

ALBANIA'S 2005 PARLIAMENTARY ELECTIONS: HOW FREE AND FAIR WILL THEY BE?



March 21, 2005

**Briefing of the
Commission on Security and Cooperation in Europe**

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The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

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In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

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The briefing was held at 3 p.m. in room 2212, Rayburn House Office Building, Washington, DC, Robert Hand, Staff Advisor, moderating.

Panelists present: Nikolai Vulchanov, Deputy of Election Department, Office for Democratic Institutions and Human Rights, Organization for Security and Cooperation in Europe; Dickson Bailey, Project Director for Albania, IFES; Jennifer Butz, Resident Director for Albania, National Democratic Institute for International Affairs (NDI); and Nesti Gjeluçi, Assistant Program Officer, the International Republican Institute.

Mr. HAND. I think it's time to start. I would like to welcome everybody here this afternoon to this briefing of the Commission on Security and Cooperation in Europe, better known as the Helsinki Commission.

My name is Bob Hand, and I'm a member of the Commission staff. I'm responsible for following developments in Albania, as well as several other countries in Southeastern Europe.

Our topic today, of course, is Albania, but specifically the prospects for the parliamentary elections coming up this summer in that country. How free and fair will they be?

This question is important, and not just to the citizens and voters of Albania. Albania is a key country in a changing region of Europe. The region has received considerable international attention and needed resources, from the United States and Europe in particular, for well over a decade now. But it is now becoming ready to join the ranks of the contributors to security and economic opportunity through integration into European and Euro-Atlantic institutions.

Of course, each country is at a different state of preparedness for integration.

Looking at Albania as a whole, I think there is a little question that the country is a good friend of the United States, perhaps one of the most genuine friends we have in Europe.

I also believe that Albania is certain that its future lies in Europe, from which it had been so cruelly separated during the dark decades of communist rule.

The challenge for Albania today is not on deciding which direction to go—I think that is clear—but on finding the means to get there.

Albania's democratic development and adherence to the rule of law have been paddling together against an outgoing tide of organized crime and official corruption, along with political stagnation at times.

Democratic development and the rule of law can make gains, but they often weaken and sometimes drift back.

The quality of the upcoming elections, in my view, could shift the tide itself and help Albania reach the shoreline.

This was a general theme of a hearing held by the Helsinki Commission last July on advancing democracy in Albania. We have provided a more detailed summary of that hearing as an article from the Commission's newsletter, the CSCE Digest, which was on a table just outside this room.

Today's briefing is a direct followup to that hearing, looking specifically at Albania's preparedness to hold free and fair parliamentary elections.

I have had the opportunity to observe previous parliamentary elections in Albania in 1991 and 1992, 1996 and 1997, and last in 2001.

At times, these elections have been placed in the context of the country's recovery from communist repression and isolation or the degree of instability and conflict in the Balkans, which set every country in the region back to some degree.

Elections might be evaluated based on whether they took place with little or no violence or if they represented an improvement over previous elections.

Judging by E.U., U.S., and other official statements in this past year, however, I believe that such indicators have been rightly eclipsed by the actual standards for free and fair elections adopted earlier by Albania and all other countries belonging to the OSCE.

The critical tone of international statements reflects concern, of course, but it also reflects a positive expectation that Albania can meet the standards for free and fair elections, if the country's leaders make the effort.

It also reflects support for the people of Albania, who deserve nothing less.

The OSCE and others have worked hard to help Albania lay the groundwork for free and fair elections, and some of the key organizations in that effort are represented here today on the panel to discuss how things look and what may still need to be done in the coming months.

First, we have Nikolai Vulchanov, deputy head of the election department at the OSCE's Office for Democratic Institutions and Human Rights, often referred to as ODIHR. Nikolai has been a close observer of Albania's electoral process and is known for his expertise and dedication to the important details others often miss.

Next, we have Dickson Bailey, project director for IFES in Albania, which has provided not only expertise but considerable technology to helping Albania with this year's elections, trying to address the recommendations made by the international community based on previous electoral processes.

Our third panelist this afternoon is Jennifer Butz, the resident director in Albania for the National Democratic Institute for International Affairs, or NDI, engaged in a variety of projects in Albania and able to comment more broadly on the prospects for the elections in Albania this year.

Finally, we have Nesti Gjeluçi, an assistant program officer for the International Republican Institute, or IRI. While IRI does not at present have a field representative in Albania, it has done considerable work there over the years and continues to watch the situation very closely.

In preparing for this briefing, I recalled how my interaction with the organizations represented here today actually began first in Albania in 1991 and 1992.

I had worked with IRI staff traveling in the former Yugoslav republics in 1990, but it was in Albania in 1991 that I first saw them look into doing more than just observing elections.

I first worked with NDI staff also looking for opportunities to assist at those same Albanian elections in 1991.

The country's parliamentary elections 1 year later were the first for me in which ODIHR, which was then known as the Office for Free Elections, was present, and saw the office work with what was then a small number of observers to coordinate and share information.

It was at those same elections that I first met a representative of IFES, who was advising Albania's Central Election Commission.

I want to thank, therefore, not only the individuals on this panel for agreeing to participate in this briefing, but the organizations they represent for getting them here, in some cases fresh from overseas, and for the many years of work on behalf of democracy in Albania.

So with those introductions, I will start with Nikolai Vulchanov and each of the panelists, who will speak for several minutes, highlighting their views of Albania's preparations for the upcoming elections. And then after that we will take questions from the audience.

Nikolai?

Mr. VULCHANOV. Thank you.

Well, if I can continue along the lines that Bob mentioned, my first OSCE assignment was Albania in 1992. It was a seminar of the Central Election Commission, and also serious mission as already a staff member of the OSCE was 1997. That was the election after some disturbances happened in Albania.

So, since then, I've spent a lot of time in the country. I've worked with many people there. And I guess I know the country to an extent that allows me to sit here at least.

I was also head of the election observation mission in 2001, so I will not go back, but just say that the municipal elections in 2003 did show significant improvements compared to 2001 parliamentary elections, and these improvements were found in the campaign, in the media, in the handling of the appeals, in the behavior of the election administration, and also in the police behavior on election day.

These were improvements which were noted by the election observation mission in 2003 and are recognized widely.

On the other hand, in 2003, we found that there were a few problems which had a deep root in Albanian elections. These were the composition of the elections administration and the accuracy of the voter lists. These problems, they remain to be addressed, to a large extent.

After the municipal election, I can note two key issues which marked improvement. The first one was that the significant majority which the incumbents held on the election commission is now a little bit diminished. And the second one is that the electoral map of Albania is improved compared to what it was in 2001.

In both cases, these improvements are clear. However, that is not the final solution of them.

On the Central Election Commission, although now the incumbents do not have a qualified majority, the problem of interaction between the two groups in the Central Election Commission is very clear and quite acute at the moment. And it reflects the lack of trust in society between the key political stakeholders.

And I think we'll have to work on that still more.

Our recommendations from 2001 and from 2003 were partly met, but only partly. What we wanted to see in a Central Election Commission was a commission which, while having the main political interests represented, conducted duties professionally and efficiently. And we have yet to see that. We look very much forward to see that during the election.

But I think there was a possibility for one more step to be taken in that respect, which the main players decided to postpone.

As I mentioned, the second area of improvement was the electoral map of Albania.

We found in 2001 that there was quite a big discrepancy between the big zones and the small zones, the constituencies.

And now the key players have agreed to introduce some changes in the previous electoral map, which definitely provide for more uniform constituencies, although what they agreed was less than the experts proposed.

So after the 2003 elections, and until this time, there has been progress. This progress has been facilitated quite efficiently by the OSCE presence in Albania, our colleagues, with whom we are working together. But there might have been more.

Again, if we are talking about the time after the local elections, there is an important decision which the political parties achieved by consensus. They decided to introduce a centralized count of the election results, basically meaning that instead of counting the votes in the polling stations, now the votes will be counted in the constituent.

