Fw. Mr. Sole Tura

13 March 1998

Summing up of the discussions of Mr van der Linden on 12 March 1998

Meeting with the representatives of Council of Europe member and observer States

Mr van der Linden introduced the objectives of the rapporteurs' mission:

a) Follow-up to the tri partite mission
b) "Normal" CoE PA monitoring mission

He wanted to hear on

The actual political situation
Relation opposition Governement
New Constitution
Kosovo

Opinions:

Reconciliation between Government and opposition is disappointing. The performance of the present Government gives reason for disquiet. Special field of concern is the public electronic Media which are clearly Government lopsided.
DP demands the selection of an independent monitoring body. There is room for CoE expertise.

DP has returned to Parliament but started immediately with the well known disruptive ways. In DP eyes the return is conditional on the implementation of:

a) The implementation of the so called Arbnori amendment
b) Withdrawal of Government action against District Councils which have been il/legally dismissed.

Concern was voiced on the organisation of the Parliamentary monitoring. There is not enough staff at OSCE presence etc.

Suggestion for a CoE PA working group on South Eastern Europe.

The big concern on Kosovo, was the perception that the border was quite porous.

Minister of Justice

MoJ gave state of play about the mediation on the Law on the Organisation of the Justice (worked out with CoE expertise since 1995, adopted 18.12.1997 without final expertise, contested by hunger striking 6 months judges, OSCE/CoE came in as mediators, hunger strike ended on 30 January 1998 under condition of having new coE expertise, mission took place on 26/27 February new CoE expertise to follow)

In the prison field remaining problems: Not enough prisons (rehabilitation under way) revolt in Tirana Prison on 5 February 1998 partially caused by overcrowding.

Constitutional Court

Here mostly complaints about the composition of the High Council of Justice

Speaker of Parliament

Items touched were

Observation
Rules of Procedure
Constitution

Observation – big polemics with G.Pollo accusing the Albanian Parliament of being under the effective presidency of the international observers. Gjiunushi threatened to kick out the next time both Mr Pollo and the observers.

Rules of Procedure

Still many shortcomings eg no written procedure foreseen for comments on the draft Law

Constitution

Discussion about the advisablilty of having a Minister as Co Chairman of the Constitutional Commission

Va de Luden. Glucksberg

- Relació entre Comte Cairi i Consell Ministres.
  Què fa el Consell?
  Quina relació amb OCDE i U.E.

- Modificar regles joc:
  v.p. fa proibe pe actuem per fems, ar mi de per pairos.

- Crear un sistema permanent de control de tots els pairos membre.
  (Domitau)
  - ¿a-car procedure o allegh. in infringi-ent?

- Llegir:
  - Lucc i Lucc joc.
  - Mana joc i rem ne amenaça.
  - Mana joc i fem ne poca forca.

Two risks: the procedure; the political one.

About suspension of credits. not drop it politicd one.
We must not reduce
we must put some pressure,
the ime will become an
elected issue: it must be
clear that we will not accept
a Croatia reluctant to the sanction
reluctant to the full politics of death
and the full
penalty

Mr Schiwer confirms the feeling I had in Frankfurt

A

To appoint some experts
to help in the drafting
of the Constitution.

Democratic Union is boycotting
the constituent process before
the choosing of one of
its leaders.

The power of judges is not
easy: judges are not elected
are not able to fulfill their
job in the new context, perhaps
they are victims of political
partnership.

Question: the 6 languages: a political
under in the north. A leader
of Democratic Union. To pay
special attention to violence in
the political.

Albania 15.1.98 (Paris).

7/

Joskemia: El problema de la Constitució no és l'aspecte legal, tècnic, sinó la confrontació entre dos blocs - ideològics del Consell Europeu.

Laureu: La política d'Alfons és el sistema bipartidista. Alfons no està d'acord per un sistema de majories i minories. El pacte nacional és correcte.

Sinka: Eleccions al Parlament: com ve aquest?

Martelli: Buscar un candidat socialista a nivell europeu i per això donar premissa als seus respectius nacionals a Alfons.

Goldenblum: Per justificar: protegir la constitució l'arbitrarietat política.