



# MONITORING LOCAL ELECTIONS

JUNE 21, 2015 IN ALBANIA



FINAL REPORT





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## ACRONYMS

AEA	Alliance for European Albania
BCCs	Ballot Counting Centers
CEAZs	Commissions of Election Administration Zones
CEC	Central Election Commission
CFFESD	Coalition for Free and Fair Elections and for Sustainable Democracy
CTs	Counting Teams
DP	Democratic Party
EAZ	Electoral Administrative Zone
EC	Electoral College
E-Day	Election Day
EMB	Election Management Bodies
EMMB	Election Media Monitoring Board
EU	European Union
HRUP	Human Rights Union Party
IDEA	Institute for Democracy and Electoral Assistance
LTOs	Long Term Observers
LGUs	Local Government Units
MEGA	Ethnic Greek Minority for the Future
NDI	National Democratic Institute
PAWD	People's Alliance for Work and Dignity
PJIU	Party for Justice, Integration, and Unity
RP	Republican Party
SMI	Socialist Movement for Integration
SP	Socialist Party
STOs	Short Term Observers
TAR	Territorial and Administrative Reform
VC	Voting Center
VCC	Voting Center Commission



## EXECUTIVE SUMMARY

The June 21 Local Elections are held in the framework of the much debated Territorial and Administrative Reform and comprise an important test for Albania's objective to open accession negotiations with the European Union. Overall, the Coalition for Free and Fair Elections and for Sustainable Democracy (CFFESD) assesses that while Election Day was peaceful and orderly, the pre- and post-election periods featured a number of shortcomings in light of both national legislation and international standards for free and fair elections.

Preparations started with late amendments of the Electoral Code, which goes against international democratic standards and were marred by a series of problems including the alleged pressure on voters, abuse of state resources, vote buying, and inconsistency in the Central Electoral Commission (CEC) decision making and unequal conditions for all contestants to run for office.

The run up to Election Day was impaired by the misuse of official positions, alleged abuse of public resources for electoral purposes and the highly politicized electoral administration. Despite well-defined legal obligations embedded in the Electoral Code, the unlawful exercise of state authority for electoral gains needs stricter implementation tools. Failure to respect this principle should have legal repercussions.

Unfortunately, the many allegations of voter intimidation and vote buying persisted throughout the electoral campaign, which undermines the public's confidence in the electoral process. The Coalition has continuously appealed to the police and prosecution to investigate all reported cases and inform the public. In the same vein, CFFESD strongly appeals to political parties to not coerce or offer monetary and/or other incentives to citizens to vote for or against a particular party, or to abstain from voting.

The process was tainted also by the rhetoric of candidate incrimination and lack of a strong political will to address the problem. CFFESD urges political parties to increase transparency in the mechanisms they apply when selecting candidates who run for office, either as mayors or as municipal council members. It is of paramount importance for voters to make an informed choice on their preferred city administrator(s).

Candidates for municipal council members should have been more involved in the campaign. Their vision for the city administration failed to come through and reach voters. They were often times overshadowed by the presence of political party leaders and suffered from a decorative presence in campaign events.

Political parties should have planned their campaigns better, in order to reflect the changes brought forth by the Territorial and Administrative Reform. In light of the new territorial division and composition of local government units, political parties should have exposed voters to the practical effects of the reform in their community as well as plans for the future.

Frequent replacements of commissioners by political parties created difficulties for the work pace of CEC, CEAZs, VCCs and BCCs. Changes in the Electoral Code were important due to

the Territorial Administrative Reform adopted in July 2014, but were conducted late and remained partial. In addition, political parties failed to address long standing OSCE/ODIHR recommendations on the improvement of the electoral legal framework.

Inconsistencies and ambiguities influencing the conduct of elections persisted, including the length of the campaign, registration of candidates as well as deadlines for the composition of election bodies: Voting Center Commissions (VCCs) and Ballot Counting Centers (BCCs). In addition, frequent replacements of commissioners by political parties created difficulties for the work pace of all tiers in the election administration.

Thus, establishing independent and impartial Election Management Bodies (EMBs) is of utmost importance for the country. It will be a significant step in building confidence of the electorate and political parties in elections. In general, EMBs should reflect standards of free and fair elections: independence and impartiality, transparency, efficiency and effectiveness.

CFFESD also recommends establishing a training school for election administrators. They should be trained in large numbers, within legal deadlines and exclusively selected among a fully trained pool of commissioners who understand the electoral process and accompanying legislation. Transparency, including timely publication of decisions and vote records, should be improved at all levels of EMBs. The budget allocated for the management of elections, especially at the Commissions of Electoral Administration Zones (CEAZ) level, should be sufficient and distributed in a reasonable timeframe.

As political parties failed to fully honor their commitment to increase women's participation in the electoral process, the under-representation of women in EMBs continues to be of concern.. CFFESD regrets the fact that the third-tier level of election administration continues to suffer from extremely low representation of women. Newly introduced changes in the Electoral Code in relation to gender representation deserve commendation as they make it obligatory for the Municipal Council lists to have 50% of each gender. Despite this, only 9 women (15%) were elected as mayors and 552 or 34.6 % are elected as members of the municipal councils. In this framework efforts from political parties to encourage women participation in politics, would be strongly encouraged.

Access for voters who cannot vote independently remains a concern. Although the Electoral Code provides methods and assistance for these voters, these elections did not respect them. CFFESD encourages the CEC and Local Government Units to coordinate earlier in the process in order to provide equal voting opportunities for voters who cannot vote themselves and abide by the provisions of election law and regulations.

The highly sensitive and delicate nature of ballot counting requires a fair and transparent approach to the process. It should also conclude at 10:00pm the day after Election Day or within 24 hours from the closing of voting, as stipulated in the Electoral Code. CFFESD recommends that votes should be counted in Voting Centers. Copies of the tables of electoral results at the CEAZ level should be provided to all observers, not only those representing electoral subjects.

Initiating a discussion on the preparation and adoption of a Code of Conduct constitutes a necessary step for upcoming elections. The Code could regulate the way political parties and senior government officials behave during the electoral campaign as well as during and after Election Day.

## CONCLUSIONS

Based on field observation, CFFESD concludes that voting was carried out mainly in accordance with legal requirements and international commitments and that violations noticed in VCs did not significantly influence election results.

On the other hand, pre and post-election periods suffered from heretofore criticized aspects such as the misuse of official positions, abuse of public resources for campaign purposes, allegations of pressure on voters and vote buying, and the highly politicized electoral administration. Although the Electoral Code of the Republic of Albania provides the foundations for conducting democratic elections, the observed unwillingness of political parties and electoral administration to fully respect the Code brought forth incidents that are inconsistent with commitments of election administration bodies.

Allegations of voter intimidation and vote buying persisted throughout the electoral campaign by political parties' representatives, which affects public confidence in the electoral process. A number of provisions regulating these elections were amended to the Electoral Code on April 2, 2015<sup>1</sup>. However, inconsistencies and ambiguities influencing the conduct of elections persisted, including the length of the campaign, registration of candidates as well as deadlines for the composition of election bodies -VCCs and BCCs respectively.

### *Voter lists*

On June 21, 2015 Albania's 3,370,206<sup>2</sup> voters had the opportunity to express their political will in 5,301 VCs to elect new Mayors and Municipal Council members. According to official data from the Central Election Commission, the turnout was 47.63 %.<sup>3</sup> CFFESD raises concerns with regards to Voters List and the fact that there is no initiative or effort by government institutions to tackle the issue of the considerably large number of Albanian immigrants who are only allowed to vote in the country.. This makes it difficult for these citizens to exercise their right to vote. In addition, the current situation makes it difficult to verify the accuracy of VCs and to establish real turnout figures.

CFFESD observation indicated that in 25% of VCs, one or more voters were unable to find their names in VCs. This is not to say that these voters could not vote as a result, but to emphasize that irregularities with voter lists persisted and that not all voters were informed in advance where they were designated to vote. One of the causes of this confusion is that local government units did not properly and timely inform citizens about their VC address. The failure to do so is a recurring problem in every election. Yet, CFFESD observers reported that some Local Government Units (LGUs) improvised open-air structures with laptops and assisted people in finding their corresponding VCs.