This experience is new to Albania. I've seen such a count only on one occasion, in the United Kingdom, and it is good that all the parties agreed to that, but how this will be implemented we have yet to see.

If one draws experience from the long-term practice in the United Kingdom, where this practice is implemented everywhere, there are a few differences which are present in the Albanian solution. And the key difference is related to the fact that, if one decides to make a centralized count, at least the practice I've seen is to empty all boxes on one table, mix up the ballots, separate them by candidates, and then start counting the votes for the candidates.

And what the Albanians intend to do is to count the vote box by box. I don't understand the rationale for this solution. I only mark the difference between what is the practice when such solution is implemented.

While the parties agreed unanimously on that solution, apparently they didn't trust each other too much, so they decided that those who will do the counting physically will be appointed only 2 hours before the count begins.

So they decided that those who will do the counting physically will be appointed only 2 hours before the count begins.

This will put a lot of pressure on both the counters and all other administrative personnel involved.

The smaller parties expressed reservation to this solution, to the fact that according to the law in the counting hall, there will be two party observers and probably these will be the representatives of the big players in the Albanian political landscape and also representatives of all candidates.

So the small parties which pushed to have candidates did not get it.

Now, this is something which diminishes transparency. On the other hand, the key rationale for such a decision, according to those who negotiated, was that the premises where such countings take place are small and there will be not enough space for many people to stay.

And the remaining problem, which I think my colleagues can agree to call a missed opportunity, is the accuracy of the voter list.

I think that there were serious discussions in regard to how to improve the voter list. And some solutions were reached by agreement. For example, it was agreed that the soft data for the voter list should be taken from the civil registers, from the municipality books for births, for deaths, et cetera, and I think this is a very good solution, because this is the authentic information for the citizens in each country.

Another good element of the solution, at least on paper, was that the whole responsibility for the voter list will be vested with local government. This is also something which we see frequently in continental Europe.

However, the parties apparently did not reach an agreement how to check the accuracy of the data across municipal borders for possible duplicates and how to organize that administratively and technically. So this problem remains open, to the best of my knowledge, and is even subject to some controversy in the last days.

There will be a meeting between the opposition and the management of my office within the next 10 days. Probably this will be the main issue which will be put on the table.

Our office issued a nonpaper in May of last year which was distributed to the parliamentary groups, to the government, and to the international community in Tirana, which outlines our views on how the voter lists should be organized.

There are a number of things from this nonpaper that have been implemented. There are others which have yet to be implemented.

So we'll have to see how the mayors will manage to produce the voter list this time, but I think we could have been much safer if the exercise had started a little bit earlier, a little bit earlier meaning a year at least.

I strongly believe that the office will observe the elections with standard methodology. We have scheduled a needs assessment mission to take place in Albania during the week of the 11th of April.

We'll be meeting the government, election stakeholders, the parliament, anyone who wants to talk to us, to try to build an accurate picture of the situation to date and to be able to plan as best as we can for our election observation.

I'll conclude by saying that all of us feel that working in Albania is merited because the country is moving ahead. All of us, however, would be happy to see that movement to be a little bit quicker.

Thank you very much.

Mr. HAND. Thank you, Nikolai.

Dickson?

Mr. BAILEY. Thank you, Mr. Chairman. Fellow panel members.

I'm pleased to be here today to represent IFES and to outline some of the things that we have done, but also, more importantly, to begin to talk a little bit about some potential problems that we see in the coming election.

IFES has been active in Albania since 1991, in the provision of technical advice and the procurement of supplies, and for the elections in 1992, with which many of you began your experience in Albania.

I have been the chief of party for IFES in Albania since May 1999. And since the Central Election Commission was established in 1998, through the constitution approved by the national referendum at that time, we have been working directly with them, advising on all aspects of the technical operations of the election and administration.

So we have focused on the building of a professional capacity within the commission and the improvement of the management of the elections to meet international standards.

We have also worked cooperatively and closely with OSCE, with the CEC and with local government authorities to create an infrastructure and revision provisions that can be used for the development of a national voter registry database.

This activity has led to a more recent activity, which is the provision of maps—maps for all urban areas—and for the first time the provision of maps that show polling units, in addition to street names, city landmarks, et cetera.

A lack of street addresses in Albania, as well as the lack of personal identification numbers, has made it very difficult to prepare an accurate voters list in the past. And so, hopefully, this process will make a contribution.

USAID has largely funded the IFES program in Albania. However, OSCE, individual European donors and Canada have also made significant contributions.

The Government of Albania, through the Central Election Commission and the Ministry of Decentralization and Local Government, has also made major contributions directly through financial allocations and very significant in-kind services.

I want to raise four specific issues that I think have the potential of creating difficulties in the next election. Some of them have been raised by Nikolai. Maybe I'll look at them from a little different perspective.

Let me begin by the voters list. Frequently, the voter list is a major political issue in almost any country that I'm aware of. Albania is no exception.

Five years ago, a very conscious decision was made by the Albanian authorities with the support of the international community to prepare a national voter registry database that was drawn from the civil registry of each community and which then could be

updated and verified regularly, because of the high degree of population mobility and the very significant inaccuracies within the civil registry itself.

The task has been very controversial, and it's been subject to numerous allegations of manipulation.

Most of those allegations have been investigated by ODIHR. One time the database was also subject to a third party audit.

The database has been updated over the last three elections, and it is and continues to be the only national database that is capable of finding duplications entries and to begin to identify where people actually live.

In September 2004, the national assembly of Albania approved a new law on the registration of the population. The new law requires that each municipality, under the authority of the mayor and with some direction provided by the minister of local government, identify where each resident lives, according to a number assigned to each building. And the IFES maps, digitized maps, have been used for that purpose.

The information gleaned from the population registration was to then be compared with the civil registry with the building code numbers entered into the fundamental register, because they lacked any other address.

With the completion of this task, which was the 28th of February of this year, each mayor is to prepare a preliminary list based on this new information, but also based on the civil registry, with the digitized maps provided by IFES allowing them to designate people into the proper polling units.

This latter task is outlined in the recent changes to the election law.

The difficulty is that the changes to the election law specifically omit any national authority to oversee and to assist in the process. So the national voter registry database will not be used as a tool to aid in the removal of duplicates.

Depending on the quality of the work performed by each individual mayor, there is the potential of having a voter list with a substantial number of duplications. This issue has already been raised by Nikolai.

In addition, the mayors are going to have a great deal of difficulty in dealing with the thousands of names in their civil registry of people who do not live in their community.

In the city of Korce, for example, a city of approximately 90,000 residents, there are 20,000 names found in the population registration who are on the civil registry but are not found in the city.

Now, it's not possible to go into too much detail on this issue today, but I think I've probably said enough to indicate that there is the potential for considerable controversy over the list from both a technical, as well as a political perspective.

Indeed, some of the recent comments by political leaders would indicate that that controversy has already begun.

The second issue I want to raise is the continuity of local election commissioners.

At the local level, all election commissioners are nominated by political parties and then appointed by the Central Election Commission. And there's a formula to ensure that each of the two major political forces each has the chairmanship of 50 percent of the commissions.

Secretarial positions to the commission are also allocated 50–50 on a political basis.

This is all done by lot.

In the last three elections, a pattern has been established whereby parties request the CEC to replace one of their appointments at any time, and the CEC would then comply.

The new election code legalizes this process, meaning now that the political parties can, at their discretion, remove a commissioner at any time, including election day, and the CEC has no longer any control over this process and there's no requirement that the CEC be notified in advance.

In a close, contentious political contest, this can lead to considerable problems. For example, uncontrolled replacements often mean that new members are not trained and they are unfamiliar with the legal protocols and procedures, all of which can result in the contestation of the results.

