

## **Presentation by the Head of OSCE Presence in Albania to OSCE Permanent Council**

**Vienna, 19 October 2000**

Madame Chairperson, Distinguished Permanent Representatives,

This meeting of the Permanent Council takes place at the height of the electoral season in the Balkans. The recently concluded local government elections in Albania have attracted less attention than others in the region. No news can often be described as good news. But the significance of the Albanian elections, both nationally and for the region as a whole, should not be underestimated.

Firstly, these were the first elections in Albania since the parliamentary elections of 1997 and the first local elections for four years. They took place under a new Constitution, a new Electoral Code, and a new Central Electoral Commission. For the first time, the voter list was prepared on the basis of a computerised voter register. The OSCE Presence was closely involved in the preparation of these elections from start to finish. Their importance was recognised by ODIHR, which together with the Council of Europe, sent the maximum number of international observers to monitor the elections themselves. Their judgment, that the elections marked significant progress towards meeting the standards of the OSCE Copenhagen Document, speaks for itself. The fact that they took place in a peaceful atmosphere, despite the tensions created by certain politicians, is a tribute to the good sense of the Albanian people, as well as to the precautions taken by the authorities.

These are the facts of the elections and, as such, they represent a significant step away from the atmosphere of intimidation and fraud which so often marked elections in the past. They are also, of course, a pointer to the national elections due to be held in June next year. Inevitably mistakes were made from which I hope lessons can be learnt for the future. They do not in any way detract from the efforts made by the Albanian government together with the OSCE and its international partners, in particular UNDP and IFES, to ensure that the elections came up to international standards. In the main, the shortcomings were of a technical nature and had to do with delays over the voter list and the registration of candidates, as well in the distribution of voter identity cards and the preparation of election materials. However the opposition Democratic Party was only too ready to cry foul, although they, along with some of the smaller parties

had some justifiable complaints. The main complaint of the DP was about errors and omissions in the voter list. But I am satisfied that there is no substance to the accusation made by the Democratic Party that, as the result of political manipulation, a massive disenfranchisement took place, mainly of DP voters. In fact, every effort was made to include in the final list the names of all potential voters, regardless of whether they had been verified during the compilation of the list. Almost all voters were able to cast their ballots on election day. Small parties mainly complained about the omission of some of their candidates from the ballot papers and some of these have now satisfactorily been resolved, whilst others are now being referred to the Courts.

After the first round the ODIHR and the Council of Europe have deemed the elections as marking an important step forward for the Albanian Institutions and an improvement over previous elections. However, the Central Election Commission and the courts have since shown little inclination to deal with the many complaints of irregularities they have received and much remedial work needs to be done. This need not detract from the overall achievement which should have helped to restore the confidence of the Albanian people in the democratic process. Because of previous experience with badly flawed elections, they seemed to know what was at stake this time not only for their local communities, but for the future of Albania as a whole. In their public statements, the international community constantly reminded the electorate that these were indeed elections for local, not central government and that they should vote accordingly. It is too early to judge the overall response, but in several major municipalities local personalities have won even in opposing party strongholds.

However, the success of the elections cannot disguise the fact that the political process in Albania is still obstructed by the refusal of the Democratic Party to adhere to normal conventions. It has not recognised the Constitution, the Electoral Code or the Central Election Commission, though this did not prevent it from registering its candidates for the elections and participating in the first round. Its non-recognition of the results of the first round of the elections and the setting of unattainable pre-conditions for the participation in the second round are the logical conclusion of a policy of non-cooperation which had even earlier only just stopped short of a boycott. But these are symptoms of a deeper malaise within the Democratic Party.

The Democratic Party has never accepted its electoral defeat by the Socialists in 1997. Until now, it compensated for its weakness in Parliament by controlling almost all the major towns, including the capital, as well as a good two-thirds of

smaller municipalities and communes. These gains, made during the local elections of 1996, have now been reversed by the Socialist Party which stands to control Tirana and all but one of the other big municipalities, as well as over fifty percent of the countryside. The smaller parties did better than expected, but not well enough to offer a viable coalition for the opposition. Whatever people's motives for voting in the local elections, the results are inevitably seen as providing an accurate gauge of the respective strengths of the two main political parties in Albania. The clear swing to the Socialists at the local level is reassuring to the Government as it looks ahead to national elections in nine months time. But it is not helpful to the democratic process if the main opposition party is in disarray and is unable either to accept rejection by the electorate or to reform and modernise. Reformist elements within the DP exist, but have hitherto been marginalized. However, it is still too early to forecast whether there is likely to be any re-grouping after the election. Inflammatory rhetoric has been used by both sides during the campaign but it is noteworthy that candidates in many municipalities and communes actually collaborated with their opponents in calling for calm elections and took part in public debates with them. As to the second round, incidents in the coastal town of Himara to the south of the country overshadowed other events. This town is home to a number of Greek speaking citizens and the SP and the DP formed an alliance to stand against the mainly Greek Human Rights party. The Greeks, on their side, brought a delegation of 6 Deputies plus other representatives from the Greek Parliament to visit Himara to observe the election. There seem to have been irregularities. I refer to the monitor mission's reports. Some tension over this seems to continue.

