



# INNOVATIONS FOR SUCCESSFUL SOCIETIES

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**Interviewee: Zef Preci**

**Interviewer: Jona Repishti**

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REPISHTI: I am with Dr. Zef Preci in the offices in Tirana of the Albanian Centre for Economic Research, which he heads. Mr. Preci, we thank you for this interview. I would like to first ask about your role in civil service reform in Albania and some of the professional positions you have held which relate to the reform?

PRECI: *During these transition years I have been involved with the public administration in various aspects. Many years ago, I was the Minister of the Public Economy and Privatization. Later, two years later, I was an advisor to the President of the Republic and later I was the chairman of a regulatory body known as the 'Authority for Competition' otherwise known as monopoly agency, the US equivalent would be the Federal Trade Commission. From 1993 onwards I have been active in putting forward public worries about policy and governmental reform, including civil service reform. I have been able to witness the reform in public administration from its legal framework but also the way it was implemented. I believe that alongside building the institutions of free market and open society, Albania has built also a generally adequate legal and institutional framework when compared to other former Communist countries. But from a point of view of the performance of these institutions, my evaluation of such institutions that are put together with foreign aid, are far from functioning normally.*

*Where do these difficulties that constrain the normal functioning of the institutions come from? First of all, I think that the legal framework of our country, including civil service reform, has been influenced by countries where the aid to Albania has come from, so there exist now models that are: inclusive, exclusive, continental, in other words different models (legal and institutional frameworks) which cannot always be harmonized when implemented. For instance, we still have institutions that are simply atavisms or continuations or remnants of the communist system. Such is, for example, the High State Control. In Western concepts, one can talk about a court of accountability (as in personal accountability) while in Eastern concepts the notion of control is prevalent (as in state control).*

*So there are remnants of the communist period which are reflected even in the functioning of certain institutions while at the same time there are public bodies formed perhaps prematurely which do not have the characteristics of a normal institution operating in a free and modern economy. For instance, it is unacceptable that in such a small country like Albania, with such an underdeveloped economy and civil society, there exist a plethora of regulatory bodies – in areas such energy, water, telecommunications etc – which are in a way appendices or 'limbs' of various Ministries and which are firmly under the control of those with executive powers.*

*In many ways, we have to accept that Albania is at a point that as far as state building is concerned, the separation or balance of powers that guarantees a normal functioning of the system has not been achieved. We still have a strong clash between liberal or decentralized tendencies and the tendency of monopolizing power that comes from what we inherited from the communist system and which is the only known model for the actual political class in Albania. The victim of such a clash during the transition period has been the public administration. It is difficult to explain and have people understand here that even while Western government change frequently – for instance in Italy every three months – the state continues to function PRECISELY because there exist in the administration not only a legal framework which rewards meritocracy and career building but there are also performance indicators and legal protection which enables individuals to understand that by serving the state they*

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*can also have a career.*

*But in the case of Albania, public administration remains a reward to be handed out to party militants, participants in electoral campaigns and powerful individuals, and in many ways it is also an instrument for redistributing the state's budget or donor funds so that to benefit certain groups or powerful lobbies which stand behind powerful politicians. This is so true that if one examines the state budget at the beginning of the year (fiscal) and at the end of the year, one will see that there is no transparency, the budget is indecipherable to those who vote it, and that at the end of the year the budget is far from the projections made at the beginning of the year. So the budget is used as an instrument for rewarding lobby groups and in the same time the budget is entirely changed PRECISELY due to political interference. As we all know in time of peace, the most important law is the budget law. Being politicized is, in my opinion, the first problem for the public administration.*

*The public administration also suffers from having no principles of meritocracy and career building. In western countries if someone competes and wins a post in the administration's hierarchy given that this person performs well in his task, he or she can reach a higher professional level. This principle is lacking here. So in Albania, we can openly say there are no principles of meritocracy. As a result it becomes difficult to retain talented people, whether schooled abroad or here, who come to join the ranks of the civil service willing to make their contribution. This means that the public administration remains a repository, a depot, 'refugio dei peccatori,' where the incompetent and the militants are gathered, or simply a place where those in power accommodate those who have been helpful during the electoral campaigns—lobbyists, or their neighbors and families. Which brings up another aspect of Albanian politics—regionalism—our public administration suffers also from a regional dominance which changes every time the top official changes.*

