

*Korrieri*, 12 January 2005

*Interview with the Head of the OSCE Presence in Albania, Ambassador Pavel Vacek*

## **OSCE: SP and DP Responsible for Elections**

*Journalist: Elton Metaj*

*In his first interview with the Albanian press, the Head of the OSCE Presence in Albania, Ambassador Pavel Vacek, tells about how the agreement between the Socialist Party (SP) and the Democratic Party (DP) on amendments to the Electoral Code and the zone boundaries was reached. He speaks about the new role the OSCE will take up during his leadership, criticism of his predecessor Lipponen and states: "I have not regretted for a second that I have been nominated for this job."*

In his tiny office inside one of the villas where former communist leaders of Albania used to live, Vacek feels relieved for a political agreement between the SP and the DP on the electoral reform being reached. Following the adoption of the amendments to the Electoral Code by the Assembly, things are apparently going better and the Ambassador from the Czech Republic accepted to talk about the hard times he had over the end of last year. "Such talks are never easy," said the 43-year-old Ambassador, who graduated in Foreign Trade in Prague. The diplomat stressed that the negotiations were with the SP and the DP, because these two parties do have the constitutional majority in the Assembly. "It is certainly no coincidence that these two stakeholders dealt with a package of issues – on one hand the electoral reform and the other hand, the issue of redrawing the zone boundaries. They know the best the reasons for which these two sets of issues have constituted a certain package, which was then reflected in the 30 December 2004 agreement," said Vacek in his first interview with the Albanian press, since he arrived in Tirana in October 2004. Nevertheless, the OSCE Ambassador has not regretted for a second that he has been nominated for this job. "It is a professional challenge to perform at this post," said Pavel Vacek.

***Korrieri***: How would you assess the agreement between the Socialist Party (SP) and the Democratic Party (DP) pertaining to the Electoral Code and the drafting of the new law on electoral zone boundaries?

**Ambassador Vacek**: The agreement between the two parties as reflected in the Protocol of 30 December 2004 has certainly cleared the way for another important step in preparing the elections of this year. It is also to be stressed that the bipartisan agreement as reflected in the Protocol is not an end in itself. The fact that it is these two parties which have reached the agreement on how to redraw the zone boundaries has also something to do with the fact of life – that is that the two parties do have a constitutional majority in the Albanian Assembly. And these two actors are thus the principal stakeholders in the agreement on which the success of the electoral code hinges. And it is certainly no coincidence that these two actors dealt with a package of issues, on the one hand the electoral reform, and on the other hand,

the issue of redrawing the zone boundaries. And they themselves know best the reasons for which these two sets of issues have constituted a certain package which was then reflected in the agreement of 30 December. I would also like to stress that in our facilitating efforts, we only respected the approach and the logic pursued by the two political actors. I would also stress the facilitating nature of our work, because we are not here to impose anything. We are here to see to it that in the whole work on reforming the Electoral Code and preparing the elections the international standards governing this area are respected to the maximum possible.

**Korrieri:** How difficult was it for you to negotiate among the two parties to reach the agreement, having in mind the Assembly's failure to approve the amendments to the electoral code by the end of December last year?

**Ambassador Vacek:** Well, it is very apparent to any observer of the Albanian political scene that such talks are never easy. Speaking of the facilitating work of ours, I think that the most important moment was when both partners realized that they had to identify a common ground with respect to the upcoming work on redrawing the zone boundaries. And the common ground which emerged in the informal talks we have facilitated has been represented by the Code of Good Practices of the Venice Commission of the Council of Europe. Once this common ground was identified – and with respect to zone boundaries this common ground is reflected in Article 4 of the Protocol – then it was only a matter of fine-tuning the language. It was equally important for both partners to realize that the overall objective of the work on the redrawing of the zone boundaries is to somehow determine the best possible approximate numbers of actual voters in the respective zones. The other principal component of the agreement of 30 December relates to the need for a speedy passage of the already prepared amendments to the Electoral Code. These amendments were prepared in December 2004 and the agreement of 30 December confirmed the parties' will to aim at as speedy passage of the amendments at the Assembly as possible, which happened on Monday.

**Korrieri:** It was exactly on Monday that there were some harsh statements from some of the small parties, like the SMI of former PM Ilir Meta. They feel excluded and claim that the elections are already violated. What would be your comment on such statements?

