



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

**INTERVIEW OF HEAD OF OSCE PRESENCE, AMBASSADOR GUIDO DE
SANCTIS WITH RTSH's WITHOUT CENSORSHIP SHOW**
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Good evening!

The show “Without censorship” tonight focuses on elections and the level of democracy in Albania, but not from the point of view of the Albanian political parties. Tonight with me is the Ambassador of the OSCE Presence in Albania, Guido De Sanctis. Thank you, Mr. Ambassador for being with me and I hope you are as little diplomat as possible in your answers.

Few months ago you were appointed as the Head of the OSCE Presence in Albania. During do you aim to achieve during your term in Albania?

Thank you. The OSCE Presence has a long history in Albania and this why this is a very delicate task for me. My objective is to consolidate and to improve the ability of the OSCE Presence to fulfil its mandate. In practical words, fulfilling our mandate means hearing to the needs of the Albanian institutions and the Albanian civil society in order to be able to assist Albania in the areas of our activity. I am referring to democratization, to rule of law, to governance, and everything that has to do with the political life of this country. We are here to hear your needs and to respond, I hope, in a way that goes improving during my mandate.

From your point of view, Ambassador, what are the main problems of the quality of democracy in Albania?

Let's start from one common understanding. The best resources of any country is the people. And the best fuel for the civil life is mutual trust. There are moments in history of every country where the mutual trust can fluctuate, can be high, can be lower. I think that Albania is one case where it should be given more attention to the fostering of mutual trust. Mutual trust is based on dialogue. I only wish to remind you that dialogue is one of the principles on which the OSCE was founded. When it was born as CSCE in 1975 the idea behind it by the founders was applying dialogue whenever there is a problem to solve.

In fact, last year Albania chaired the OSCE at its highest level, but, in fact, in Albania, there was no dialogue between the political parties. Is this a problem?

Our activity here with several interlocutors... we speak to everybody and we give everybody the same message. The message is that it can happen in a democracy that some harsh words can fly up and down. This is normal. What is not normal is recurring to threats, recurring to imagining crisis scenario. That is not quite what democracy should do. Our task here – I also want to remind that we still maintain a style that is typical of the OSCE, and I can define it as a silent style. Our interlocutors get our messages about dialogue very clearly, but it is not in our interest that everything we do has to be put out to the public or media, because we think

that these messages have to be elaborated by us and by interlocutors. But I can assure you that we give them very clearly.

Mr. Ambassador, there is a perception that the OSCE role is not as important as it used to be years ago in Albania. Is this because you have withdrawn from the mediator role, there are less political crisis in Albania or because there is less trust in the OSCE?

Situation changes. Albania is an old country with a complex history and a very long tradition, but there is a new Albania too that was reborn from a terrible period 30 years ago. In these 30 years many things have changed, because Albania is following with conviction, I think, the path of democratization and integration in international structures. It is doing a very good job, by the way. You have mentioned the Chairmanship of the OSCE in 2020 and Albania was praised for the job Albania did in a difficult year – I am referring to Covid – such as 2020. The situation changes and the response to situation changes. So let's say that, if we use a paradox, the OSCE has done its work when it can be said that the OSCE in a country is not needed anymore. We are not eager to leave the country, obviously, because as for myself I am leading a very present life here, but objectively we work to make us less needed. We still work in the silent style I was referring to and I have gathered from my interlocutors – institutions and civil society – only words of appreciation. This gives me the conviction that what we do here is still appreciated and still needed. So, I would not say that we are less important. No, I don't agree on that.

Mr. Ambassador, when we speak about the OSCE, elections come always to mind. What do you think about the preparations for the 14 May elections in Albania?

This is an important moment in the democratic life of Albania. Luckily, we have been working very well with the Central Election Commission of Albania, I have met the Commissioner, and I think that preparations are on time and they have been preparing the ground in a very effective way. So, I am not worried from this point of view.

The main concern raised in ODIHR report was that the party in power is interfering with the administration by using public assets and vote buying. Do you share the same concern?

You are referring here to the very recent document, which is called the Needs Assessment Report by ODIHR. It was published, if I am not mistaken, on 15 February, just some days ago. I know that the Albanian public and institutions have been waiting for it eagerly in order to read what was there. If you read it with attention, you find that at every point the OSCE/ODIHR start with the same words: "We have been told by our interlocutors that..." and then follows allegations as you said, or other things. So, for the time being, this is what ODIHR people with their patient work have gathered from their interlocutors in Albania. It is not what ODIHR says. It what has been told to ODIHR by local interlocutors and they just put it down on this document, which is in the framework within the observation mission that will take place for the elections of May.

Hasn't there been any verifications so far on whether such concerns are genuine?

The verification will happen when the ODIHR will send both short term and long term mission, that are expected to arrive. I am sure you are familiar with this mechanism. They will try to understand better what are these allegations made of. Let's not forget that these episodes are

something that are not under the direct competence for the solution of the OSCE or ODIHR. We are still speaking of things that might happen in Albanian territory, under Albanian jurisdiction. I am sure that soon after the elections of May, there will be a detailed report of ODIHR on their findings and other recommendations on which we will be working with a view to the parliamentary elections of 2025.