Throughout the entire electoral process, the OSCE Presence has acted as facilitator and critic, helping to draft the Electoral Code, pointing out the dangers of certain transitory provisions attached to it at the very last moment, questioning the neutrality of the Central Electoral Commission, receiving the complaints of opposition politicians and coming in for more than its own fair share of criticism. As I said about the Electoral Code in my last address to the Permanent Council in June, it seems very doubtful whether, if left to their own devices, the Albanian legislators would have produced for their Statute book such a comprehensive document appropriate to modern elections. OSCE acted as a constant point of reference, providing the framework for consultation among the Friends of Albania and with experts from UNDP and IFES. The Local Government Officer co-ordinated and supported specialist teams visiting under UNDP's Electoral Assistance Programme and organised the international enumeration observation mission. During the election campaign, the OSCE

Field Stations played a valuable monitoring role, gave logistical support to the ODIHR long-term and short-term observers and played a sometimes crucial mediating role on the eve of the elections themselves, particularly over the composition of the voting centre commissions. The speed with which the Field Stations were able to communicate often enabled the Presence Headquarters to head off serious problems by timely intervention at the centre. Given the importance of the elections over this period and the role the Presence has played, there is more that could be said but let me close on this topic by thanking the member nations who so kindly provided us with observers and monitors. This was invaluable.

There are a number of encouraging signs that Albania is emerging from its disappointing past, in which it seemed to be locked three years ago. The recent elections have undoubtedly contributed to the feeling that progress is being made. At the same time, credit is due to the Albanian Government under Prime Minister Meta for tangible progress in a number of important sectors contributing to stability in the country and the reform of the economy. Successes include, first and foremost, public order. For example, a low-profile strategy by the police during the election campaign, combined with adequate deployments on polling day, did much to ensure that the elections passed off safely and without trouble. The ODIHR observers reported that the police behaved professionally and correctly at all times and that no complaints were received from the public. This is a remarkable achievement given Albania's recent history. The Government is also committed to accelerated market reforms and the decentralisation and reform of public administration. Privatisation of the banking sector is virtually complete and the restructuring and privatisation of the telecommunications, energy and mining sectors is proceeding apace. Small and medium-size enterprises are no longer under state control. The Government is carrying out a major programme of road repair and reconstruction and a series of infrastructure project proposals are being considered for funding by the EU, World Bank and other organisations under the Stability Pact. Considerable progress has also been made in tax collection and the control of customs revenue.

Despite this obvious progress, it would be wrong to conclude, however, that Albania is already well down the path leading to the full democratisation of its public life and eventual alignment with European structures. Much work still needs to be done in the run-up to negotiations on an EU Stabilisation and Association Agreement. The security situation, though it has greatly improved over the last year, is still fragile and the roots of democracy are still shallow and

delicate. Political consensus between the two main parties is almost impossible to achieve and the opposition is not playing a full part in the administration. Despite the government's weapons collection programme, a large quantity of the arms and munitions looted from arsenals in 1997 remain outside legal control. The size of the problem is reflected in Parliament's recent decision to extend the voluntary phase of the collection programme by two years. Corruption remains a problem, and we have yet to see more concrete results of the Government's anti-corruption strategy, beginning with reform of the judiciary. Illegal trafficking of all kinds continues, despite the government's attempts, with international assistance, to stem it. Rural poverty remains endemic.

As far as the OSCE is concerned, the Presence continues to fulfil its mandate in Albania to the best of its ability, but as my concerns illustrated show, its task is a long way from completion. The progress made since OSCE began its work here is, as yet, insufficient and Albania is going to need every measure of assistance available to it from the international community if it is to pass safely to the developmental stage. Here the OSCE Presence needs to draw up its future programme. The new local government administrations should strengthen democracy at the grass roots level, but they will need support. Local government therefore needs to be ranked high on our agenda as a new generation of political leaders start to take office. The Local Government Office will continue to be involved in electoral matters, but its chief business will be in providing political advice on the implementation of the laws on the decentralisation and strengthening of local government. Here it will be assisted both in monitoring and in political brokerage by the Field Stations, which have unique experience of local conditions in their areas of responsibility covering ten of the eleven prefectures outside Tirana.

