

## HEAD OF PRESENCE'S INTERVIEW WITH *TELEGRAF* NEWSPAPER

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**Question:** Mr. Ambassador, do you believe that the ongoing Electoral Code reform will guarantee free and fair elections in Albania, so that the problems of the past elections do never repeat again?

**Ambassador Wollfarth:** "The ad hoc parliamentary committee on electoral reform has been working hard. They are doing their best to draft amendments that will significantly improve the Electoral Code so that the story of problematic elections in Albania can be a story of the past. So far, very good proposals have been prepared. I am confident that the committee members will come up with a strong consolidated final draft, a draft that will provide a solid basis for successful parliamentary elections due next year. However, the Electoral Code should not be seen as the only factor determining success or unsuccessful elections. In my view, sufficient political will, we so often need to talk about, will play a crucial role in the conduct and outcome of the elections. Political will can bring success even when there are legal shortcomings. Yet, it can also spoil the process even if the legal framework is close to perfect. So far, I have to say that I see a lot of good will and a lot of good spirit on the side of the Committee in terms of finding good solutions within a process that to date has been an inclusive one. The Committee has received valuable support by the Technical Experts Group and also from the OSCE/ODIHR technical expert mission."

**Question:** Are you still optimistic about the finalization of Electoral Reform on time or you think that the deadline will be postponed again?

**Ambassador Wollfarth:** "The Committee's deadline expires this Tuesday with the pre-planned time left to come to a conclusion on important electoral issues to be counted in minutes. I know that the Committee and its experts have worked really hard, often late into the night, often at weekends and even during holiday periods. I would like to commend their commitment to public service and to further invite them to maintain the fullest engagement and so that the reform can be finalized as soon as possible. I would say that a little passing of the deadline is no big deal in relation to the big step ahead for Albania, once the reform is concluded."

**Question:** The international community has been criticized in the past for its incorrect and inconsistent approach in regards to the problems related to the Albanian crisis. What is your take on this issue as the Head of the OSCE Presence in Albania?

**Ambassador Wollfarth:** "Well, I do not share this view. The international community has and will continue to urge for respect for Albania's constitutional institutions and for the highest possible level of co-operation between all political stakeholders. We, including the OSCE Presence, have consistently invited both political sides to make full use of the Assembly as the main forum for political debate. It is important to state that this has now been the case during 2012. The international community is interested in a functioning democracy, we are not interested in political party colours. That is a subject for the Albanian voter to decide on. For Albania's international partners, what matters most of all is Albania's

progress on the reform agenda. I would be happy to see a better functioning of the rule of law, greater prosperity spread across society, more jobs, better education and health care - in short a better environment in which to people can live. In order to reach this destination, Albania needs political leaders who are talented and who are willing to negotiate and reach a consensus – ideally based on good ideas – based on the national interest."

**Question:** Mr. Ambassador, you have said earlier that the next President of the Republic should be consensual president. How do you think the Albanian politics will follow this suggestion of yours?

**Ambassador Wollfarth:** "The recent and expected future discussions on the issue of President of the Republic of Albania are encouraging signals. Only through full political engagement will a positive outcome be possible. The President is a constitutional institution. He or she is the symbol of national unity. The political parties now have the chance to demonstrate fully that they can cast aside partisan self interest and, instead, agree on a candidate who will perform the duties of the Head of State in the most dignified manner in the national interest. We are now getting close to the start of election process. While candidates now need to be considered, then nominated and presented, I would like to stress that the leadership and ownership of this process has to remain with our Albanians partners. The international community will continue to follow the process very closely. I would say that to live up to its national ambitions, there will be need for Albania to see a dignified process that will hopefully will lead to a dignified outcome."

**Question:** Has Albania made the necessary progress in the fight against corruption and the establishment of relations of respect and understanding among institutions. According to you, what requests have not been fulfilled yet?

**Ambassador Wollfarth:** "There should be zero tolerance to corruption. Albania needs to work further to get to a level were fairness prevails over cheating. The active role of the public is of a primary importance in condemning corruption and bringing corrupted officials to justice, regardless of their position, including judges. The public must make full use of the relevant institutions when it comes to raising complaints about any violation of their own individual rights. The People's Advocate Office is crucial in this context. I would invite the public to make full use of this office. I would also like to see a more professional and more respectful level of communication among the state institutions in order that the so-called three powers can work in greater harmony with each other in bringing the country forward. The media, often called the fourth power, can equally contribute tremendously to fight the cancer that is corruption."

