

The OSCE Presence in Albania

The situation in Albania in 1997 presented a formidable task for the newly formed OSCE Presence. Earlier that year, this long isolated Balkan country, a newly admitted member to the OSCE and Council of Europe, found itself sliding into crisis. Peaceful protests turned violent, state security institutions lost control of the situation and in many areas of the country the army and police ceased to operate. Military depots were looted and government buildings ransacked. In some regions, particularly the south, "salvation committees" emerged, demanding the resignation of the President, whom they blamed for the collapse of the pyramid schemes. Following attacks on political targets, criminal activity mushroomed. Many Albanian citizens fled to Italy and Greece. Foreigners were evacuated. In short, the Government had lost control of the country.

On 9 March the main political parties agreed to establish an interim, cross-party government of National Reconciliation to establish the conditions for new parliamentary elections. In response to the crisis the OSCE agreed to the Albanian government's request to help them work towards these elections, and decided, on 27 March, to establish a Presence in Albania in order to pursue this. This was followed, on 28 March, by the UN Security Council authorizing a group of member countries, led by Italy, to establish a multinational protection force (MPF) to facilitate the safe and prompt delivery of humanitarian assistance. This MPF was also given the task of creating a secure environment for international organizations to carry out their mandates in the country. The 7,000-troop, eleven-nation force, which arrived in Tirana in mid-April, provided psychological reassurance for the Albanian people, and also made possible the OSCE-led election assistance and monitoring work. Altogether it helped enormously to calm the political scene, but nevertheless the Presence had to spend much time mediating between the various Albanian political parties. As the then Personal Representative of the OSCE Chairman in Office for Albania, I played a key role in ensuring full participation by these parties and the subsequent proper conduct of elections. I did so by first brokering an agreement among the parties represented in the government of National Reconciliation, in which they committed themselves to hold elections by the end of June. Later, when the Democratic Party (DP) used its parliamentary majority to pass its own draft election law, I successfully intervened to stop the other parties from boycotting the elections.

The conditions under which the elections were held were not ideal. Political tension remained high, and only increased as election day approached. In

much of Albania international observers could only travel with a military escort. Technical preparations fell behind schedule, and nor did they meet the average international standards. That said, due to enormous efforts by both the international community and the Albanian authorities, the schedule was met. Accordingly, on 29 June elections took place, and passed off as smoothly as possible, given the difficult circumstances. The results were accepted by the major political parties as a genuine representation of the will of the Albanian people who unambiguously called for a change of government. Important too was that the key international players, including the major European institutions, found a common approach to assessing the elections, and spoke with one voice in their assessments.

The 1997 elections were, however, only the first step in a long process to rehabilitate Albania's democratic institutions and economy. The new Socialist-led coalition government faced the enormous task of recovering public confidence in the state and of rebuilding the country from scratch. This meant that both short-term, high visibility projects, as well as substantial, long-term financial and technical assistance, would be needed. The World Bank, IMF and EU became important players in this process, as well as Albania's traditional bilateral partners, including their private enterprise sectors. The tenuous security situation, with rampant crime and with some 700,000 small arms illegally held, did pose an impediment to rapid economic recovery. Gradually, though, the international community has resumed its pre-March levels of activity by starting assistance projects, revamping old links and relationships, and by scouting for new opportunities.

After the elections the Presence, besides helping the country to arrange its relations with the donor community, entered into close relationship with its many and varied Albanian partners in order to encourage social and political dialogue, and to strengthen democratic values and culture in the country. However, both the major government and major opposition parties maintained a basically uncompromising, antagonistic, stand against each other, making reconciliation a distant prospect rather than a reality. In fact this mutual distrust and reticence to accept the parliamentary outcome (and a loyal opposition role) led to a DP boycott of Parliament after a series of political incidents.