The Legal Counsellor's Office will be fully extended in monitoring the implementation of laws, including in the post-electoral phase the Civil Service Law, and helping to draft new legislation, in responding to human rights cases, and in examining that of the Roma. A major new area of involvement could come with the pressing need to sort out Albania's chaotic property and land legislation which presents one of the biggest obstacles to inward investment. This could bring together the legal, economic and political dimensions of the OSCE Presence, including the local knowledge of the Field Stations, in an effort to reconcile different political approaches to this contentious problem.

The Press and Public Information Office has achieved remarkable successes in media development, including the formation of legal statutes and the

introduction of more balanced reporting of the election campaign by public TV and some of the privately-owned channels. It has also played a heroic role in rebutting the constant charges of political bias made against the ODIHR by the opposition-controlled press. But the process of educating the media towards adopting a more responsible attitude has only begun and the Press Office will need to further expand the relations of professional confidence and trust it has worked so hard to establish.

Increasingly important work is done by the NGO/Gender Officer in developing the role of NGOs in Albania and in creating resource centres for them in five of the Field Station locations. Attention is now being focused on training programmes for women parliamentarians, on gender issues for police academies, a women's rights and anti-trafficking project in three pilot locations, and future conferences on the social and economic needs of women living in rural society.

The role of the Environment Officer is also expanding. She has been closely involved in the organisation of the first-ever conference on environmental and ecological issues in Albania, which represent an area of increasing public concern, though not yet recognised as such by the Government. Here she has been instrumental in briefing Parliamentarians on ways of lobbying for a Ministry of the Environment in Albania. The OSCE Environment Officer is also an active member of the Poverty Reduction Strategy Reduction Group which is co-chaired by the Government of Albania and the World Bank. Her inputs are of particular value to this Group because of the content supplied by the OSCE's unique regional network.

I have referred more than once to the indispensable role played by the ten Field Stations in fulfilling the Presence's mandate. They are much more than our eyes and ears outside Tirana. They actually represent the body of the Presence in Albania and are recognised as such both by the central government and the local authorities who increasingly turn to them for advice over a variety of problems. In a country where there is still very little political consensus and where confidence in the authorities is still only slowly returning, there is no doubt that the Field Stations have a stabilising role to play. I am sure that the Ambassadors of the United States, Germany and the United Kingdom, who were recently briefed on their activities by the Heads of four of our Field Stations, will now have a much better insight as to their value. I am grateful for the authority given for the opening of the new offices in Fier in June and Berat in July. If, as I hope, we are also able, with the Albanian Government's permission, to do so in Lezhe, then we shall be present in all the prefectures outside Tirana.

I have left until last that dimension of the Presence's mandate which is regarded by the International Community as being of particular importance, that is providing the flexible co-ordinating framework for international assistance. In my address to the Permanent Council in June, I spoke in some detail on this issue, drawing attention to the need for harmonisation between the co-ordinating activities of the Friends of Albania and those of a number of major international organisations, including the World Bank. I am glad to be able to report that these potential problems are in the process of being resolved and that reinforced co-operation between the World Bank and the European Union is now clearly reflected within the operational framework of the FOA. We also enjoy a very favourable relationship with the Council of Europe.

The Friends are now dealing with 28 different sectors of co-operation, from judicial reforms and anti-corruption to the environment and de-militarisation. This is a very wide spread of subjects and given that many are of a legal nature, or require a legal input, we need the services of another international lawyer. At the same time, the single FOA Co-ordinator, who organises all the meetings with interested parties, arranges their agendas and the contributions to them, as well as preparing all the minutes, is facing an intolerable work-load. In addition, he has to monitor Stability Pact Initiatives, maintain the website, and keep abreast of developments in all the sectors of concern to the Friends. I hope that you will view favourably our request for a full-time assistant within next year's budget.

The Presence is currently working above its capacity to meet the demands of the mandate and is starting to feel the strain. But there is no area where we can "give". I have tried to provide some picture of where our priorities lie and this will be further refined in a Presence strategy paper which we are currently working on. Meanwhile we are feeling the effects of budgetary constraints, an inability to attend international meetings being one of them. In effect our budget was cut across the board at the start of the year. Despite this, we have managed to open four new Field Stations and have run them for the second half of this year at a total cost of only \$100,000 per annum each, with only a small supplementary contribution. This has meant that much investment work has had to be delayed and consideration will have to be given to the fact that the mission is now over three years old and some of the original equipment now needs replacing. I trust that our future financial situation will be looked upon favourably.