**Question:** Do you think that conflictuality in Albania which will probably increase with elections getting closer will jeopardize political parties' consensus in fulfilling the EU priorities for Albania in getting the status?

**Ambassador Wollfarth:** "The political consensus that began last November has so far brought some very important results and brought Albania closer to its overall national goals. However, this consensus needs to continue further and produce additional results that are required for Albania to make even more headway. The award is waiting further down the road. However, in order to move further along that road, Albanian politicians need to keep on the move. They cannot afford to stand still as indeed Albania cannot afford to stand still."

**Question:** Can the German model for electing the current President serve as an example to be followed by Albania as well?

**Ambassador Wollfarth:** "I would say this: the Albanian Constitution defines the way the President of the Republic is to be elected. Germany, as a Federal State, has 16 regional states. One can obviously see that there is a major difference between here in Albania and there, starting with size. I see no need for any change of procedures in this respect in Albania. However, as I have said, the leadership and the ownership of this process must remain an Albanian one. The key things to be kept in mind are: the respect for the Constitution and respect for the national interests, which clearly means European integration."

**Question:** Do you think that the election of a non-consensual President would make it harder Albania's path toward European integration?

**Ambassador Wollfarth:** "The process for the election of the President will be closely followed by the international community, the OSCE Presence in Albania included. Crucial for the process is that the Albanian Constitution is fully respected both in the letter and in the spirit. It is also important that the procedures are carried out in a dignified way."

**Question:** Considering the length of the time you have spent at the helm of the OSCE Presence in Tirana, do you see the political climate in the country improving or worsening?

**Ambassador Wollfarth:** "I noticed that the political climate has improved somewhat and that this has already provided for some positive achievements in a number of areas. The most important development was, no doubt, the return of the parliament to being the main scene for political dialogue. This allowed for the adoption of some very important and timely legislative decisions such as the election of the People's Advocate and more recently the approval of the administrative court law. I would hope and expect that such a spirit of goodwill is maintained and further strengthened in order to agree upon other much needed reforms such as the Electoral reform. We need to see Albania take some further bold steps. A better climate is needed. Of course, trust needs time to build. I hope for the benefit of all Albania citizens, and also for the region, that we will see greater political trust shown in Albania."

**Question:** It happens often that the International community plays the role of a moderator between the political parties. Do think that this is normal for a democratic country? For example, some days ago you mentioned a concrete name for candidate for member of the Constitutional Court and there were some reactions to it. How should we understand this?

**Ambassador Wollfarth:** "Put very simply: it is intended to help our Albanian partners find the way forward. Today no state, and especially no democratic state, is operating in a 'democratic vacuum'. They interact with each other and learn from each others experiences – the successes and failures. Some democracies have been established for a long time and, therefore, have a greater collection of practices from which younger democracies can draw from. On the issue of the vacancy to the Constitutional Court itself, it is an election in the Parliament that is long overdue. The situation of the Constitutional Court operating with only eight members and with the constant threat of tied votes is clearly undesirable in every way. Several months ago, the President of the Republic submitted proposals. I received very encouraging responses when pointing at the need to fill the current vacancy. It is high time now that the Assembly makes a decision."

**Question:** The ODIHR has declared that they will not accept the electronic counting in 2013 elections. Do you share the same opinion? Can you explain why ODIHR is against the electronic voting only there days before the ad hoc electoral committee's deadline?

**Ambassador Wollfarth:** "In the end it is for Albanians to decide on this issue. However, allow me the opportunity to say a couple of words regarding the role of the OSCE/ODIHR in the electoral reform. They have been assisting the ad hoc parliamentary committee following an official request of the Assembly in late last year. Since then, they have visited Tirana on at least five occasions and have provided online expertise, too. Their recommendations are based on OSCE and other international standards and best practices. However, these are clearly recommendations, not commandments. It is up to the Albanian stakeholders to decide whether to accept them or not. New voting technologies can improve the electoral process and provide quicker results. Yet their introduction needs time in order that such positive results are reached. Time is needed to fully prepare the legal provisions, to draft the project proposal, to secure the funds, to conduct a tendering process to procure the machines, and to train the people that will operate them. If we look at the experiences in other countries, they have tended to first begin with a small-scaled pilot project in order to identify the benefits or shortcomings of new technologies. Let us now see what the Committee finally decide on this issue. And, since we are on that, allow me to stress that even the most perfect electronic devices cannot replace the trust between stakeholders – and the stakeholders are human beings."

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