<sup>1</sup>Center of Official Publications. April 6, 2015. Official Gazette No. 51. Përdisandryshimedeshtesaneëligjinnr. 8652, datë 31.7.2000, "Përganizimindhefunsionimin e qeverisjesvendore", tëndryshuar. Online: [http://www.qbz.gov.al/botime/fletore\\_zyrtare/2015/PDF-2015/51-2015.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2015/PDF-2015/51-2015.pdf).

<sup>2</sup>Central Election Commission. Local Elections 2015. Online: [http://www2.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/QV/150529\\_-\\_DTI\\_-\\_QV\\_zgjedhes\\_lista.htm](http://www2.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/QV/150529_-_DTI_-_QV_zgjedhes_lista.htm)

<sup>3</sup>Central Election Commission. Official Results. Online: <http://www.cec.org.al/sq-al/Kreu/currentpage/4>

## ***Electoral Campaign***

Electoral Campaign is regulated by the Electoral Code and encompasses all activities and actions defined by law, during which political parties present their program and candidates to voters. Key processes regulated by the Election Law include: the right of political parties to conduct campaign activities; rules of conduct (including distribution and placement of promotion materials, use of public buildings, the silence period); campaign finance; procedures for media appearances, equal and fair coverage in the media and; the prohibition to campaign from the day elections are called until the official start of the campaign period.

CFFESD observation concludes that the electoral campaign was conducted mainly in a peaceful environment. Candidates continued to use traditional forms of communication with voters. CFFESD long-term observers found that the most preferred tools, listed in order of density of use were: posters, meetings, door-to-door campaigning as well as radio and television debates. The use of social media is the preferred medium in 81% of municipalities. CFFESD welcomes the use of public hearings and/or discussion meetings with various citizens and interest groups.

CFFESD observer's monitored mayoral candidates' campaign messages and the language used in campaigning. The Coalition notes that the main focus was on individual candidate platforms rather than personal attacks, even though the latter are not entirely absent from campaign discourse. LTOs have not reported denigrating or anonymous materials against rival contestants. Overall there was no electoral violence, with isolated incidents in Shkoder, Vau I Dejës, Himarë, Ersekë and Durrës. A distinct characteristic of the campaign was that political parties' promises were vague and platforms were ample with issues characteristic for parliamentary elections and less focused on issues of concern for local communities.

CFFESD emphasizes that pre-election promise in the electoral program need to be well defined, in order for voters to be able to make a rational decision based on sufficient information. In this sense, "fair elections" means much more than absence of election fraud – vague promises, although not legally sanctioned, present a form of election fraud, especially if they become a custom.

The campaign was primarily focused on candidates for mayors, overshadowing Municipal Council candidates, i.e. local parliaments. The Municipal Council is of utmost importance in the decision-making process and the development of the respective municipality. It is also in charge of reviewing policies and programs and approving the budget. Citizens had very little information, if any, who the candidates were and their contribution to the community. Candidates for councilors were rarely seen or promoted during rallies and meetings organized by mayoral candidates and their respective parties.

Insufficient attention was paid to the Roma and Egyptian community. They were not well represented in candidate lists and CFFESD observers reported no campaign activity in predominantly Roma-populated areas.

### *Use of Public Space and Resources*

CFFESD observers reported cases where political parties allegedly pressured public administration staff, central or local, to attend campaign activities. Our observers received information from interlocutors on 12 cases of alleged pressure towards public administration, students or employees of state owned enterprises.<sup>4</sup>

The coalition observed instances of local administration campaigning during official working hours. In Poliçan (EAZ 65) municipality employees, as well as the headmaster of the Poliçan high school accompanied the left wing candidate from the Alliance of European Albania (AEA) during a rally organized in Paraspuar and Rehovë, on June 2. Similarly, in Himara (EAZ 86) on June 5, the incumbent mayor held a meeting at “1 Maj” neighborhood accompanied by a number of municipality employees.

CFFESD expresses concerns over the apparent violations of the aforementioned cases to Article 3, paragraph 7 of the Electoral Code, which states that electoral subjects cannot use human resources from public administration at any level, during working hours. Public institutions should investigate and start disciplinary proceedings against public servants who participated in electoral activities during working hours, without having taken time off.

Providing different forms of relief aid to families, by central government officials, was also noted by CFFESD observation. At Ura Vajgurore, aid was provided to families affected by the flooding of November 2014 (11.06.2015/ 16:00 – 18:30). Likewise, there were indications in Novoselë (Vlora, EAZ 84) that food was delivered to different voters, which also made media headlines. The timing of this aid remains a concern for CFFESD, as it could indicate a tendency to influence voters, which goes against the principle of the free vote, highlighted by the Electoral Code of Albania as well as international standards. Given that central government officials are also political party representatives, CFFESD appeals to political parties to refrain from abusing anyone’s economic, social or health status, with the aim of influencing the free will of voters.

Members of government used inauguration of important public works to boost the campaign of the ruling coalition. Illustrative cases are those in Fier and Divjake. Prime Minister Rama attended a rally organized by the left wing coalition in Fier. The rally started with the inauguration of the city’s promenade, a public investment that needs not be linked with campaigning for local elections. On June 8, MP Erion Brace, used the opening of the tourist season in Divjake to campaign for the candidate of the left-wing coalition, Mr. Kokoneshi. Similarly, central government gatherings for the distribution of property legalization titles were often not clearly distinguished from campaign events.

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<sup>4</sup>In six reported cases public employees were allegedly pressured to participate in election related activities of political parties or candidates. In Ura Vajgurore (EAZ 62), DP candidate claimed that public administration employees were pressured to participate in electoral activities of the left wing coalition. Likewise, in Berat (EAZ 64), DP head of campaign argued that the entire Berat public administration was pressured to serve and support the campaign of the candidate of Alliance for European Albania. In Selenica (EAZ 85), public employees, teachers and hospital staff stated that they participated in meetings of the AEA candidate, under threats of losing their jobs. CFFESD is even more concerned as three out of these six cases (Ura Vajgurore, Pogradec and Vlora) were also noted in the first Interim Report. CFFESD identified six<sup>4</sup> other cases of employees from central and local government supporting candidates and political parties during working hours. CFFESD wishes to point out the case in Vlore where, during working hours, employees of the Municipality, workers of the water supply and sewage system and hospital staff participated in meetings promoting the left wing candidate. Different media outlets reported the case.



Despite a number of incidents, overall, electoral contestants did not complain of unfair distribution of public spaces for the posting of campaign materials. There were cases when parties used public spaces without attaining permission from local authorities, which were quick to react. On June 12, representatives of DP put flags and posters at the Palace of Culture in Bulqize, where CEAZ 18 was located. The flags were removed following complaints from SMI candidate.

### ***Election Management Bodies***

The work of Election Management Bodies (EMBs) was highly influenced and dependent upon the will of political parties. Another characteristic of the work of EMBs at all levels was a lack of substantial transparency, as they failed to fully and timely inform the public on their meetings and publish decisions. Although CEC made significant improvements in the area of openness and transparency of its work by publishing on time its meetings and broadcasting live its sessions, more needs to be done in this area with the other levels of EMBs.

Frequent replacements of commissioners by political parties created difficulties for the work flow of CEC, CEAZs, VCCs and BCCs. Changes in the Electoral Code were important due to the Territorial Administrative Reform adopted in July 2014, but were conducted late and remained partial, which created difficulties in implementation. In addition, political parties failed to address long standing OSCE/ODIHR recommendations on the improvement of the electoral legal framework.

### ***Central Election Commission***

Monitoring of the reasoning and also the quorum of CEC decisions taken for highly disputed and controversial issues such as de-registration of candidates and nomination of third and fourth members of Counting Teams showed CEC activity to be politicized and biased.