*Despite all the written rules and laws, another major problem in our public administration is that there exist two types of public administrations in Albania. The first type is an administration that is nominated based on political considerations, which in many ways is a right of the political majority—to assign ministers, deputy ministers, and also general secretaries, which are public service posts according to our existing laws. One expects that in these appointments meritocratic considerations should not be key. But apart from these positions there exists another, parallel functioning public administration, which holds the key decision making posts where all the state and donor funds are controlled. For instance, the Interior Minister does not have any control over the directors of police in the Prefectures. This is not due to some procedural classification, but simply because of a personal decision by the Prime Minister to control directly these key positions. Similarly, posts where money is controlled and managed, such as taxes and customs even though they are formally under their respective ministries—in this case the Ministry of Finance—all these posts are directly under the control of the Prime Minister. So there is a formal functioning of the state, which is managed through parliament and other legitimate bodies, but there is also an informal public administration which provides channels through which family interests and even criminal interests go—an informal state within the formal state.*

*There is also a third category of the public administration that is inherited from the previous governance that has been arbitrarily and illegally thrown out. In general, despite the corruption and the political influence, the laws have recognized the rights of these public servants to return to their jobs. And it is a*

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*fact that there are no publicly known cases where some have been reinstated in the public administration even though there are hundreds, if not thousands, of public servants who are entitled to the protection offered by the statute of the civil servant, but who have been expelled from public service for serving under the previous government. At the same time, they continue to receive their salaries or have the lawful right to receive a salary every time the government changes, or when the laws are better implemented. This type of segregation or discrimination raises two issues: (1) It is yet another cost to the taxpayer, and I think it is wrong to charge the taxpayer for the abusive decisions of those who head public institutions; and (2) this serves to pressure the actual civil servants into serving politically, otherwise they would meet the same end as their fired colleagues.*

*So the principle of serving in the public administration has nothing to do with written rules of institutions, but everything to do with preferences or displeasures of those in charge who frequently are unqualified or below the intellectual and professional level of their subordinates. There is another negative effect of such behavior, which is to encourage the opposition, the militants of the opposition party to regard political engagement as a vehicle to public administration posts without undergoing rigorous academic and professional tests, bypassing any meritocratic principles. So, one bad brings another bad.*

*Another pernicious effect might also be that these abusive practices in a poor country with a 40% unemployment rate leads to abusive behavior towards women, public tenders, or other decision-making acts which public servants are forced to make not based on their professional belief, but on their fear of losing their jobs. These abuses come as a direct result of ignoring the legal framework existing in Albania, which leads to bad performance, creates a bad image for public administration and imposes a burden on the taxpayer.*

*In the meantime, levels of investment in training public servants are modest. If you look at government development strategies, of which at least 30 or so exist, there is very little or no investment in human capital. No country can become developed if human capital is neglected and underdeveloped. So, Albania has no protective mechanisms that can enable the training, reforming and continuing development of the public servants who are paid by the taxpayer, and in many ways represent the taxpayers and the entire state. In a country where the state has always been a tool in the hands of the invader, or has been a parallel institution to the formal one, and which has never represented the interests of its citizens, it is very difficult to insert in the mindset of the taxpayer that the state and administration are paid by taxpayers and should serve the taxpayers. The only reason why this sort of public administration exists today is due to the lack of the understanding of the importance of taxpayers. Most people do not see the policeman, the doctor, or those in power as an attribute of their taxes and don't hold them accountable. And those in power continue to commit abuses, to exploit public goods PRECISELY because they don't face citizens who can demand accountability for the way their taxes are used.*

*So the lack of investment in human resources and the lack of a protective net have engendered a public administration where the majority of servants are party militants, amoral people, and people who are not 'risk takers'—who think it is best to do the minimum required—and who have few ideals or initiatives. This leaves out young people, especially those educated abroad, who come here and find a primitive environment; come here and see that ignorant officials supervise talented people and see that there is no absorption of talent. This is the status quo of the administration today and this illness of our administration, including the small salaries because the hierarchy of payments is a remnant of*

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*communism also. It is unthinkable that a subordinate should earn more than the boss even though their beliefs and skills might be entirely different, because one becomes a boss based on political support while one makes career based on knowledge and skills. No one values the skills that should be the basis for differentiating salaries. Everyone looks for the quickest way to the top, which is through political support. Even though there are many qualified professionals in Albania, one sees an abundance people outside of their professions who make decisions and as a result badly manage various public sectors. The whole of our society loses in order to generate profits and favors for lobbies and various clans that dominate politically.*

