



Levizja **MJAFT!**
Shqiptar, mos rri po duku!

Advancing Democracy in Albania Focus of Helsinki Commission Hearing

US Congressional Hearing

Thank you, Mr. Chairman, Commission members and representatives, for inviting the MJAFT (ENOUGH!) Civic Movement to address you today and for convening a hearing on the important and timely topic of Advancing Democracy in Albania in the face of upcoming elections next year. It has been seven years from the last time there was a hearing on Albania and given increasingly deafening allegations of government's misconduct in its dealings with the media and civil society, as well as accusations of wide-spread state capture, this hearing could not have come in a better time.

POLITICAL SITUATION

Since the early 1990's, two parties have dominated the political scene in Albania, the former communist Labor Party renamed the Socialist Party (SP), and the Democratic Party (DP), the first party to emerge after pluralism was introduced. In reality, the scene is rather dominated by the two leaders of the respective parties Fatos Nano, currently the premier, and Sali Berisha of the DP. For the most part, the Albanian political fabric is an ongoing weaving of the corruption of one with the obstructionism of the other. Albania belongs to the minority club of countries still to be ruled by the same two people who did so in the early 90's. At these point of Albania's development all democratic principles are reduced



to hollow rhetoric towards militants and propaganda ribbon-cutting. The population faces a continuous exhaustion from the barren and often petty political fighting and if there were one message, all of our support base at home would unify behind, it would be to usher the peaceful exit of the old guard out of Albanian politics.

As you may well know, Albania is indeed a solid ally in the campaign against terrorism. I stand witness to the overwhelming support the Albanian population, mostly Muslim, gives the United States throughout this effort, including the sending of our very own brethren to Afghanistan, Iraq and all where necessary. We should bear in mind that Albanians at home and abroad would unconditionally support the US effort in a just cause under any government at home. However, one point needs some clarification. Albania's unconditional support to the international effort should in no way be translated into support for a political caste that other than being quick into touting the anti-terrorist horn, it is a disaster to affairs at home. These are the very same officials, whose failing policies are breeding ignorance and illiteracy in the country, which as we know too well can easily become the breeding bed of fundamentalism. Often, US officials point out Albania's stability as a justification for accepting the political status quo. If this is an actual policy of the US Government, then time is certainly ripe to recommend a policy revision. Having studied and received my political formation in this great country of the United States, I would stand disappointed to know that the price of temporary stability in Albania is higher than that of true democracy, and that support for the just cause against terrorism is reciprocated with support to a group actively 'promoting' state capture and intimidation to free media and civil society. Albania cannot be an effective partner in the war on terrorism if it loses its democratic values in the process. Just like the people of Israel, who heading out of bondage in Egypt rushed to slave themselves to an idol for lack of knowing no better than to be under bondage, the old Albanian caste knows no better than to slave to the old communist ways. I strongly recommend that the United States seek to adopt a policy that encourages the



participation of young people into politics, as the only solid of hope for democratic transformation and development.

ELECTIONS & PARLIAMENT

All of us in the MJAFT Movement believe in accountable politics, and are committed to make our politicians more accountable. But how do you do that when the corner stone of representative democracy is twisted? How can you make an elected official be accountable to his constituents when he does not need them to be reelected?

Two thousand years ago Cesar, Emperor of Rome, got Mary and Joseph to leave Nazareth and go to Bethlehem for the registration of the population. Two thousand years afterwards, in the age of computers, the Albanian Government is not managing to complete such task in the registration of less than 3 million people. One can easily conclude that the issue is not a matter of ability but rather of lack of interest. At present, no parties in parliament have shown a real vigor in demanding that such thing happen.

For as long as people are not accounted for, all parties will squeeze heaps of votes everywhere they have a strong commissioner. Such repetitive behavior has become a refrain to Albanian elections. Therefore, Albanian politics has as a result shifted far from representing the interests of the citizens to merely strictly personal or shallow party interests. Recent cases of important voting in parliament have resulted contrary to the wish of most Albanians. These include the striking down of proposals to ban the import of unclassified waste in the country, draft resolutions to compensate the former political prisoners, bills to recognize the case of the Cams (Albanian muslims expelled from Greece during WWII) whose property was confiscated by the Greek government, and initiatives to ultimately settle the private property return legislation and numerous others. The rejection of these bills has certainly alienated the majority of the Albanian public.



The new electoral code has been hailed by most international organizations yet the last elections did not show any major improvement in the quality of elections.

Local election commissions in the voting polls, have created most of the problems that can be divided in two different categories; political and technical.

The commissioners are highly politicized and every time they get a chance to cheat, they do. They are in close watch and receive minute by minute directions from their political party headquarters. Most of the time, instructions to twist, ruin, or boycott the process, have come from party headquarters. Much of this has to be expected when the people that are running are at the same time the people judging the race.