The fragile situation resulted in the OSCE Presence having to pay particularly close attention to Albania's precarious political situation, for it threatened to jeopardize efforts to return Albania to full normality. Repeatedly it was called upon to act as an honest broker. Often, disagreements which in any normal, functioning political system would be resolved through compromises hammered out by the competing parties were instead referred to the OSCE for solution. Being well respected and favourably accepted throughout Albania, and having established field offices in both the north and the south

of the country, the Presence used every opportunity to act as a go-between, to facilitate dialogue and to offer mediation. Additionally, in response to requests and expectations, the Presence developed a range of longer-term human dimension activities, it became heavily involved in the drafting of a new constitution and in the promotion of the rule of law. It dealt with NGOs, the media, and offered a framework for international assistance co-ordination.

The arrival of the first OSCE Ambassador to Albania, Mr. Daan Everts, in mid-December 1997, underscored the importance of the OSCE Presence in the country, and gave a boost to the Organization's activities. Building on the good, well-established contacts with all political forces in the country, Ambassador Everts successfully mediated an end to the hunger strikes by judges and ex-political prisoners who were demanding legislative changes. He also took a number of initiatives in attempts to bring the opposition Democratic Party both back to Parliament, and to encourage them to partake in the important constitution drafting process.

In January 1998, the co-chairs of the parliamentary commission responsible for drafting and negotiating a new constitution for Albania requested assistance. In reaction, the Presence invited a multi-party delegation, composed of seven senior members of the Parliamentary Assemblies of the OSCE and the Council of Europe, and of the European Parliament, to explore ways and means of overcoming the then impasse in the constitution drafting process. This delegation reaffirmed unequivocally the legitimacy of the June 1997 elections, and the current Parliament, and rejected the validity of any calls for early parliamentary elections. The delegation also underlined the need for a new constitution as the basis for political stability and sustained international support for Albania, as well as recognizing the Constitutional Commission of Parliament as the legally valid mechanism for drafting a new constitution. Finally, parties were urged to participate constructively in the work of the Commission. The declaration of the delegation, which called on the DP to end its parliamentary boycott, became a benchmark on the Albanian political scene, as it was welcomed by both the ruling coalition and the opposition. Assisted by the urgency of the Kosovo issue, the Democratic Party returned to Parliament on 9 March 1998. It did not, however, join the parliamentary commission on the constitution as it preferred a separate, extra-parliamentary chamber (a constitutional assembly), and insisted on a differently structured committee.

In accordance with the tri-parliamentary delegation proposal, the OSCE Presence initiated and organized a systematic multi-institution/multi-nation programme to observe parliamentary procedures. The Presence issues bi-weekly reports on parliament, sharing them with political parties and representatives of diplomatic/international organizations. These reports have had a positive impact on the overall behaviour of the parliamentary representatives,

and have positively affected the work of the Parliament. The Presence has also found donors to help the Parliament with technical equipment and training of the parliamentary staff.

On 29 and 30 June 1998 the joint tri-parliamentary delegation visited Albania for the second time to assess developments since its first mission. It welcomed the progress made in the above-mentioned fields, and called for further steps in the democratization of the country. That the Democratic Party effected a second boycott of the Parliament on 7 July 1998, just one week after the visit, was disappointing and soundly condemned by the Troika in its joint statement.

An OSCE Administrative Centre for the Co-ordination of Assistance and Public Participation (ACCAPP) helps to move the constitution making process forward by offering the different Albanian parties the chance for transparent and well-informed public debate on the much-needed constitution. The Presence plays a key role in this civic information process, and facilitates international and domestic input into the constitution writing process. A national referendum on the new constitution is expected to be held in late 1998.