*The other issue is that there is a reign of a demagogy reminiscent of the communist system, which ensures that instead of making policy and implementing policy, public institutions engage in propaganda. And this is propaganda in its classic meaning, to say something when you know people are aware that you are not telling the truth. You simply transmit a message you don't believe, or know not to be true. In a way this has been desirable and acceptable to the foreign donors as they have believed that by injecting money into the Albanian economy, these people will learn something—the private sector will flourish and all will benefit. But we are at a time when the demagogy is as such that it tells the foreigners whatever they want to hear which is a typical characteristic of our leading political class that comes from communist schools and which has adapted to the westerners' demands. In other words, donors hear what they like to hear and leave it at that. They keep saying: "You are doing well. Continue to do what you have done. Perhaps the donors think that if the transition period of the Albanians lasts 5 or 50 years, it does not matter. So a mission ends. There is an end-of-mission report and the money spent is justified.*

*Albanian integration in the developed world will only start when there is better accountability for donors' funds, which can become possible if there exists more follow-up on the part of the donors. Rather than become satisfied with what they are told by politicians, the donors should insist upon seeing the results of what they have paid for.*

*At the same time, the process of integration here is seen as decision-making in Rome, London, or Brussels and should have nothing to do with inserting a different vision in the mindset of our citizens—a vision which enables taxpayers to hold accountable those in power who are there because of their taxes.*

REPISHTI: So, you have touched upon many of the topics we hope to talk more about. First, I would like to ask you about something you said which is very interesting. This is the division between the different types of public administrations, one of them being the informal division between the status of the public servant which touches only a limited number, five or six thousand people, and the rest who don't have any legal protection. Can you talk about this?

PRECI: *This is a problem I have talked a lot about and I had been part of the debate when I was a minister. A minister of the government in normal circumstances has his own vision for his sector, one tends to centralize, another wants to decentralize and liberalize the way his ministry functions. If a minister comes fresh, and works simply with the civil servants, he finds in his ministry the work will suffer from the incompetence he will find as many civil servant owe their jobs to political allegiance and not to merit, which would result in these people who might be loyal to the predecessor to undermine any work or initiatives.*

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*So, the first dilemma: is it possible to work with those one finds in the service? The answer for me would be "yes, generally speaking yes," but with the qualification that the levels of decision-making, and the hierarchy of the administration need to be reconfigured in that the public administration needs to be refreshed with external elements who encourage competition and productivity, as well as performance measurement. These actions would increase competition and transparency, and at the same time would expose us to criticism and accountability—who is doing what? How is the work going? Who is responsible?, etc. Performance measurement will also enable one to assess fairly who is capable in the organization and needs to be promoted, and who is not and needs to go.*

*So the first issue is whether one can work with the actual public administration. The second concerns recruitment. When a public position is available there is a lot of pressure to hire party militants. I was told by the head of the Directory at a Ministry recently that there were 47 people working there with 32 of them being the entire staff of the electoral campaign of the Minister. The Director told me that he could not work with any of the 32, could not ask them anything, and that they reported directly to the Minister, by-passing him entirely. They are there to earn a salary without doing any of the work, and they are here only because they worked in the electoral campaign of a Member of Parliament who then was chosen as a Minister. Here we have not just an economic inefficiency in that all that money paid to these individuals is wasted, but there is also a grave damage to overall performance. Moreover, someone who is a genuinely hard and talented worker becomes frustrated and disillusioned when seeing that others do nothing and still get paid the same.*

*Of course, the other side of the coin is that the Minister himself, who has a job because of his MP colleagues and the Prime Minister, is also under pressure from them. So the Minister will bow to the pressure of the Prime Minister and agree to hire people for high positions in his Ministry, even though these people have been taken from the street and are supporters of the PM without any skills. This is the informal and criminal aspect that damages our public administration. These people, taken from the street, are put in charge of customs, tariffs, driving licenses, because tomorrow with the money embezzled in these posts and other criminal sources, the one in power will pay for his electoral campaign, will buy his mandate. The electoral commissioners and the politician know the criminal will make a steady supporter. There exists a fraternizing of thieves in politics that feeds into the public administration. The Minister is put under pressure to follow the party line and continue the debacle, rather than try to engender real reform.*