Despite efforts of the CEC to increase transparency of its work, ensuring substantial accessibility remains a challenge for the Central Election Commission. CFFESD observed continuously that the Register of Complaints uploaded on the CEC website was not regularly updated and the Register of post-electoral complaints<sup>5</sup> contains information until July 10, 2015. CFFESD also observed that CEC decisions taken before, during and after E-Day are uploaded on the CEC website in the form of draft-decisions, without voting records of CEC members. Tracking this information online will enable election analysts, voters and the public in general to have a clear picture of the CEC reasoning and decision making process, since the Electoral Code requires it to be public.

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<sup>5</sup>For more detailed info see Register of Post Electoral Complaints of the CEC website:  
[http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/Rregj\\_Ank\\_pas\\_Zgj\\_2015\\_KQZ.pdf](http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/Rregj_Ank_pas_Zgj_2015_KQZ.pdf)

### *Electoral College*

Although the Electoral College delivered decisions within legal deadlines, the publication of its decisions only upon conclusion of elections hampered the accessibility and transparency of its work. The appeals system did not comply entirely with international standards.

The Electoral College adjudicated 38 appeals from March 31 until July 27.<sup>6</sup>EC's schedule was busy mostly with pre-electoral appeals, with regards to candidate registration, especially procedures and requirements for councilors of former commune and non-parliamentary parties, as well as requests for withdrawal of candidates. .

EC decisions were uploaded fully only after elections to Tirana's Court of Appeal official website, not immediately after the decision was being delivered by judges. Parties in EC proceedings were informed on the EC decision during the trial and mostly through media, since the publication of EC decisions on the website was achieved in delays of more than five working days, therefore the right to access to court as well as the standard of publicity of reasoned court decisions in electoral matters that influence the process was not fully respected. EC trials were public, in presence of media and parties, which were notified as per legal requirements, but not streamed online like the CEC meetings, even though the decisions of the EC are final and have a final impact on electoral proceedings.

Depending entirely on the human and technical resources of the Tirana Court of Appeals, the EC was not optimally equipped, despite its busy electoral schedule. Lack of training for EC secretaries and lack of law clerks to assist judges made it even more difficult for the EC to function effectively.

### *Commissions of Electoral Administration Zones (CEAZs)*

Election administration bodies, particularly CEAZs, suffered from a variety of technical difficulties. Notable was the lack of proper infrastructure, logistics and basic equipment as well as budgeting. The quality of the work of commissioners in EAZs and their performance depended on these problems, which resulted in negligence and lack of cooperation among the various stakeholders, such as CEC and local government units.

Lack of transparency marked the work of CEAZs. Commissioners did not hold public meetings in official premises, they did not publicly announce their decisions, or provide third parties with certain documentation as provided for by the Electoral Code. Many CEAZs showed a minimal knowledge of their rights and responsibilities toward third parties and the public.

Two CEAZs<sup>7</sup> failed to establish counting teams within legal deadlines, as opposition commissioners refused to take any decision in an attempt to stall or even boycott the process, forcing the CEC to replace them less than 24 hours before E-Day.

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<sup>6</sup>A full list of EC decisions is available on the website of the Court of Appeals of Tirana: <http://www.gjykataeapelittirane.al/index.php?fq=brenda&m=shfaqart&aid=91>

<sup>7</sup>CEAZ 1 (Malesi e Madhe) and 15 (Kurbin)

The high number of replacements in CEAZs during the pre-election period is another indication of the process depending on the whims of political parties. The political composition of election administration is not *aprioria* negative aspect of elections in Albania. However, the significant polarization of the country along party lines impacted the work of commissioners at different levels of the election administration.

### ***Election Day***

CFFESD observers did not report significant procedural flaws or violations during Election Day (opening, voting procedures and closing of VCs). Therefore, voting day was held in a democratic and fair atmosphere in line with the Electoral Code and the related regulations, with a small number of observed irregularities and isolated incidents.<sup>8</sup>

#### ***Opening***

Opening of polling stations<sup>9</sup> was mostly in accordance with the law and other election related regulations, with some minor problems that did not significantly influence the voting process. Opening of VCs proceeded largely in an orderly manner, with the exception of delayed openings<sup>10</sup> and a few procedural problems. From the procedural point of view, slightly more than half of VCs nationwide respected ALL key opening procedure requirements.<sup>11</sup> Eighty-five percent of polling stations were opened slightly before or exactly at 7:10am, suggesting that delays were minimal.

In 16% of VCs nationwide, commissioners and observers did not receive copies of codes used to close the ballot boxes, which violates the Electoral Code. Additionally, in violation of the law, 10% of the VCs nationwide had missing commissioners during the opening. The percentage is slightly higher in Tirana at 16% of VCs, followed by 12% in Durrës and 8% in Shkoder.

During opening, CFFESD observers had free and unimpeded access to almost all polling stations under observation. Only in 3 of the VCs under observation, CFFESD monitors were prevented from observing opening procedures.

#### ***Voting***

Voting was conducted in a democratic atmosphere. There were few procedural irregularities and some isolated incidents. Cases of citizens being turned away and refused the right to vote, despite possessing a court order and valid identification, occurred in 22 VCs. The contrary was also identified, where citizens having neither valid identification nor a court order were

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<sup>8</sup>The Coalition noted serious violations reported during the Election Day procedures in less than four (4%) of voting centers nationwide.

<sup>9</sup>Voting Center Commissions (VCCs) were not in full composition at the opening in about 10% of voting centers in Albania. In 17% of VCs commissioners failed to distribute copies of security seal logs during opening procedures.

<sup>10</sup>Opening was delayed in 15% of VCs.

<sup>11</sup>CFFESD monitors observed the following opening procedures: timely opening, inspection that ballot box is empty and sealed with security codes, whether the seals were recorded in seal log, whether copies of seal logs were distributed to all the commissioners and party observers, whether all VCs were equipped with necessary materials, and presence of VCC members.

nevertheless allowed to vote. Such instances were present in 6 VCs for the former, and 12 VCs for the latter. Inking procedures were respected in 93% of cases nationwide.

A concerning finding is that in more than 25% of VCs nationwide, there were voters that could not find their name on the voters list. Whether these incidents are related to administrative shortcomings, problems in notification of voters or voter error, this issue must be monitored for future elections.

The poll watchers of the two largest parties, SP and DP, were represented in about 90% of voting centers, followed by SMI with 80% representation.

### *Closing*

Although closing of polling stations was in line with regulations in most of the polling stations, CFFESD observers reported serious violations in 5 VCs—including the presence of unauthorized persons in VCs, suspension of closing procedures for more than 30 minutes and not securing and sealing of ballot boxes prior to transport. This is not a statistically significant finding, and cases cannot be interpreted as a national trend, but rather as isolated incidents. The same trend was observed in the Tirana, Durrës and Shkodër municipalities.

The one significant closing procedure violation was allowing citizens who arrived at voting centers after 7pm to vote, in eight percent (8%) of VCs.

In addition, twenty-three percent (23%) of voting centers reported that they could not reconcile the number of ballots received from the CEAZ. This percentage is high given the strong link that ballot discrepancy has with fraud, although differences could be due to counting or human errors rather than fraud. Whether these errors are due to neglect or not the ballot discrepancy issue needs to be addressed by election authorities.

### *Counting Process*

Ballot counting is the most precarious part of elections in Albania. The process is threatened by transparency perspective from the closing of VCs and transportation of ballot boxes to Counting Centers to the processes inside BCCs. The layout of Counting Centers, with multiple tables and counting teams, does not provide for a transparent view for observers due to the unsuitable distance from counting tables.

Vote counting began at different times throughout BCCs, generally shortly after 23:00 on June 21 and lasted between 2 to 4 days in almost all BCCs, excluding counting center that belongs to CEAZ No.1 in Malesia e Madhe, the Region of Shkodra.<sup>12</sup>

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<sup>12</sup>In this specific case, twenty (20) boxes were counted in Tirana after decision No. 751 of the Central Election Commission, dated 06.27.2015, due to numerous delays and disruptions of the commissioners of the BCC. The remaining boxes of CEAZ No. 1 were counted by the staff of the CEC on the premises of "1 Maji" school in Tirana. Our observers were not allowed to follow the process.

