



**Organization for Security and Co-operation in Europe  
Presence in Albania**

**REPORT BY THE HEAD OF THE OSCE PRESENCE IN ALBANIA  
TO THE OSCE PERMANENT COUNCIL, 22 OCTOBER 2009**

**INTRODUCTION**

Since last year's Annual Report, the Presence has closely followed guidance given by the Participating States and the Secretariat and has reflected the priorities of the host country. Gratitude has to be expressed to the host country and, in particular, to the Ministry of Foreign Affairs for their strong support over the last year, which has greatly contributed to the work of the Presence. Appreciation must also be given to all the other Government ministries, the Office of the President, the Office of the Speaker of the Albanian Assembly, and all the other state institutions with which the Presence has actively engaged. Lastly, our thanks must go to all those multilateral institutions and participating states that have funded our programmes. In terms of notable guests received, the visit of the then Chairperson-in-Office, Dora Bakoyannis, in February 2009, was clearly the highlight and greatly contributed to the fostering of stronger relations with the host country. During the parliamentary elections, the work of the OSCE-ODIHR Election Observation Mission was supported, including a visit by the ODIHR Director, J. Lenarcic. Support was also provided to visits from the OSCE Parliamentary Assembly led at various times respectively by President J. Soares and Vice President W. Grossruck.

This report will provide an overview of the political and programme highlights of the last year insofar as they relate to the mandate. Without doubt, the main highlights for the country were the accession into NATO on 1 April 2009 and the submission of the application for EU candidate status on 28 April 2009 – both of which generated high public expectations. In terms of the main political events that affected the OSCE, and the Presence in particular, the conduct of parliamentary elections held in June 2009 was central. The Final OSCE-ODIHR Election Observation Mission Report remains the seminal analysis for these elections.

**POLITICAL HIGHLIGHTS**

The Final OSCE-ODIHR Report notes that the parliamentary elections held on 28 June 2009 “met most OSCE commitments” and “marked tangible progress with regard to the voter registration and identification process, the legal framework, adopted in a consensual manner by the two main parties, the voting, counting and the adjudication of election disputes.” However, these elections saw a number of deficits in terms of a politicized counting process that resulted in the elections not fully realizing, as the Report notes, “Albania’s potential to adhere to the highest standards for democratic elections.”

Electoral preparations commenced on 29 December 2008 when the Assembly overwhelmingly approved a new Electoral Code following constitutional changes agreed in April 2008. Indeed, the *de facto* elimination of both the *Dushk* phenomena and the post election re-ranking of candidates were seen as a further step forward. In terms of voter registration and identification, for the first time the voter lists were extracted from the National Civil Registry database. Although the main opposition Socialist Party (SP) alleged that these lists contained many inaccuracies, the nature and number of cases reported seemed to refute such claims. By Election Day, the quality of the lists had greatly improved. As for voter identification documents, the Government led scheme to provide the public with an ID card was broadly successful. SP concerns over the ability to produce enough cards were largely unfounded as were allegations

of Democratic Party (DP) interference in the 'ID-process'. The challenges that did exist related more to an overly ambitious tight timeframe (that brought insufficient time to train ID card issuing staff timely), a protracted debate over the cost of the card, often contradictory figures on the process, as well as some reluctance to make all relevant data available. The Central Election Commission (CEC) broadly administered the election preparations professionally and, taken a delayed start into consideration, broadly within the legal deadlines. Although efforts were made to work inclusively, debates within the CEC were often divided along partisan lines. The widespread right of political parties to replace commissioners at will negatively impacted on the effectiveness of the commissions. Once formed, they were dominated by both main parties to the modest benefit of their junior coalition partners and to the complete detriment of parties outside of the coalitions, who had no representation at all. *In order to build the widest political consensus in the process, should a political party-based CEC be retained in preference to a totally depoliticized system, then widening the composition of the various commissions could be considered.*