**Ambassador Vacek:** We are aware of this criticism. I believe that it is primarily addressed to the two biggest political parties. In that regard we have always been in favour of as wide a consensus on the Albanian political scene as possible. Both the Socialist Movement for Integration and the Movement for National Development are aware of our facilitating efforts in that regard. I can only observe that these requirements have been confronted with the lack of will on the part of the major political parties. Nevertheless, I should also observe here that the number of political parties to be represented in the electoral commissions has increased. The newly-adopted amendments to the Electoral Code contain that particular change. We are talking about an increase of the number from four to six political parties. So, the trend towards an increased and more diversified participation of political parties in the electoral commissions is there. Why this figure could not rise any higher? That is a question that should be posed primarily to the Socialist and the Democratic Parties.

**Korrieri:** Do you think that this comes as a result of their will to keep the process under their control, I mean the two largest parties?

**Ambassador Vacek:** Well, again this is the question to which I have no fair answer. It should be primarily addressed to the two political parties. What I can tell you is that I know that there is no concrete international standard which would prescribe for a concrete participation of a concrete political subject in the work of the electoral commissions. What can we also safely observe is that the Electoral Code provides for involvement of observers nominated by the individual political parties running in the elections. It equally provides for the observation by the non-governmental organizations, by civil society and by international monitors. So, we believe that the basic safeguards have already been incorporated into the electoral system and the Electoral Code. And that these safeguards can also be improved is also a clear thing. And if there is a common will and consensus on reinforcing these safeguards through the participation of more political parties in the electoral commissions, then we will always be only happy. The problem is that there is no such consensus on the part of those who do retain the power of passing such amendments.

**Korrieri:** You mean the SP and the DP?

**Ambassador Vacek:** Oh, yes, because these are the two parties which have the constitutional majority, let alone the simple majority in Parliament.

**Korrieri:** So, as you said earlier you just finished the first meeting of the experts group on electoral zone boundaries. Are you optimistic about the work of this group? Do you think it will be successful?

**Ambassador Vacek:** Let me specify that the meeting of the group has only started. I participated in the very beginning of the inaugural, opening session of the meeting of the group. To tell you concretely how I feel, I am optimistic because there is a commitment by the two principal actors. The commitment is reflected in the protocol of 30 December 2004. There is a concrete deadline by which the group is supposed to produce the outcome of its work. That was also confirmed by the yesterday's deliberations of the Assembly. Sure, the work will be difficult, because the time is limited, but since the broad lines of the work are given and subscribed to by the participants, I have to be optimistic. I also believe that we will be able to profit from inputs by other interested actors on the political scene. This is to say in other words that the work on the zone boundaries is not conceived as an exclusively bipartisan undertaking.

**Korrieri:** How much do you think the delays in the electoral reform affect the upcoming general elections, having in mind that the amendments to the Electoral Code will be approved in February instead of last year?

**Ambassador Vacek:** Well, that in itself, in our view, should not affect the technical preparations, as the work of the experts group should be completed by 5 February, and then submitted to the Assembly. If the Assembly then adopts the newly-redrawn zone boundaries in the respective specific law, let us say, by the end of February, then we are within the legal limit of the six months. The six-months limit of which I am speaking stems from the Electoral Code. In our understanding, this six-months period within which one must not touch upon the zone boundaries starts on 3 March.

**Korrieri:** Does this mean that the date of the elections will not be advanced as requested by the President?

**Ambassador Vacek:** That is not up to me to tell. The way we understand the six-months limit or deadline beyond which one must not change the zone boundaries is calculated against the date of the dissolution of the Assembly. This date of the end of the term of office of this current Assembly is the early September. From that date, the window for holding the elections is also calculated. I can tell you that we have been acting on the assumption that the elections will be held within the conventional time slot that is beginning on 3 July 2005. Again, one can safely observe that any agreement for adjusting that date, reached by the constitutional representatives and political actors has to be respected. And it will have to be respected for as long as it is in conformity with general international standards.

**Korrieri:** The correct implementation of the amendments to the Code was also the focus of yesterday's statements. My question is: if the date of the elections is brought forward, do you think that there is a deliberate negative interpretation of the six-month time slot?

**Ambassador Vacek:** Well, to this, I have no reasonable answers, because when we seek for interpretations of other people's intentions, we would have to start to speak concretely and there is probably not a helpful way of engaging in such a debate, at least not for me.

**Korrieri:** Your predecessors have been criticised by several politicians for what they call "interference in Albanian politics", referring to the Presence's role as a negotiator in several agreements. During your leadership, will the Presence continue to keep the same active approach towards problematic issues, having also in mind the fact that you even sacrificed your holidays for the December protocol last year?