Despite having two Counting Teams per table, counting was accompanied by interruptions and delays, although according to the Electoral Code the counting process continues uninterruptedly until the completion of counting for all regular ballot boxes. CFFESD observers noted cases when ballot-scanning screens did not work or were turned off for periods of more than half an hour.

CFFESD observers reported a few cases when unauthorized persons were present in the BCCs, despite provisions in the Electoral Code that only authorized subjects from CEC could attend the counting process

The current centralized method of ballot counting proved once again to be inefficient in respecting all legal deadlines and ensuring a transparent and open counting process.

The counting process was officially closed on June 28, seven days after the closing of voting centers, although the Electoral Code states that the Summary Tables of the Election Results for each EAZ should be drawn by the CEAZ no later than 22:00 of the day following the voting.<sup>13</sup>

Although this might be viewed as an improvement in comparison to previous elections, it is in contradiction with international standards for democratic election to wait for the election results for such a long time. Albanian citizens deserve to have the election results in a timely manner, which is also stipulated by the Electoral Code.

### ***Other Important Conclusions***

#### ***Equal Opportunities to Run for Office***

The current legal framework does not provide equal conditions for all election contestants. Political parties with no seats in the Assembly and/or outside big coalitions, as well as independent candidates have to collect a significant number of supporting signatures (no less than 1% of the voters in a specific EAZ), while big coalitions and parties that have seats in the Assembly or independent candidates that hold high official positions are exempt from this requirement. In light of the new Administrative and Territorial Reform where municipalities have become bigger (due to elimination of communes) running for office has become even more difficult for independent candidates.

In addition, independent candidates and parties running for the first time are not allowed to benefit from public funds in order to conduct their campaign. Article 87 of the Electoral Code stipulated that “Political parties participating in the elections, which have received no less than 0.5 per cent of votes nationwide, are entitled to State Budget funds, based on the number of votes of each party in those elections.” This element adds to the difficulty in the process of their registration as candidates and campaign for local elections.

#### ***Women’s Representation***

As per requirements of the newly amended Electoral Code, council candidate lists were equally divided between genders, alternating every second name. However women remain

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<sup>13</sup>Electoral Code of the Republic of Albania. Article 122/1, 123/1. Online: <http://www.osce.org/albania/159501?download=true>

underrepresented in electoral management bodies. When it comes to CEAZs, CFFESD appreciates the fact that SP and DP respected the gender quota required by law for gender representation in commissions at not less than 30 percent,<sup>14</sup> despite the frequent replacement of commissioners before and after May 22, 2015.<sup>15</sup> However, although the two main parties respected the law, the smaller ones did not.

Women occupied few leading positions in CEAZs, with fourteen (14) (16%) female chairs, nineteen (19) (21%) deputy chairs and twenty-two (22) (24%) secretaries. During E-Day women were not present in 37% of VCCs and a woman chaired only 15% of VCCs. Although this is not a requirement of the Electoral Code, women representation in the third tier electoral bodies remains insignificant.

### ***Rights of Persons with Disabilities***

The observation finding that 57% of voting centers nationwide were not physically accessible to voters with disabilities is alarming. Local administration failed to remove barriers for voters with mobility limitations, thus failing to ensure inclusive elections and promote full and equal participation.

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<sup>14</sup>Electoral Code of the Republic of Albania, Article 29/1/ç determines that: “30 per cent of the members proposed respectively by the biggest party in power and biggest party in opposition shall be from each gender.”

<sup>15</sup>As of June 6, 2015, out of 270 SP commissioners, 103 (38%) were women; out of 270 DP commissioners, 87 (32%) were women.

## RECOMMENDATIONS

### *Need for a Comprehensive Electoral Reform*

CFFESD urges Parliament to immediately initiate public discussions with all relevant stakeholders on Electoral Reform that addresses long-standing OSCE/ODIHR recommendations as well as issues identified in this last election cycle.

### *Voter's lists*

CFFESD recommends that the government of Albania should take measures to create additional voter registers for special voting arrangements, such as lists of Albanian citizens voting from abroad. The law should clearly specify the processes, deadlines and all modalities of how such registers are created and how voters placed on special voter registers are removed from the regular voter register. Moreover, provisions should be made to ensure that the administration of votes from abroad is transparent and non-politicized.

### *Electoral Campaign*

Political parties and candidates offered citizens of Albania a distinct choice between different programs and platforms. However, considering the shortcomings observed during the campaign period CFFESD urges political parties to start public discussions with all relevant stakeholders, state and non-governmental actors, domestic and foreign institutions in order to start drafting a Code of Conduct for elections, which would regulate the behavior of political actors, including high officials, during elections. Further research is needed regarding best practices from other countries, to find a suitable model for the Albanian context.

The Code of Conduct for elections will serve as a practical basis for contributing to peaceful elections and develop confidence in the democratic process as mechanisms for implementing representative government and effecting peaceful change. Parties must be committed to the Code of Conduct, viewing it not merely as a set of mechanical rules, but as a set of principles to be honored in spirit as well as in letter.

Moreover, all cases of violence or intimidation and coercion during the election campaign, towards voters or electoral subjects, should be investigated and prosecuted by the respective authorities.

Political parties should publish backgrounds of their candidates, so voters have the possibility to see their previous professional engagements and experience. CFFESD calls on political parties to not include candidates with a past criminal record to run for office. Moreover, CFFESD recommend that political parties show serious political will to finalize and pass legal amendments to stop people with criminal records from being part of the legislative and executive of Albania. We need this for the sake of stability, unity, good governance and sustained socio-economic development.

### ***Use of Public Space and Resources***

CFFESD calls on municipalities to strictly adhere to the law on the fair and equal distribution of propaganda posting spaces. The use of public administration resources should be prevented in the electoral campaign in the next elections.

To avoid any misuse and abuse of public resources as well as to ensure the integrity and trust in the election process, CFFESD calls on local and central authorities to refrain from the distribution of relief aid during the pre-electoral and electoral campaign period. The authorities should thoroughly investigate any type of vote buying/selling activities and the results of the investigations should be made public in order not to undermine the process and results of the elections.

Inauguration of public projects should not be used for electoral gains. Political forces are requested to ensure a clear division between campaign activities and inauguration events during the electoral campaign.

### ***Election Management Bodies***

Neutrality and fairness of Election Management Bodies (EMBs) should be the cornerstone of the upcoming elections in Albania. Establishing independent and impartial EMBs is of utmost importance for the country. It will be a significant step in building confidence of the electorate and political parties in elections, to advance the country's European integration agenda.

In order for EMBs to conduct their duties efficiently, sufficient funds must be distributed in a timely manner and commissioners must be impartial and independent. As bodies with a critical role in ensuring the proper administering of elections they should be freed from political influences. EMB members should be non-partisan and thoroughly understand the electoral process and accompanying legal requirements. They should also have administrative and managerial skills depending on the position held in the commissions.

EMB premises should be equipped with necessary logistics such as Internet connection, fixed telephone, printer, scanner and copy machine.<sup>16</sup> This will allow them to be functional throughout the election period, especially in situations such as early/snap elections or national/local referendums.

Furthermore, CFFESD recommends that CEC organizes a School for Elections Administrators in Albania (SEAA) to train and prepare future elections administrators for all levels, where citizens can attend, acquire the knowledge in elections administration, get certified and be fully prepared and trained to serve as members of elections administration commission of all levels, irrespectively of party membership. Respective legal amendments should be passed to make this happen. The EMB members should only be selected from the pool of trained and certified commissioners, which would eventually reduce the problems observed from commissioners' replacements.

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<sup>16</sup>At least CEC, CAEZ and Electoral College should have these facilities.



CFFESD recommends that CEC should update, on a regular basis (twice a day during electoral period), the online Register of Complaints in order to increase its transparency of administrative review of electoral complaints.

CEC should upload the full scanned version of its decisions, including the signatures of its members once the decision is approved, to increase the access of interested parties and public to CEC activity and improve CEC transparency. In this regard, CEC can have a dedicated person dealing specifically with this task during elections period as this would increase transparency and efficiency.

CFFESD recommends that Electoral College (EC) judges and administrative staff have a dedicated facility that would enable them to conduct their duties and competences and this should be regulated by legislative amendments of Electoral Code at least one year before the next elections.

