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**BRIEFING ON
ALBANIA'S ELECTIONS AND THE CHALLENGE OF DEMOCRATIC
TRANSITION**

Mr. Chairman:

Thank you for the opportunity to testify before the Commission this morning. It's not often that a small country like Albania receives the attention it's getting today. And that's unfortunate because we can sometimes do the most good in the smallest places. To illustrate the enormous influence the US enjoys throughout Albanian society I quote from an article in the New York Times about President Bush's visit there in 2007:

"So eager is the country to accommodate Mr. Bush that Parliament unanimously approved a bill last month allowing "American forces to engage in any kind of operation, including the use of force, in order to provide security for the president." One newspaper, reporting on the effusive mood, published a headline that read, "Please. Occupy Us!"

Today's briefing is an important signal to all political actors – from party leaders to election administrators to voters – that Washington cares about the integrity of Albania's democratic system and is paying attention to the quality of the electoral process.

I will be focusing on three areas: civil society, media and corruption. In each case I'll sketch out a bit of background in order to provide some context for Albania's democratic development. I will then turn to the specifics of how these issues are playing out in the upcoming elections

Civil Society

Civil society – narrowly defined here as civic activism – has been moderately successful in Albania. Non-governmental organizations have improved the flow of information between government and citizens; they have raised the stakes for unethical or unlawful behavior by political actors; and they have provided avenues for citizen participation in public life. Within certain broad limits, civil society can restrain the worst impulses of the state; introduce alternative ideas or voices into the public debate; and mobilize constituencies around specific issues.

What civil society cannot do is guarantee the integrity of the democratic process. It can't make policy or enforce the law or ensure the rights of individual citizens. At best it is an indirect and imperfect mechanism – its activists a reflection of the society in which they operate – and expectations should be in line with this reality.

Compared to its neighbors in the Balkans, Albania has a relatively robust civic life. There are NGOs in many of the fields where you'd find them in the United States: human rights, media, economic development and so forth. Over time they have become rather professional, able to research policy alternatives or serve as civic watchdogs.

One measure of the effectiveness of NGOs is the degree to which they are targeted by politicians who don't like what they're saying. In Albania the government recently applied pressure on NGOs, asserting the right to tax them and setting up a state account to fund them – which of course would undermine their independence. So far neither of these measures has been implemented; and the government deserves credit for bringing NGOs into a discussion about how to proceed on these issues.

More problematic is the tendency of political actors to accuse civic organizations of partisanship – and the tendency of NGO leaders to drift in and out of political parties.

As to the former, politicians who don't like what the non-profit sector is saying invariably accuse it of serving the interests of their competitors. Although self-serving, the critique is effective. People who work on issues in the public sphere walk around on eggshells, worried their statements or activities will land them on the front page of a party-affiliated newspaper. Even someone like me, an American citizen testifying to a congressional body almost 5,000 miles away, has to labor over his statement to make sure it can't be misconstrued as supporting one side over the other. And I will surely fail in that effort. I suspect my fellow panelists feel more or less the same.

On the other hand, NGOs – or more precisely, NGO leaders – do sometimes undertake partisan projects. Before the 2005 elections, a number of civil society personalities joined political parties, including some who wound up in Prime Minister Berisha's cabinet. This time around, several prominent activists are running as candidates for opposition groups.

In a culture like Albania, this phenomenon undercuts the reputation of civil society. It doesn't mean that NGOs are not to be trusted – given the choice between a civic activist and a candidate for elective office I would usually put my faith in the former – but it does demonstrate the difficulty of judging the political process from the outside, as we are attempting to do today.

In this election, NGOs are engaged in a number of important projects. They are monitoring the media to determine if there is bias. They are examining the parties' campaign expenditures to see if they match public declarations. On Election Day, they will be observing the vote in polling stations all over the country. Through their efforts we will get a pretty accurate picture of the quality of the electoral process. How much they can deter partisan efforts to manipulate the process is open to question.

Media

Albania's media is vivid, pluralistic, un-transparent and chaotic. A country of just over three million people is served by 69 private TV stations and close to 50 private radio outlets. Newsstands are crowded with as many as 200 tabloid-style newspapers covering a range of interests and political perspectives. If there is a problem with freedom of expression, it's that the media is a little too free with its reporting. Journalistic standards are lamentably low.

