President. So the composition was more mixed. So perhaps it is worthwhile looking and comparing the recent experience with the former experience and perhaps takes up some elements from former models to come at less partisan solution.

Q: Do you have a ready made recipe to suggest to Albanian politicians regarding the formula of the composition of the CEC?

A: I would limit it to the directions, not having it in the parties' hands, also involving other key institutions for example the President, to have it less partisan and more technical. The rest should be part of the discussion between the key players.

Q: There has been a discussion before the election. It always happen this discussion to have a CEC formed by civil administration and civil workers. Do you think that might be a good solution?

A: It is a possible solution. And when all the political players agree or at least the majority of them agree, it could be a solution. But I do not see a need to fully or completely exclude parties from that. One model in the past had from each camp at least one partisan member in there, which is also necessary from the transparency point of view. It makes sense to find the right blend. It is certainly worth discussing and that should be done between the leaders I would say, assisted by experts within the party and also hopefully from civil society.

Q: Mr Ambassador, in the first interview in this studio, on May 24th, while discussing Tirana's elections you told me that mistakes are human, referring to when votes were misplaced in the wrong boxes and you didn't want to comment then back on the decision of the CEC to open those ballots. But you said that the counting of the votes was correct at that time. Let's listen a short clip from that interview and come back in the studio. Now back in the studio. In the report you claim that the Electoral Code should be amended to address the validity of ballots cast in the wrong ballot box, procedures for including such ballots in the table of results, and the procedures to be followed in case of discrepancies when the number of ballots cast exceeds the number of signatures in the voter list. Do you have a concrete formulation of such procedures? I mean, the fact that it was not predicted in this elections but it was applied. Does it make the suspicion that it was not right to use it this time since we do not have concrete procedures for this particular aspect of the wrong votes?

A: Not everything needs to be defined. When you do thing in the good spirit, so you do it right. When you find what the voters wanted to express on Election Day, and do that openly, then under normal circumstances it is fully acceptable. You also ask what I would recommend for the future. Again, it is most important that the partners here, and I now purposely say partners come to terms on how to organize future elections. Therefore, I would not like to make any readymade proposals. But there are several possible solutions either having all the votes cast to one box, then one would have to adjust the counting procedures, to make life easier for the counters because it has not been easy in the past. When it is decided to keep, like in the Tirana case, two levels, four boxes all together, one could say all boxes are opened, the ballot sheets are separated, stacked, put in order and then counted; to avoid that otherwise the invalid votes are either forgotten or omitted. That would correspond to the most general

reading of the Constitution that every vote should be treated equally and counted and, therefore, should be consistent. On the experience on the last election, it is very worth visiting that point well before the next elections and making it clear, so that a similar confusion is avoided.

Q: But according to you, in your comment and in your view, it was not the confusion that affected the result?

A: It was a very close race, and every vote counted. It was personally, the most dramatic election when it comes to the results I have ever witnessed so closely. We saw how it was at the end of the counting on 14 May and we also saw how the results developed after the counting of the miscast ballots and there was a difference and that made although the difference. And therefore it would be good to clarify as much as possible this issue.

Q: All political sides need to read the OSCE/ODIHR report in its entirety, avoiding the temptation to *cherry pick* on liked or disliked elements. I like this part of the report because it sounded like you have been following carefully in the past what happened to the report, especially the international reports, especially the OSCE report. Why were you worried that they would cherry pick some elements?

A: When you take sentences out of context they can have all of a sudden or seem to have a different meaning. Therefore, it is important to read an OSCE/ODIHR election report from the first line to the last line. Some of these *pickings* of some passages, we have seen in the past and it might have been misleading. It might create the impression that either side is right and nothing needs to be done. This is clearly not the case. We need, or the country needs, an electoral reform to make elections better, and safer and trustful.

Q: Was it as well a sign that you wanted to point shared responsibility to all political spectrum?

A: It is a shared responsibility. As I have said the Government has to be forthcoming to a certain extent to the opposition. The Opposition has to be constructive and not just stay away and not to introduce good proposals. There were offers also from the Government in the past 12 months, in making proposals and then it would be adopted. It is not all that easy. It is very important to come to common solutions and to develop it jointly because in democracy sooner or latter every thing changes. The one that is today in the opposition might be in the lead after in the next elections or then latter. The system should work in a transparent way in both directions and therefore a high degree of consensuality is very important. That can be reached if both sides identify themselves with solutions found.