At the same time, CFFESD recommends that like CEC, the EC also can provide online broadcasting in real time of all EC hearings, which would require more funds, logistics, human resources and other capacities;

Overall, CFFESD recommends that EMBs should adhere to the following democratic principles:

#### *Independence and Impartiality*

Members of EMBs should not be subject to the direction of any other person, authority or political party other than the official election management authorities. They must function without political favoritism or bias. The EMBs must be able to operate free of interference. Any allegation of manipulation, perception of bias or alleged interference will have a direct impact not only on the credibility of the body in charge, but also on the entire election process.

#### *Transparency*

The law should contain provisions for CEAZs to publicly announce the time and agenda of their meetings, so interested citizens or groups can attend. CEAZ decisions should be made public and the law should clearly define “third parties” and obligations toward this category. In order to leave no space for personal interpretations by commissioners, the law should also specify who is allowed and not allowed to attend meetings.

#### *Efficiency and Effectiveness*

Efficiency and effectiveness are integral components of the overall credibility of elections. Instead of a fixed budget, the CEC should take into account the specific needs of each CEAZ and assign budgets accordingly. The law should have clear specifications how the budget is calculated and provide a reasonable deadline for its allocation.

#### *Counting Process*

A fair and transparent vote count is essential to democratic elections. Election standards require that votes be counted, tabulated and consolidated in the presence of party representatives and

candidates as well as election observers, and that the entire process by which a winner is determined is fully and completely open to public scrutiny.<sup>17</sup>

According to the Albanian Electoral Code the counting process should finish at 22:00 of the day after Election Day or within 24 hours from the closing of voting. This deadline is never respected and counting goes on in abnormal timeframes. Counting is organized at central counting locations under the administration of CEAZs. For these elections 90 Counting Centers were established per each CEAZ. In light of this, CFFESD urges changing the counting approach from the current centralized model to a decentralized one where counting is conducted in polling stations, which will bring more efficiency and transparency to the process. These changes should be tested in a selected number of pilot VCs in the next parliamentary elections of 2017.

Venice Commission's Code of Good Practice in Electoral Matters suggests that votes should preferably be counted at the polling stations, rather than in special centers. The peaceful and efficient conduct of the voting and opening proved that Voting Centers' staff is capable of performing counting as well. In addition, the elimination of BCCs and CTs would allow for concentration in selecting VC commissioners that would be trained to conduct counting. This arrangement would speed up the counting process and avoid the need to transport the ballot boxes and have accompanying documents, thus reducing the risk of manipulations with ballot boxes.

However, if the counting remains as it is, CFFESD recommends that it continues uninterrupted until the process has ended and results are published. The existence of two counting teams for each Counting Table would provide the opportunity for shifts among teams, which should not create delays in the process. CEAZs should refrain from interrupting the counting of ballots without a strong reason to do so.

The BCC set up of premises is also problematic as it does not provide for transparency and leaves little space for observers to have a clear view of the process. CFFESD recommends organizing counting in a way that each observer, partisan or non-partisan is able to watch each table, and that observation is not done via distant monitors. Counting is the most important and delicate moment of elections, thus transparency is essential to generate trust in the process.

### ***Other Important Recommendations***

#### ***Equal Opportunities to Run for Offices***

CFFESD recommends that the legal framework should be reviewed to reduce the requirements for signatures to run for office, especially with the new territorial division. Moreover, the electoral legal framework should be reviewed to provide some minimal public funding support for new parties, candidates of parties, and independent candidates that have not passed the electoral threshold. Investing in these groups and individuals would be an investment in the competitiveness of elections and democracy. Comparing to the last parliamentary elections, new

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<sup>17</sup>The International Institute for Democracy and Electoral Assistance. Counting and tabulating votes. Online: <http://www.idea.int/publications/ies/upload/13.%20Counting%20and%20tabulating%20votes.pdf>

parties or parties that do not pass the threshold do not get public funds for campaigning, thus impeding new entrants.

### ***Women's Representation***

The Electoral Code of Albania should change to facilitate full equality of men and women in the electoral process as candidates or administrators of elections so that all can fully utilize their guaranteed rights to electoral and public participation.

The Electoral Code should introduce, at the very least, the same gender quota requirement for smaller parties that are part of the composition of CEAZs. Gender quotas should also be introduced for high-level positions in CEAZs such as the Chair, Deputy Chair and Secretary positions. While 50% of councilor candidate lists were women, only 34.6% women were elected. Moreover, few women were candidates for mayor with only 9 out of 16 elected to mayoral positions. CFFESD urges parties to nominate more women in competitive races by proposing a 30% quota coupled with additional sanctions in the electoral code for more women representation in decision making and politics.

### ***Rights of Persons with Disabilities***

Election Management Bodies (EMB) should implement the Electoral Code to ensure full access of voters with disabilities to the electoral process. Special budgets should be allocated and an action plan should be drafted to address the needs of voters with disabilities. The CEC should ensure that all initiatives finish within specified deadlines and before Election Day. EMBs in cooperation with the local government or the institutions that have assets should continue to plan and make resources available to make the entrances of voting centers accessible to persons with disabilities. Moreover, CEC should take measures to ensure the timely and full implementation of plans for the use of special voting devices for blind voters and for adjustable booths and should identify in advance of the upcoming elections alternative means that will allow home-bound voters to vote. EMBs should encourage local government units to take necessary measures in advance to secure transport for voters who need assistance to reach voting centers.

## INTRODUCTION

The June 21 Local Elections in Albania were organized following the newly received candidate country status from the European Union (EU) Council of Ministers, which brings Albania a step closer to EU membership. In this framework, elections are considered an important test for opening accession negotiations. As Albania's Rapporteur at the European Parliament declared during an interview, "The number one message is that these elections are a wonderful opportunity to show that Albania is ready to open accession negotiations."<sup>18</sup> In addition, the 2015 Local Elections took place shortly after the approval of the Territorial and Administrative Reform (TAR) by the Albanian Assembly on July 31, 2014. The new territorial division led to a significant reduction of Local Government Units (LGUs) from 373 to 61.

This report is the culmination of observation and monitoring efforts from the Coalition for Free and Fair Elections and Sustainable Democracy (CFFESD). The multifaceted election monitoring project was designed to capture key aspects of the election process during all its constituting phases: pre-election atmosphere; Election Day (E-Day) from the opening of the Voting Centers (VCs) to the handover of election materials to Commissions of Electoral Administration Zones (CEAZs); counting at Ballot Counting Centers (BCCs) and; post-election developments. It aimed at providing reliable, evidence-based, statistically sound and easily accessible information to interested stakeholders in the election process. Furthermore, the project's goal was to publicly denounce and prevent any irregularities that would compromise the quality of elections.

Ninety Long Term Observers (LTOs) were deployed across the country to monitor the work of all 90 Electoral Administration Zones (EAZs) during the pre-election period up to E-Day until the end of the counting process. An additional 1,000 impartial Short Term Observers (STOs) were deployed in 1,000 VCs throughout the country on E-Day. The observed VCs were selected through a carefully crafted sampling methodology<sup>19</sup> to ensure a random and representative sample, which allowed CFFESD to confidently extrapolate results and findings to all VCs at the national level. Additionally, 300 observers took shifts to observe the 90 BCCs from the arrival of the first ballot box to the counting of the last one.

In view of the 2015 Local Elections atmosphere, CFFESD decided to design an E-Day deployment plan that would provide representative information on the conduct of E-Day **at the national level** as well as for the municipalities of Tirane, Shkodër, Durrës, and Himare, where the race was deemed especially competitive. Therefore, a sample of 1,000 VCs was equally divided, using the two following sampling techniques:

- 500 out of 5,301 VCs were sampled for **nationwide representation** within a margin of error<sup>20</sup> equal to  $\pm 4.1\%$ , with a confidence interval of 95%;

<sup>18</sup> Albanian Daily News. June 16, 2015. Fleckenstein: Local Elections, opportunity for Albania to open accession negotiations. Online: <http://www.albaniannews.com/index.php?idm=1819&mod=2>.

