



HIGH LEVEL REGIONAL CONFERENCE “IT’S ALL ABOUT JUSTICE”

Majlinda Bregu, RCC Secretary General

I am happy that after numerous efforts, the Regional Cooperation Council (RCC) along with the Ministry of Justice of Albania, were able to organize this forum with the Western Balkan six (WB6). I hope that with the participation of representatives from the newly-established justice institutions, the civil society, and the media in this forum, we will be able to confront our opinions and challenges on the implementation of the laws in our economies, and I also hope that today’s is not just a conference of repeated statements.

There is a reason why this meeting is being held in Tirana, and why the next justice ministerial will be organized in Skopje.

Albania and North Macedonia are the two economies looking forward to the mid-October decision on the opening of the accession negotiations, as a necessity to maintain the reforms’ momentum and to make to next step in the European integration process.

But, since EU membership continues to be the final goal of all 6 economies in the region, everyone is anxiously waiting for the October decision to clearly see the changes that such a decision can bring to the geo-political situation in the region and beyond, to bilateral relations, and to regional cooperation.

RCC has a very interesting public and business opinion measuring tool called the Balkan Barometer, which is published annually. Reading the data for this year was more than just office hours for us as well. After analyzing

and re-analyzing them, we came to the following conclusions: **citizens are wisely reading the reality.**

56% of citizens in the region support EU membership. This figure is above 50% for the first time after 5 years. I don't know whether this increase shows that citizens are tired with their domestic reality, or whether a sentiment that says that the more difficult Europe becomes, the more we want it.

It is true! The EU has been the main and most important driver in the region in promoting democracy, the rule of law, the respect for the fundamental rights and of minorities.

- **While 56% of the WB citizens believe that their life will change for the better when they become members of the EU, 75% are not satisfied with how justice is being delivered.**
- **59% of them believe that laws are implemented ineffectively and 70% of citizens believe that they are implemented unequally (BB2019).**
- **To make their dissatisfaction clearer, parliaments and courts are the least trusted public institutions in the region (for 74% of them), while political parties and justice institutions are the most corrupted (for 75% of them).**

The other reason why this forum was organized in Tirana is related to the Justice Reform undertaken by Albania.

The adoption of the justice reform and the vetting process in Albania, along with the unusual vacuum situation created in justice institutions, has resulted in some hesitation in other economies of the region. It is not easy to change one third of the Constitution, like Albania did, or to vet all judges and prosecutors of the system, thus risking institutional vacuum. **If discussions among us in the region, on the radical model of the justice reform that Albania has undergone, and if reaction on the vetting process, or the surprise about the number of judges that have left the judicial system in Albania by way of dismissal or resignation were public, I am certain that everyone would better understand: It's all about justice!**

Today, I am even more convinced that the 18 months of debate, challenges, fighting amongst all political actors that in the media spoke of a new justice system independent of any political influence, while on the other hand creating artificial hurdles to stop it, were totally worth it, despite the personal cost of everyone that believes that to guarantee the right of citizens to a democratic society, where impunity is not a norm of the society and where no one is above the law, comes at a price!

Romania is still politically shaken after the implementation of the justice reform. Romania and Bulgaria became member states in 2007. Despite quite harsh reforms and changes to the legal system, Bulgaria and Romania still apply the Cooperation and Verification Mechanism more than a decade after the membership, allowing the European Commission to monitor whether the justice reform continues even after Membership.

Croatia became a member state in 2013. Croatia avoided somewhat the mechanism in effect in Bulgaria and Romania, because they had to complete the justice reform prior to accession. However, in 2000, when Croatia changed its constitution for the third time after signature of the SAA, the number of backlog cases in courts had reached 1.5 million. In 2018 this number dropped to 407 thousand.

What Albania is doing today, were benchmarks that allowed Croatia to conclude chapters 23 and 24.

And even beyond the accessions of this last decade... Only one year ago, the European Commission brought Poland before the European Union Court of Justice regarding legal changes that threatened the High Court, independence. So, every time we worry about the delays in this process, it would be best to tell ourselves that not just the stakes for the implementation of the law will be raised, but that monitoring will also increase year on year.

I will get back to the Balkan Barometer.

It is not a coincidence that in addition to the justice institutions, the other least trusted organization is the Parliament. And it is not a coincidence that even the Bundestag has set two preconditions for

opening the negotiations: the electoral reform and conditions related to the justice reform.

These are the systematic problems our economies are facing. If the implementation of the law is hampered by those who have political power and the possibility to instill their dominance by way of the voting process, then the electoral reform and the justice reform are one single condition, or a two-pronged condition. The lack of the electoral reform, hampers the consolidation of the rule of law.

Whoever hampers the election reform is hampering the implementation of the law, which strengthening would bring an end to the possibility to abuse with peoples' vote.

Ideas and concepts hitherto unknown have been applied in the country of very different legal and political traditions. This is how Alexis de Tocqueville summarized the first steps of democracy in America. This is what happens with the justice reform and the EU membership process.

The question is who guarantees that this reform will bring about the change we want and how sustainable will it be?

I do not know how long it will take to establish an effective and impartial justice system and restore public trust, especially as time goes by and often leaves us all in solemn uncertainty. The past is still part of the present, the present looks gloomy and the future is under construction. But, I know that there IS NO OTHER WAY to build the common European future of the region, other than the rule of law.