In order to expand its capacities to assist in the development of the rule of law in Albania, the OSCE Presence opened its Office of the Legal Counsellor (LCO) in the first half of 1998. The LCO serves as a legal thinktank, providing rapid analyses of legal conflict situations. It helps to co-ordinate legal assistance efforts in Albania, and provides direct technical legal assistance to Albania on a variety of projects. The LCO has analysed issues relating to the Constitutional Court, local government district councils, the local and parliamentary election laws, and other important law-related matters. It has facilitated OSCE/ODIHR assistance on the development of an ombudsman institution, and in the area of legal education. In furtherance of its co-ordination role, the LCO has initiated separate groups relating to criminal justice reform, the ombudsman institution, and legal/social aid clinics. The LCO has also provided direct technical legal assistance in the area of minority rights.

In line with its elections role the Presence is conducting a series of pilot projects, aimed at providing a new system for creating a civil register. The purpose of this effort is to help create an accurate and reliable source for voter registries. A working group was set up to oversee the preparation of a proposal for the international funding of nation-wide civil registration. Once the new civil registry database is established, it can become the sole source of all voter registries and end the recurring disputes over the accuracy of voters' lists.

The Presence in Albania assessed the electoral preparation and the electoral campaign of the municipal by-elections in June 1998. Ambassador Everts' compromise formula on granting compensation time to the opposition parties on state TV actually averted a boycott of the elections by the DP. For these

elections, the Presence organized assessment teams, consisting of representatives from the international community in Albania. Together with Council of Europe, which provided its own monitoring teams, the OSCE issued a joint statement, evaluating the elections as "a significant improvement over the 1997 parliamentary elections" and called them "a solid step forward in the consolidation of democracy in Albania".

With regard to economic recovery, so obviously a priority, the Presence has made its contribution to promote co-ordination of international assistance efforts. It convened a series of donor co-ordination meetings, both general and for sectors such as emergency aid, constitutional issues, ombudsman, etc. It has made special efforts to promote the Albanian government co-ordination capacity by providing direct advice and assistance to the aid co-ordinating ministry, its project databank and management information system. As part of its liaison function, the Presence helped several donor countries without local representation to channel funds to specific projects.

In the same vein, the Presence supported domestic efforts to encourage private sector development. It organized, together with local business enterprises, investment promotion seminars in Vlora and Shkodra, with a view to directing attention to economic opportunities outside the capital Tirana.

The Presence concentrates its NGO related activities by involving itself with the actions of donor organizations - this as a part of the Presence's flexible co-ordination framework. It facilitates development of NGO networks in the Presence's fields of priority; these being human rights, media and democratization. It does so, in part, by facilitating regular meetings to review progress, to address bottlenecks and any other donor/government weaknesses concerning the implementation of the various social/economic programmes and projects.

Responding to the tense situation in Kosovo, in March 1998 the Permanent Council widened the mandate of the OSCE Presence to include monitoring of the Albania/Kosovo border. Consequently, five new field offices were set up in north-eastern Albania. By mid 1998 24 observers from different countries were involved in the effort, with an expansion planned to bring the effort up to 30 observers. A co-ordination centre in Tirana supports these field offices both operationally and logistically, and collates and consolidates their reports on a daily basis. Besides their observation and reporting duties, these field offices facilitate international assistance efforts, provide high level briefings, engage in local political mediation, and provide assistance to the government to improve co-ordination of the relief effort. The border observers work in difficult, sometimes dangerous, situations, but their reports are widely appreciated and serve as impartial, accurate assessments of the realities of a very complex and serious situation.

The Presence will continue to closely monitor the Kosovo situation, but there remain numerous other priorities to be given equal attention. The unsatisfactory situation regarding law and order, the necessary reduction of arms being in private hands, corruption, high unemployment and resultant social problems are just some which need to be addressed, just as support for economic recovery remains another priority. It is of cardinal importance that the international community, with the Presence being its indispensable tool, continues its efforts to ensure that no repetition of the situation that erupted in February 1997 could ever take place again. Albania is at a crucial juncture in its history, trying to evolve from a long, dark period of dictatorial rule into a fully-fledged parliamentary democracy and legal state, well integrated in the Atlantic-European community.