The election campaign took place in a calm but still polarized environment. Although three local political actors were killed during this period, there is no evidence to suggest that these were politically driven. Strong language was often prevalent during the campaign, with SP allegations, often substantiated, that the DP used state events for partisan campaigning and exerted pressure on public sector workers to attend party rallies. The Presence was made aware of some evidence to suggest that many supporters from the Human Rights Union Party were dismissed from their jobs after their decision to join the SP-led coalition. Although SP allegations of selective early prisoner releases on special leave were often substantiated, the Presence was unable to substantiate claims that they were involved in DP-election campaigning. Many media outlets appeared to show a strong bias in favour of one of the main two political parties to the detriment of all other political parties. It is furthermore arguable that the two formulas for calculating electoral mandates - proved to be disadvantageous to those smaller parties outside one of the coalitions. *Considering that all votes should be of equal value, the manner in which mandates are allocated should also be considered.* Election Day itself was generally calm and without any major incidents. The move to a proportional regional electoral system having had a positive effect to this extent.

The number of post-election appeals was much lower than before, possibly due to the reduction of zones brought about by the new Electoral system. While the Electoral College hearings *per se* were held in a broadly professional manner, its decision-making appeared somewhat rushed. Although there was no clear evidence of wider manipulation of results, initially in a number of areas votes were either not counted or results were not included in the final results table, when the identity of a particular ballot box became clear. *To avoid such problems in the future, the masking of all ballot boxes or the drawing of lots on the order in which they are counted may be worth considering.* Despite the approval of the *Law on Gender Equality in Society*, legal loopholes in provisions to ensure the representation of women as candidates enabled political parties to evade their true spirit. Therefore, while the final number of women elected – 23, up from a very meagre ten - is an improvement, the final figure could have been far higher. Greater political will is now required so that many more capable Albanian women get the rightful chance to get elected.

On 1 August 2009, the CEC unanimously approved the final results: the DP-led coalition 70 seats, the SP-led coalition 66 seats, and the coalition led by the Socialist Movement for Integration (SMI) four seats. On 4 July 2009, it became clear that the DP-led coalition had won the elections when the Chair of the SMI, I. Meta, announced that his party would join the DP-led coalition. On 14 September 2009, the OSCE-ODIHR Election Observation Mission

Report was published, with the Government immediately promising to fulfil all the recommendations contained in the report. On 7 and 8 September 2009, the Assembly reconvened with Mrs J. Topalli being re-elected as Speaker for a second successive term of office. On 16 September 2009, Prime Minister Berisha's proposed Ministerial team was approved by the Assembly, with the SMI having been given three cabinet posts, including the post of Deputy Prime Minister and Minister of Foreign Affairs to be taken by the SMI Chair I. Meta. The same day also saw the Government's four-year programme being published following consultations with the SMI. The SP have so far chosen to boycott all sessions of the new Assembly following a decision taken to condition their entry on the fulfilment of conditions relating to the election process, which they claim was fraudulent.

To date, it is unclear how long this boycott will last. On 9 October 2009, the Prime Minister publicly said that he was willing to offer some level of compromise by offering the SP the majority representation on any inquiry committee on June's elections, as requested by the SP, provided that the law is not breached. Mindful of the fact that the CEC had already consensually concluded the election process, he urged the SP to take any complaints they may have to the Prosecutor's Office as the only remaining body that has proper legal standing. However, only hours later, the SP Chair publicly rejected the Prime Minister's offer as it did not mention the possibility to open the ballot boxes. The SP's position appeared to further harden with a series of public protests. The first such rally was held on 10 October 2009 in front of the Prime Minister's office that was attended from between 3 to 7,000 supporters. As the reporting period closed, Chair Rama has said publicly that he will propose to the National Assembly that the party boycott the five local government by-elections due on 15 November 2009.

In response to this boycott, the President of the Republic, the Assembly Speaker, innumerable Government officials, a number of SP figures as well as many international actors (including the Presence), both in Tirana and respective capitals, have all repeatedly stressed the fact that the SP has a responsibility to return to the Assembly and to play their constitutional role as a 'constructive opposition', not least with a number of key reforms pending relating to the integration agenda.