The third issue is the decisionmaking at the CEC. While the CEC is a constitutionally established state institution, and as such is to be independent of political influences, unfortunately the CEC has become more and more politically charged.

Recent amendments to the election code have created a ridge of bloc voting based on political interests. There is a clear 4–3 division within the CEC that does not change. They are not crossing over on issues.

And the difficulty will come with a declaration of final results, which requires a supermajority or 5–2.

In this atmosphere, the 5–2 requirement, given the country's current political environment, may prevent—may prevent—the CEC from making a clear and unbiased decision when the time comes to declare the final results.

Fourth, I want to raise another issue that Nikolai has already raised, which is the counting of the ballots.

Recent changes to the election law mandate for the first time that counting of the ballots be done in a centralized facility. And this is a potential improvement to the law.

However, the rules and procedures that have been formulated make the process very difficult to manage and could substantially delay the declaration of the final results, giving rise to the speculation that the election authorities are trying to manipulate the results, when in fact all they are trying to do is to adhere to the law.

I'll just give one little example. The results must be declared by 5 o'clock after the close of polls the next day. But, with the process that Nikolai's already referred to in the test that has been done by the CEC, it's physically impossible to do it in that timeframe, even with no controversy over how to allocate a certain ballot—dealing with rejected ballot processes.

So, in conclusion, while it's always impossible to keep political interests out of an election administrative process everywhere, this continues to be a real and difficult challenge in Albania.

And this challenge can only be met through legislation, formal agreements, and the development of a trust and respect between the political parties and the independent election administrative bodies.

And this need for trust continues to be the primary issue facing the Albanian election process.

Thank you very much.

Mr. HAND. Thank you very much.

Jennifer?

Ms. BUTZ. Thank you very much, and thank you very much for the invitation to join the panel. And thank you for inviting the National Democratic Institute to offer our insights and observations regarding the upcoming parliamentary elections in Albania.

NDI is a nongovernmental, nonprofit organization supporting democratic institutions and processes worldwide.

I have lived in Tirana for more than 3 years as country director for NDI, which manages the Democracy and Governance in Albania program, funded by the U.S. Agency for International Development.

NDI is pleased to be joined in this new 3-year program by Partners for Democratic Change as well as IREX.

With USAID support, NDI began its work in Albania in 1991, helping to nurture voices of democracy as the country emerged from decades of Communism and self-isolation.

Building on those efforts, NDI has, in the last 5 years, worked with approximately 700 reform-minded members of 10 political parties across the political spectrum and with more than 5,000 citizens in the political participation and advocacy program called Civic Forum.

Albania's last parliamentary elections in 2001, though flawed, did see progress in the reduction of violence and in some technical areas. As we've just heard from Dickson and from Nikolai, 2003 saw slight improvements along those lines as well.

In this election cycle, Albania still has the opportunity to hold elections that reflect the spirit of international election standards. To do so, Albanians must overcome long-standing political challenges that have marred past elections.

Election and judicial officials must apply technical expertise and legal authority in strictly nonpartisan fashion.

Political leaders must demonstrate political will and consensus through action and not just rhetoric, to prevent corrupt practices such as media bias, voter list tampering, vote buying, ballot box stuffing, and improper proxy voting.

And other actors—NGOs, media, candidates, and ordinary citizens—must take on their obligations as voters, as monitors, as advocates and reporters, actively and responsibly. They, too, as never before, will affect Albania's election processes.

A genuine election process will strengthen the country's political fabric, renew opportunity to promote transparency and accountability within government, and to enlarge the space in which civil society and politicians can interact and move Albania toward NATO and E.U. membership.

In short, there is a lot at stake.

As the other panelists have already covered the legal framework and the election administration, I will devote NDI's remarks to the political and civic actors whose ability to overcome long-standing challenges will greatly affect the conduct and the outcome of these elections.

As for the voters—vote buying and influence peddling reflect corrupt practices that extend well beyond election day. People generally know what their neighbors and friends are doing, and often they know who has sold their vote.

Citizens who do not sell their vote risk being pressured and labeled “uncooperative.” Those who sell their votes prosper from election to election, confirming suspicions of influence peddling and deepening public cynicism as to the real purpose and benefit of elections.

Too often, one’s vote is about market value rather than democratic virtue.

Another challenge for voters is uncertainty where to vote and how to register and, for women, so-called family voting in which the male head-of-household votes for all registered family members diminishes women’s political voice and encourages lower female participation.

In 2003, the ODIHR reports noted that family voting occurred in 30 percent of polling stations, if I’m not mistaken. My own observation of family voting during that election cycle was actually far higher, noting in 27 of the 30 voting centers that I visited in Durres and Tirana.

The international donor community and we who implement democracy programs are engaged and are more coordinated than in previous election cycles.

NGOs are beginning to educate voters, men and women, about the mechanics of voting; for example, to confirm their names on voter lists and to identify their polling stations ahead of election day.

NDI is helping local civic groups orient the vote around public issues by surveying people and relaying their constituent platforms to candidates standing for parliament. The message here is that citizens can influence the policy priorities of those who purport to represent them, and that their vote does count.

After elections, in part through the Civic Forum program, these documents, the constituent platforms, create a basis from which to monitor the extent to which voter concerns are addressed after election day.

As for nongovernmental organizations, a key election challenge is the less than transparent political affiliations of some NGOs. The two main parties have created NGO advisory councils that are, in fact, part of the parties’ election campaigns.

It is important that NGOs participating in these councils make clear their partisan affiliation by making public, for example, that their members are candidates of a particular party; otherwise, lines between partisanship and nonpartisanship are blurred, further deepening public cynicism.

The NGO sector affords tremendous opportunities for citizens to contribute to election transparency and fairness.

Under the banner of the Albanian Coalition Against Corruption, or the ACAC, supported by NDI and our partners, seven NGOs are spearheading a domestic nonpartisan monitoring project on a scale not seen before in Albania. The goal is to train and deploy more 3,000 citizen monitors to 60 percent of Albania’s polling stations spread across the country.

It is a challenge to organize a logistic operation of this size, and there is ambiguity in the election law about the ability of nonpartisan monitors’ access to polling station protocols to verify results. But the NGO is ready to make a strong effort.

NGOs are also going high tech, with plans to create Web sites. Those with Internet access can compare candidates and party platforms, look at voting records of incumbents, and find other useful information.

These initiatives are important to make young people vote with their conscience rather than their feet, which has increasingly been the trend.

For media, rather than provide voters with comparative platforms, voting records of incumbents or other objective information from which voters may form opinions, the media often act as a vehicle for unsubstantiated information, innuendo, and rumor, further lowering public expectations of a clean election.

Meanwhile, journalistic self-censorship for fear of retribution is common. Few journalists have work contracts, leaving them exposed to summary dismissal or other coercive methods if they offend owners or power brokers.

On the positive side, civic groups and media outlets, with assistance from NDI and our partners, are collaborating to produce televised candidate debates to enable voters to directly be informed and thus able to make more wise and informed choices.

As well, an NGO media-monitoring initiative under the ACAC banner is under way, although it remains too soon to see if this effort will produce the qualitative assessment of media bias that can genuinely be presented to voters in timely and accessible fashion.

And then for political parties, we've heard both Dickson and Nikolai discuss this role. There are in fact reform-minded politicians in all Albanian political parties, many of whom are climbing the ranks, and NDI is proud to support them.

Their cause, however, is challenged by internal party machinery that too often supports personality over principle, rewards loyalty rather than vision, and centralizes power rather than sharing it among its members.

The casualties are transparency and accountability; the victor too often is corruption; and at the end of the day, the public interest is just not served.

An NDI initiative, "One Member, One Vote," has led seven major parties to commit publicly to verifiable efforts to include registered members in deciding party affairs.

Several political parties are already using "One Member, One Vote" to decide on candidates and party representatives on election commissions. This is a small, but concrete, step to change how parties operate internally, and through their members, reflect the broader public interest in their decisions.