Most commissioners have little or no capacities and are poorly trained as their major selection criteria is not their expertise or professionalism but their militantism, and ability to cheat or at least secure they are not cheated on. As result, a vast number of technical problems arise. Commissioners don't always know where the ballot boxes go and how should they be sent there, how the protocols should be signed and how should the boxes be sealed. Such technical problems were on of the major reasons that the last local elections in Tirana were heavily contested

In the voting registration process during the last election political parties were awarded the right to register or un-register people without necessarily having the consent of the citizens to (re)moved. This action has also lead in massive chaos during voting day and the aftermath has become a subject of public outcry, as noticed in the OSCE/OHDIR report.

It is rather obvious, that the political competition is sharply curtailed given this *modus operandi*. The current trend for competition has degenerated into an obscene race of people who can impose financial and/or criminal influence on the communities. One should not be surprised at the unethical inter-party race, as much of it has its roots in the lack of democracy within parties. Unlike others, the Socialist Party



boasted a certain degree of competition amongst party ranks. As of last December much of that has now become obsolete, given the stage-management of that congress as observed by the Economist Intelligence Unit report.

The MJAFT Movement appeals to the US Congress that it issue a Resolution on Albania's Elections calling for a politically ethical and technically sound process by early next years if the following benchmarks have not been met by December 2004:

- Registration process completed in full
- Lists updated with citizens' consent
- Commissions shifting from guaranteeing the parties' right to collecting votes to the citizens' right to vote and be accounted for.

If these conditions are not met, Albanians will continue to alienate themselves from the electoral process, as proven in last year's election at a less than 50 % of voters, an all-time low.

OFFICIAL CORRUPTION

As we speak, widespread corruption and organised crime continue to be serious threats to stability and progress of the country. According to the 2003 Transparency International Corruptions Perceptions Index, Albania has a score of 2.5 out of 10 (where a country free of perceived corruption receives 10 points on the scale), ranking poorly 92 out of 133 countries.

MJAFT was keen to applaud the passing of the "Law on Declaration and Control of Assets" for public and elected officials. With US Government backing this law had the potential to bring significant change in Albania's corruption score. In return, it experienced the fate of much such sound legislation, it was spoiled in implementation.

Premier Nano was the first to declare receipts of gifts amounting to several hundred thousand dollars for a car and an illegally built apartment building. Allegations abound on



the criminal financial sources of such 'free lunches', while the Premier insisted the gifts came from companies such as Mercedes-Benz. While the company denied such involvement, the Albanian public witnessed another shameful chapter in mal-governance routine.

Many cabinet members allegedly lead offices in direct conflict of interest with the private businesses they run on the side. This is the case for high officials in the telecommunications authorities, the agriculture and foodstuffs imports. The prime minister's wife is often at the center of scrutiny around allegations of using public office to advance semi-legitimate business interests.

At this stage, the Albanian government desperately needs to correct its corruption record and the evident mode of 'state capture'. Members of government should not accept gifts exceeding in the hundreds of thousands of dollars the maximum allowed. There should be clear separations between official's public and private enterprises. Those in violation of such measures, should be brought to justice with highest expediency, and should not exclude high-ranking officials. Support to Albania due to the alliance on the anti-terrorist Coalition should not make up for the misdeeds at home. We are daily witnesses at how the image of the United States in Albania has suffered from US Officials' support - even though half-hearted - to a corrupt administration in Tirana. I was taught in this country's schools and by this country's representatives that good ethics are fundamental to a healthy political system, and thus I urge you to please not compromise these values on the relationship with the Albanian government. In return you shall have the support and gratitude of the Albanian people.

MEDIA & CIVIL SOCIETY

After a crisis in 1997 - triggered by the collapse of so-called pyramid banking schemes - toppled Albania's right-wing government, many hoped the new Socialist administration, unlike their predecessors, would not put pressure on the media and civic groups. In fact, over the last seven years of



left-wing rule, pressure on the media has mounted only within the recent years. Now Nano's coalition government is almost routinely filing legal charges against publishers, journalists and civic groups. The recent multiple charges towards MP and Publisher of Koha Jone, Nikolle Lesi, for publishing official government decisions in which Premier Nano awarded himself 5 bonus salaries, the charges against Tema publisher Mero Baze for questioning the business activities of the Prime Minister's wife, the ongoing intimidation to Shekulli newspaper for having uncovered an illegal lucrative agreement to import unclassified waste into Albania, are all sufficient evidence of the crack down on media. Additionally, charges against the MJAFT Movement for having peacefully and lawfully protested against the government's decision to award the title and office of the 'First Lady' to the Premier's wife, has shown the government's lack of tolerance to freedom of expression.

