

Statement by Fatmir Mediu
To the Commission on Security and Cooperation in Europe
United States Helsinki Commission
Hearing
Advancing Democracy in Albania
July 20, 2004

Mr. Chairman, honorable members of the Commission, thank you for the opportunity to appear here today to serve as a witness and to discuss the state of democracy in Albania.

To be honest, I would much rather, be here today discussing more positive aspects of my country: I would have wished to refer to the pro-American feelings of my people and relate to you, that after many years of dictatorship and the self-isolation my country, Albania is fortunately progressing on the path to democracy.

I am confident that this will happen one day, and I believe that this hearing will assist this process. Unfortunately, today Albania is facing a difficult situation, as a result of an inapt government unable to serve its citizens, and at the same time overly capable in serving the illegal interests of a group of high-powered people.

In great measure this is a result of the influence of organized crime and corruption on Nano government, which is undermining the foundation of the country's and our people's futures. The primary ambitions of the Albanian people are the integration of the country into the NATO and EU. However:

- While our membership in NATO enjoys complete support from all political parties, and we are closer to meeting the military standards of this alliance, we still, remain far from the required reforms and political standards necessary for membership.
- After review of the progress of the SAA process, with the European Commission, we share the same opinion with them, that this process is problematic and moving much too slowly.
- There is no political will in the current government to continue much needed reforms, to fight corruption, nepotism and organized crime.
- The judiciary is far from being independent. It is largely controlled by the government, and filled with corruption.
- The economic situation is deplorable, not only due to a lack of proper economic reforms, but above all due to the government's illegal business and control of the economy, from their monopolies.

Some 46 percent of the Albanians live below the poverty line. Unemployment stands at 38 percent and in some cities, such as Shkoder, it is over 60 percent. As a result over 100.000 Albanians leave their country every year.

2. Elections

By far the main problem in putting Albania back on the democratic track is the inability of Albanians to vote in free and fair elections. Albania has not held free and fair elections over the last 7 years since the Socialists have been in power.

Allow me to briefly present some of the shortcomings and failures of the government to guarantee free and fair elections as reported by the OSCE/ODHIR.

October 2000 Local Elections

The report of the international observers related to this elections, states that the Central Election Commission (CEC), “failed to address problems in the voters’ lists, invalid ballots and election complaints”.

It concludes that the elections did not fulfill international standards for free and fair elections. (www.coe.int/t/e/clrae).

Parliamentary Elections 2001

Fatos Nano tried to manipulate the voting process by camouflaging socialist candidates as independents. However, strong pressure from the international community forced him to put aside this fraudulent mechanism.

But, he then created the infamous case of constituency No.60, in which he prefabricated 9 members of parliament with only 7 thousand votes, thus taking away 8 seats from the opposition. In violation of the law he fragmented the election process into five rounds. In the OSCE/ODIHR report of July 23 and October 11, 2001, underline that because of pressure on the CEC and the Constitutional Court some mandates were not properly allocated and some second round contests that should have taken place were prevented.

Furthermore, the police directly intervened in the election process by stuffing ballot boxes, detaining and torturing Commissioners from the opposition and intimidating voters on the day of the elections. The clear proof of this is this photo album that I submit to this Commission. (www.osce.org/documents/odihr/2001/10/1170_en.pdf)

In order to ensure free and fair elections, the opposition engaged itself in a hard two years' of work, with the assistance of the OSCE Presence in Tirana, to prepare and adopt a new Election Code on a consensual basis.

Local Elections 2003

Immediately after the Election Code was passed, however, the government violated the Code by taking control again of the Central Election Commission. In addition a whole chain of problems followed: the Prime Minister blocked financing to the opposition parties:

Voters were massively prevented from voting because of problems in the voters’ list created by the government. The final ODIHR report stated that local elections did not meet OSCE and international standards for free elections. (www.osce.org/documents/odihr/2004/02/2172_en.pdf)

3. Concluding remarks and recommendations

Organized crime and corrupt officials, clearly tied to the government have by now their own clear-cut agenda, which means that if we fail to take concrete measures, in the next parliamentary elections, we will see the victory of many MPs, who are implicated in or will be representatives of crime and ‘dirty money.’

This would, undisputedly, constitute a threat to the stability in the country, in the region and beyond. Also, organized crime and corruption are a safe shelter and fertile breeding ground for terrorism.

The last elections were evidence of the fact that publicly denounced individuals, involved in crime and smuggling, connected to Fatos Nano, managed to be the candidates of SP, manipulate the elections and gain control of important areas of Albania.

Now the Albanian Government ranks among the most corrupted countries in the world and because of this failed to qualify in the Millennium Challenge Program.

Having free and fair elections is of the vital importance for Albania. To make this possible we need assistance from the United States government and Congress. In addition the following ought to be considered:

1. **Assurance of political will to enable free elections.**

Nano Government does not have such a will. There are also indications within the party in power, that it does not enjoy the necessary majority to govern, because of splits within this party due to corruption.

Albania could head towards early elections, but without electoral reform, we will not be able to respect the votes of our citizens. **Previous experiences have shown that a Transitory Government, supported by all political parties, constitutes a solution for free and fair elections.**

2. **Immediate implementation of OSCE /ODHIR recommendations**, involving in electoral reform not only political parties, but also active parts of the civil society.

Alteration of the electoral system, from a majority to a proportional one, which diminishes, to a certain degree, the possibility of candidacy from elements implicated in crime. It holds the political leadership of the parties, even more directly accountable for their political behaviour.

3. **Balance of structures responsible for election management**, especially of the CEC.

4. Setting up facilities and ways to **check the voting process**, from as many political parties as possible.

5. Preparation of the **final voters' list**.

6. Arrangement of the **electoral zones in order to bypass gerrymandering**.

7. **Drafting and adopting the law on financing political parties and electoral campaigns**.

8. Drafting a **law on conflicts of interest**.

9. **Reduction of immunities for politicians**, in order to open up ways for the execution of justice.