Another NDI initiative is a political party code of conduct that publicly commits parties to verifiable standards of ethical behavior during the election campaign, such as avoidance of political violence, condemnation and especially investigation in case such violence occurs. Ten parliamentary parties began reviewing a draft code just today.

This and the other initiatives mentioned are important first steps in using the elections to promote an idea that political parties are accountable to the public and need to acquit themselves in a manner that merits public respect.

Good elections depend on a sound legal framework, effective administration, and most certainly, political will before the election, on election day and after the votes are counted.

Having rescued itself from social anarchy in the late 1990s, Albania today enjoys relative political stability, yet it needs to step forward to make its political system not just stable, but democratic.

These elections provide both opportunity and risk in this regard. Dreams of Euro-Atlantic integration hang in the balance. And unless there is a significant change in political will, genuine elections again will prove elusive.

NDI and our program partners and an increasingly well-coordinated group of international organizations in Albania are supporting the thousands of Albanians working to make these elections succeed.

Each step taken, checking one's name on a voter list, confirming one's polling station, monitoring political party conduct, holding candidate debates, observing the voter process and overseeing the ballot count, are each an important step.

Differences will, no doubt, occur. They do in established democracies. How those are managed, however—politically, the level of fairness, transparency, and accountability demonstrated—will be of paramount importance.

Albanians are by turns weary and hopeful, as they head toward these elections. If voters can make informed choices and see their votes respected, Albania and its democracy will be well-served.

The difficult decisions are for Albanians to make. Ultimately, the desire and ownership of free and fair elections with all the attendant actions these demand must come from within the nation.

Thank you very much for your time and attention.

Mr. HAND. Thank you, Jennifer.

Nesti?

Mr. GJELUCL. Thank you.

I'm just going to try to keep this brief, if I can.

First of all, thank you, Mr. Chairman, and everybody on this panel and everybody in this room for coming to this event.

I just want to say, first of all, that everybody in this room, everybody that's been reading Western media or domestic media will agree that Albania has been going in the right direction, that elections over time have been improving, starting with the early 1990s, and with a bad drop in the mid-'90s, in 1996 and in 1997.

When we read these academic papers or we hear speeches, we often find, to this day, comparisons to these times, comparisons to the mid-'90s, to late 1990s and how things are going now as compared to these times.

While that is a good positive spin, I think we are living in different times today. And it's time to raise the bar and raise the standard for Albania a little bit more than we have.

First of all, let me say a couple of things about the institute that I represent.

The International Republican Institute has been in Albania since 1991. Not counting Albania—this year we closed the office there. We're still hoping to go back. We started in Albania with training of political parties. It was, as you all know, after the fall of communism. That was sort of the focus of the work of us and NDI and other international organizations.

By 1997, we switched our work mostly to institution building, with the parliament mostly and with civic organizations.

It has been a long presence in Albania of IRI, NDI, IFES, OSCE, and other organizations that have helped significantly in a process of the Albanian democratization.

To go back to what I was saying about the standards in Albania today, it's just that, unfortunately, we see those references to either the good old days of the early 1990s when the hopes were high or the bad days of the mid-'90s and the late 1990s, of the pyramid schemes, when the country almost went to civil war.

And I really think that, since a lot of countries, neighboring countries, are already knocking on the door to enter European Union, to enter NATO, or are already in, Albania, being where it is today, should be held to the same standards. There's no reason to hold it to the standards of the Albania of 1996 or 1997 or earlier.

I think I probably will repeat too much if I go into the details, and here we have people that are from the field and are actually doing more election work than we are.

But just to say, actually, a lot of positive things are being seen already in Albania in the field, even including the work of the CEC, the Central Election Commission, the voter lists, even that is—as you heard before—a lot of problems are still anticipated.

The campaign, the political campaign, as of now, I think, is actually looking better than it has in the recent past. There's much more substance, there's more party platform debates, as opposed to name-calling that has been happening in the past.

CEC still, relatively speaking, is in a much better shape. The parliament, as you know, has passed, this year, starting with January through March, significant electoral law packages that address these problems—problems that were raised in the recommendations of 2001, 2003 elections from ODIHR and OSCE.

Having said that, I want to also say that what you can also see these days is an increase in pressure among the international organizations on Albania, which I think is really good news. And I think the pressure should be even higher than it is today.

If you just browse the Wall Street Journal, Financial Times, as big as these newspapers, or even domestic newspapers in the region, and of course Albania proper, you see a lot of comments and quotes from the officials that are directly involved with election reform, putting pressure on the Albanian officials and institutions to speed up their work to improve the election reform ahead of the elections of July of this year.

And to quote only a couple of them: "Time's running out," says one that was dated March 17, that OSCE sent to the institutions in Albania, to respected institutions in Albania.

Or, to quote the Wall Street Journal from a couple of days ago: "Albania's aspiration to join the bloc would be seriously undermined if the elections did not meet the international standard."

So the message, pretty much, is clear from international media, Western governments, and the institutions that are directly involved in Albania, and that is that elections that are simply better than the ones that were before are not good enough. The elections have to be free and fair. Period.

That's the standard. It's the standard for Bosnia, for Macedonia who just went through elections, for Croatia. For every other country around the region that's the standard.

And like I said, there's a lot of positive signs that there are a lot of people with authority are getting that message. We will hope that the message will be really clear by the time we hit the July 3rd.

Mr. HAND. OK, thank you.

As I mentioned at the beginning of the briefing, we'll go to a question-and-answer period.

Nikolai had referred to the smaller parties and their concerns over the transparency for the counting, since there's going to be limits on how many people can observe.

And I think Jennifer also made a reference to smaller parties, but more in the sense that some of the reformers are in the larger parties, but they have a difficult time either changing their parties, or, if they leave them, continuing to have an impact in a new and smaller party.

And it raises a question in my mind whether we have been able to get this year the Democratic Party and the Socialist Party, the two largest parties, together to come to agreement on how these elections might be run, at least a general agreement.

If so, how much input have the smaller parties had in this process? And, indeed, will these elections as they are currently set up, will they in any way facilitate alternatives to the two largest parties that now exist in Albania today?

And I ask this question to any of the panelists that would like to respond.

Mr. BAILEY. Maybe I'll start.

The changes in terms of the parties appointing members to the commissions does mean that there are fewer smaller parties being represented.

I would point out that in the past, however, many of the smaller parties have gone to the bigger parties to get their representation, because they didn't have enough people to appoint to these jobs.

And we dealt with this in a survey from IFES two elections ago, where we did actually ask the commissioners their party affiliations, and both the SP and the DP had over 100 percent; meaning a number of the smaller parties had gone to them and said, "Can you give us somebody to represent us at the local commission level?"

I think the answer in part to your question, though, is more important in the context of the pre-election coalition breakdowns, in the sense that this election will not have the preelection coalitions that we've had before.

And so the prospect of fewer parties getting into parliament is higher, because they got in through pre-arranged deals with the bigger parties in the past.

So now if they have to stand on their own, or a 2.5-percent threshold, because that's the only way they'll get in, is through the proportional vote, then I think we'll find a smaller group.

But I think it's also fair to say that they have not had the same input into the changes in the law in the last three or 4 years than they've had before.

Ms. BUTZ. Dickson and I were counting up just how many commissioners are going to be needed to make this election come off, about a week or so ago, and the number's truly staggering. It's something like 40,000—

Mr. BAILEY. Closer to 48,000.

Ms. BUTZ [continuing]. 48,000, and so the likelihood of the smaller parties needing to come forward in some capacity to play that role actually increases.

Now, will that actually create a significant voice for them? I'm not quite so sure. But there's simply not any other way that that many bodies are going to come forward unless there is some participation on the part of the smaller parties.

