



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

HEAD OF PRESENCE'S INTERVIEW WITH PUBLIC BROADCASTER

'Përballë' (Face to face) show, journalist Lutfi Dervishi

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Dervishi: Good evening! Bernd Borchardt is the eighth OSCE Ambassador in Albania. Differently from his predecessors, he used to serve as the German Ambassador in Tirana, but the common denominator with his predecessors is the expression 'political crisis'. These are crises that are mainly caused by problematic elections. After each voting process, the OSCE/ODIHR issues its recommendations. The number of recommendations is always increasing, whereas their implementation is left in the hands of the bipartisan ad hoc Committee on Electoral Reform. Also, the atypical 30 June elections, despite being boycotted by the opposition, were not left without the ensuing ODIHR recommendations. For the first time, the recommendations were divided into two: priority ones and others. We are the only country in the region that has not moved past the chapter of contested elections. Politics in Albania has failed with the elections. The question is: is the international community failing too? The electoral debate in Tirana is intense and loud, mainly focusing on three key issues: the system, the emigrants' vote, and the electronic voting. None of these issues appears on the long list of the OSCE/ODIHR recommendations. The country is currently gripped by a political crisis, but in October it expects the EU Council's decision and, in January, it will assume the OSCE Chairmanship. Can the OSCE in Tirana make the two sides of the political divide sit around the same table as it did in the past and impose an electoral reform that makes sure that the next elections, whenever they are held, find the ODIHR recommendations finally fulfilled? Tonight our guest at *Përballë* (Face to face) is the OSCE Ambassador, Bernd Borchardt. Good evening, Ambassador, and welcome to our talk show!

Ambassador Borchardt: Thank you!

Dervishi: If we could start with today afternoon's meeting with the Democratic Party Chair and chairs of other opposition political parties. Do you have any news, which is not yet public, to share with us on this event?

Ambassador Borchardt: We spoke about the event that we are going to organize together with parliament tomorrow, about electoral reform, and I briefed Mr. Basha about the content, about the organization, etc.

Dervishi: Did you present him with the event's programme or also convinced him that the opposition should participate in the roundtable?

Ambassador Borchardt: Of course, I advocated the participation of the opposition in this discussion.

Dervishi: Mr. Ambassador, what do you expect from tomorrow's meeting?

Ambassador Borchardt: I expect, first of all, and I hope we will get there, a constructive and open discussion. Last year, we organized eight other conferences with the ad hoc

Committee on Electoral Reform about the OSCE/ODIHR recommendations. Few new recommendations came up now, but the Committee also wants to discuss about changes to the electoral system, so not the changes to the electoral organization, but to the system as such. And tomorrow this is a kind of a kick-off meeting, but it will most probably also touch on the recommendations.

Dervishi: The opposition's leaders, including Mr. Basha, have expressed their concern and asked you publicly why you have not yet personally commented on the OSCE/ODIHR report on the 30 June elections?

Ambassador Borchardt: Thank you for this opportunity to clarify. We have stressed and highlighted many times that ODIHR, our organization located in Warsaw, is an independent OSCE institution, completely independent from us. They are the only OSCE institution which is mandated to observe and monitor elections throughout the OSCE area, not only in countries where the OSCE has field operations. They produce then reports about the organizational aspects of elections and on the electoral campaign. Our colleagues will come to Albania soon again and will present their report and reply to questions. We, on the other hand, the Presence in Albania, we support electoral reform programmatically, for instance through institution-building and capacity-building projects and through legal advice and review, also on the implementation of the recommendations. But, and I would like to underline that, we do not have a mandate to monitor elections. Neither does any other of the field operations of the OSCE. As a consequence, we do not comment on specific findings of the reports. No field operation does that. Because that is in the hands of a specialized organization, which has enormous know-how from hundreds of elections observed. What I can say is, of course, that we as a Presence stand by the findings of the ODIHR report. It is only normal for a field operation to stand by the reports of their colleagues, but we did not provide an input into them. I can also add that we work then with the recommendations contained in the report and we try to help Albania to integrate them into the Electoral Code or into other pieces of legislation. I, of course, regret very much that ODIHR had again to state that many of its earlier recommendations of the last years have not been addressed so far. How the political parties interpret the findings is their own decision, which is based on the interests or the way they read them. And the political parties know also that we cannot comment on these findings.