<sup>19</sup> CFFESD employed the Statistically Based Observation (SBO) which is a methodology that involves the observation of representative sample of voting centers and provides statistically meaningful information and confidence on the quality of Election Day process (opening, voting and closing of the voting center)

<sup>20</sup> Technically speaking, a sampling error of  $\pm 4.1\%$  means that if repeated, samples of this size were conducted, 95% of them would reflect the results with no greater inaccuracy than  $\pm 4.1\%$ .

- **500 additional (boosted)VCs** were selected to allow comparison for subgroups of Tirana (270 sampled out of 864), Shkodër (150 sampled out of 245), Durrës (180 sampled out of 310), and Himare (38 out of 38) municipalities with a margin of error equal to  $\pm 4.9\%$ , and a confidence interval of 95%.

All impartial citizen observers were trained, tested and equipped with survey instruments, manuals, accreditation from the Central Election Commission (CEC), and other needed materials. During their time at the designated posts, they were prepared to report on the general situation as well as incidents that may arise during the election process.

### *An Overview of the Elections*

On June 21, 2015 Albania's 3,370,206<sup>21</sup> voters had the opportunity to express their political will by casting a vote in 5,301 VCs to elect 61 mayors and 1,600 municipal council members in the new, trimmed-down municipal divisions.

### *Political Context*

An important milestone for Albania's European integration bid was set in June 2014, when the country was granted candidate status after several failed attempts. The June 21 Local Elections were conducted in the context of the achieved status and with the perspective of opening accession negotiations in the near future. Holding elections that fulfill European and international standards to guarantee the freedom and fairness of the vote has been one of the key conditions of the EU.

The 2014 Progress Report of the European Commission reads:

*Building on progress in the 2013 parliamentary elections, Albania needs to implement the recommendations of the OSCE/ODIHR election observation mission, notably strengthening the independence of the election administration bodies, well ahead of the 2015 Local Elections.*<sup>22</sup>

The conduct of elections shapes political life in the long run, and also impacts Albania's path towards EU integration. Hence, it was important that this election reflected once again the maturity of Albania's political class.

These were the first Local Elections conducted after the approval of the TAR by the Albanian Assembly in 2014. The first level of local government will now consist of 61 municipalities, instead of 373 units (65 municipalities/urban and 308 communes/rural units). In terms of local managers, TAR reduced the number of mayors from 373 to 61 and municipal council members from 6,152 to 1,595. There was opposition to this reform and several non-parliamentary parties claimed that the process was not inclusive and that redistricting was done along party lines. There

<sup>21</sup>Central Election Commission. Local Elections 2015. Online:

<http://www2.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/QV/150529 - DTI ->

<sup>22</sup>Commission Staff Working Document. October 2014. Albania 2014 Progress Report.

Online: [http://ec.europa.eu/enlargement/pdf/key\\_documents/2014/20141008-albania-progress-report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-albania-progress-report_en.pdf)

were also complaints that the reform did not take into account the specifics of minority-populated areas. Regardless, all key actors chose to participate in elections as contesters.

The fact that the decentralization reform was completed later than planned led to a lack of substantial discussion among all stakeholders and the public in general, regarding the new competencies of local government units and the concrete changes brought forth by the reform, in addition to the areas that the new local units cover.<sup>23</sup>

The Local Elections served more than just electing new local administrators. They also served as a test for political parties' support ahead of the 2017 general elections. The Socialist Party (SP) was seeking a confirmation of the landslide victory of its coalition in the 2013 parliamentary elections and an indication that the major reforms undertaken so far enjoy public support. On the other hand, the Democratic Party (DP) sought to recover from the losses of the 2013 general elections and turn the situation in its favor.

This year's continued political disagreements among political forces postponed and led to missed deadlines for important decisions regulating the electoral framework, including the last minute approval of Electoral Code amendments, which directly undermined the stability of the electoral law. According to international standards for democratic elections, important elements of electoral law should not be amended a year before elections.<sup>24</sup>

The political environment leading to elections was tense, largely due to longstanding conflicts between the two major parties, SP and DP. The political atmosphere was marred by continued accusations on criminalization among political parties and lack of will to engage in a legal reform process on the issue. Pervasive distrust between the parties was a continuous problem for the free and fair conduct of the elections.

CFFESD criticizes political parties for not using fully the time in their disposal to submit list of candidates that did not raise suspicions on the integrity of their candidates. It is the right of Albanian citizens to make an informed choice about their local administrators.

### ***Legal Framework***

The 2015 Local Elections were conducted under a sound legal framework, resting on the Constitution and the Electoral Code.

Firstly, Albania guarantees universal and equal suffrage to citizen above 18 years old. Citizens have equal voting rights and each voter has one vote. The Constitution of Albania and the EC guarantee this fundamental right.

<sup>23</sup>A survey on Citizen Voices regarding the Territorial and Administrative Reform conducted by IDRA suggests that the majority of citizens in Albania feel uninformed. Specifically 65% responded that they feel uninformed, 22% felt informed and a further 13% feels moderately informed. For more information on the survey results see the report here:

<http://www.idra.al/files/reports/Hyrje%20&%20Permbledhje%20Ekzekutive%20%20FINAL.pdf>

<sup>24</sup>For more information see Code of Good Practices in Electoral Matters' – Venice Commission, Opinion No. 190/2002, II./2/b, pg. 10. Online: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2002\)023rev-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2002)023rev-e)

The provisions set by the Electoral Code are supported by decisions and instructions of the CEC. Other applicable legislation includes the Law on Administrative-Territorial Division of Local Government Units in the Republic of Albania,<sup>25</sup> Law on the Organization and Functioning of Local Government, Law on Political Parties, Code of Administrative Procedures, and the Criminal Code.”

The Electoral Code was amended in April 2015 to reflect the new division of local government units. Significant changes were also made on gender representation in the lists of candidate parties and coalitions, according to which multi-name lists of candidates for municipal council members shall contain a 50% representation from each gender, and one in every two consecutive names in the listing, shall belong to the same gender<sup>26</sup>. Lists that do not comply with gender representation are not accepted for registration by the CEC<sup>27</sup>.

### ***Contest of Election***

In the Local Elections of June 21, 2015, a total of 1,606,231<sup>28</sup> people voted out of 3,370,206 citizens registered to elect the new mayors and municipal councilors. The participation rate of 47.63% is lower than turnout in the previous Parliamentary Elections of 2013 (53.46%) and Local Elections of 2011 (51.1%).<sup>29</sup> However, CFFESD must stress that Albanian emigrants who live and work in different countries are registered on the voters' lists but they do not have the opportunity to vote unless they travel back to Albania.

According to the CEC, the highest level of participation was reached in Kukes with 58.79% and the lowest in Vlora with 36.79%. The number of women who participated in the polls is 726,016, or 45.02% of all voters.

For the Local Elections of 2015, there were 63<sup>30</sup> political parties registered at the CEC as of April 16, 2015. Sixty-one political parties were registered according to the CEC decision and two based on the Electoral College (EC) decision. These political parties were organized and competed in two main coalitions:<sup>31</sup> the European Alliance for Albania (EAA) composed of 37 political parties and the Peoples' Alliance for Work and Dignity (PAWD) composed of 15 political parties. Eleven political parties competed outside coalitions.

The independent candidate for Tirana Gjergj Bojaxhi collected 13,688 supporting signatures. Due to such signature requirements and a provision in the Electoral Code, which exempts

<sup>25</sup> Law 115/2014 On the Administrative Territorial Division of the Local Government Units in the Republic of Albania. Online: [http://www.reformaterritoriale.al/images/Law\\_115\\_2014.pdf](http://www.reformaterritoriale.al/images/Law_115_2014.pdf)

<sup>26</sup> Art. 67 of Electoral Code, amended

<sup>27</sup> Art. 175 of Electoral Code, amended

<sup>28</sup> Central Election Commission. Press Releases. Online: <http://www.cec.org.al/sq-al/Njoftime/deklarata-shtypi/ID/382/Deklarate-per-shtyp-28062015>

<sup>29</sup> Central Election Commission. Online: <http://www.cec.org.al>

<sup>30</sup> For more information see the List of Political Parties registered in the CEC <http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/150417%20-%20DJ%20-%20Regjistri%20i%20Partive%202015.pdf>

<sup>31</sup> For more detailed information see the List of Coalition and Political parties registered at the CEC for Local Government elections, 2015

[http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/150427%20-%20DTI%20-%20parti\\_koalocione\\_2015.pdf](http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/150427%20-%20DTI%20-%20parti_koalocione_2015.pdf)



independent candidates from receiving public funds to finance their campaign, some independent candidates created parties in order to run in the elections.