In addition, one of the activities within the Democracy and Governance in Albania program is that we have 75 political party activists, and they are obligated to have nine action programs, four of which take place prior to elections. One of them is party poll watching.

So we are currently getting some training in 10 political parties; 8 of them are the smaller ones.

So we hope that that will also facilitate some mobilization, although I think I agree with Dickson, their level of having been brought into this process is pretty low so far.

Mr. HAND. Did you want to comment as well, Nikolai?

Mr. VULCHANOV. Well, the question with the small parties is not exceptional to Albania. Small parties always can create pain for the big parties or can help them, depending on how they communicate with each other.

My impression is that those parties which cannot be named major players, but were definitely politically visible, they have completely different type of attitudes toward different issues which were on the top of the agenda in the past month.

For example, when the question about those who could be present in the centralized count was raised, small parties were very active, and they wanted to have access to see how this would work, obviously.

On the other hand, they were not very much interested in the drafting of the electoral map, of the constituencies, because they clearly felt that the likelihood for some of them getting a seat through the single-seat constituency system was marginal.

So there have been clear attempts, from my point of view, to involve the smaller parties in the negotiations about the law, about the constituencies, about any other issues which were discussed, but the interests of the small parties toward any particular issue was determined by the rate of interest they had in that issue and the stakes they had in that.

QUESTIONER. Thank you, Mr. Chairman.

We have paid special attention to your hearings, and I would like to thank you on that. This shows the deep concern of the U.S. Government and the U.S. Congress regarding elections and democracy in Albania, and I would like to thank you again about that.

And I also would like to thank the members of the panel, Mr. Volchanov and the others, for their efforts and devotion that they have given to the Albanian democracy in those other past years.

Meanwhile, I'd like to ask a question for Mr. Vulchanov, as he was the special representative of the international community during the past local elections in 2003.

During those elections, in the first round, there was a failure due to the manipulations that happened. And to bring some peace to this process, after the first round, Mr. Vulchanov interfered and tried to settle the high temperature of the situation.

So Mr. Vulchanov did say that there were 150,000 Albanian voters who were not included in the first voters list, and there was not allowed a second round of elections. But there was a revolt on October 27, 2003.

Even in these three votes, those Albanians were not included on the voters list—150,000, 10 percent of the total under of voters in Albania at that time, were disenfranchised and denied their right to vote.

I would like you, Mr. Vulchanov, to comment on that because, as a special representative of ODIHR and the international community, you did not give the right to the Albanians to vote who were not included in the voters list.

Can you comment on that?

And the second question is: How do you comment the last day's event which you said that you are going to meet with the opposition party? The law enforces the Central Election Commission to send all the lists of electors who were recorded in 2003 in hard copy to the local authorities.

And it will be the National Register's Office to retrieve all those registers from local authorities to clean them up of duplicated names, fulfill missing names and compile a national, accurate register.

In a flagrant violation of this law, as well as breaching the decision enacted by unanimous decision of the Central Election Commission taken on September 22, 2004, its chairman, Mr. Ilirjan Celibashi, has given the data and information to the social minister of local governments, Ben Blushi, information to the socialist minister.

This is a pure violation of the law and a pure tendency to enable Mr. Blushi to manipulation those elections.

How do you comment on those questions? Thank you for the attention and sorry for taking so long.

Mr. VULCHANOV. Thank you very much.

I think there is some misunderstanding, because I have never been a special representative of anyone in Albania. So if you would like to clarify what exactly you meant, probably that will ease my answer.

But in 2003, I was in Albania probably a month and a half after the election on one occasion, but I wasn't a representative.

I was head of the election observation mission in 2001.

So, you know, this will determine part of my answer.

I know that in 2003 after the election observation mission was out of the country already, there were two key complaints in regards to the local election. One was that there were problems with the election of the mayor of Tirana, and the second one was—the complaint was that the voter lists were politically manipulated.

These were the two complaints that we received in Warsaw. And I was sent to followup on these complaints in Tirana in December.

We did identify problems with the election of the mayor in Tirana, to the fact that the protocol of the polling stations was not the best protocol I have seen. And then the court decided to repeat the election in probably one-third of the polling stations of Tirana, which closed the issue from my point of view.

But this complaint about the election of the mayor of Tirana did have some substance.

As far as the voter list manipulation is concerned, we did attempt to followup on the complaint, and we were not able to establish political manipulation of the voter list, although it was clear that the voter list is far from perfect.

I have to say that when I was following up on this complaint, I was able in the Central Election Commission to receive every piece of paper I requested by the administration there. I was very happy with their work.

Thanks very much.

QUESTIONER. I have many questions, but if you'll allow me, I'll make two.

Mr. HAND. You can make two. If time allows, we can go to a second round.

QUESTIONER. The first one is related somehow to my profession. I'm an econometrician, and use statistics for more than 20 years to put food on the table.

And one thing that in Albania is different from many other countries is that we don't see surveys, opinion polls, exit polls. And I know that MJAFT—I assume you all—is trying to conduct a pre-election survey and an exit poll, and they have a proposal from Gallup International—and I've seen that proposal, because I'm an econometrician, a statistician—and I like very much the design of the surveys, both the pre-election and the exit poll survey.

And I think that both, but especially the exit polls, could serve as a deterrent for any tricks that politicians of both sides might have under their sleeves.

Last time I checked with Mr. Veliaj, the head of MJAFT, he told me that he hasn't received any political or financial backing from any of the international organizations that are trying to help Albania have free and fair elections. And my question is: What is your opinion on pre-election and exit polls and what are plans?

My second question relates to what Mr. Bailey said about the Central Election Commission. The division line is four to three. It's very clear division. And there is a chance—and I'm kind of quoting Mr. Bailey here—that the Central Election Commission may end up with no final decision of who won the election.

And my question is: What happens then?

Mr. HAND. Shall we answer the first question first? Or shall we go right to the second one?

Why don't you go ahead, Jennifer, and then we'll just go from there.

Ms. BUTZ. I can't speak directly to the MJAFT idea, but I can assure you that as part of the Democracy and Governance in Albanian project, NDI is currently working to field a survey, a public opinion poll. It will be national. The tool was developed last week and should go to the field next week.

We agree that this kind of information is absolutely critical, not only to take the political temperature of individual Albanians, but also so that the campaigns can be more issue based, and that the rhetoric becomes policy oriented rather than something that's more personal assignments and allegations.

So, yes, that is something extremely important, and we hope to have results by the end of April with that public opinion poll.

Thank you.

Mr. HAND. Anybody else on the question of the polling first before we go to the second question?

Mr. GJELUCI. Yes. I just wanted to actually repeat a little bit of your comments before you asked the question.

Yes, it's very important that polls—and actually I'm glad that I heard that NDI was going to do the poll, this is very important to do it for these elections.

IRI has done, in 1996, one poll, including exit polls. Peter Dickinson, IRI's former representative in Albania who is here in the audience today, was actually at that time in Albania.

We did at least one, but I agree with you, they are a very important mechanism. And I don't know if 2001 anybody did any significant national poll. I don't think 2003 had any polling done.

But, yes, I agree with you, it's important.

Mr. HAND. Could I just ask, though, in terms of an elaboration, would the polls be more useful as a preelection effort to help parties in terms of getting their message across, understanding what the voters are looking for, or can it also serve as sort of this policing-type, post-election-type of thing by helping to ensure the integrity of the results by giving some early indication of what they might be.

I'm not an expert on this issue, but I'd be interested in the pros and cons, particularly of the latter one.

Mr. GJELUCI. I mean, in general, I think both. If possible, a lot of organizations depend on funding or different kind of limitations, but in principle, polling done a couple of months before the elections and an exit poll will be very valuable for elections, especially when you kind of predict certain political controversies, and especially in Albania.