On *the rule of law*, despite some progress over the last year, including ongoing efforts to create an administrative court and first steps in formalizing the provision of legal aid, the judicial reform process is yet to be completed. Judicial procedures remain slow, often lacking transparency and with many important issues still to be tackled even more forcefully, for example corruption in the judiciary. Reform cannot be simply about rewriting so-called *organic* legislation. Rather, it is important to review how these bodies actually work. If criminal and civil procedures are found not being applied, then either the procedures need to be changed or their implementation should be more strongly enforced. Furthermore, before approving important pieces of legislation, the Government should be encouraged to consult more widely with those most affected by a particular piece of legislation. On the civil service, while the legal framework is broadly in place, its implementation remains mixed. The enforcement of court decisions related to civil service disputes still needs urgent review.

In December 2008, the Assembly approved amendments to the *Law on the Organization and Functioning of the Prosecution Office*. While some amendments improved the legal framework on the criminal prosecution, other amendments produced debate over the abrogation of an article that previously protected prosecutors from criminal proceedings, and one article that strengthened the role for the Minister of Justice and Assembly vis-à-vis the Prosecution Office. In the best case, the Prosecution Office will retain its independence and

the only result will be some degradation in the accountability of prosecutors and some weakening in the role of the President. In the worst case, the Prosecution Office may fall under the authority of the Assembly, thus weakening the constitutional separation of powers.

In January 2009, the Assembly approved a *lustration* law amid major political debate. The law aimed at verifying the figure of elected or appointed public officials involved in the communist regime. The law attracted major public criticism from local and international actors, including the Presence, focusing on several elements that appeared to violate the Constitution. These violations include the possible exclusion of election candidates and dismissal of those already elected, and the potential impact on the judiciary as many judges and prosecutors may run the risk of being dismissed. The Law's administrative provisions also appeared not to meet the requirements of the due process of law as the presumption of innocence of the individual under scrutiny and the impartiality of the judging authority were not guaranteed. The law is now under legal review before the Constitutional Court, which has also decided to suspend the law until a final decision is taken and awaiting an opinion of the Venice commission, which on 9 October 2009 issued a rather critical opinion.

After a one year investigations into the Gerdec explosion, in February 2009, the General Prosecution Office declared that 28 officials were responsible for the tragedy. It was stated that the High Court would examine the legal case against the former Minister of Defence, F. Mediu. The remaining defendants are being tried by Tirana's First Instance Court. In September 2009, the High Court dismissed the case against Mediu on the grounds that by being re-elected as a member of the Assembly and subsequently appointed Minister of the Environment, Forestry and Water Management, he had regained his immunity while the prosecution office had failed to seek a renewed lifting of the immunity prior to the court session. On 8 October 2009, the families of the Gerdec victims filed new criminal charges against the accused, de facto requesting the reopening of the case against Mediu. They also intend to bring the case to the European Court of Human Rights. Prime Minister S. Berisha has repeated the Government position that all members of the Assembly will be at the full disposal of the Prosecution Office in case of any future legal proceeding.

On *anti-corruption*, Albania has undertaken a number of reforms such as the approval of the *Strategy for the Prevention and Fight against Corruption* and *Transparent Governance 2007-2013*, and the adoption of a significant amount of EU-compliant legislation. The Government also established online systems for business registration and procurement, and the country's on-going decentralisation policy provides for watchdog opportunities through civil engagement in local decision making processes. Greater checks have also been introduced for auditing the assets of public officials. However, corruption still remains a serious problem particularly in the judiciary, health, and education sectors. Challenges remain in the effective implementation of anti-corruption legislation and greater co-ordination is needed between the public institutions responsible for dealing with this issue.

On the *police*, with the 2007 State Police Law, the Police now have greater autonomy from the political class in recruitment, promotion and disciplinary matters. The growing improvement in participation of women at a management level is also a positive sign. However, for the state police to be a more effective law enforcement agency in the fight against corruption, progress is required in recruitment and promotion practices, in the development of the Internal Control Service and in general resource management issues. The Border and Migration Police are presently taking over responsibility for the cross-border co-operation process for all borders and have recently updated the Integrated Border

Management Strategy and Action Plan. A major priority remains the fulfilment of the EU Visa Liberalization criteria.

