

Interview with Landry Riba ▶ The head of government in the association agreement with the



Landry Riba, in a meeting room next to the office.

Landry Riba

Secretary of State for European Affairs

«There is no plan B in the free movement of people, because we have no other solution for predictability»

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He is in charge of one of the most important companies in this government, although it will not be resolved until the end of the legislature. That is why, despite not being a minister, he is one of the most significant faces of this Executive. Despite the pitfalls, he is optimistic that all this will come to fruition.

-Intense days of negotiations are coming. Very busy?

-Yes, now and always. The round is one day, but the preparation is already starting after the previous one, there are no periods of little activity and from one round to the next the topics overlap. Now is the time to move on because we are in the process of moving the documents forward three weeks.

-Do you need to be updated?

-Update, pick up annexes that maybe three rounds ago we didn't address because there was no availability of experts. We need to refresh the information, review our position and advance it three weeks before the round to the trading counterparty and also internally. And conversely, we also receive EU documents.

-Do you feel a big responsibility?

-Yes, of course, often the backpack weighs, it is undeniable. We are all very aware of what we have on the table, as we are talking about public operators, immigration policies or social security. We could say that we are taking it under less pressure because there will be a referendum and the citizens will decide, but the small print is just as important as the big one.

-But you have to get to the referendum with a good text, right?

-All citizens will not read the full content of the agreement, which will be explained, but in its main dimensions. However, this does not mean that we have to pay attention to the smallest of details.

-Which is more difficult, to negotiate with the EU or to explain what has been agreed here?

-There are certain aspects of the reality of Andorra that are difficult to understand in Brussels and that is why we often have to explain the reasons of our uniqueness.

-Do you understand them?

-They end up understanding us, but it is a difficult job, as it should be.

-Could it be that they don't understand you because they think they are not advisable?

-Legitimately for them it can be like that. If we make a difficult job, it is because we have thought that what we are being asked to do is not right for us. Here is the purpose and difficulty of the exercise. We need to preserve a point of uniqueness but we need to make progress and they need to understand that we can't give up on certain specifics, because we have a lot going on.

-Are you learning the art of negotiation?

-Yes, of course, not just because there are so many rotations on the other side of the table, so there are different bargaining power.

-So they have to be repeated often?

-Yes, that's right, even we have had changes in the administrative structure.

-There are sensitive aspects, do they have plan B in case plan A does not work and you have to find the midpoint?

-It depends on the topic. We are dealing with a joint negotiation, but there are 25 annexes and 25 different negotiations. There is a pluri-

lateral framework agreement, on the one hand, and the sum of all this makes the negotiation in general. There are 25 processes because the general directions change and we do. In our case it is not so blatant because we have few people to do many things and they are repeated, but in the case of the Commission there are specialists for each directive.

-Would more people be needed?

-I would say no, because now with who we are it allows us to have a cross-sectional view of the process. At some point, we would like some support in some of the appendices, and we've often thought about it, but we also don't like to outsource the knowledge that the analysis of the standard gives you. It is now an added value that remains in the ministry and so we capitalize on the exercise. Therefore, it is useful to do it from the same administration, even if it takes a little longer.

-Are you in a hurry?

-We have said more than once that it is a more necessary than urgent agreement. We are in a hurry, we need to make the most of our time. If we can close with the Spanish presidency, it would be ide-

al, at the end of 2023. This would mean that we are in the eighth year of negotiations. If we go further, there will come a point where we may have to revisit the first one we touched on, and that would be a problem.

-Today you have an event with young people. How do you want to convince them?

-If we imagine an entry into force in 2024, it is a group that will be studying abroad or starting a working life. With this instrument in hand, if they are Andorran nationals, they will have perspectives that they do not have now. For example, work or university experiences that are more complicated today. In a life trajectory, a new range of possibilities.

-The President of Portugal supported the agreement in Andorra. Do you feel the warmth of community partners?

-The member states have always shown the political will for this agreement to prosper, and with the French presidency it has become more evident than ever. When we travel with the Foreign Minister before each presidency, we get very positive responses.

-Are not there any exceptions?

-There are some nuances of someone, not even a country. No one questions that Andorra, Monaco and San Marino should participate in the internal market and should do so through an association agreement.

-To make it clear, will there be any fiscal changes?

-Product of the agreement, no. If we look at the 25 appendices, none of them talk about taxation, not even the small print, which we've all looked at. If we found any, we found them, alerted them, and removed them.

-Are you afraid it might go out one day?

-It would mean renegotiating the agreement, and that could happen now. We can't guarantee it won't come out one day, but agreements have been signed when it came out. However, the first thing we need to do is to agree on a consistent tax rate and minimum rates, and right now it seems that we are far from that.

-They bet on the model of Liechtenstein in the free movement of people. Why not make your own custom model and not copy one that already exists?

-Because what already exists produces the same effects as what we now have or one of our own would end up producing. We now have authorization categories and numbers, which are the quotas, assigned to each category. The Liechtenstein model is nothing more than that. They have a category and a number, and that's fine with us; maybe instead of a number and a category, we would need a couple or three, or one more for the season, and a series of numbers that when we add them up will make the overall quota.

-So, it wouldn't be too different from the current model?

-We never said it would be different. What we have said is that the precedent of Liechtenstein is good for us because it is part of European law and is renewable. Liechtenstein is not Andorra, so we will need to make the necessary adjustments and file the fringes, but it would be good for us because it would end up producing the effect we have now: the predictability of population growth.