In the Albanian case, the first poll definitely be important also to sort of give a hard-core reality check to political leaders. A lot of these people hear information they get from their sources. Sometimes it's very far from reality, unfortunately. And it's all from international, well-established organizations, it will help a lot for them to sort of mold the campaigns based on those results.

Ms. BUTZ. We believe that the public opinion polling will also set up a monitoring tool after elections, which is important, so that candidates and political parties can be held accountable for the promises that they make during elections, No. 1.

But also on the exit polling. At least from an international perspective, we didn't want to have any exit polling be misconstrued as calling races. And so for that reason we decided not to pursue that activity.

Mr. HAND. That's probably a wise choice.

Do we want to move on now to the other question, regarding what happens at the CEC if they can't achieve their supermajority?

Mr. BAILEY. Let me take the first stab.

You may want to add something, Nikolai.

I want to repeat what I said, which was that it's a potential. I'm not forecasting that this will happen.

But it's based on what I perceive to be a more rigid issue within the Central Election Commission itself, meaning that on various issues there is no crossover on this divide of the 4-3. So it's always the same grouping on every issue.

So when it does come to this decision, which requires a 5-2 vote, and that's probably not a bad thing, the 5-2 vote, in the sense that you have to have the substantial majority of people agreeing.

If there is no decision, if there is inability to decision, it'll end up probably being some political discussions to allow a decision to be made.

Mr. VULCHANOV. Or go to court.

Mr. BAILEY. Or go to court. And I'm not quite sure who takes the issue to court—how that process goes through, but I'm hopeful that there will be a decision of the parties to find the political will to allow these processes to continue.

Mr. VULCHANOV. Yes, I can only add that the members of the Central Election Commission, regardless of which side they represent, should stop perceiving themselves

as politicians. They're simply administrators who are sent there to record the vote of the people. Period. And that's not so difficult.

Mr. HAND. The next person with a question?

QUESTIONER. I have two questions for all of you, actually. Crime and corruption has been a penetrating force that has escalated the political tension in Albania.

The same notorious names that have contributed to this situation will be candidates for the Socialist Party this year. The names bring fear to a free election process to the regular votes as well as everyone else.

What role is the international community taking in Albania to avoid such situations?

And my other question is: Will OSCE and ODIHR continue to say that elections are better than the last ones, or they are democratic or not?

Thank you.

Mr. HAND. Want to go to the first question, Nikolai?

Mr. VULCHANOV. The second question.

Mr. HAND. OK. Second question. OK. We'll start there.

Mr. VULCHANOV. We'll say is as we see it. [Laughter.]

Mr. HAND. Anybody else on the second question? No.

I think that I also said in my opening comments that, whereas these type of comments have been made in the past, they haven't always been made by the OSCE, but sometimes by others.

But I think there is a growing sense now that these elections have to meet the common standard of the OSCE to be free and fair, and this was something that I think Nesti had, in particular, stressed—that Albania actually has the opportunity to achieve more, and we need to keep it accountable to that threshold, so that it does achieve more, for its own good.

And the first question?

Ms. BUTZ. Candidate selection is detailed in most party statutes, and so parties are obligated to follow their individual statutes.

As I mentioned in my remarks, however, there are several political parties that have started to implement "one member, one vote" selections for some of their parliamentary candidates.

So, again, this is something that is defined individually by each political party, but we are starting to see some variation on how that takes place during this current election cycle.

Mr. HAND. No more comments on those questions—OK. Ambassador Tarifa, would you like to ask a question?

Amb. TARIFA. Let me thank you all for this panel. It's very informative. We learn a lot by seeing people who are working directly in the field inform an interested audience here in Washington about the upcoming elections in Albania.

This is the sixth parliamentary elections, if I am not wrong. I experienced myself the first and second, 1991, 1992. I worked with foreign observers in the 1991 and 1992 elections, and then had lost touch with the elections in Albania.

I know that we actually hold a record when it comes to elections in a short period of time, of trying to build a democratic society. So this is I think the 12th or 13th elections

in almost as many years, including the two referendums and the local elections that have been held in Albania since 1991.

I think every observer has been right to say that every election has been better than the previous one.

And I wanted to say, first of all, that I hope, personally, that the upcoming elections will be better than the previous ones, better than the 2001 and better than the 2003 local elections. And there is nothing wrong with that.

But I agree with Mr. Gjeluçi, we should raise the stakes higher now. And as we intend to enter NATO, to get an invitation for NATO next year, and as we are working hard to earn an invitation to join the European Union, we cannot just be satisfied with how much better the elections are each 4 years.

So I hope that at the end of the day, the international community, ODIHR, OSCE and others that will observe closely these elections say these were fair and free elections.

This is a matter of standards of course, because free and fair elections you can't find anywhere in the world, in the idealistic sense of the word. But the more free and the more fair those are the better we all are.

I say that these elections includes quite a great number of issues. Some of them are probable and some are not, in the 3-month's period that separates us from the next elections.

The most important thing, I believe, in Albania today is restoring the trust of the citizens in the political system. Albanians have seen a lot in the 14 years of their experience of democracy: failures, successes. And yes the trust of the citizens in the political system is not yet there, so we have to build that trust first.

And that is up to the process itself.

These elections, like previous ones, but less than the previous one, have infrastructure problems, which I'm glad you all are trying to correct.

And I've had long discussions, Mr. Bailey, and know the good work IFES is doing and NDI as well. Of course, ODIHR is there to assist the government. The parties should help us make these elections be more free and fair.

But this might still take time, because I don't think Albania's been able, in 3 months or in the next 4 years, to really achieve that infrastructure level that other societies have in Western Europe or in the United States when it comes to the election process.

And then you have the problem of political will. This is most delicate.

I think some proof of political will being there, existing there, has been shown—especially in the past three to 4 months—with the consensus that major political players have found among themselves when it came to the redistributing of zones, when it came to the composition of the central committee.

I hope that we can see more in the remaining time. And that will, I believe, guarantee success of the election and a result that will be accepted by all.

And then you have the problems of rules and procedures, which also has to do with political culture which, in Albania, no one can pretend it's the same as here, the same as in the United Kingdom or in other countries. But it's also linked with the political will of the political parties that play the major roles.

Now this experience with Albania in the past 12, 13 years, brings me back to a problem when discussing democracy—the theory of democracy is either a dichotomy concept or a linear process.

And I believe, in the case of Albania nowadays, after 14-years experience with democracy, we have a linear process.

So it's not a question: Is Albania a democracy or is it not? The problem is: How democratic is it? How can we make Albania become even more democratic than it is?

And this is, of course, the process that is taking place in my country today, which I so proudly represent here in Washington, DC.

We have a number of checklists that we have to fill out and check every day—a checklist for the European Union, a checklist for NATO, a checklist for the OSCE, ODIHR. So we are under the scrutiny of all these foreign observers who help the process.

And what I would like to say here is: Foreigners sometimes forget how long it took their societies to become what they are today. And we forget that there's been only a short 13, 14 years in Albania and the rest of the Balkan states. But we're trying to build a sustainable democratic society, and that is not quite enough indeed.

So the process will go on, will continue, we hope, and we all hope that this process will be peaceful, as it has been in the past years, and that it, at the end, will end up being just a part of that community of nations that are portrayed as democratic in Europe.

I very much admire the work that IFES and ODIHR do in Albania, and also NDI, and I wish that the International Republican Institute can also re-establish itself very soon. I was actually among the first to meet the Democratic and Republican Institutes in Tirana back in 1991, and I was glad to work with them in those days, then I had to leave my country.

But when it comes to technicalities, like, for example, the voters list, there are and there will be problems for a long time, because demographics in Albania is such that no one can predict how many people will be there tomorrow.

Unofficially, we say that we have lost one-third of the population of the country to foreign countries, to the United States, Greece, Italy, and others, people who cannot, for different reasons, be present on election day in the country.