Q: You also say that a full reform should be: a) technically sound; b) widely consulted and certainly not rushed - and this is again well knowledge of Albanian practice; c) consensual to the widest extent possible. What will be the OSCE role in the upcoming reform Mr Ambassador, considering that the last time the electoral reform was done, were Mr Gjiknuri and Mr Byklykbashi, without any advice or consultancy from the OSCE?

A: Well that was well before I arrived. To my knowledge, there were also some contacts but there should have been more. What we offer for the future and also for the present is our assistance in providing expertise. But, first of all, the partners in politics should start to introduce their ideas, their concepts and then we can help them better. The most important thing to be always kept in mind is that the best and the most sustainable solutions come when Albanians are really convinced that it is good for Albanians and not when it is implanted from outside. Models that exist somewhere else can be analyzed, scrutinized, and also checked

whether they are good to work here in Albania. But what they want, what they think is working, this is in the best possible to be answered by the Albanians as well.

Q: There is lately a debate on choosing an electoral formula which might be a clear national proportional. What is your comment on such a possibility?

A: It is a very similar answer. It is good to compare the different models that are there in the world.

Q: Would it be good to be implemented?

All of them or most of them are considered to be serving the democratic purpose. That really depends. The important thing is to try not to make it too complicated. Usually simple things work better. That would also be a general recommendation - try to make it simple and then it works better

Q: As far as I recall from my journalistic career, Mr Ambassador, before every election the Albanian political parties were busy making a last-minute electoral reform, and we have been reforming our Electoral Code for every single election. In your opinion, after all these adjustments we have made why we haven't yet an implementable electoral code for Albania, or how come we have not chosen yet what is best for our country?

A: That might be understood easier when thinking what is really needed to make a law, to make a regulation work. This is the good will of making it work. I wish we could see more of that good will in the future. There has clearly not been enough in the past. I said also that the current electoral law is good enough to hold elections, and it would also be good enough to hold other elections in the future. But to make the system safer, more transparent, more understandable, and also easier to handle, an electoral reform would be necessary, and it should also be more respected. So there I am back to good will: good will in meeting legal deadlines, good will in nominating election commissioners, these volunteers who do the hard work throughout the elections. All these elements add up to a successful election. And there has been progress also in these elections.

Q: Mr Ambassador, if we had a timetable in front of us with reform steps that the politicians should follow, when should be the starting day?

A: A timetable?

Q: Yesterday?

A: That would be wonderful but procedural steps have to be taken in the parliament. But clearly as early as possible! As early as possible!

Q: In 2012, next year, the Assembly will elect the new President of the Republic but the debate has already started, not only about the re-election of the current President, but also to change the method for electing the Head of State. There is an option being debated right now about the President's election by popular vote. What do you think would be a good solution for Albania?

A: Now we are less than 12 months to the voting procedure. So a really fundamental change is probably not advisable because just like electoral reform, or any other reform, like the judicial or that of the civil service, this would need sound discussion. I have a lot of understanding for the idea of Albania seeking to join a large number of countries in the region by having a directly elected president. It really could make sense but one also would have to see whether then the Office of President should be mainly limited to largely ceremonial functions, or whether it should include also some additional decision-making functions that are not there yet but which have there in the past. For the procedure, as it is laid out in the

constitution, the newly established rule has not been used even once so it should be tried out. For me personally, if you allow me to weigh, what I would like to see is searching discussions on who could be the candidate or the candidates. This is very important because he or she is the Head of State and it should clearly be done in an unpartisan way, and this is probably the most important element, and that needs a big personality. It could be the current President, it could be another candidate but that is also to the people and also to the political parties to look into who could meet these conditions for the next President.

Q: In your view, should it be a consensual candidate because the majority does not need any help in terms of votes. They have all the votes necessary to elect the new president. Do you think that the vote should not be that important when electing the next president but it should be a wider selection, a more consensual President?

A: The constitution I think is clear in that, so in the first three rounds a qualified majority is needed. That would show that the consensus is there, and, therefore, I would like to repeat what I just meant as an invitation: look intensively for a good candidate or good candidates, and then round number four which requires less than qualified majority is not needed. Therefore, the instruments are there but it clearly depends on who will be the candidate.