In the meantime, for the first time after 30 years, the amendments to the Electoral Code in 2021 were made without a compromise between the Democratic Party and the Socialist Party. Should the Electoral Code approved without consensus change? Should the parties sit down together and amend it? That dialogue you mentioned before.

You are referring to how a democracy works. A democracy works in many ways. One of the ways is that somebody will get the majority for a certain period and who has the majority is able to go to parliament and change the laws with its own majority. This is a principle of democracy. It does not work only this way. This is not enough. The other principle is that, on the other side, so the party who got the minority which we call opposition, no matter which party it is, should be strong, should be able to dialogue with the majority in order to find better solutions. But it is not a problem in itself the fact that the majority decides what to do regarding to a certain thing. Then the enforcement of any law that is decided by the majority has to be done properly. Our daily job is to work together with Albanian institutions to find what the institutions ask, to help them finding the best solutions to legislation and to enforcement of law.

So in your opinion, it is not a problem that Albania does not have a consensual Electoral Law like it has been for the past 30 years?

I am not referring to the Electoral Code. When I speak about the principle of democracy I just wish to point out that democracy is also the rule of majority. The Electoral Code is an important text. It has to be improved. Maybe working on elections and on laws regulating elections is what we mostly do here. We do many things, as I told you, our mandate is very broad, but elections is the top priority. Our objective is to fulfil the ODIHR recommendations and listen to the interests of the Albanian institutions and experts in order to make the best possible Electoral Code. Consensus is always advisable, yes, but you cannot have consensus every time. This is the political life of Albania. We are not supposed to judge what happens. We are not supposed to judge in the essence what are the decisions taken in Albania. We are here to assist the process.

Yet, the problem is that in order for the OSCE/ODIHR recommendations to be implemented, both parties will need to co-operate, since the majority, this time, does not have the necessary majority vote in the Parliament, it does not avail of the 84 votes, the qualified majority, to adopt the Electoral Code. That is why I am insisting on this question.

There are cases where consensus is necessary, there are cases where the majority itself cannot come to a decision. Now, as I told before, you have the other part of democracy, which is dialogue, dialogue between the majority and an opposition. This is the part of the political life of Albania, on which the stakeholders need to be working with more vision, I would say, with more mutual trust and vision. This is, as we have been saying in the beginning of the interview, this is the problem maybe of today, that they should be work on mutual trust, even inside the opposition.

What do you mean by the latter sentence?

We all agree, I think we all agree, that a strong opposition is necessary for the functioning of a democracy, in order to approve laws, in order to take important decisions, as you were saying. The opposition, in our opinion, should find a way to go beyond the current division. We are not saying how, we are not saying that a judicial solution is preferable to an agreement. In our vision of an ideal world, an agreement is always better than a judicial decision. But, I am convinced that the internal divisions of the opposition today are to be overcome quickly, and in a wise way, in order to have a better functioning of Albanian democracy.

Since we are discussion about the opposition, allow me to ask, what is the relationship you have built personally with the opposition? Do you communicate with both factions of the opposition?

I have communication with all representatives of the opposition, and by the way, let me say I also have communication with all representatives, in general, of the political spectrum of Albania. But, referring to your question, yes, I have met representatives of all, let's use this word, all factions of the opposition side. I gathered a lot of interesting information. I also passed the message, that I just told you, that an agreement should be the best solution. But I understand that there is a court proceeding, so nobody, nobody, not the government, not the OSCE Presence, can interfere with a court proceeding. What we have been taught in our schools that the judiciary power is independent, and it is a most important component of the enforcement of the law in any democratic country. So, the court will go on, and I am not commenting on what can happen. But, I feel obliged to pass the message of finding an agreement, especially when I meet with people of all factions of the opposition.

When ask them for the opposition to co-operate, to find an agreement, what is their response, if you could share?

You are now investigating on private conversation, but I can tell you that everybody agrees with the idea that an agreement is better than a decision imposed by a court, or by above. In theory, everybody agrees on that, yes.

But?

But, you are the journalist, you have to follow what happens. I also refer to media to know what happens, to media and to private conversations. You tell me what happens.

Okay. Ambassador, is it concerning for the OSCE that the CEC has not registered yet the commissioners of the Democratic Party, since the deadline has already began counting, and the funds have not been disbursed yet, not even to the other parties, because of the Democratic Party?

As I told you before, one of the institutions we have a very strong co-operation with, and I can say that there is a very high level of mutual appreciation between us, the OSCE Presence and the Central Election Commission. I met with the Commissioner, and my impression of the Commissioner and his staff is that they are surely able to find a solution to any problem. We trust what they do.

On the 3rd of March, as you stated before, the court is expected to pass a decision on the matter of division, disputes within the Democratic Party. Yet, if a final ruling is not passed, would that be a problem for the election in Albania?