The race for mayor had 16 women candidates, three from the Socialist Movement for Integration (SMI), three from the DP, nine from the SP and one independent. The following municipalities had women candidates: Shkodër, Prrenjas, Pogradec, Gjirokaster, Durrës, Selenice, Himare, Mat, Patos, Gramsh, Klos, Libohovë, Rrosovë, Sarandë and UraVajgurore. Only in Shkodër the race for mayor was between two women candidates. Out of the 16, more than half, nine municipalities will have women Mayors in the upcoming 4 years.

A positive aspect of these elections is the fact that parties and candidates that lost the race generally accepted the results. Some candidates who lost the competition, such as Halim Kosova in Tirana, Ketil Bazhdari in Shkodër, and Enkelejd Alibeaj in Fier even congratulated their opponents, bringing forward a new model of behavior in this regard. However, it should be mentioned that some electoral subjects, mainly small parties, have filed complaints to the CEC about the outcome of elections, including the complaint filed by SMI contesting the results in Vora.

### ***Election Results***

In local elections of 21 June turned out 1,613,054<sup>32</sup> people to vote for electing the new mayors (while 1,612,217 only voted for municipal councilors) from 3,372,471 citizens registered in the voting lists. They voted in 5,301<sup>33</sup> voting centers around the country. The percentage of participation in elections is 47.83. The highest level of participation, at regional level, was reached in Kukës with 58.79% and the lowest in the region of Vlora with 36.75%. The number of women who participated in the polls is 678,298 or 42% of all voters.

The Central Election Commission (CEC) registered altogether 88 electoral subjects, 61 parties and 15 independent candidates running for mayor and 12 candidates running for municipal council member. Two big coalitions were established, the Alliance for European Albania with 37 parties and the People's Alliance for Work and Dignity with 15 parties. The main electoral contest was held between two coalitions either for mayors as well as for the respective councils. At the end of proportional voting system for municipal council members votes divided between two coalitions were 991,609 or 63.48% for the Alliance for European Albania and 507,285 votes or 32.47% for the People's Alliance for Work and Dignity.

The counting of votes for each party shows that SP is the first party with 402,709 (25.78%) votes, DP 317,620 (20.33%), SMI 259,934 (16.64%), PJIU 59,701 (3.82%), RP 53,784 (3.44%) and then the rest of 61 parties in lower percentages.

The number of municipalities won by AEA's candidates is 45, while those won by PAWD are only 15 municipalities. Meanwhile MEGA Party representative will administer the municipality of

<sup>32</sup> This data on elections were provided by the CEC official website <http://results.cec.org.al/Results/LocalMayor?cs=sq-AL&r=r&rd=r1#>.

<sup>33</sup> Four VC in regions of Shkodra, Lezha, Tirana and Elbasan were not included in the final tabulation of the CEC for councillors and three VC in the regions of Lezha, Tirana and Korça for mayors for irregularities in the respective voting boxes.



Finiq. Regarding the race for mayor it is worth noting that independent candidate Gjergji Bojaxhi, who ran in Tirana, received 16,056 votes (5.37%), ranked third, behind the two coalitions' candidates Erjon Veliaj (ASE) with 160,235 votes (53.58%) and Halim Kosova (PAWD) with 116,628 votes (39.00%).

Woman candidates in the race for mayor were 17, while 9 of them won and will administer the municipalities of Shkodra, Gjirokastra, Saranda, Prrenjas, Gramsh, Patos, Libohovë, Ura Vajgurore and Roskovec, i.e. about 15% of the country's municipalities.

Although the Electoral Code says "For the elections to local government bodies, for any municipal council, one in every two successive ranking names must belong to the same gender", subject submits the list stating the countries, according to the gender quota in order to apply the exception, in the second paragraph of paragraph 2 of Article 164 of this Code, final outcome of local elections in 2015 showed that 552 women or 34.6 % will be members of the city council out of 1595 councilors in 61 municipalities.

## **FINDINGS AND ANALYSIS**

CFFESD closely monitored the 2015 Local Election process before, during and after Election Day with LTOs, STOs, and a group of experts at CFFESD head quarters. This section provides findings on the three phases observed.

### **Pre-Election**

CFFESD started monitoring the pre-election period on May 22, 2015, the official start of the electoral campaign. CFFESD observers monitored the CEC and the EC. They reported weekly on the administration of the 90 CEAZs, campaigning and the use of public resources by political parties and candidates.

### ***Central Elections Commission***

CFFESD experts monitored all CEC meetings from June 1, 2015, with regards to publicity, decision-making, media monitoring board, voters list, commissioner replacements and administrative complaints of CEC activity, as per the Electoral Code<sup>34</sup> requirements. Monitoring of transparency focused on meetings' publicity, notification of political party representatives, distribution of the agenda to all interested actors prior to CEC meetings, including political party representatives, media and observers, as well as publication of CEC decisions to inform parties and the public.

CFFESD experts observed that the CEC generally increased the level of transparency and access of the public to its activities by airing all meetings online, however CEC decisions were not available online in written or scanned versions. In this regard, the CEC had increased the publicity of the meetings with regular and timely notifications through email and other means of publication. For example, the agenda was published in advance on the CEC official website and

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<sup>34</sup>Art. 22 of Electoral Code of the Republic of Albania: CEC Meetings.

by the CEC spokesperson, therefore political party representatives, media and observers were notified in advance of the upcoming events.

CEC meetings were held on time, and were fully accessible by media and other interested stakeholders since they were broadcasted on the CEC official website in real time. The CEC discussed every issue as presented in the daily agenda and granted political party representatives the opportunity to present their observations prior to the decision-making process.

CEC Instructions<sup>35</sup> on elections administration issues and procedures were approved unanimously. Some of the CEC decisions were approved by a simple majority of only four of the CEC members. These decisions were mostly related to controversial issues such as the decision on candidates de-registration,<sup>36</sup> decisions on political parties entitled to participate in the drawing of lots for selecting the third and fourth members of Counting Teams,<sup>37</sup> and one decision on the evaluation of the Elections Monitoring Board (EMB) Report on electoral campaign to compensate airtime for political parties.

The busy pre-election schedule for the CEC was related also to allegations of political parties' representatives regarding the "artificially" expanded voters list in Durrës<sup>38</sup>, Vora<sup>39</sup>, Kavaja and Tirana<sup>40</sup>, as well as special voters list in detention centers. Voter's list compilation is the responsibility of the General Directorate of Civil Status office<sup>41</sup>, under the supervision of the CEC. Therefore, the CEC required official information by competent institutions and had open

<sup>35</sup>The CEC Instructions related to procedures for receiving Ballot Boxes from Receiving Teams, "Counting Teams allocation, composition and counting procedures," for the "Voting Center Commissions (VCC's) establishment and functions," as well as the Instruction 'On data assembling and preliminary elections results' were approved unanimously. Also unanimously approved were the CEC decision No. 588, May 28, 2015 "On the approval of the usage of the special tool that enables blind people to read the Ballot Paper" and decision No. 578, May 26, 2015 to approve the Counting Team Manual. All CEC instructions are fully displayed at the CEC website: <http://www2.cec.org.al/sq-al/Udh%C3%ABzime-2015>.

<sup>36</sup>Kurbin case was the most disputed and also controversial case on de-registration of candidates for mayoral elections; this problem was also reflected for other candidates withdrawal requests. The principal line of reasoning by the CEC on the matter was that the CEC would not approve candidates withdrawal requests after the legal registration deadline; this reasoning was reflected in three cases: Kurbin case where the CEC decided by simple majority to dismiss the candidate withdrawal request, in Kuçova and also in Dropull.