On *property reform*, until property ownership can be guaranteed, investment and lending will remain hindered. The issue is further complicated by a legal framework that does not provide for a unified definition of property ownership. Another concern are the claims of the former owners for compensation or restitution. In an earlier privatisation process, the Government passed a law that allowed former owners to repossess or receive compensation for land illegally expropriated under the former regime. However, by the time the law was passed, most of this land had been transferred to those who had worked the land during the Communist era, thus leaving compensation as the only remaining legal remedy. Very few former owners have received compensation and, not surprisingly, this issue remains highly politicized. Only a fraction of the submitted claims have been processed as the system is hampered by poor documentation, often outdated management practices, a lack of legal accuracy, as well as a limited ability to use the digitalised data.

On *human trafficking*, the 2009 US State Department Trafficking in Persons Report noted that Albania has demonstrated "increased political will to fight trafficking in human beings". In 2008, the Government endorsed *the National Anti-Trafficking Strategy for 2008-2010*, drafted after a series of consultations with local stakeholders. Although this Strategy sets out important objectives in the fight against human trafficking, its implementation remains weak, with the Government often relying on international assistance. Low prosecution rates are still reported and the protection of victims of trafficking needs to be improved. International missions and local NGOs continue to raise concerns about the increasing trend of internal trafficking, manifested in the forms of exploitation of children for begging purposes and the exploitation of young women for prostitution. Such concerns were also highlighted in the 2009 US State Department Trafficking in Persons Report.

On *regional administrative reform*, despite greater Government commitment and a stronger public demand for greater accountability in the use of local resources, the fragmentation of local government and the undefined role of the regions served to further complicate a uniform attribution of roles, which in turn affects the local delivery of public services. Although some local government units have achieved tangible results in public service delivery, the decentralization of decision-making remains hampered by an overly complex legal framework.

On *gender*, the 2008 Gender Equality Law helped mainstream gender into public policy by establishing a National Council on Gender Equality and a 30% quota system for both genders in all legislative, executive, judicial and other public institutions, including their steering organs and a 30% quota of women as parliamentary candidates. The weaknesses in the Law regarding gender quotas in elections were highlighted earlier. Although secondary legislation foresees the appointment of gender focal points in every ministry, the formalization procedure, especially at the local government level, still lack proper recruiting procedures and, as a result, the institutionalization of gender focal points remains unfinished.

On the *media*, the current legal guarantees on freedom of expression are not being fully implemented. Journalistic independence is not always respected by media owners and the implementation of the labour code remains mixed. A new integral draft law on electronic media was circulated between a limited circle of law makers and media representatives. Amendments to the law on access to information and a reform of the defamation legislation remain stalled in the Assembly, while the television digitalisation process is still only at the

public consultation stage and has yet to be approved by the Assembly. A Media Ethics Code has been in place since 2006, but an institutional framework for its actual implementation is not in place yet. Finally, progress on implementing and improving the legal framework and in establishing self-regulatory mechanisms remains slow.

## **PRESENCE ACTIVITY HIGHLIGHTS**

Over the last year, assistance has been provided to the host country across all three thematic baskets. Project co-ordination structures were further streamlined and greater stress was again put on the strategic planning of activities. In support of all programmatic work, the four Project Offices follow relevant local developments in their areas and, through establishing and maintaining contacts with local stakeholders, assist in the implementation of regional and national projects.

### **1. Head of Mission**

Aside from maintaining regular contact with local and international partners, work this year focused on donor co-ordination related issues, where the Presence continued to actively participate in the Donor Technical Secretariat (DTS) structures alongside the European Commission Delegation in Tirana, the World Bank, the UNDP on behalf of the UN and (on a rotating basis) two other bi-lateral participating states. As the reporting period closed, the Presence resumed the leadership of the DTS structures for the next six months. The DTS is a collective and transitory initiative by donors to facilitate stronger co-ordination with the Government. In close co-operation with the Council of Ministers, the production of the monthly donor co-ordination newsletter was also financially supported. In order to help re-establish normal education conditions for the children in the village following the Gerdec tragedy, equipment for a rehabilitation centre and the reconstructed school was provided.