**Ambassador Vacek:** Well, I am always ready to sacrifice my holidays, but this was not the case on this occasion. I am here to serve, help and facilitate whatever can help advance the electoral reform and the preparations of the elections, when we speak concretely of the elections, and that is the most important thing. But now on the more important part of your question. For me, an active or even a proactive approach as reflected in our work has nothing in common with interference. I have pledged, and I stress that to all my interlocutors, that I am always respectful of the Albanian sovereignty. I have always stressed, since I came in October, that I am not to impose anything apart from the international standards which guide our work. I always stress that myself and the Presence are available when we are needed, demanded and turned to. This has exactly been the case of those several instances on which we have exerted this facilitating role. It is something which cannot be overstated, that it has always been upon request of the political actors that we have been put in this role of facilitator, *bona fide* broker or technical supporter of the processes which otherwise are genuinely of Albanian ownership. It is sometimes a bit ironic that those who are sometimes criticising us for having failed to deliver on this or that particular issue are on other occasions criticising us for interference. But I should stress that this is a phenomenon which is rather marginal. By and large, I am always confronted with a reasonably co-operative attitude.

**Korrieri:** You have been here for three months now. Has your impression about the country changed in the meantime? If you could go back in time, would it still be Albania that you would chose, if you could, or would it be some other country?

**Ambassador Vacek:** I can tell you that I have not regretted for a second that I have been nominated for this job, because it is a professional challenge to perform at this post. I only hope that I will keep to meet the challenge, also to the expectation of the host country. What I particularly like in this work is that we are able to further enhance the co-operative nature of

the relationship with Albania as the host country. I have made a couple of moves which are meant to enhance the co-operative character of our work here. There is a full transparency in the planned projects for this year. We have extensively consulted with all our partners on the part of the Albanian government and institutions, so I believe that the Presence of the OSCE in Albania is the one which can safely claim that it does know as much of its intended planned projects as the host country does. Sure, one has the ambition of further developing and cultivating this relationship. I believe that there is a good understanding on the part of the Albanian political representation that the OSCE Presence work is very much relevant for the integration ambitions of the political class. Here we are talking about the Euro-Atlantic integration ambitions in a broader sense. And this role of ours is clearly reflected in the interaction, co-operation, contacts, whatever, we are having with the other international organizations, with the European Union and the European Commission, or the international financial institutions and the UN agencies and organizations, or the Council of Europe which is now again sitting with us on the Experts Group on Electoral Zone Boundaries. Or let us mention more concretely the co-ordination of international donors which are operating in Albania. All these interactions and contacts certainly contribute synergistically to the objectives of the OSCE Presence and they reinforce each other. And I believe that this is well understood primarily on the part of the government but also by the larger political representation.

**Korrieri:** If the 2005 elections will be considered successful, will you work towards reducing the Presence's activities in Albania?

**Ambassador Vacek:** Well, there is a concrete set of parameters, criteria, and that is basically the mandate of the Presence, which is the background against which the scope and intensity of its activities can be measured. In that context, the desirable successful outcome of the elections is a moment, but for me that is the earliest moment after which we can start considering what can be done differently, how we can shift the emphasis, reallocate resources. Again, that will always be done in close consultation with the host country.

**Korrieri:** Following the visit by the former OSCE Chairman-in-Office Solomon Passy, there was a debate at the time on the Presence activities.

**Ambassador Vacek:** We should increasingly look at the relationship between Albania and OSCE Presence as an opportunity of exploiting the resources, the limited resources of the OSCE Presence. That means that we are decreasingly present here in order to watch or monitor anybody, we are much rather here to serve to deliver on the requirements and the expectations of the host country. And in the concrete areas as defined by the mandate, there is still a lot of work to be done, sure. It is not only the electoral business. It is certainly the many other areas of the mandate, where the OSCE Presence, even with its limited resources, can still be of good and concrete use to Albania. This goes for the judicial reform, and the capacity building of the judiciary, the same goes for the property reform, where certainly the primary legislation has been adopted, but now it is about developing the secondary legislation and about the implementation. And we can continue with supporting police work, especially when this support is provided in co-operation with other international actors, with the EU, concretely with PAMECA. These are areas where there is a lot of room for further co-operation. And speaking of the assistance, I cannot overstate that we want the assistance to be demand-driven. I always stress that we have invited our Albanian counterparts in the respective ministries and other institutions with which we work, to submit their own requirements, tell us how they want to shape our projects, our work. And this is perhaps the

added emphasis which I brought to the Presence when I came and I confess that this has been the professional ambition of mine.

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