



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

REMARKS BY THE HEAD OF PRESENCE AT REGIONAL FORUM ON REFORMING THE JUDICIAL SYSTEM IN ALBANIA

Shkodra, 16 June 2015

Today's meeting is an important step in justice reform. It is also an important achievement in terms of participatory democracy, of involving all stakeholders in an **inclusive, transparent, and Albanian-led consultation process**. This is a process the OSCE Presence is committed to further support.

Why is **inclusive, transparent** law reform so important? Among the OSCE commitments Albania has pledged to uphold are transparency and citizen engagement – guaranteeing the right of every citizen to address the government and legislature and to be heard on issues of public interest.

This political obligation is not the only reason to ensure participatory democracy, however. Consultations with those most affected by a particular law are the most direct path to developing sound, sustainable policies and laws. Public outreach helps guide policy in the public interest. While they might initially seem like an unnecessary delay in the legislative process, international practice has shown that stakeholder consultations are a benefit, not a burden; a gain, not a cost. Stakeholder consultation does not take time, it saves time.

It saves time because it includes the important stakeholders whose engagement is necessary to make the reform a success. Such a major policy initiative needs to involve not just the professional experts such as the members of the Working Group, but all who can help to set policy or to put it into action. By the time legislative decisions are taken, the national conversation should have provided space for all who are potentially affected – that is, all citizens who wish to contribute to the future of justice in Albania.

The benefit of consultation is felt on both sides: stakeholders are allowed to put forward their interests, and the government and legislature gets advice from those best equipped to advise on the impact of policy reforms. Consultation ensures better draft laws at the outset, **so less need for subsequent amendments**. In addition, the affected public that participates in developing policy will help implement laws which it understands and supports. This is very important in saving enforcement costs and reducing friction between citizens and their public servants.

If there are doubts about the value of consultation, we may ask: if we don't have time to do it right the first time, when will we find time to do it over?

Consultation is not just the job of government or the parliament. It is not just a matter of the public authorities setting out proposals and civil society commenting on them. It is a civil attribute of all entities with a public vocation, including professional associations and NGOs, the media and universities. It is the job of public authorities to open the door to civil society participation; but it is equally your job, our job, to be knocking at the door. This is particularly

important in rule of law reform. The justice system is not there for lawyers and judges, it is there for citizens.

I emphasize that the **owners of this reform are Albanian**: the country's democratic institutions and citizens. The effort to develop the justice system of tomorrow must be truly nationally owned, by each and every one of you.

That is why I am so pleased to be with you today as we engage in a national dialogue on justice reform, with a focus on legal education. Because legal education is not just for lawyers. And you, as professional educators, are in the lead in educating an entire country in rule of law culture.

At the OSCE, we say that “the rule of law starts with you”, emphasizing the fundamental importance of developing a rule of law culture. Today I would add: Law reform starts – and ends – with you.