«Electricity has already been agreed, and we have the arguments to keep Andorra Telecom as the sole operator»

-So, what would you say to the people who warn that with this agreement Andorra would be different, as is the case of Carine Montaner, and that the security levels that we currently enjoy would be lost?

-We now have a starting position that seeks effects very similar to the current immigration policy and we must be aware that it is a negotiating position far outside the demands, because we adapt the precedent of Liechtenstein to our particular situation, so let's go a little further on certain topics. Now, we have to let the negotiation take place, because now we only have our initial position. Also, note that we are discussing the terms of an adaptation and not whether an adaptation is necessary. To be able to give an opinion, we have to wait and see how it will end up with another Andorra or if the name is not exactly the same, but the effects are very similar.

-If you brought another Andorra, wouldn't you accept it?

-If the position we have expressed was not taken into account at all, it would put us in a very complicated situation. And before you were wondering if we had plan B, because in this case there is none, because in a way we have not been able to find another solution that gives us the effects we want: predictability at all levels, because in otherwise we could collapse the public system, and we cannot afford that. So, bottom line is that we're really looking forward to it. Right now, I find Montaner's position reckless and alarmist.

-I guess if you see how other countries are in certain places, you may think that if you want to be in the sa-

me framework, you will have to accept similar situations.

-Yes, of course, but let's not forget what powers the Member States have kept. When it is said, for example, that expulsions can no longer be made, it is not so, because a directive allows them. Denials of entry or evictions can also be made, there are no abysmal differences. In addition, there is the administrative practice of each country, which sets the boundaries. I understand the concern and it should worry us, but we don't anticipate it.

-Can the monopoly of Andorra Telecom and FEDA be saved?

-FEDA will continue to be the main operator in terms of electricity. In fact, we already have the wording done. As for telecommunications, we will start discussing in early July. We will anticipate the position paper in the coming days and see how it is received. We believe that we have the arguments to defend the maintenance of Andorra Telecom as the sole operator, being a public operator.

-Why should we allow it for FEDA and Andorra Telecom not?

-Because within the same Union law there is a precedent in terms of electricity for some islands, such as Corsica. In other words, you have to be an island to be eligible for that exception. In the end we were able to argue that although Andorra is not in the middle of the sea, it is in the middle of the mountains and the same criteria are given as those that allow the exception of Corsica. And that doesn't happen in telecommunications.

-Professional associations have al-



«End of 2023 is a calendar shared by all actors, but on July 6th we will know if we are too optimistic»

so expressed resentment. How are the conversations?

-Now we have completed the current regulations in everything we had detected as dysfunctions and, at the same time, the shortcomings. And that should be done even if we do not negotiate an agreement with Europe. In the provision of services, we have detected a shortcoming.

-Financial services and the free movement of capital are lacking.

-In this case we do not know yet if it can be a sensitive issue. In the regulatory framework we are not too worried. Supervision, on the other hand, we don't know yet, because we need to know its starting position.

-Considering that there are elections in the middle, do you see it feasible to have an agreed text?

-It continues to be a possible scenario, because from July 6th we will have the sensitive issues on the table, only the financial services will be missing, and we will know what feeling they have aroused on the other side. It will be a good time then to know if we have been too optimistic. Now, when we talk about the end of 2023, Andorra, San Marino, Monaco, the EU itself and all the member states tell us that they see it as possible. Faced with a seemingly shared schedule, everyone will be ready to pick up the pace.

-This consensus must be accompanied by internal support. The latest ARI poll shows that support is declining. A warning?

-No warning, but we have to follow it. It is a process that takes time, people get involved depending on the interest in the issues, we enter a time of delicate issues and, if we can explain the final solution for the free movement of people and that it can be perceived that we are not going to another Andorra, we will move forward.

-If the alarmist messages take root, how will they fight them?

-If the results of the ARI survey got worse, obviously we would not be doing something right, or we think we are negotiating a good deal and we are the only ones who think so. Therefore, we should reorient ourselves, but we are not far behind. If we get a good deal on free movement of people and telecommuni-

cations, in the rest we have not detected any difficulties.

-Is the referendum indispensable?

-I find it difficult to see another approach. I find it difficult, if there is another government, to bring an agreed text to the Council, without submitting it to the approval of the citizens, if it has been previously said that it would be done. The referendum will be held regardless of the color of the new government.

-If you reach an agreement, will you leave it?

-I don't know, it would be a lot to anticipate things. This project is extremely demanding, very unappreciated, as a small victory costs us a lot of previous upsets. Motivations come and go, although it remains the same. Match by match. However, as I was told at the beginning of the legislature, if it goes well it will be everyone's fault and if it goes wrong it will be your fault. We want to move on to the election, with the sensitive issues agreed upon. I want to have an urn in front of me.

-What would you say to someone who thinks they're not qualified enough to do that?

-If I didn't feel qualified, I wouldn't do it, because I have enough common sense. I would never have accepted this job if I didn't feel able to carry it out. I've been in these negotiations since the beginning, in my part.

-And who thinks we're all right now and that we shouldn't get into this mess?

-Maybe we're fine as we are, I don't deny it, but there isn't much going on with this situation, and all the indicators are extremely clear. In recent years we have had three trials: the financial crisis, the BPA crisis and a global pandemic. I don't know if more samples are needed, but Andorra does not have the strength to overcome crisis situations in the short or medium term. It's true that we've bounced back in an enviable way, but the balls are going up and down, and our history teaches us, we can't trust them. Why did we get involved? Because we need to be part of something bigger to diversify the economy and have safety nets. It is more important than urgent, but there comes a time when it begins to be urgent. ≡

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