### **2. Security Co-operation**

Since October 2008, technical assistance continued to be provided to the State Police, Border and Migration Police as well as to the Ministry of Defence.

*On support to the State police*, training was held on leadership assessment for promotion and recruitment, advanced police instruction, investigation by the Internal Control Service, police defensive tactics, election policing, and to support to the Investigative Units to gather evidence. The State Police Recruitment Department and Ministry of Labour, Social Affairs and Equal Opportunities were supported in developing a recruitment package to double the number of female and ethnic minority applicants. ICS training was facilitated on financial inspections, compliance engagements, and performance inspections. Training was also supported on advanced police instruction for police cadets from Albania, Montenegro, the former Yugoslav Republic of Macedonia, Serbia and Kosovo/UNMiK. Finally, some 5,750 State police officers were trained, through a cascade training scheme, in their duties given to them by the Electoral Code before and on Election Day.

*On border management support*, the facilitation of joint cross border co-operation meetings (JBCMs) with Montenegro helped contribute to a well run Joint Border Crossing Point at Muriqan/Sukobin. To support its work, a study visit was held for officials to a Joint Border Crossing Point (JBCP) in Bulgaria. On the Kosovo/UNMiK border, JBCMs were facilitated until July 2009 when the process was taken over by local border police authorities. Regular JCBMs were facilitated with the national police services in Skopje and are now fully nationally led. Monthly meetings between Albanian and Greek border police at the Border

Crossing Point at Kakavia were facilitated.

On de-militarization *support*, alongside the Forum for Security and Co-operation, a contracted Swedish company disposed of the 34,000 litres of the toxic fuel stock in Sweden in July 2009. To further assist the Government in their effort to rid the country of surplus conventional ammunition, another project was started to provide industrial equipment to the Government's demilitarization effort. By the close of 2009, industrial cutting saws will have been provided to the two authorized demilitarization facilities. In co-operation with the Ministry of Defence, a working group has also been established to address the matter of hazardous chemicals.

### **3. Governance in Economic and Environmental Issues**

The focus of programming this year was placed on anti corruption, municipal good governance and regional reform, property reform, and anti-trafficking.

On *fighting corruption*, support continued to be provided to the Government by increasing the capacity of national actors to promote good governance principles. After the approval of the Law on *Preventing Money Laundering and Financing of Terrorism*, the Financial Intelligence Unit was assisted in training reporting institutions on new legal requirements. Workshops were held with Immovable Property Registration Office staff to report suspicious real estate transactions. Support was given to the High Inspectorate for the Declaration of Assets and Audit in training public administrators on the conflict of interest legal framework.

On *regional reform and support to local government*, in support of the Government's Decentralisation Strategy, co-operation continued with the Council of Europe on the implementation of a local government Leadership Benchmark project with a focus on the use of performance management and budgetary planning mechanisms. Mayors and other senior staff of three pilot municipalities were trained by international experts on performance management techniques and in preparing budgets for projects indicated in community plans

On *environment reform*, the Ministry of Environment, Forestry and Water Administration, was supported in implementing the Aarhus Convention. Study visits to Finland and Austria were held for government and civil society officials to study best practice in public participation in environmental impact assessment, and waste management systems. With OCEEA and UNECE support, training was provided on access to justice for judges from the region. The work of the three Aarhus Information Centres was supported as part of a project to promote public consultation in decision making.

On *property reform*, as concluding the registration process and the issuance of clear ownership titles are pre-requisites for sustainable economic development, the Immovable Property Restitution System will be assisted until mid next year in completing the registration of coastal immovable property. The registration process provides a tool through which property disputes can be resolved. To assist in resolving the outstanding claims for restitution or compensation, the Property Restitution and Compensation Agency was supported to increase its ability to use IT support previously provided to manage its claims data.

On *human trafficking*, a joint OCEEA/ODIHR project on combating human trafficking focused on improving economic opportunities for women in north Albania, with a local NGO offering business support. Training on protection rights for trafficking victims was given to judges, prosecutors and magistrates' school students that focused on the need for greater co-ordination in the assistance provided. To increase local capacities in preventing trafficking,

workshops were held for the Regional Anti-Trafficking Committees. Support was provided to a local NGO in producing a study to help service providers offer re-integration opportunities. As part of an ODIHR Roma Project *Working Together Against Trafficking - Third Phase*, eight Roma Peer educators began a one year social assistant professional course to develop their skills on social work issues.