*The parallel administration that manages the financial resources, also serves as a distributor of funds coming from taxes and donors. Because someone working with projects with the World Bank, for instance, a designer of programs, a technical person, but who works in a particular ministry, despite his professionalism would be pressured into choosing a particular company favored by the Minister or those in power to carry out the project or otherwise lose his job. The law will be violated, fair competition will be damaged, and the money will go to people who have nothing to do with fairness and competition. The money used to support underground politics. This is how the system works to a considerable degree.*

*From the years immediately after the fall of communism until 4 or 5 years ago, there existed a constant monitoring of those who won the bids and public tenders. However, because now we are perceived to be more stable, mostly due to the private sector, there is a belief that we should be left alone to deal with the*

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*public service. Donors are less worried about the politicization of the civil service or about long term training of human capital. This sort of stability is sold as 'good governance,' which is not the case. There are no questions asked of people who end up managing multi-million dollar projects with donor funds, even when some of the shortcomings of these people are obvious. It would not take long to understand the difference between a professional who has managed similar projects before and someone who is brought from the street because he used to be the director of the electoral campaign for the minister. Those who are qualified get thrown in the street instead, especially if they worked under previous governments. These elements become absorbed in the private sector with difficulty because those private companies that hire them can be subject to increased tariffs, taxes, and various harassments.*

REPISHTI: Now I would like to pose a few general questions about the mission and the context of the reform. From an historical perspective what have been some of the stated aims and objectives when the reform started? You already spoke a little bit about this, perhaps you can summarize again.

PRECI: *The reform and the objectives? The reform aimed to transform the inherited public administration—to insert modern knowledge, to increase managerial capacities and expertise, to teach them to speak the same language so that they could communicate easily with international partners, and so that this administration can be easily reproduced elsewhere. To take a director today to Kosovo, say, so that he could cope well. The truth is that due to the various crises we have faced, especially the crisis of 1997, but also due to the deep cleavage amongst political parties, as well as within political majorities there are few tangible results in either the middle or higher levels of the public administration. The lower levels have a certain accumulation of people which remains a 'dormant capacity'. The process of transformation has been bypassed there. We have an administration which understands what it is expected of it, but which is forced, conditioned to remain itself. And the other problem is the deep politicization process, which means that any time there are political changes, three-fourths of the staff leaves. When this happens, it is difficult to talk about criteria, standards, meritocracy, etc.*

REPISHTI: Now let's start a little bit with some of the issues you mentioned, the people that have been thrown out and the down-sizing of the public administration, which at times is explained as an attempt to increase efficiency. Can you describe what has happened in Albania during these times of down-sizing...?

PRECI: *Being a poor country presupposes that people trust more leftist ideas and the role of the state. It is accepted a priori in many countries. On the other hand, the process of transformation from a centralized economy to an open market economy requires a public administration which is light, easily maneuverable, functional, and based on the principles of service, not property. The public property experiment has failed in many public domains and the savior is supposed to be the move into private hands of both property and management. The tendency to be employed in the public service is huge. The pressure from political circles is great, but the abilities of the administration are small due to natural developments. For example, the moment you give away (privatize) the telecom industry you can't demand to have 1000 people employed there. So the reduction in the public administration is a natural process. But here is a figure: about 10 to 12% of the public administration retires, or leaves voluntarily every year, a normal year that is, not an electoral year, or a year when power changes. This means that in five or six years a political majority, if willing, is able to refresh half of the entire public service, in other words to bring new elements in step with*

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*the new philosophy of its program, etc. But in practice things change. The reality is one that is determined by the electoral campaign: put 100 people at the Energy Company, another 100 at the posts, or anywhere else in the public sector. I was watching a protest yesterday at the central hospital in Tirana and I called to find out what was happening. Under the influence of certain lobbies in the leading party, 100 people were employed who are potential electoral campaigners. The campaign starts in a year, but preliminary work has already started. And now 100 people are thrown out to make room for the 100 hired as there are not enough funds to pay everyone. So here are people who need to survive, to buy a piece of bread, who are thrown out.*

REPISHTI: What kind of payment or compensation is there for people who can be absorbed and can then leave?