Dervishi: But they know that you cannot comment, and still they publicly ask you to express yourself on the report.

Ambassador Borchardt: Yes. But, as I said, this is not our mandate.

Dervishi: Mr. Ambassador, you said that the ODIHR delegation will come to Albania soon again. When and why?

Ambassador Borchardt: They have sent the report and now they make themselves available to discuss it. The date is still being discussed.

Dervishi: How do you explain the fact that, let's take the last four electoral processes, we have recurring pattern: elections-recommendations, elections-recommendations. If someone asks you why these recommendations are not being implemented from one election cycle to the other, how would you answer?

Ambassador Borchardt: We have provided enormous lot of input after the 2017 elections. In late 2017 and until summer 2018, we organized eight conferences, like the one tomorrow, to bring in foreign expertise on all these matters – on voter registration, on how to deal with vote buying, on issues which are not part of the recommendations, like new voting technologies, some call it electronic voting, on out of country voting – and we presented best practices, good experiences from other countries. At the end, we did not reach a consensus, even though we got much closer to the consensus that we had been in 2017.

Dervishi: How far from consensus are we today?

Ambassador Borchardt: The developments of the last months were certainly not helpful to reach a consensus and that was one of the reasons why I spoke with representatives and the Chair of the Democratic Party today. Because this could be a field where dialogue could be reignited.

Dervishi: Do you see any signs or an environment that is conducive to the dialogue between the ruling majority and the opposition?

Ambassador Borchardt: I believe that the implementation of the ODIHR recommendations, and, if they agree so, also a reform of the electoral system, which in particular the smaller parties want, could be a field where a dialogue could continue. This is quite a rational issue, where you have advantages and disadvantages of different systems. In the field of recommendations, we have already a broad basis of results of discussions from 2017-2018 on which we can build, and tomorrow both will be on the table with a strong focus on the systemic questions.

Dervishi: Mr. Ambassador, I wonder how the Albanian officials feel when they are confronted with the OSCE's Istanbul Document, whose paragraph 25 obliges all the OSCE participating States to follow up promptly on the ODIHR recommendations and findings. The wording is "follow up promptly". Why do you think that Albania is failing in meeting this big commitment?

Ambassador Borchardt: Because no political consensus could be achieved, because developments were overshadowed by other contentious issues. Yes, it is regrettable, but it's a fact.

Dervishi: The final OSCE/ODIHR report has been read differently by the ruling majority and the opposition. How do you explain this diametrically opposed readings on something that we all witnessed?

Ambassador Borchardt: We have observed that over the years that the opposition takes the critical part of the report, and the government takes the parts which are positive. Let's say, that the loser in the years before took the critical parts, and the winner took the positive parts, which is partly normal politics.

Dervishi: Mr. Ambassador, you have known the region for at least 20 years now. In your judgment, why is Albania unable to hold uncontested elections? The only country.

Ambassador Borchardt: You had quite a number of changes of power. There were always a bit of a grumbling, but the change of power in 2005 – I was not here, but as far as I know –

was uncontested; in 2013 it was uncontested. So, this is the side of the glass which is half full. You have of course all the massive discussions during other directions. I was here in 2009 during the *Hap kutitë* (Open the boxes) campaign, and I have been following after 2017 massive debates as well.

Dervishi: You spoke about half-full or half-empty glass. But at times there are efforts to break the glass completely.

Ambassador Borchardt: Maybe some glasses broke last Saturday after the earthquake, but so far this glass, the political glass, is still standing there. Let's call it half full.

Dervishi: Mr. Ambassador, the number 1 priority recommendation after the 30 June elections was that political parties engage in dialogue on electoral reform and address the recommendations contained in that and prior ODIHR reports. Do you see this possible?

Ambassador Borchardt: I hope that it is going to happen, and I encourage it. The Presence with our in-house know-how and the experts whom we bring in, and also the know-how from ODIHR -- we will make it available to help to move this discussion in a reasonable directions. I understand that Albanians on both sides of the political divide are strongly encouraged by many friends of Albania to enter into a dialogue and to find solutions on these electoral issues, mainly on the OSCE/ODIHR recommendations.