#### **4. Democratization**

Programmatic activity over the last year continued to focus on electoral reform, civil registry reform, Assembly capacity-building, gender equality, civil society and the media.

On *electoral reform*, in preparation for parliamentary elections, the Assembly Ad Hoc Committee on Electoral Reform was assisted in drafting the new Electoral Code. Copies of the Code were published and distributed to local partners. Support was provided to the CEC in producing TV spots that encouraged voters without a valid passport to obtain an ID card. To strengthen their training capacities, the CEC were supported in delivering seminars to trainers who then trained election commissioners. Copies of an election guidebook in English were drafted, published and sent to all international observers. A poster and *house to house* campaign was also facilitated, discouraging the practice of *family voting*.

On *civil registry reform*, as part of a technical assistance project, the Ministry of Interior was supported in completing the new electronic National Register of Civil Status that provided the voter list for the parliamentary elections and the data for the production of ID cards and passports. As an immediate result, voters' lists were largely undisputed, the first time in the history of pluralist elections in Albania. Assistance continued in the development of the address system by creating a GIS based National Register of Addresses that will be important for proper residence registration of citizens and will help to also clarify local government boundaries in time for local government elections due in 2011. The Ministry was also assisted in developing the management support system for the General Directorate of Civil Status, their staff training programme and website. The Office of the Data Protection Commissioner was supported in establishing their structures and assistance continues to raise their public profile and develop their working practices.

On *Assembly support*, as part of an ongoing multi year project to modernize the Assembly, technical assistance focused on developing its senior management practices. The Assembly's Secretariat was supported in drafting a set of revised job descriptions, which is now awaiting approval by the newly elected Assembly leadership. Ground work has been laid for a staff training strategy to be finished before the end of 2009. Management training courses have been facilitated. A delegation of Assembly staff visited the Hungarian Parliament to learn more about the experiences in the transition period. The Assembly was supported in establishing a new Monitoring Department for Independent Institutions and Constitutional Bodies that is fully staffed and self financed by the Assembly. Two parliamentary staff exchange visits of Archives and Library services took place to the Parliament of the Netherlands to develop more modern working practices. The participation of one parliamentary staffer to a seminar held by the European Centre for Parliamentary Research & Documentation in London was facilitated. A series of seminars for Assembly's IT staff on the latest IT techniques and applications started. The training was part of the project to support the installation of a new IT network also resulting in a database in the Assembly. A meeting between the Albanian and Montenegrin Assembly Committees on European Integration was facilitated alongside the OSCE Mission in Montenegro to share best practices and to identify topics for future co-operation. A Women's Parliamentary Caucus was established that will



serve as cross-party platform for female MPs. The Caucus hosted the first regional meeting in Tirana of female MPs from across the region. As part of the ongoing parliamentary support project, the Presence works very closely together with various OSCE-missions in the exchange of expertise.

On *media reform*, the drafting of the digitalization strategy through the National Council for Radio and Television was supported by providing expertise through the OSCE Office of the Representative for the Freedom of the Media (RFoM). In September 2008, a project was launched to encourage the national media community to develop its own self-regulatory mechanisms. The aim is the creation of a voluntary national media association, an institutionalized framework that will enable the media to act collectively to promote their interests, strengthen their editorial and economic independence and enforce media ethics principles. A series of expert seminars on media self-regulation, supported by the Flemish Press Commission, the German Presserat and the Office of the RFoM were held nationwide.

On *gender reform*, to promote an increase in the number of women in parliament and in local government, seminars were held for women from political parties, public administration, civil society and business sector. 25% of the participants were later selected as candidates for the parliamentary elections. The project ended with a graduation ceremony in Tirana in the presence of President B. Topi. A campaign against family voting was held, and various other activities were organized to increase women's public visibility. Direct support was provided to the Government, especially the Ministry of Labour, Social Affairs and Equal Opportunities, to finalise the Gender Equality Law and to facilitate the implementation of the National Strategy for Gender Equality. The Kukes Women Counselling Centre also received technical assistance and financial support.