PRECI: *Absorption happens in the name of idealism, meritocracy, trust, etc, in other words, there is little competition, competition is modest. While leaving is always without compensation, even though for high posts there are directives to give out modest compensation, 40 % of the salary for a given period, they are not followed partly because of a lack of funds, but mostly due to a lack of willingness. Meaning that those in power today are happy when they see their predecessors get nothing. It is rare to see former high civil servants who have successfully transitioned into another profession. This is mostly due to a certain tiredness on their part, a certain comfort created when in the job, or maybe because of the profits generated etc. In general, former functionaries don't work in the private sector.*

REPISHTI: Can I ask you about something else; has civil society played an role in Albania in order to react to the various political fluctuations?

PRECI: *The civil society is a 'money seeking agency.' It is fragmented. It has played a role in various periods to raise concerns, but without any real influence in changing political behavior and decision- making. This is also because politics have absorbed, time after time, certain civil society exponents who then compromise their integrity and forfeit the right to say what they think.*

REPISHTI: Let us move to another topic and talk about the efforts made to reduce the level of political influence in recruitment and in promotion. What interests me here is whether you can talk in as much detail as possible about the concrete steps taken, any testing, performance monitoring, etc?

PRECI: *Perhaps, the person more knowledgeable is Roland Permeti, as he was the head of the state agency protecting the rights of civil servants. All I can say is that the interventions from a legal point of view have been in order to stipulate recruiting procedures and to guarantee rules for promotion, rules for dismissals etc. There exist many cases when in calm times. Ministers have been forced to play by the rules and have been penalized when did not do so. But in times of intensive political changes the rules don't apply and there are instances where politics tends to recruit public bodies to use against any criticism or to minimize any criticism emanating from other public service institutions. How else can one explain the sacking of 200 custom officers? If they are corrupt take their cases to the appropriate agency to punish the corruption. But you cannot judge and punish 200 people only because you need 200 jobs for party militants. In calm periods of time a set rules have been established which have functioned but which are increasingly becoming less visible and efficient.*

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- REPISHTI: Apart from political will what are some of other difficulties which jeopardize implementation?
- PRECI: *I mentioned it in the beginning. Being a poor country means that the public administration is always under pressure to deliver jobs. It is under corruptive pressure so its integrity is easily perishable. Second, low salaries continue to be a barrier to efforts to decrease corruption. Third, is lack of transparency and the lack of performance indicators, which fundamentally has created a situation in which no one knows what hard work is, no one knows if they are doing a good job or not, or how to improve. Another thing is the lack of institutions that can build increased professionalism and provide training. There are no procedures to measure performance such as tests given after 4 or 5 years in order to qualify for higher posts etc.*
- REPISHTI: Mr Preci, I would like to ask a few specific questions about the various programs of the reform. First, I would like to ask about the reforms undertaken to lower the political and social influence in recruitment and promotion. This seems necessary in order to build a cadre of efficient civil servants. Can you talk about any of these efforts in Albania?
- PRECI: *My point of view regarding your question has been that of a researcher as I was not part of the decision-making at that time, so I have had a modest role, mostly following the events with little influence. I can say that these sorts of reforms have been driven by two determining factors: the first has been in response to the problems created by the transition in which the crisis of 1997 was very significant. In other words the politicization of the civil service has been considered as one of the reasons for state's failure and a leading factor in causing institutional failure.*
- The second has been the effort by the European Union to offer some standards. While the first was more as an emergency response, the second has been a steady effort to offer experience and models to improve the civil service. There have been efforts to deal with the first ever since the beginning of the transition period when efforts were undertaken to depoliticize and departmentalize the public administration. So, this has been a normal process that fundamentally tried to de-communize the state and transform the public administration into a public service, and not an owner of the public interests. Naturally this was a process that started with the institutions of the dictatorship; the army and the police, secret services, etc and continued gradually with the public administration. Even though there have been many achievements in this process as the public administration managed to come out of the influence of a single party. Instead of the public administration entering into a frame of a modern public service, it became hostage instead to a few parties and it is a well known fact that the political rotation in Albania is more a 'state rotation' than a 'rotation of power'.*
- We can say that it is a huge achievement that the army is not any longer a politicized part of our state, similarly the police. How can this be proved? The army has not intervened in political developments and the last time it did so, in 1997, it was in the public interest for the army to be dissolved rather than be used as a tool of violence by a particular group. The army has never intervened and has never determined the results of the elections. The same can be said of the police, although there have been arguments to the contrary in relation to elections 6-7 years ago. However in the last four elections since 2002, it was shown that the police are mostly part of the state, and it an important factor in the consolidation of our democracy and ensuring the stability and functioning of the*