Dervishi: I understand, but tomorrow's roundtable is about the system, and the change of system has not been part of the OSCE/ODIHR recommendations at least since 2003 when we had the Dushk case.

Ambassador Borchardt: Yes. We - the OSCE and ODIHR - we do not recommend electoral systems and, certainly we do not impose them. What we can do is provide input on the advantages and disadvantage of different electoral systems. This is what we can bring into the discussion. Political parties part of the political spectrum feel a need to do a discussion about that. I hear people arguing that a change of the system would probably make vote buying much more difficult. So, it is legitimate to discuss these things, and we provide the experience and the input in that context.

Dervishi: Mr. Ambassador, Albania's Electoral Code is one of the most detailed ones maybe in the entire continent. In addition, we have the decriminalization law. The question is: is there a will to address the problems? Because the priority recommendation number 6 says that law enforcement bodies should investigate all allegations of electoral violations thoroughly, swiftly and in a transparent manner. I mean, instead of changing the systems and amend the codes, isn't it high time to focus on why the current provisions are not being implemented?

Ambassador Borchardt: Some of the existing provisions need further clarification. That is said in the report as well. Other aspects are, of course, an issue of political will. I think Lenin said it "Trust is good, control is better", and sometimes even Lenin was right. So, there can be control mechanisms inside this Electoral Code. For instance, to have an independent institution dealing with allegations of abuse of the public administration, of pressure on the public administration; a whistle-blower standard and whistle-blower protection for people who inform such a body about pressure on the public administration. These are recommendations combined from 2017 and 2019. So, more can be done within the setting up

of the elections. And then it is worth the discussion whether after more than ten years the electoral system is still the best system, whether it fulfilled what Albanians hoped from it in 2008 when it was passed for the 2009 elections.

Dervishi: You quoted an expression from Russia: trust is good, control is better. But the issue is that we miss the very first element, which is trust.

Ambassador Borchardt: I agree. Yes, the level of trust in politics is amazingly low, yes.

Dervishi: On 23 April you said that we should think about a solution and that solution has to be found in Albania. Do you see a solution or a framework of solution currently?

Ambassador Borchardt: In my home country we say ‘if there is a will, there is a way’. And I think that would literally apply here as well. This political impasse has to be overcome, and discussing about electoral system reform and electoral administration reform can be a way to help overcome it. I was encouraged in 2017-2018 by the discussions in the ad hoc committee on electoral reform. During our conferences and workshops, there were quite a number of common conclusions of both chairs. So there exists already a basis of which now also the new opposition deputies have to be convinced. But this is a discussion process. So, it can work.

Dervishi: You made that statement in April, before the elections. In your opinion did the 30 June elections provide a solution?

Ambassador Borchardt: That was not a solution what we had there, but what was the alternative? Accepting that the minority decides: “we do not participate in elections, and then elections do not take place”?! That would undermine the whole system. So, that is why we supported the elections. Nobody here, and I think that applies for my colleagues in the international community, that applies for ODIHR, we all have many critical points about how the elections were organized, but it is a different question whether these elections should have taken place or not.

Dervishi: If you were an advisor of the Albanian government, what would you advise the government to do in order to overcome the crisis?

Ambassador Borchardt: Me an advisor to the Albanian Government... I think, first of all, I would speak very openly in this fictitious scenario, and in good faith. Then, as a good diplomat, if I am one but that's for others to judge, I would of course praise the Prime Minister for his announcement that the government party is willing to discuss with the opposition on any matter that would be beneficial for the country in order to unblock the situation. And, then, I would tell him: “But why you don't start with concrete matters”? There are many issues on the table: the issue about corruption, more can be done; the electoral reform issue. When the opposition was still in parliament, they tabled a draft law, I think they called it the freeing of politics from crime, a kind of a vetting for politicians. The Venice Commission gave a very negative verdict on their draft law, but you can improve your draft. The Venice Commission said that, in principle, this is a valid idea, and, so, either the government or the opposition, should be it the extra-parliamentary or the new opposition in parliament, they should develop and they could develop ideas on that. And there are many other fields.

Dervishi: What about the other way around; if you were advisor to the opposition, what would you suggest them as a first step to undertake?