However, direct pressure from the courts is only one of the pressures the media in Albania faces today. Given the poor economic state, the survival of 20 daily newspapers, together selling a total of only 60,000 copies, in a population of 3 million, is always a challenge.

The Albanian press does not reach about half of the territory of the country given the absence of infrastructure and there are no attempts by the government to stimulate public information to these parts of the population.

Many survive only from the advertising of government institutions or state-owned companies, such as Albtelecom and the Albanian Electrical Corporation. As these are monopolies, which hardly need advertisements, in reality the offer of advertising is a useful carrot - or stick - for the government to use in its dealings with the media to ensure favorable coverage.

When the press and civil society get too critical of the government's wrongdoings, they are at minimum guaranteed 'visits' and intimidation from Financial Police and more recently the government even engages in all out campaigns to sabotage the financing of such media and civic groups.



While we applaud government's efforts towards combating fiscal evasion and regulating the markets, these undertakings should not turn into means of intimidation for those who dare question public (and the more often private) state policies. They should be no substitute as to ignore the fundamental rights to freedom of speech and expression. It is thus urgent, if not too late, that the government cease all efforts to intimidate the media and immediately halt its slander campaigns towards groups like MJAFT (ENOUGH) and others.

TRAFFICKING

A decree of success has been achieved in reducing the problem. One needs more time to evaluate real success, and as the January 9, 2004 (21 would-be illegal immigrants died off the Adriatic coast) tragedy demonstrated the problem is still there and that police forces are highly involved in such trafficking in levels of organizing and facilitating the process.

The matter became an issue of public outcry and a series of protests which MJAFT lead in January. Since then, no serious prosecution work has been made on this issue demonstrating the high level of politically backed individuals involved in trafficking.

Fighting organized crime is a buzz word used for political leverage and international façade but no signs of a serious commitment to fight it and to break the ties of crime with politics, or the law enforcement institutions, have been visible so far. Hardly anyone has been prosecuted for such crimes and a number of police operations have failed due to information leakage by the authorities themselves. Much of the 'catch' the government parades as 'organized crime' would most likely qualify as 'small fish'.



RULE OF LAW

According to *Stabilisation and Association Report for 2004* the Rule of Law in Albania remains deficient. Albanian law enforcement bodies do not yet guarantee consistent enforcement of the law, in accordance with international standards. The rule of law remains adversely affected by the weaknesses of the judicial system and public administration, as well as by organised crime and corruption.

Despite some limited improvements, the Albanian judicial system remains weak. The professional capacities of judges, prosecutors, judicial police and administrative staff remain limited, and infrastructures and equipment are inadequate. As a consequence, the overall performance of the judicial system is poor, as is its perception amongst the general public.

The overall lack of transparency and impartiality affects other important aspects of judicial operations including case management within prosecution offices and courts, and the assignment of cases to judges and prosecutors. Moreover, the courts do not regularly publish court decisions and the availability of those published is not sufficiently wide. The systematic publication of court sentences would increase transparency and contribute to decisions of higher quality.

However, the daunting challenge of the Albanian legal system is dealing with the issue of blood feuds, concerning the North of Albania and affecting more and more the rest of the country. Hundreds of families remain locked at home for fear of revenge killings, being deprived of basic human rights to movement, education, employment and over all the right to life itself. We can not be more firm when we seek of this Congress to exercise any and all pressure on the Albanian government on a solution for the lives of thousands under blood feuds. This middle-age scenario must cease NOW!



CONCLUSION

To conclude on a positive note, the Albanian society has been developing with gigantic steps. One can't help but notice the positive change in people's mentality, the will to work hard and become a dignified part of the western civilization where Albania, naturally belongs. Unfortunately, the Albanian political class has failed into taking the leadership role to propagate this change, and has rather become a stumbling block for progress. Hardly any young Albanian looks up at any of our senior political figures as a role model. Youth have a hard time building visions and setting goals of pursuing a future and starting families in Albania. Failed politics have extinguished hopes, visions and dreams of many young people who aspire to return back in the country and contribute with the education they have received in the west.

Despite all of these, rest assured of our commitment to remain a strong advocate for the people of Albania. The mere fact of us being the voice of Albanian youth here today, brings great encouragement and rekindles hope for all of us.

As you consider acting upon these comments and recommendations, please bear in mind that cutting foreign assistance or disenchanting NATO and the EU from Albania, at this stage harms the Albanian people more than it does irresponsible politicians. However, political support to any group should be based on their democratic performance rather than acts of political convenience.

For all your interest and commitment to advance democracy in Albania, on behalf of all Albanians here and abroad, I owe you much gratitude.

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