On *civil society reform*, ODIHR comments to the draft law on an Albanian Civil Society Fund were facilitated and communicated to the Council of Ministers. The Presence signed a tripartite agreement with the Municipality of Korca and the Korca Civil Society Development Centre (CSDC) on a jointly managed Municipal Civil Society Development Fund. The aim is to provide local support for civil society to promote civic activism and is also considered a major step in the final handover of the CSDC into national ownership.

## **5. Rule of Law and Human Rights**

Further support was provided to the legislative and judicial reform process in order to develop transparent legal structures and a sound legislative process.

On *judicial reform*, support was given to the Ministry of Interior's Directorate for the Protection of Witnesses and Justice Collaborators. A visit to the Italian Central Protection Service was organised for members of the Serious Crimes Court and for the Witness Protection Directorate, focusing on the legal framework for the protection of witnesses and collaborators of justice. The installation of video conferencing equipment at the Physical Protection Unit was supported. Advice was given on the drafting of a Law on the Protection of Witnesses and Justice Collaborators. Court observation activities led to a report on judicial procedures in civil cases. Support was given to the Ministry of Labour, Social Affairs and Equal Opportunities in publishing a brochure on domestic violence. Seminars were provided to judges to raise awareness on judicial ethics and independence. An Italian research institute was contracted to compile a report on court access in civil courts. A publication was published aimed at police officers on their obligations towards child victims of crime and

juvenile suspects. Support was provided to the People's Advocate with placement of mailboxes in prisons to enable confidential communication with the People's Advocate.

In an area that combines *judicial reform* and *legislative reform*, support was provided to the Ministry of Justice to create a National Probation Service. Support was given in preparing probation legislation and regulation, and in developing a national probation education system. A proposal was developed containing procedures for recruitment and a training curriculum. A *training of trainers* seminar was organised for Ministry officials to help probation officers write pre-trial reports and to supervise offenders in the community. With the School of Magistrates, seminars were held for judges and prosecutors on the role of a probation service. A training manual for probation officers was produced and sent to stakeholders. As the reporting period closed, a series of seminars was held for all newly appointed probation staff to provide the skills required to write evaluation reports for the courts and to supervise offenders placed on probation.

In other areas, the Presence participated in a working group to draft a new law on the Internal Control Service. Comments were also provided on a draft Law on Child Protection from Maltreatment, a draft Law on Territorial Organisation and on the draft Law on Local Taxes. The Civil Service Commission was supported in training local government officials to prevent improper application of civil service legislation. The publication of the Commission's 2008 Bulletin was funded and distributed to stakeholders. As the reporting period concluded, workshops were organized in co-operation with the Commission on civil service issues for local government officials in the Berat and Fier regions. Support was provided to civil society in preparing legislation against discrimination against minorities. The Presence chaired the donor co-ordination mechanism on Roma rights and on prison reform.

## **THE WAY AHEAD**

2010 is almost certainly going to be another important year in the light of Albania's continuing EU integration aspirations. Historically, this is the first case in Albanian politics where two political parties, with contrasting ideological backgrounds, have joined in coalition. In terms of the integration agenda, a clear attempt to move forward with the reform agenda is expected. A precondition for national success will be the return of a cross-party consensus on matters of national importance that existed until the spring of 2009. Given the current boycott of the Assembly by the SP, how such a consensus will be achieved and, even more so, sustained once the SP returns is an interesting point of discussion.

Political parties still need a greater political will to ensure that elections are held according to international standards. While this means an important and positive role for the Government, it also means that a constructive role has to be played by the Opposition. Without this, the challenges observed in June will continue, with the cycle of elections being 'not quite good enough' continuing. The political class has to now ensure that this cycle will finally be broken. Either way, over the next year the ever closer relationship between the Presence with the host country will be further nurtured and technical assistance will continue to be based on the current mandate in order to give every support to the host country and to work towards the fulfilment of all OSCE commitments.

**E.o.T.**

**15 October 2009**