Ambassador Borchardt: This is, of course, also a very delicate question. As OSCE missions do not have a mandate to work with parties, but we work with institutions. But still, I would be as frank as I would be with the government and argue also in good faith. And my recommendations would be: “Great, you criticize the government; there are points where I share your criticism, but give us your recipes. How to fight corruption about which you complain and which affected your government as well heavily”?

Dervishi: Sorry to interrupt. The opposition says: Ambassador, we have problems with elections because they buy our votes; we have file 184, or 350, or whatever their names are, and they are not investigating it. How can we carry on in good faith when we are violated and the cases do not get investigated?

Ambassador Borchardt: You can build coalitions. The international community is also worried about corruption. If the opposition has good projects, they could find allies, not only among the international community – we can provide technical input on that – but also from others in the country. There are many fields. I just mentioned the issue about what they called the cleansing of the political life. There are other ways to do that, than what they had suggested and what the Venice Commission criticised so intensively. Take your field: the media field. At the moment, there is a discussion ongoing about the anti-defamation law, as it’s called in the public. But there are many other issues. The social and labour rights’ situation of many journalists is problematic. So why not table legislation on that? A lot of international reports were about concentration of media in Albania, many things just being in the hands of a very few people. So why not table an anti-trust legislation, which has a change to stand in the Constitutional Court where the last regulations were abolished?

Dervishi: Mr. Ambassador, let’s go back to the political polarisation issue. The OSCE/ODIHR report also mentions an extremely polarised political climate, which prevented voters from making a choice. How much do you personally feel such polarisation and how much does this polarisation hamper the relationships of the political elite here with the international community?

Ambassador Borchardt: The level of polarisation here is very high. I have been living and working in other Balkan countries or South-East European countries. I experienced there quite some polarisation. The polarisation in my own country was growing, with a right-wing opposition going tougher, as well, but the level here is astonishing. And it affects the international community. I have already a lot of caricatures with myself on it collected. Differently from communist leaders, I do not collect the people who do the caricatures, as Stalin did it. The aggressiveness of much of that is difficult to understand.

Dervishi: How much does this polarisation personally affect you in your work?

Ambassador Borchardt: It affects my work and the work of others. Not always, but much too often, it requires an effort to get everybody on the table, when we work on specific issues with representatives of parliament, for instance. The people who were previously in parliament are lacking that. There was a lot of good people, good people now in there as well, but a good number of those who left will come back one day. So, it is a pity that they are not

participating in these measures. And this is just one example. The issue about electoral reform, we have already discussed that to quite some extent.

Dervishi: Mr. Ambassador, have you ever thought of directly addressing the issue of political polarisation in your programmes?

Ambassador Borchardt: The OSCE stands for dialogue. We encourage dialogue, and we have been doing that. I mentioned the example of the eight conferences last year. I remember issues which were on the table then, and through this dialogue and this rather intensive discussion, we could convince participants that these were not good ideas. So, it was working, and that has to continue.

Dervishi: Okay, this is dialogue, but have you ever thought that sometimes threats, harsh criticism, boycott, and avoidance should be used?

Ambassador Borchardt: This is not the OSCE as a dialogue-based organization. We do not use threats. We encourage, we try to find arguments, we believe in the strength of our arguments.

Dervishi: Mr. Ambassador, we talked about elections, political crisis, and the polarised atmosphere. My question refers to the not-so-distant history: The OSCE used to have this tradition of making the parties sit, with the purpose of solving the political crisis. Are you still considering this option, that you serve as the mediator of the parties, for them to dialogue?

Ambassador Borchardt: We had our Secretary General here, we had our Chairperson-in-Office here, the Foreign Minister of Slovakia, Mr. Lajcak, and both of them underlined in their meetings with Albanian politicians of both sides of the political divide that the OSCE is of course willing to facilitate, not to mediate but to facilitate, a discussion of rapprochement between them if both sides agree. That is our modus operandi, all sides have to agree.

Dervishi: Now that you mentioned the Chairperson-in-Office, I just remembered that in January 2020 the Chairperson-in-Office position may be held by the Albanian Prime Minister or the Minister of Foreign Affairs. One of the main areas of the OSCE mandate is democracy. You touched upon the media issue. There is a large debate and sensitivity, and not only among the community of journalists, on the new draft law on online media. It seems the OSCE's approach is to improve the draft. My question is: is this maybe the wrong approach? Instead of improving a draft law, shouldn't we focus on the existing legislation and on self-regulation instead?