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*state. The same thing can be said, to a certain degree, for other elements of the administration or public sector in general. Education and the medical service are public services and not simple instruments in the hands of politicians. To be sure, there are temporary setbacks in these institutions when jobs are certainly given to party militants, but overall the state has gained more of a foothold, even though performance and quality are something else. Other services such as the Energy Company and the posts are also doing better.*

*Naturally, the biggest success has been privatization. For instance, the banks are entirely private. They offer a steady public service and there does not appear to exist any political interference. Thus solidity has been built, and I think and hope that the process of liberalization, the process of political devolvement, the process of de-concentration of power, the process of decentralization and privatization will ensure a greater solidity of the system. This is a process that requires time, as it needs not only an increase in capacity building but also the creation of a climate favorable and supportive to the public service.*

*And now about the public administration. Albania has about four and a half thousand people who are in the public administration—civil servants who are protected by the law. There is a law of 1999 that in its entirety contains all the western democratic principles that help the state, not the parties. It is a known fact that many other institutions were formed: an administrative court (DAP) and the Commission of the Civil Service. DAP is part of the government, part of the state, which unfortunately has not yet a clear profile based on law and respected by others. These institutions continue to serve the government of the moment and at the same time their role in managing the separation of powers between state and party remains poor and non-determined. The fact that a large number of civil servants have been thrown in the street in the past three years—a great number of which have taken their cases to court and overwhelmingly won—shows that the administration is politicized and at the same time also shows a lack of responsibility on the part of the government in managing public funds as taxpayers money is used to fund the politicization of the public administration.*

*At the same time there have been efforts to expand the protection given to civil servants—I mean the inclusion of those working in customs, tariffs and taxes—even though, at the time, these reforms were proposed I was working for the President and I was against them as I was concerned with the lack of transparency within our public administration. We have very weak oversight bodies, and as a result no clear idea about how things are and how to improve them. However, there was a lot of pressure from the internationals to include customs and tax and tariff section workers. But is it true that three years ago, when the government changed, a lot of people were fired by an order of the day, simply to replace them with party militants to reward them for the work during the election campaign and to secure the money for the next election campaign. This was despite the newly extended protection to customs workers etc. There exists thus, a process of consuming the public administration for political interests and the Albanian society is not immune to such development in the future.*

*I think that the Albanian lawmaker follows the shortest route when applying his discretionary power afforded to him by his posting, rather than trying to improve the situation as a whole by seeking out wholesale reform. As far as adopting western expertise for our public administration is concerned, e.g., requiring officials to disclose their wealth and assets, conflict of interests, etc.—it has not been always successful. A hybrid system has been created putting together European and American models which are not in harmony with our traditional approach and culture as well as our institutional and human capacities. In this*

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*context I'd like to talk more about disclosing wealth. Here is an agency which celebrated a few days ago its fifth anniversary, which operates within a brilliant legal framework, but whose impact has been close to zero. In many other countries in the world, the issue of disclosing one's wealth is closely related to the issue of taxes and corruption. But tax evasion should be punished by the appropriate institutions which already exist in Albania. As for corruption, Albania also has its specialized institutions. Fundamentally, there is no reason to have this agency when all it has is a few dossiers and serves to exonerate politicians since non-punishment means ipso jure that no violations of the law have occurred. It is well known that the public administration, the executive, and politicians are, in general, part of the problem, not the solution.*

*Another thing: there is an effort to spread the conflict of interest along family and genealogical lines. It has been an effort undertaken by the actual government, because the previous government had the will, but did not get it done. The government of today has much more will, but the instruments they use are mostly of an individual nature, so there is a tendency to empower the individual and not the state. There exist two shortcomings with this approach: one is that people might equate the goodwill of the individual with the best interests of the society. Second, once powerful individuals leave there is nothing left for the state, even if such individuals have done good things and their leaving is a normal process in democracy. Such actions would not have allowed for the creation of a state. I favor institutions, in fact those institutions that encourage the development of the 'mindset' of the public at large to demand and its rightful services. Albania has everything a normal country has, with the exception of the citizens. This is a motto I frequently use.*

REPISHTI: I would like to ask more about what you described as the 'rooting' of institutions here—for instance the Commission on Civil Service and the Department of Public Administration.