Q: There are some names rumored in the media already. And there are women's names as well! Do you think that Albania is ready for a female President?

Why not, why not! A woman or a man, if they have the right stature, and an independent, non partisan, stance, they could do it. Sure!

Q: We leave now the real politics to move to some more social problems maybe, and not only. Some problems that according to the opposition were related to the elections: I am talking about the 21 January tragedy. You say in the report that, "How these deaths occurred and the identification of those responsible must be a focus of the ongoing inquiries." But meanwhile, "neither the General Prosecutor's Office nor the inquiry committee has been able to present any tangible results." What is your comment in this regard? Have you been asking these officials, both government and opposition, what is happening with the inquiry?

A: We did that to a large extent as far as the respect for an ongoing investigation permits. Also our partners, namely the United States have supported a swift investigation, and this is clearly necessary and we would like to see more results, of course correct results. This is due to the families of the victims, but this is also due to the general public wanting to have transparency and clarity on what really occurred on the 21f January.

Q: Do you think is it normal that there have been these delays regarding this inquiry?

A: It is a long period! It is September now! That is eight months! They were serious incidents, and perhaps even less serious incidents require time for a truthful investigation; but it should be done with the highest urgency.

Q: I read also in the report that while in all modern democracies, the ruling coalition has the political right to govern, the need also to involve the opposition in the policy making process is vital, is important. How does this non applicable principle affect Albania's democracy? How do you suggest overcoming this?

A: Through dialogue! The Government is elected through the majority, so it is a political right, yes! But it's also a legal right because it's on the constitution, and so the ones who are in government have the full right to govern. But in view of the constitution, at certain stages, the Opposition also becomes part of the government, as things stand always when you need a qualified majority. That is why dialogue by consensus, by talking openly, by introducing

constructively good proposals and also by accepting that one cannot get a 100% ready made solution from one side only is so important. It is really coming together and identifying the common interest of the people and this is clearly moving ahead with the reform agenda, moving ahead in the direction of European integration, and that needs both sides. I just to recall what we said earlier: in a democracy it is like revolving, a government might become opposition in the future, and in this sense still be needed, and the opposition might become government, so it should be more seen in the sense of a partnership for Albanians.

Q: And of course we all hope that.

Q: And we are back again continuing our interview with Head of OSCE Presence in Albania, Ambassador Eugen Wollfarth. Mr Ambassador, although Albania, you say in your final report, has committed itself to adopt specific rules on strengthening public transparency and consultation in the legislative process, it still appears to be selective. What are the implications of this non functioning transparency rules?

A: The implications are that the public must be informed or have access to information as good as possible. Media certainly have an important role in that but not everything can be left to the media. It is also access to information on how decision-making takes place, on how the authorities work, on how legal demands are being processed. It is a very important issue. Transparency is extremely important for understanding democracy. It is also very important to manage institutions because it is related to compliance, which is one of the other words for corruption or anti-corruption, when you comply with rules and it is also transparency on how a decision is being taken and that automatically makes corruption much more difficult, and hopefully in some cases excludes that. That is very important.

Q: And transparency is an important element in the system of democracy. Yes, but how about accountability? How do you see that in the current Albanian situation? Do we have public institutions that are accountable in their practical everyday work?

A: Let me direct the view especially on the Assembly. There elected MPs from all parties gather and usually do that not only in the plenary, they do it also in the committees, that means there is a close look on public expenditure from many sides, including the Opposition. This is a very important place to have a high level degree of transparency and also checks and balances to see whether taxpayers' money was spent in the right way. And that automatically leads to a very high degree of accountability.

Q: Before going to a question that is directly related to the MPs and their immunity, what is your comment on the fact that in the last 20 years of Albanian democracy we have never had a top official or a minister going to trial for corruption or a similar crime, what is your take on that?

A: I do not pretend that I am an historian knowing all the aspects of the Albanian life and especially of the important individuals. And I do not want to be funny in saying: perhaps nobody committed anything that might bring him or her to jail. But it might also be that some of the cases that occurred were protected through immunity. Therefore, it is also very important to have the mechanisms in place in case of good reasons to be convinced that a crime was committed and that immunity can be lifted through a defined procedure, for example such as that belongs to the Assembly, again with a high degree of transparency, and involving the Opposition.

Q: So your suggestion is on lifting the full immunity for MPs?