Ambassador Borchardt: Thank you again for this important question, which also gives me opportunity to clarify a bit. Often media in Albania uses the general label OSCE, putting us together with the other institutions that we have. I mentioned earlier ODIHR in Warsaw. One of the structures in Vienna is the Representative for the Freedom of the Media, and this OSCE institution is working with the government to align the proposed so-called anti-defamation legislation to the international standards Albania has signed up to, mainly in the OSCE framework but also in the framework of the Council of Europe. Harlem Desir, that's his name, he was here, he is based in Vienna, he is monitoring freedom of media and he is offering support on how to do legislation. For us, it is not part of our mandate to improve the legislation in that field. Now, regarding your specific question about the approach to media: we have always advocated and promoted self-regulation of the media as an alternative to

government regulations, to cope with issues like defamation. I understand from my colleagues that even today there is a body called the Media Council that attempts to uphold self-regulation, a media ethics' code, but without much progress, at least not progress known to us. And another self-regulatory association was founded with the support of the OSCE and the EU in 2010, it was called the Albanian Media Club. But important media did not want to join in there. They felt that even self-regulation is regulation, and they did not want that. Self-regulation is preferable, that is no question whatsoever. But if that does not happen and if there is not an organic process leading to that, then other ways have to be found. We have over and over again stated that defamation should be decriminalized. But people who are object to slander or defamation also must have a right to defend themselves. You do not have to accept everything. There is a balance between freedom of speech and human dignity. And if media self-regulation does not get about, and we are more than willing to support any new attempt, we feel that civil law can fill that gap. This is what it is going in my country. The public statements of the Representative on the Freedom of the Media and his substance input into the draft law made it very clear where we see the limits, what can be done and what should not be done. In particular, things have to be handled at the court and not by an administrative unit.

Dervishi: Mr. Ambassador, along with this draft law, what do you see as a problem, as a main challenge in the media environment of Albania?

Ambassador Borchardt: I mentioned earlier two issues where I feel that parliamentarians should take initiatives. One is the very high level of concentration of power, the second is the social and labour rights' situation of journalists, both issues which wait for legislation.

Dervishi: Mr. Ambassador, but there is a decision of the Constitutional Court that is really regrettable. It made it possible that not only de facto, but also de jure the media power concentrate in very few hands.

Ambassador Borchardt: Those interested in the political field to deal with that should analyse this decision and see what can be done within the framework of the jurisprudence of the Constitutional Court. You have seen in other countries a development of anti-trust legislation. This took place much earlier, but anti-trust legislation did not come from one day to the other in many countries. It was slowly developed and also contested in court and then further developed.

Dervishi: Another issue you mentioned has to do with the rights of journalists, the journalists' labour rights, but even in this case, more than the lack of legislation, the issue is the lack of enforcement of the existing legislation. All that is needed is that the Labour Inspectorate do its job and there would no longer be unregistered journalists or journalists who receive their salaries with delay.

Ambassador Borchardt: Do journalists go there? A journalist can document cases, this is his job. And has friends among other journalists. Blaming and shaming can be a way out if that happens.

Dervishi: A question that may sound a bit like conflict of interest: the OSCE supports the financial and political independence of RTSH with a long-term project funded by the European Union. What results do you see from this co-operation?

Ambassador Borchardt: I think RTSH has developed a lot. The fact that I am here tonight with you means also that we recognize that you are a good TV station. The report about the elections gave you - without the criticism on all - it put you into a pretty good light. There is political will need to achieve that, and it needs also advice, it needs help, it needs good people. We are pretty optimistic that we can continue good work with RTSH in the future. I was very proud of my colleagues when they manage to mobilize substantial funding from the European Union to support RTSH through us and that we can continue this long tradition of co-operation.

Dervishi: A more direct question: you were in Tirana in 2007-2010 as the German Ambassador to Albania, and in 2016-2019 as the OSCE Ambassador. If we can talk about these two periods, what is different in the public broadcaster?

Ambassador Borchardt: I found RTSH ten years ago much more old fashioned than it is now. I admit my Albanian is not very good, so understanding is limited. I can more or less read on your news sites. But the general perception is that it has been modernized, that has become much more open.

