



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

## REMARKS FOR THE HEAD OF PRESENCE TO THE ROUNDTABLE ON REFORMING THE JUDICIAL SYSTEM IN ALBANIA

8 June 2015

It is an honour for the OSCE Presence to join with you today to mark the publication of the Analysis of the Justice System in Albania. **This is a milestone in democratic reform.** It stands on a very solid foundation: it is based not just on two months' work by national and international experts, but on 24 years of transition and reflection. For, in preparing the Analysis, the experts have reviewed and taken into account all the studies, assessments and recommendations made since 1991.

The OSCE Presence, as a traditional partner of Albania in rule of law reform, is proud to celebrate this achievement. Our tradition is one of quality. In every piece of legislation we assisted with over the past 17 years, we supported excellence in law reform. This is not just quality of the wording of the text, but, equally, quality of democratic process.

The first principle of democratic process is inclusiveness. **Inclusiveness is essential to sustainability, to the implementation of the resulting reform over the long term.**

The democratic process is inclusive when all have the opportunity to contribute, and all contributions are valued. Beyond the experts, this means that all stakeholders in the justice system and all those who use or benefit from it have the opportunity to participate. Opportunity has two parts: *occasion*, such as broad consultation and townhall meetings, and *time*, the time to study, discuss and respond to proposals.

I regret that at this stage, not all political forces have taken the opportunity to participate in this process. **They should not exclude themselves from shaping the future of Albania.**

The next critical process element is **speed: the reform should proceed without delay or hesitation, but without haste.** If we cut corners on the democratic process, there is a risk of making mistakes, of solving today's problems while creating new problems for tomorrow.

The experts are considering very serious and important legislative and constitutional amendments. At the level of leadership, we must look beyond these amendments, with a view to their implementation. Implementing new laws has been a challenge in the past, but it is a challenge we can face together now, in anticipation of a better future. That requires planning, however.

Now, even as the experts are working on legislative measures, is the time to develop an agreed implementation plan. Let us work together to create a Strategic Plan, with a holistic vision for the justice system of today and of tomorrow. That Plan should include management measures, such as introduction of Active Case Management in all district courts, needed **before** amendments can enter into force.

The Strategic Plan should identify immediate, medium-term and long-term amendments. It should calculate resource needs and areas where further research is needed to answer critical

policy questions. It should also identify training needs, for judges, lawyers and others to learn to work with the amended legislation.

The OSCE Presence shares the concern for improving accountability in leadership, in the justice system and in all institutions. **Corruption is one of the main impediments to progress in Albania:** to accelerate the development of this country, we need to cure it from the cancer of corruption. We know this disease has affected many layers of society and public institutions, including the judiciary. It is important to emphasize, however, that anti-corruption measures need to be mainstreamed in all institutions. They are **not only** a matter of investigation and prosecution.

But let me further emphasize the responsibility of the leading officials, as well as of the institutions of this country, including the justice system, to not only resolutely fight corruption, but also to lead by example. **Albanian leaders and decision makers have the obligation towards their citizens to be transparent, accountable and – last but not least – honest.**

In conclusion, I would like to congratulate all of you who participated in the preparation of this comprehensive analytical document, in particular the parliament, the Chair of the parliamentary reform committee, Mr Xhafaj, and all the experts.

This document constitutes an achievement in the reform process, and is a serious first step. Let me express my hope that this multi-layered, multi-step process of justice reform will lead to a fundamentally renewed and trusted judicial system. **A judicial system for a just society, in which all citizens – from the most vulnerable to the most powerful – are accountable for their actions and can receive justice.**