A: Depending on the case. Immunity was not invented to make business easier for MPs. It is there to make their work independent for the people. When not used in the proper way, under

certain circumstances, it could and may be it should be lifted. But as a starting point in many countries, in many old democracies, this is a traditional tool to protect MPs, making sure that they are not under pressure, that they can decide because they were elected by the people, and that they can decide in a free way according to what they believe is best for moving the country forward.

Q: But there is still a concern that I found in your report that, “the Assembly’s approval of this provision seems open to debate as the declaration could be turned into an obstacle for possible criminal proceedings”?

A: When there are crimes committed they should be prosecuted. When prosecution is not possible due to immunity, then that mechanism should be in place to decide on according steps.

Q: So, to define it step by step.

A: Right. This is clearly not about the abolition of immunity. That is an important element in most democracies for good work, but it should be used properly.

Q: And again, I have another topic that occupied an important space in your report, the constitutional court judges, and what happened between the Assembly and the candidates that the President of the Republic suggested. “The Assembly needs to provide a solution to this issue,” is the statement in your report. What is your comment in this regard? What is the solution?

A: The Constitution has several stipulations that, if read together, seem to make a solution possible, but that would then again be against the spirit of the Constitution and having the judges appropriately in place. Therefore, a solution should lead the Assembly into joint decision-making and in that case definitely with a qualified majority, and find a way how to make both ends meet that don’t want to fit together. I think it’s very important and I have the impression that many share that these judges are nominated as soon as possible, of course without breaking the rules. Therefore, through the Constitution, the Assembly is empowered, when having the necessary majority, to adjust the rules and when that is done after public discussion and the necessary degree of transparency, clearly not only the spirit of the Constitution is met, but then the way is also free for judges to be nominated.

Q: Mr. Ambassador, in your knowledge, or as far as you are aware, do you think that politics interferes with the justice system, in voting in favour or against one judge or another.

A: I have not seen really any heavy cases during the last 12 months, but sometimes opinions are made public that could influence judges, but then again normally judges should also be independent enough to ignore them. The other thing is when, not only with words, but when it has to do again with compliance with corruption, but this is not very transparent for us.

Q: Why?

A: For obvious reasons. Who would put that in a newspaper or television, what he or she is doing.

Q: But your resources do not come from newspapers only.

A: Not only, that’s right. That is true.

Q: Last week, Mr. Ambassador, an Albanian judge was executed in Vlora in a terrible attack. I believe you have seen it. It was the first in our twenty years of democracy. The Albanian authorities considered it as an attack on the state. How did you perceive it?

A: This is a shocking and absolutely unacceptable incident. It is a crime, it is a murder, and it needs not only a full investigation but also needs to be fully condemned. This is clearly not helping to have respect for the rule of law, but this is not Albania. I hope it stays an isolated incident and I clearly condemn it.

Q: Mr. Ambassador, the public as well has been following your statements in the past regarding delays in the *Gërdec* court hearings, and actually also in the report you state that the public remains disappointed and frustrated by the protracted nature of this case. “It deserves some concrete answers so that lessons can be learned”. Mr. Ambassador, have you asked this question to the Albanian authorities?

A: Yes, we did, and we acted on the lessons learned. One is that for a couple of years now after the incident, we support the Ministry of Defence in dealing with the old surplus ammunition and chemicals in an appropriate way and the situation is becoming much safer now. No such incident has occurred again, clearly not in this magnitude. The clean up process is now done in a professional, safe, and responsible way. It should have been done earlier. On the *Gërdec* case itself, there seems to be too much playing with the system, because it is not only the judges responsible of a case, but also the ones who contribute. And one important role is that of the lawyers. They have to appear in court and not lead to dragging out the case by staying away from the court, because that has led to so many adjournments. Families and the victims, but also the general public have the right to know what went on and also to see those who are responsible convicted, if they are found responsible after a due process.

Q: And I believe the families of the victims as well need to know who was responsible for their loss. But I need again to stress the same question. What was the answer that was given to you by the Albanian authorities when you asked them about these delays?

A: Something is in procedures. Of course defendants have the right for their lawyers to be present and they do not show up and so on, and this is not satisfactory. I also went public on that and for a certain period there were some improvements, but now it should clearly come to a conclusion while following the rules. This is very important.