As I told you before, the judicial system should work without interference. On our side, obviously we do not interfere, but this suggests us not to speculate on what can happen, on which decision can be taken or not taken. As I told you, the institutions which then will have to decide whatever is the outcome of the 3rd of March, have the ability, have the competence, have the wisdom to decide what will be the better solution for Albania.

Meanwhile, the Chair of the Democratic Party of Albania, Mr. Berisha and other Democratic Party representative have stated time after time that if the election on the 14th of May are not held to the highest democratic standards, there will be destabilization in Albania. Are you prepared for such a scenario?

On a personal note, I have seen, let's say, problematic, highly problematic scenarios when I was working in Libya in 2011, and a revolution started. There were conditions, and something happened. Today one year ago, as we all know, the war in Ukraine started. I was in Moscow at the time, exactly one year ago. So, conditions of crisis are readable, you can read them around you. I am here in Albania since three months, I do not read conditions for what you define as destabilization, or let us say a major crisis. Personally, I do not see them. As I told before, in the interview, one thing is to be clear, frank and honest when you are a party and you talk of the other party, the other thing is different, in a democracy, to pronounce threats. It is something that is not part of the democratic rules, and nobody, and I am not referring to anybody in particular, but nobody should recur to threats.

Hence, you believe that there is no room for destabilization, and these are only threats, or in a different term, what we can call a bluff by Mr. Berisha?

I do not have a judgment on that. I told you what, in my limited experience of an international official sent abroad and finding myself in crisis situations, I think you can smell, in the air, when a real crisis is mounting up. I am sure that Albania is... and generally, my impression of Albania is that it is a very wise country that managed to come out in a peaceful way from a terrible period. I was in Shkodra last weekend, and we visited places where people were kept, and this gives you... it was a detail, but I was really impressed by that. So, people who are so wise and so courageous cannot let things, let's say, go beyond without being able to controlling them. I am sure that wisdom will prevail.

Let us hope that does happen. Mr. Ambassador, because this matter of sensing the crisis is a bit problematic as very few people did sense that Russia would set off a war in Ukraine, you were at the place at that time. I would kindly ask you of the events in the Albanian Parliament, as you may have observed yourself, the political situation has exacerbated. Do you consider that the ruling party is allowing the opposition to enjoy all its rights, to exercise parliamentary oversight within the parliament?

You mentioned parliamentary oversight. Oversight is one of the main tasks of any parliament, not only in Albania, oversight has a set of rules, and there are written rules and there are non-written rules. If I can say so, our appeal is that every party uses the rules, and the non-written rules, with dignity and wisdom. I do not make a judgment, but we appeal to use of this function with dignity and wisdom.

In fact, some rights have been denied to the opposition. For example, no inquiry committees are established, the Prime Minister does not accept interpellations. Does this constitute a problem for you, because we previously we have seen reactions by the OSCE, while now there are no such reactions?

As I told already, the fact that our reactions are not made public is because we think that in this situation the best thing we can do is pass messages to our interlocutors. We talk to everybody, as I told you, of any political side, and we pass the messages. The message on parliamentary works, parliamentary proceedings, has been passed clearly to these interlocutors.

And what was the message?

Since I am telling you that we do in a silent way, I am not able to tell you the whole message, but the message is that: you have rules, you have no written rules, use them with wisdom.

Mr. Ambassador, one last question referring to what you mentioned also at the beginning of the interview, which is one of the areas of the OSCE mandate: corruption. Are the OSCE happy with the level of the fight against corruption in Albania, given that important national and international institutions speak about endemic corruption? I would like to have a very straight forward answer to this last question of the interview.

The structures that are involved with corruption – I am referring especially to SPAK and the National Bureau of Investigations – I have met them. Not only I have met them, but my staff has a daily working relationship with these institutions. I have seen the atmosphere that exists between these institutions and our staff, and this is a good thing, because the institutions are able to ask us for assistance and we are able to deliver. And this is let's say our point of view. What you can see in their daily work is that these mechanisms are starting to function. I think they are in the right direction, and that this fight against corruption at the end will succeed in Albania. The other side on which we work, as I told you, was prevention. Not only in Albania, in the whole world, there are forms of corruption, which are – you say endemic – but let's say which are part of tradition in the whole world. The duty of a government is to fight against these behaviours. There are many tools today that were not available in the past, that can help us. One is how to make the work of the public administration transparent. It can be done in many ways. One is by recurring to digitalization, to electronic services. It is a very large menu. You only have to choose the right thing. Our task here, in our daily work with new institutions working on corruption, is trying to help them pick up the right solution. It is very important, it is very exciting for us to work on this, because we know that we are trying to solve together one of the problems that in Albania are perceived like at the basis of the improvement process.

Mr. Ambassador, if you have a last message for your viewers and meanwhile I thank you very much for being on “Without censorship” show.

We have spoken about institutions, we have spoken about political parties, but there is a third column of any country, which is civil society. We work with all of them. And my message to the audience is that the doors of our Presence are open. We can do many things within our mandate and we invite civil society, especially women and youth, to come up with ideas, because we like new ideas and we would like to work on them.

Thank you, Ambassador!

Thank you!

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