So, although they have to be—because they have a constitutional right to vote—on the voters list, they may not be there to vote, for economic reasons or others. And it'll take time to have those lists as proper and exact as we want; probably it will not happen for a long, long time.

We don't have an I-94 card for Albanian citizens who leave Albania and come back. That is impossible and it probably will not happen.

But the world has to start to think now about expatriates and average citizens. ID cards will help.

To conclude, I have a few questions. If I'm not wrong, in your presentation, you said that in 27 out of 30 polling centers, I believe, you noticed an overwhelming family voting pattern.

That will challenge my conventional wisdom, and everybody's conventional wisdom. That was not the pattern, even in 1991, when it started for the first time in our lives to vote. I don't think we have gone backward in 13, 14 years, but forward.

And when I hear that this is happening in Tirana and Durres that frightens me. And I'm tempted not to believe it. So my question would be how this observation has been reached.

My second question will be the issue of the vote selling, how pervasive is it and how prevailing it is, and where? And how do you know that, three or 4 months ahead of the election time?

So what makes you believe that is a prevailing pattern, again? Because, if so, that is very disturbing.

And I've seen reports in the past saying that women in Albania, even last year, are denied to the right of vote.

Generalizations like this do not serve any good purpose, do not help, indeed.

Fear of retribution among journalists is common. I would not really believe that.

And if I can say one thing about freedom, it is that if there is freedom in Albania, this is to be found first of all among journalists. The problem is whether we have a responsible media, not a free media. I don't believe there is anyone who questions the freedom among the Albanian press or media nowadays.

So the picture you present sounds bleak. I don't think it really is.

And I would like to conclude with a personal observation about polling and the importance of polls in Albania.

It's a very tricky matter. I am a sociologist, and I would like to see electorate polls in Albania. They tell us something, if they are conducted right.

But we may end up having an error margin that is 50 percent. So anyone can be claimed a winner, 3 months, a week, a year, a day, before the election, because, simply, we don't have a voters list. How can you have a sampling procedure and a real sample which you can trust?

Thank you.

Mr. HAND. Thank you, Ambassador Tarifa.

I think we have four questions there, altogether. Who would like to start in answering any one or several of them?

Maybe, Jennifer, since some of the questions were directed specifically to you, you could start.

Ms. BUTZ. On the incidence of family voting, I was an observer for both rounds of the 2003 elections. And the observations come from my own personal experience as an ODIHR-OSCE election monitor for that period of time.

I was based predominantly in urban and semi-urban Durres in the October elections. And then I was up in the northern area of Tirana, in the Laprak area, for the December elections.

And I know that that figure that I, of my own personal observations, was substantially higher than the national ODIHR statistic. And so, that's why when I made my remarks, I said very carefully that those were my own personal observations. But it is based on official election day observations that I myself made.

On the vote buying, as part of my role in the democracy in governance project, and indeed more in terms of my project director position with NDI's Civic Forum program for the last 3 years, I spent considerable amounts of time in the communes and villages of central Albania, learning how to speak Albanian, as well.

So my knowledge about people's experience, being either approached for influence-peddled votes, changing one's vote or influencing one's decisions based on economic or other measures for the voting, again, come out of personal discussions that I've had with a range of individuals throughout central Albania.

And I do also make the statement that it is central Albania.

So that's that.

Prevalence, I don't know. I have not done a survey personally, and, again, my remarks were informed by my own personal experience over the last 3 years.

Fear of retribution, I think that while there is a certain anything goes in the media and journalist profession of Albania, that doesn't necessarily make it free. And I think that there is a fair degree of self-censorship in terms of what journalists feel they can and cannot say. They can say what they want, but if they actually want it published, if they actually want it broadcast, that's a different matter.

And that's the point at which I think some of the self-censorship takes place.

And finally, quickly, on the polling, absolutely, it is tricky, as you say. It must be done with rigor and with independence. And it must be able to be independently verifiable, which is one reason why we have chosen to go with a third country implementer, so that there could be no allegations of domestic influence in the results that we generate from that poll.

Mr. HAND. Anybody else want to respond to those questions?

We're running a little bit short on time, so I think what I would suggest is that we don't add any more people but anybody I've already acknowledged when your hand was raised, maybe if you could just come up now, quickly ask your question and then as the way of doing some concluding remarks, we can respond to those questions and make a couple other comments as well.

So if there is somebody that's on the list that wants to but has not asked a question, if you could do so. And try to keep it very brief, because some of our panelists do need to leave very soon after 4:30.

QUESTIONER. I'll try. Thank you, Mr. Chairman. I have a question for Mr. Vuchanov and Mr. Bailey regarding voters lists in Albania.

It has been reported in the Albanian media lately about an alleged attempt of manipulation on the voters registry. And it has been reported, in fact, in a communication between the minister of local government and decentralization and the chairman of the Central Election Commission.

It is required that the electronic lists of the elections of 2003 to compile or generate the voters list of 2005.

The voters lists of 2003 had been lists that had about 30 percent errors. Blocks of records have been removed, since 150 voters did not exercise the right to vote in Albania. And this was admitted by the chairman of the Central Election Commission.

At the same time, the public announcements made by two high-ranking officials were contradictory. They said that for this communication, which is not supported by the law, in fact, the OSCE and other international organizations had been informed and they have approved the transfer of the database or the hard copy of the lists of 2003, which this list, I guess, should not be used to compile the lists of 2005.

This list to my opinion should be disregarded, since they had 30 percent errors on them.

And I'd like to know how your presence in Tirana has been involved in this media-reported incident. I will call it incident because, OK, Albanian media——

Mr. HAND. I think your question is clear.

QUESTIONER. The second question is about the database——

Mr. HAND. Extremely quick—just the question, no comment, please.

QUESTIONER. OK, the question about the database is that to eliminate the duplicates, if there is a database and has a log file, technically, and by duplicates, do we mean that we have the same voters, same name, but different addresses? And the law should—I think authorizes the local government units and authorities to correct the duplicates, and not the central government, I think, not the minister of local government and decentralization.

Thank you.

Mr. HAND. OK. Thank you.

Do you want to answer those right now, quickly?

Mr. VULCHANOV. I would prefer to answer now, because they were——

Mr. HAND. OK. If you could just wait 1 second.

Go ahead, Nikolai.

Mr. VULCHANOV. From what you said, I got two questions. One question is: Why are they using the voter lists from 2003 for 2005 elections? That was the first question.

And the second question was is it legal for the CEC to pass the database to the ministry. Is that correct?

QUESTIONER. [Off-mike.]

Mr. VULCHANOV. OK.

See, you said that the 2003 voter list had 30 percent errors. Is that correct?

Does this mean that it's 70 percent correct?

Mr. HAND. Could I just say at this point, he's not at the microphone, and I would just as soon he not go back to the microphone.

So I think you should answer as you interpret the question.

Mr. VULCHANOV. If you say that the voter list is 30 percent wrong from the 2003, for me this means that it is 70 percent correct.

The voter list of 2003 is product of a few years of intensive work of many, many people. And this list, if it is 30 percent wrong, you have to correct the 30 percent mistaken records, rather than throw in the garbage a thing which cost a few million dollars. Am I clear?

The second question is about the duplicates, that was the question, why should the ministry of local governments be involved in the identification of duplicates.

If you have a suspected duplicated record, one record in Lushnje, the other in Kavaje, it is not—there should be someone who should identify this duplicate first, because this is across municipal borders. Only a central agency can collect from the mayors the information, put it in one big file, identify the duplicates and advise the mayors of the potential problems that they have found, without changing anything in any record.

Once the mayors have received this information—it's only information—it's up to them, since they are responsible for the voter lists, to correct any errors they find.

So the ministry of local government's involvement in the process of the identification of duplicates is nothing more than identification. The ministry of local governments can only provide the mayors with the information that there are duplicates across municipal borders. And then it's the mayors' job to clarify which is the right duplicate and to delete the wrong one. It's as simple as that.