Q: Another problem that you touch upon in your report is property reform. “Public and private investment and lending remain hindered, as property ownership can not be guaranteed yet. Currently, few owners have had their claims resolved and there are issues in the courts. It appears one of the biggest problems of Albanians right now.” Who should be held responsible for this unsolved issue in Albania, Mr. Ambassador, according to you?

A: The responsibility, of course, is with the Albanian state authorities. Since 1991, it is a democratic country, but the time before is a big source of the turmoil we see, from the old regime or even the time before. But it is with the state authorities. What we do with EU support is to help provide and collect information and also maps, so that the state authorities can decide to whom to attribute a land title or property title. Therefore, the answer is clear: it is with the state authorities. The work needs to be taken in a very careful way and it is not a swift action, and therefore it takes quite some time.

Q: Can you tell us a bit more what made you participate in a joint project with the EU to register properties in south Albania? Can you tell us a bit more about the project?

A: It is a very important stretch of land and the World Bank is by the way doing a part in the more urban areas. This stretch of land in the south is very important for the economic development and for investors. In this very tourism-oriented case it is important to know to have that security to really have the property title, otherwise the problem is that you shy off investors and the people in the south also need jobs.

(Commercial break)

Q: We're back, Mr. Ambassador, to discuss the last part of our interview, which will probably be the most interesting because we are going to talk about your experience as a normal person and not only as an ambassador in Albania. But let's focus again on another very interesting topic, I believe, corruption. "Efforts to pursue senior state officials accused of corruption remains an issue," you say in your report, which I am referring to all the time during this interview. So why do you think that the fight against corruption is almost a lost battle until now in Albania.

A: Well, I have never put it in these words...

Q: No, these are my words.

A: It's worth fighting against it. It is a complex task because it seems that no sector is completely excluded. Therefore, it is a comprehensive task and the media can also help, and also the interest of the public. Also some conduct of the public, be it private persons or enterprises, in trying to avoid paying. Pay only the fees that are requested for services according to the publically accessible rules, not more, and also not less. Because otherwise it is definitely a lose-lose situation, because with corruption the overall cake shrinks, it does not get bigger, it does not even stay the same, it gets smaller because a very low number of people get a certain service and others are excluded whilst paying for it. And this is leading to unrest and certainly not to a sound development. And it is also a problem to attract investors who want to have clear rules and a good return on investment.

Q: Do you think now it's time to change the way Albanian authorities address the problem?

A: There is a discussion about it. Intensification in raising awareness could be even bigger, but it has started to be tackled and they should not shy away. They should continue and should do it at all levels. It is not only a national task, it is also a task in local communities. It seems like no sector is excluded, so one should be conscious everywhere. Sometimes even within enterprises, very often it is forgotten that in private companies that this phenomenon exists as well and it's detrimental.

Q: Talking about enterprises, we can not leave outside this interview and this very nice discussion together, the media, which is a very important factor in the whole of Albania's health as well. Your report says: "The government is able to 'encourage' certain media over others by either selectively attributing public advertising or by using certain provisions of rental contracts, etc." Can you be more concrete, Mr. Ambassador?

A: I think what was quoted was relatively concrete. What it is very important is that the media have access to politicians and public events and they can report and that there is a balanced reporting. It is also allowed to have, separate from reporting, commenting, and that it comes from different political angles and that the public has the possibility to select or to follow different media. That is very important. When it comes to taxpayers money, when for services like publicity or information, when handed to the media it should be distributed in a way that there is no imbalance. That might have to do with the size of the company, a major television chain might get more publicity or information spots than a smaller one, but there should be transparency and equal distribution and clearly not just putting it into one television channel or limited only to the public television. That would be considered as unbalanced.

Q: Is OSCE worried about media independence in Albania?

A: It is an important issue that we follow constantly. There is freedom of the media here in Albania and this is very important. This is again one of the upsides in public life here and that plays an extremely important role not only in election time, but for democracy in general, to have these different angles. When you have such an important issue, you are always concerned. Are recent developments against media freedom? Are they in favour? Do they have an effect at all? There we carefully observe and we try to also assist when necessary to keep it on a good track.

Q: Mr. Ambassador, after one year of working and living in Albania, actually enjoying Albania, you have been very active going out of Tirana and abroad. First, in your view, what is the biggest weakness of Albania and Albanians?