Dervishi: Ambassador, if we talk about the past, and the OSCE is engaged in projects throwing light on Albania's past, how long are, in your opinion, the totalitarian shadows of the past in Albania?

Ambassador Borchardt: I will give you two replies. The first is a bit on the lighter side. Not long ago I was in a hotel, where we were having a conference. While the conference was still ongoing, the waiters were putting the warm food on the table and when we had finished, more than a half an hour later, the food was cold. And I thought to myself "welcome to real existing socialism, where the waiter is a master and the client is a petitioner". The second part of my reply, I know that you want something more political from me... The shadows of the past exist, but the longer they get, the deeper the sun behind them sinks, don't forget that. And it's normal that the shadows are there. My country has gone through this process over a long time. It took twenty years to start the first court case on Auschwitz. It took even 50 years until Germany was able to have all over the country a broad exhibition about the crimes of the German Army during the war. More than 1.2 million people saw it and there were big demonstrations against it, often old soldiers in the 1990s. But this was 50 years after the war. And it took so long for the Germans to acknowledge, to let get closer to them that the crimes of WWII were not only committed by Nazi Party, Gestapo, SS, but also by ordinary soldiers, ordinary policemen. And there are more of these kinds of stories. It took until 2000, and some pressure from American courts, that we started to deal with compensations for all people who were brought to Germany for slave labour, including Albanians, and that we started paying compensation much late from any, as I have to admit. So, I don't think one has to worry about these shadows of the past, they are dissipating, and there are important developments here as well. I was told for the first time a former camp commander here from the communist times was accused in a court in Germany where he lives and in a court here in Albania for crimes against humanity, and crimes against humanity do not have a statute of limitation. That means that you can prosecute them forever. So that is an important development, that the criminal side of these crimes is addressed now. I have no clue whether there is good evidence, maybe the case will just fail, but it is coming up. Things came up in Germany slowly as well.

Dervishi: Point taken, but 30 years is long enough to start confronting the past seriously, which seems not to be forthcoming in Albania.

Ambassador Borchardt: You asked me about changes since I was here as German ambassador, and I think this is a field where changes are really very visible. I mean there is a remarkable progress: the House of Leaves Museum; the *Bunkart 1* and 2 Museums, giving a very realistic picture of all the bad that happened; the Sigurimi Files Authority; the memorial in Tepelena; the very slow start to do something in Spaç; I was invited by Parliament to speak on the occasion of the commemoration of the 70 years after the killing of the 17 opposition parliamentarians in 1947. All these are steps which we were not even thinking in 2008-2009. So, a lot has happened. This is an issue, on which a lot of people have been thinking, and philosophers and scientists. Ruti Teitel, maybe one of the most prominent people in the field of transitional justice, she said - and that's why I spoke so much about museums and memorials - that there should be a shared knowledge critical of the ideology of the predecessor regimes and that trials can produce this knowledge. But also other knowledge about the past suffering plays a crucial role in the states' ability to succeed in establishing a new liberalized order. And I think these are very wise words. And Albania, as I said, has taken good steps in this direction. This is far from being finished. But as I said, 50 years after, the German Army became the matter of debate, so it is a long way forward and it will always be controversial. But these controversies about the right way forward and how to deal with the past, these controversies and the debate are part of the way on how to come to terms with the past.

Dervishi: If we dwell a little on the political aspect, you have said that far too many political actors sooner or later end up accusing each other using metaphors and rhetoric specific of the "enemy of the people" way of understanding politics and public life. How long are, in your view, the shadows of the past in the country's political and public life?

Ambassador Borchardt: One thing where I thought about the shadows of the past was the debate in parliament about the Institute about Crimes of Communism of Mr. Tufa. There is a debate ongoing on limiting his mandate to the post-war period. So, there seems to be a taboo. I asked a number of parliamentarians and other people and there seems to be a kind of a taboo. As I just said, discussing about these matters and being even controversial is the way of overcoming and dealing with them.

Dervishi: If we go back, Mr. Ambassador, to your opinion of civil society. Do you think that civil society in Albania is conscious of its role?