Thank you very much.

Mr. BAILEY. I think Nikolai covered it, except I just want to emphasize one point: It is a proper database.

It's an Oracle-managed database and it has got the records of everybody in the civil registry in the country, identified by book number and page number in the fundamental register.

You mentioned the fact about the 150,000 names. Those were individuals who were on the list coming from the local authorities for which there was no corresponding fundamental register record, meaning the book number and the page number.

And so, the CEC had to deal with the question of, do you keep them on the list, but we don't know where they live, or do you remove them and allow people to come forward in the legal revision period? That's the process.

So you have the opportunity—and in the last election, 30 to 45 days, and it will happen again in this election—for people to look at the lists—and they are publicly posted—and to come forward and to make a change to say, "I really belong here, not there."

The other point I just wanted to make, and this goes back to my previous comments: We used the word of 30 percent inaccurate, and we can argue over what that percentage really is. Because how do we know? We don't know, except we do know from the tests that we did in the special election in December 2003, that when we delivered "You vote at this location" notices, personalized to every voter on the voter list, there was about a 30-percent error rate, that is, we couldn't find them living in the polling unit in which they were listed.

And that goes back to the comments I was making before, until you can identify exactly where somebody lives, either through the civil registry or otherwise, you are going to have this continuing problem.

And so it's an effort we're trying to correct.

I say "we," but I didn't mean me, personally. It's a process that's going on at the present time within the ministry and local governments.

So that's why it becomes important that there be this clearinghouse on the duplicates, as Nikolai has referred to. And if we can't do that, we're going to have a continuing problem, which will be the political controversy that I was referring to.

QUESTIONER. My first question is for Mr. Vulchanov.

Are you pleased with the cooperation on issues in Albania, in terms of preparing for elections?

And let me ask just one more question: To Mr. Bailey, do you see any similarity with the situation in Ukraine, Albania, pre-election time? And what would be the reaction of your organization be if something like that happened, we have an unfair process?

Mr. HAND. Those are questions that I think most of the panelists might be able to give some response to. Do we want to start down here and work our way down?

Mr. VULCHANOV. I am pleased with the cooperation of all Albanians stakeholders that I've met.

And the second question is that ODIHR does not compare situations across state borders.

Thank you very much.

Mr. BAILEY. And I'll confine to the last question, which is, I can't answer, because I have nothing to compare it to.

Ms. BUTZ. This is going really quickly.

As I mentioned in my remarks, I still believe there is time to make solid contributions across the board so that the lists do improve because of participation and that codes of conduct are followed.

And so, I am confident that if the stakeholders really do step up in the next 3 months and fulfill their parts of the obligations, that we will have much better elections.

Mr. GJELUCI. Look, I mean, the Albanian elections, like we said before, have been improving. I think we are all agreed on that point, that over time has only been improving.

So for that scenario to happen that you bring up in your second question, you are going to have a much, even for an Albanian standard, much worse election, which I just don't see happening. And let's hope it doesn't—we don't have to go there.

QUESTIONER. I wanted to ask Mr. Vulchanov a question. You said you don't compare between the countries.

Mr. VULCHANOV. We don't.

QUESTIONER. I just wanted to ask how do you see the pre-election atmosphere, before this election, as compared to previous elections in Albania?

And from the political climate you see there, do you see the potential for problems coming from the political wing?

And just a short one, a last one, it seems that much focus has been put on the elections this year for Albanian Euro-integration, but from the things that I observed there, I think that for the Albanian population there, it's a lack of confidence in the political class as a whole that creates a problem with them and sometimes the lack of a choice, to choose from, groups of this political class and maybe they see also the lack of pressure from international community in this vein.

How do you comment on that? I ask Mr. Hand to comment on that as a representative of the United States or however.

Mr. HAND. Well, I am the chairman of this briefing, but just a staff member of the Helsinki Commission. I will simply defer to each one of the panelists to make their comments on these questions.

Mr. VULCHANOV. It's difficult for me to compare what I see in Albania today and what I have seen 4 years ago.

In any case, I am a human, like all of you, and I am forgetting.

I think, though, that there are similarities, and in particular this is the lack of trust between the key players. But there is also things which have changed in a positive way.

So I don't think I can say credibly more than that.

Mr. BAILEY. I think maybe I'm going to make a little bit of a reference, as well, to comments made by the Ambassador in this, in that democracy is not just a set of rules and line-by-line checklists; it's the whole question of process and openness.

And it goes up and down in terms of issues of trust and participation, depending on situations.

And I think Albania is a very polarized country, but there are a lot of changes occurring within that country. Some of them are in politics, some of them are in other parts of life. And at some point, they are going to come together in a little better interlocking fashion.

But I think like most countries, there is probably a waning interest in the actual mechanics of politics, but not in the mechanics and the issues of a democratic society and the development of a democratic political culture.

They're equally important. But the actual participation in an election is not necessarily the measurement.

Ms. BUTZ. I want to agree with what Dickson said. I think that there is a great deal of interest in politics. Where we see less of an ability to engage is actual policies and being able to explore policy alternatives on a range of issues that are important to Albanians.

And as much importance as we place on these elections, it's really what happens after election day that counts, when the policies need to be formulated, when the laws need to be implemented consistently and across the board that really takes over.

And at the same time, you have a great deal of democratic development at the local level with the decentralization process.

And so all of this gets folded in, as Dickson was just saying. And it becomes a much more complex issue and a much more complex situation than simply election day 2005.

And so, I think it's a little bit difficult to give a very simple answer to that question.

Mr. GJELUCI. I agree. It's difficult to give any answer, or even predict anything based on what we see and what to compare with previous elections.

However, we can look at positive signs, as mentioned before here: the civil society, much more mature; the political parties, much more focused on their platforms as opposed to gossiping, name-calling and other things that we've seen before in the Albanian elections.

I think Albania has moved on from a certain level or a certain standard of pre-election, like I said, name-calling or gossiping or whatever you see in the media.

I think the two main positive signs are the political party campaigns which I think are already better in substance, and the NGO community, through which the Albanian people at large are much more mature as well in how they see policies and politics right now, before election time.

Mr. HAND. OK. Thank you.

I think at this point I'll close the briefing.

What I take away from this is the sense that there have been improvements in Albania regarding preparations for the elections. There is, however, also a higher expectation. The question is whether or not Albania will meet OSCE standards that all countries are held to, and that it's good to have Albania's elections held by that standard, as opposed to any other, more relative, type of standard.

I got the sense that there are still a lot of potential problems out there. I didn't get any real indication that these are problems that cannot be resolved in one way or another prior to election day in a way that indeed Albania could have elections that meet the standards.

There's still time. It's not too late.

And I would also say that there's a lot of commentary here in Washington and elsewhere based on what happened in Ukraine and the Georgian revolution, et cetera.

I would point out that it's not necessarily the only way that a country becomes a democracy. There's vast differences in each one of the countries.

The growth of the civic society is often very important. The democratic credentials of the opposition, not just the problems of the ruling party, their ability to present a viable democratic alternative is also important, in terms of the international community embracing any particular result, et cetera.

So there's so many differences that I think it's hard to make those kind of comparisons between Albania or any other country.

Let's just hope that the end result of a more democratic Albania is the one that's achieved.

And I look forward to seeing what happens in Albania in the coming months, preparing for the elections.

I hope there continues to be positive developments.

And let's hope that in the late summer or whenever these elections are actually held, all the people on this panel as well as others can report that actually these have been good elections.

That's, I think, a hope that we all share.

And on that point, I will close this briefing.

I'd like to thank everybody for coming, from the State Department, the Albanian Embassy, the NGO community, Albanian-Americans, our panelists, everybody.

I think this was a very good discussion, and I appreciate everybody's participation. Thank you.

[Whereupon the briefing ended at 4:49 p.m.]



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