A: This is hard to tell for me, and I would rather go to the biggest strengths and this is the optimism and the warm welcome I got, but surely the optimism. The country has seen a lot of progress in the last 20 years. After the opening towards democracy, it has seen a tremendous economic development, but clearly the people need more and better paid jobs. They will get it. That is interlinked with education. What I would like also to see is parents, not only those who can afford it, but parents who are generally interested to send their children to good schools, and Albanians in that respect are very normal. And the weakness...I come back to that point. I would wish that Albanians would be prouder of themselves. They have all the reasons to be proud. This is a wonderful country. Of course, a lot needs to be done. This is obvious. It is not only a pothole in the street, it's a complex work, and it's about the sewerage system. I have just mentioned education. So there are many things that can ne improved, but this is also the good side. While improving, that also means that jobs are necessary to do that professionally and that generates further income. So that is also a good reason for that optimism, since there are a quite lot of things to do. You can do it with pride and the nation can look forward to more and better jobs. Of course, I don't want to admit that we live in a competitive world...

Q: But we do...

A: ... And Albania wants to integrate and therefore preparation for good competition starts with good education and training. So I would invite really to work on that.

Q: I am going to ask you about another personal impression. Do you think the lack of dialogue between politicians is a feature of Albanian politics or a feature of Albanian individuals?

A: It is not limited to Albania but it can occur somewhere else, too. But over that extended period one really has to ask, if it is really necessary. But I am more to looking forward. I have the impression and I am more and more under this impression that the climate has changed to the better here and we will see progress.

Q: And we will stay to the personal experience during this one year Mr Ambassador. You travel quite around the country and media has been following you trips. How do you choose what to visit; why going somewhere and what are your impressions from travelling around Albania?

A: Albania is a beautiful country and it is fascinating to see the different regions and to see the mayors, or the chairs of the regional councils or the prefects or the citizens living and working in their home area. In most cases, it is really beautiful and it is a sort of moving the country forwards. When we work as a Presence in Albania, we have also Project Offices in four cities around the country. It is to help that the progress takes place hopefully in all parts of the country and not only in the capital. So also when it comes to integration, when it comes to the freedom of the media, when it comes to jobs, when it comes to education, you have a

similar or always a better service in all parts of the country, in small municipalities, in cities and also in the capital. So it is good to know and it is also very important to give the right advice and provide the right assistance in moving the country forward.

Q: When I ask you about the biggest weakness you give me a positive answer, saying optimism, but when I ask you what do you like most in Albania and in Albanians what would you say, - apart from optimism?

A: Apart from optimism, which is still my favourite thing, it is the activity. Most Albanians I have met are active people. They like life they work and now I return, I cannot omit it from you, and it is my favourite since I am an optimist myself! When you believe in things you move it you can do it, and Albanians can do it. Many Albanians and I think this is known here, perform in a magnificent way abroad, be it in the USA or be it in Germany, be it in Italy or in the neighbouring Greece. If they would perform in such way also fully at home, I do not see any obstacle of fantastic development here.

Q: To conclude, your report stated that the next year, starting from now, but especially the next year, will provide some answers as to which directions the political leaders wish to take Albania. And you say as well that the choices are that simple; going for the dialogue and the reform or stay where we are. How will the Albanian politicians' choice affect the relation with the OSCE?

A: If splendid progress is made towards European integration, that would mean that not only reform is done on paper but also materialized in real life. That mean Albania would be a much further developed country than today. Then the commitments with the OSCE participating States would be met and we would be less necessary and believe me that would be good news. But in the meantime, I think we can be of assistance and we are ready to provide that.

Q: We are here in a media house. We just wanted at radio and television OraNews to thank you for being here in one year anniversary of your activity in Albania an may be a quick impression from you from what you followed OraNews?

A: I switch it on quite often. Sometimes during the day just to see what's going on and it transmits a good spirit. What I like is that most of the time it is live and providing good information and since it has English subtitles it is much easier for me. Perhaps one day you can put a German one for me and it is even better. But so far that has added to my life. I like that.

Q: We can discuss that with our President, may be when he listens about German subtitles he might do it as well. I personally want to thank you for being in my studio again and of course this studio is open for you to come again and to discuss how the reforms are going and especially how the Albania and Albanians are doing. Thank you Mr Ambassador.

A: Thank you very much Ilva Tare. It was a pleasure to be here, especially on such an occasion- one year in Albania. It has been a fantastic year. Thank you!

15 September 2011