PRECI: *First of all, if we accept a priori that between someone who is elected and a leader of a political majority, such as the Prime Minister, and an appointed person (by Parliament) or even as a winner of a competition, but appointed by a previous political majority, priority should be given to the former. So we should accept that the Prime Minister can and should have more space in employing state mechanisms beyond the power assigned to him by Parliament and his political majority. At the same time it is also true that using state institutions can be at times done with the objective of amassing more personal power. This causes the reputation of individuals to be ruined, damages the image of institutions, and seriously jeopardizes their independence. For instance, today I published an article about INSTAT (The Institute of Statistics). First, when the political power changed hands, not only the director of INSTAT was replaced but its whole Board was changed, as well. Politicians were placed on its Board and people with no connection to the place at all, simply to monitor the information coming out of the Institute. Legally, this institution produces information which should serve as a reference for very important political decision-making on the part of government, Parliament and donors. But the mistrust of institutions as a result of such actions makes decision makers look for information at the World Bank, IMF—doing essentially what we used to do in 1991, 1992 when INSTAT did not exist.*

*So the politicization of institutions undermines greatly everything the institution can offer, which is now pervasive. For instance, in the Commission of the Civil Service, which is the most important administrative court of our state, but which is independent of our government, changes are made by pressure through*

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*blocking mechanisms and the hostility between our political parties in the Parliament. This is done in order to leave no possibilities for the public administration, the civil servants, to voice their complaints and to challenge the illegal decisions taken against them. This is done to weaken an institution by making impossible for it to do what it is its legal right and in order to intimidate the remaining civil servants. Because even when you put in place your own people, it might be possible that they have personal integrity and as they continue to work they start to refer to the law rather than their political bosses. Once you have punished the court and the civil servants have no place to complain, there is only one possibility for them; to stay and obey—or to leave. This is the reason why the administrative court is targeted, this is why the Department of Public Service was lowered in the state hierarchy, which is why it was moved from a unit near the Council of Ministers to under the Interior Ministry. Here are actions which enhance the power of the individual.*

REPISHTI: You were talking about the Commission of the Civil Service and I wonder if we can continue talking about some of the problems brought about politics and political will.

PRECI: *There are a number of institutions which were created to be independent and oversee the work of government, because such institutions were meant to safeguard the balance between our government and Parliament. Such institutions have varied mandates, different operating procedures but their aim is similar in that they try to make public administration more functional. Concretely, the Commission of the Civil Service has been used by Parliament on behalf of the executive, based on some legal incompatibility and technicalities. This is due to the relatively new age of these institutions. As a result some of the procedures used are not well explained and standard policy is not well detailed: how to elect the Chairman, who is in charge when the Chairman has left, when he is replaced – when there are no known precedents, no previous practices, no clear rules and a legal framework unsupported by the minutiae laws aimed at implementation – this situation has been used to cause conflict and politicize the institution.*

*The conflict happening at the Parliament level is transmitted in all the institutions that are created by Parliament. Such is the case with the Commission of the Civil Service, the Commission of Radio and Television, and other institutions that have a somewhat pluralistic composition. This happens as a result of the political infighting done on behalf of certain powerful lobbies to increase their influence. But I would like to say that these intra-institutional battles, or institutional infighting, damage the image of the institution and its trust and do not allow for the institutions to serve the taxpayers' interests.*

*In my article today on INSTAT, I conclude by saying: we are waiting for many things to be published by INSTAT on the economy, anti-corruption and competition, but we should not wait for anything from those for whom we pay taxes. Because after all, INSTAT is made possible by our taxes and I have the right to hold them accountable. But the trustworthiness, professional integrity, and independence of an institution is damaged. This is the case with the Commission of the Public Service. Its quality has fallen. In fact, it has lost all of the attributions of an intra-ministerial agency, an agency of the Council of Ministers, an agency in function of the state, and now it is simply an appendix of the Interior Ministry which is used more to legitimize illegal hiring by fictional tests of political functionaries and in a way creates a huge problem for the next government. Because when the government changes they will try to do something else and these people will be faced with the same legal issues for*

*their dismissals.*

REPISHTI: Thank you.