As a rule, private media aligns itself with one or another of the political formations. This is not in and of itself a bad thing. The public generally knows which entities support which parties; and European media often maintains political affiliations.

On the positive side of the ledger, investigative journalism, some of it of good quality, is on the rise. The media has played an important role in uncovering information related to the explosion at the illegal ammunition dump in Gerdec. It has also "stung" some public officials, as when one TV program recorded a minister offering a woman a job in return for sexual favors. The minister was subsequently dismissed.

The main problem with Albanian media is its murky relationship to business and politics. In most cases it's hard to determine who owns which media outlet. Media financing is also shrouded in mist. The presence of so many stations in such a small market is a red flag. There simply isn't enough ad revenue to sustain them all.

Another problem with media in Albania is the politicization of the state television and radio agency. RTSH, as it is known, is better described as a state agency than as public media. The OSCE, in its interim report on the upcoming elections, cites "politically motivated appointments," while the State Department, in its annual human rights report, notes "pro-government coverage."

According to local media monitors, in March and April of this year state television allocated almost half of its total news time to the government and a further 20% to the

Democratic Party and its allies. Most of the coverage was positive. The Socialist Party and the city of Tirana, controlled by the opposition, received 21% of the coverage, with the leader of the opposition presented in a clearly negative light.

Opposition party members have complained about government efforts to mute their access to the public. In one case, it's alleged that the government threatened TV stations with the loss of their licenses for running an opposition ad that ran afoul of campaign restrictions. In another, the state bulldozed billboards carrying the message of an opposition party because it maintained they were too close to the road. Other billboards, with similar positioning but carrying non-political messages, were left alone.

While such irregularities are common to the region – and I hasten to add that similar problems arose when the current opposition was in power – they are toxic to the exercise of the democratic franchise. Albania's inclusion in NATO and aspirations to join the EU should require a higher standard of electoral behavior.

Corruption

Albania ranks 85th on the Transparency International index, roughly on par with the rest of the region. The effects of corruption are destructive, leading to the loss of life, property and opportunity. The Gerdec case, which resulted in the deaths of 26 people and the destruction of 4,000 homes, demonstrates how dangerous it can be.

Polling in the early 90s found Albanians to be the most optimistic people in Europe. That is hardly the case today. Corruption has fed a profound public cynicism about politics, leading many people to retreat into private life. This is a self-reinforcing cycle: corruption causes cynicism; cynicism leads to a lack of public engagement; the lack of such engagement reduces the scope for holding elected officials accountable; and diminished demand for accountability makes it easier for corruption to flourish.

I don't want to lay the blame for this solely at the door of the political class. Politicians are also a reflection of the society from which they come. While most people deplore corruption as an inherent evil, an awful lot of those same people will try to bribe a public official or promote a family member when the occasion allows. Seemingly the attitude is: "corruption is bad when someone else does it; but when I do it it's justified."

At the political level there have been relatively few convictions for corruption. The General Prosecutor has pursued several high profile cases, including three involving current or former ministers of the government. Last fall the US and the EU sharply criticized the government for efforts to impede the Prosecutor's office in the investigation of an alleged money laundering scheme. The US currently has two legal advisors working with the prosecutor's office and has provided Albania with close to \$16 million for anti-corruption work from the Millennium Challenge Account.

Conclusion

In closing, I'd like to underscore that Albania is a work in progress. On the one hand, the country has built credible systems to compete for and apportion power. On the other, it suffers from clan-based political and social structures and an informal economy in which everything can be negotiated.

While it's easy to grow impatient over what sometimes seems like an eternal transition, Albania is coming along. These days, the younger generation not only studies abroad, it also returns home, bringing with it the modern sensibilities encountered in London or Rome or New York. The citizenry is shedding old civic habits, like expecting the government to take care of citizens for life, in favor of self-reliance and the energy that requires.

No one I know expects Albania to turn into Sweden overnight. It may take another generation before democratic norms are strong enough to counter the pressures society exerts on them. There is still a lot of work to do. American attention to the country's democratic development remains critical. No other country can do as much to ensure that the local political establishment respects the rules of the road.