Ambassador Borchardt: 10-12 years ago, the civil society that I remember was more vibrant. Today, it is calmer, but I still have a strong hope that it is going to develop. One of the developments that fed this hope were the students' protests of last year which demonstrated that the young generations have a lesson to teach to everyone, and to all of us, as we did in Germany in the early 1970s, when I was a student. So, I am hopeful that civil society will revive. I mean there are always periods of lull and periods of peace. And there were other good successes: the protest against the import of chemical waste, for instance.

Dervishi: Yeah, six years ago. Do you see civil society as a factor? A factor you can count on?

Ambassador Borchardt: We are working with civil society; we are doing programmes with them, and we want to strengthen them. Last Sunday, I gave a presentation at an event organized by a civil society organization, on dealing with the past. I explained, gave some ideas on how that had been done in Germany after fascism and after communism. So, there is quite something ongoing on this. As you mentioned, we have been supporting the national dialogue about Albania's past, and to a large extent we have been conducting it with civil society organizations.

Dervishi: Mr. Ambassador, we talked about elections, politics, civil society, media, dealing with the past. If we were to use a common denominator, maybe, with a good judiciary, we probably would not have had any of these problems. We would have no problems with the draft law on the media, no problems with compensations for the past, no problems with ransacked election. And my question is about the judiciary in Albania. In your mandate, the OSCE supports judicial reform. In your assessment, is the justice system in Albania capable of rising up and delivering justice equally for the haves and the have nots?

Ambassador Borchardt: It is on the way. The justice reform is ongoing, and the justice reform is much more than the famous vetting process, which has already combed out a lot of judges mainly with unexplainable wealth. I know that there are still many problems to be solved. I think that 170 of a total of 800 have so far been vetted. So, the process is still ongoing. In addition of that, new justice institutions are being built up. In a not so far future, there will be a special prosecution and court to deal with high-level corruption and organized crime. So, the pieces for the puzzle are slowly finding their places and in a not so far future, and, some steps already in a matter of months, Albania will have a much better system.

Dervishi: Talking about a 10-year period, there are things that Albania has made progress with, thanks to the passage of time and technological developments, but it has also made steps backwards and one of them is corruption. Specifically, in the rankings of Transparency International, Albania is much worse today than it was ten years ago. What is preventing the fight against corruption in Albania?

Ambassador Borchardt: Still, Albania is in Transparency International a little better than it was ten years ago. But at the same time I have to agree with you, it is highly regrettable that Albania has deteriorated in the rating in the last two years. We are offering the government our support, and we are urging the government to do more in that field. And I would also urge the opposition to present good ideas on what can better be done.

Dervishi: If we talk about this decade that you have known Albania, let's say since 2007, what has Albania lost over these last 10-12 years?

Ambassador Borchardt: I would start with the fields that I do not regret at all that Albania lost. The smokers in Tirana's restaurants and cafes, the bad roads with many potholes, the frequent electricity cuts, the beaches where only Albanian was spoken, while today it is full with half of the languages of Europe or at least a third of the languages. It lost the rundown market next to *Avni Rustemi* Square, which was replaced by *Pazari i Ri*; it lost hundreds of betting and gambling shops. But there were also things that I miss...

Dervishi: Then let's talk about the gains, since we are happy with the losses. What did we gain?

Ambassador Borchardt: There were also things that I regret that we lost them. I liked the old stadium, yes, my aesthetic view on that is maybe different from that of others. I also liked the old ladies on the street who were selling clean food from their gardens, and who after a month or six weeks knew my name and greeted me. That is something different than going to an anonymous store. So, progress has costs.

Dervishi: Did your words have greater weight as the German Ambassador than now as the Head of the OSCE Presence?

Ambassador Borchardt: I ask myself this question as well, and it is difficult to reply, because I was talking about other matters. In general, I encouraged Albania to push forward with the reforms, but the issues where I as bilateral ambassador wanted to see concrete results and progress, these were often issues of German investors here, be it economic investors, be it organizations that supported the development of Albania. So I went to ministries and to ministers to urge them to treat them better. While today, I have no mandate to deal with economic issues. We do not support people from our participating states individually when they have an individual problem with the legal system here or they feel unfairly treated. As a German Embassy or Ambassador, it was our duty to support German citizens, to help them. We are moving in different fields.

Dervishi: Mr. Ambassador, thank you for being on Albanian Public Television tonight.

Ambassador Borchardt: Thank you very much. It was a great pleasure.

Ends