In three other similar cases, the CEC decided to accept the candidates withdrawal request; in Memaliaj where the withdrawal request of independent candidate was accepted with the reasoning that the configuration of the ballot paper with many candidacies (7) and was difficult to collect and print them in one ballot paper (Decision No. 608 of the CEC). The same situation happened in Saranda where the candidate for Mayoral race in Saranda (supported by the Ethnic Greek Minority Party) presented to the CEC the formal withdrawal request, certified in front of a public notary and the CEC decided to approve its withdrawal (Decision No. 609 of the CEC). In Kelcyra, coalition PAWD requested to the CEC to de-register the candidate due to its past criminal record; the candidate did not agree with this request, but the CEC unanimously decided to de-register the candidate in Kelcyra upon the coalition's request (Decision No. 625).

<sup>37</sup>The CEC decided that the third member should be from LSI/SMI and the fourth member from PR/Republican Party, therefore PDIU/PJID was left out of the composition of Counting Team members.

<sup>38</sup> For Durrës, an investigation was undertaken by the Prosecution Office and the case was adjudicated by Durrës Court of First Instance to suspend further actions by Durrës Civil Status Office on a list of people that was presented by Prosecution Office, claiming that were registered in Durrës with false documents - this decision did not affect Voters List; at the present, the information on what the court decision specifically ordered is not yet made public due to the data protection issues of one employee of Durrës Civil Status Office and a Notary that were involved. CFFESD is concerned that the court decisions should be public without the identity of the persons involved since this issue has impact on the electoral process and the case comprised a very disputable issue.

<sup>39</sup> An investigation also started by the Prosecution Office for Vora; two agents of judicial police seized the Register of Civil Status on June 17, but so far there is no official information on the status of the investigation.

<sup>40</sup> For Kavaja and Tirana, there were allegations from political parties that citizens were registered in the areas covered by the CEAZs, but so far no official information is given for an official investigation.

<sup>41</sup> General Directorate of Civil Status is an institution under the authority of Ministry of Internal Affairs.

informative meetings with the General Directors of the Civil Status Office and Prisons. In both these meetings, the CEC did not make a decision with regards to voters' lists, explaining that the Electoral Code does not provide the possibility to re-examine the voters' list once it is final.

The CEC examined all EMB weekly reports, and in all cases it fully considered their findings.<sup>42</sup> For the violations that the EMB reported, the CEC examined the evidence and addressed them by imposing fines in three cases.<sup>43</sup> For the rest of the violations, media operators were ordered to cease the violation and compensate airing time to electoral subjects. Implementation of these administrative sanctions remains a problem since Electoral Code does not provide detailed rules on the matter and the CEC has no explicit competence or authority to supervise the implementation and enforcement. In this regard, some legislative amendments to elaborate the Electoral Code are necessary to address the issues of proportionality of fines for violations of media operators and enforcement of fines.

A problem that the CEC faced during the pre-election period was the continuous change of CEAZ commissioners up to the very last minute. Such practices were evidenced also after E-Day in proceedings with the counting process. Until E-Day, there were 272 CEAZ commissioner replacements and 48 of them were changed after the CEC training. The reason for the so called "last minute" change of commissioners is related to the fact that political parties nominated them to the CEC and CEAZ, and CEAZ and Voting Center Commission (VCC) composition depends only on the political parties will or command. This problem had been evident also in other parliamentary and Local Elections. In such circumstances CFFESD suggests that political parties should no longer nominate CEAZ commissioners.

Regarding CEAZ and VCC commissioners' trainings, the CEC organized several trainings throughout Albania, yet commissioners did not attend all training sessions. Apart from numerous training opportunities, the CEC prepared and uploaded a training video on its website for VCC commissioners on E-Day processes and procedures<sup>44</sup>, which was fully accessible to anyone who accessed the CEC website.

### ***Administrative Complaints***

As of end of July 2015, the CEC has examined in open meetings over 120 administrative complaints, on the CEAZ's decisions. Out of these complaints, only 112 are reflected in the online system (as of July 24, 2015). Meanwhile, the process of administrative complaints against CEAZ decisions is still in progress as of the publication of this report. CFFESD has continuously monitored CEC meetings that examined complaints, the decision making process as well as the CEC's ability to make public such decisions and to provide detailed information on the status of the complaints.

<sup>42</sup> The CEC approved all EMB weekly reports unanimously, except for one EMB report that was approved by simple majority

<sup>43</sup> Fines were imposed for local TV channels: Antena Nord, Vlora Channel (15.06.2015) and Skampa TV (24.06.2015). The reason why the CEC was not very 'generous' in imposing fines for media campaign broadcasting was that the level of fines provided by Electoral Code resulted very high and therefore their imposture (strictly by the law) could be disproportionate since it could cause a potential TV bankruptcy.

<sup>44</sup> Central Election Commission. Online: <http://www.cec.org.al/sq-al/Zgjedhjet/Video-Trainimi-KQV>

CFFESD observed that in general, it was difficult for the subject that filed the complaint or interested actors to track the status of the complaints online. Despite the existence of Register of Complaints<sup>45</sup> on the CEC official website, the document did not contain updated information on post-electoral<sup>46</sup> complaints. Therefore it is difficult to have accurate information on the number of complaints filed with the CEC. That information was mostly provided by media and through the CEC online meeting broadcasts.

Even in the post-electoral stage, the CEC continues to reflect the same problem noted in the CFFESD Preliminary Report regarding the lack of transparency of the CEC members' votes. Information on the voting of CEC members was identified by the monitoring of CEC meetings and by the media. It was reported that there were no scanned versions of final decision documents that reflect which CEC members voted in favor or against a decision.

Failure to publish decisions with respective votes also makes it impossible for the public to verify quorum in decision-making. None of the CEC decisions published online so far, including pre-electoral and post-electoral periods is the original scanned version with the CEC member signatures. This is something the CEC should consider to improve regarding the publicity and transparency of its activity.

### ***Electoral College***

CFFESD monitored EC activity through media coverage and online publication of its decisions. The EC adjudicates complaints of electoral subjects against the CEC decisions that affect their legal interests. The right to appeal is also granted to individuals or political parties to appeal the CEC decisions that had refused to register them as electoral subject within five days after the CEC announcement of the decision.

The EC's schedule was busy mostly with pre-electoral appeals, with regards to candidates' registration procedures, required registration documents, and signatures required supporting candidates that did not have seats or representation in local government units.<sup>47</sup> Only three appeals on pre-electoral issues were not related to registration procedures of candidates. One appeal was filed against the CEC decision that specified political parties that would have the right to nominate the third and fourth members of Counting Teams. Two other appeals were related to the voters' list compilation process based on alleged fraud<sup>48</sup> and the artificial amplification of voters list for electoral purposes.

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<sup>45</sup>Regjistri i Ankimeve / Register of Complaints. Central Election Commission. Online:

<http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-vendore/2015/rregjistri/Rregjistri%20i%20Ankimeve%20para.pas%20Zgjedhjeve%202015%20ne%20KQZ.pdf>

<sup>46</sup> Information on administrative complaints to the CEC is reflected until June 2, 2015.

<sup>47</sup>Art. 67 'The list of candidates of parties and party coalitions' & Art. 68 'Supporting lists of political parties and coalitions' of Electoral Code.

<sup>48</sup>That was the case of appeals on Durrës and Kavaja municipalities, where an investigation took place by the prosecution office on the phenomenon of artificial amplification of voters list.

The EC has adjudicated 23 appeals. During the pre-election period, there was an increase<sup>49</sup> of appeals on pre-election disputes, especially for appeals related to candidates' registration, as compared to previous elections. All 22 uploaded EC decisions on the website are related to pre-electoral disputes. In general, the EC upheld the CEC decisions (10 cases) and rejected only four of the CEC decisions. On four other cases, the EC compelled the CEC to make a decision. The EC has adjudicated disputes within legal deadlines.<sup>50</sup> Although EC trials were public and the media attended as well as political parties notified according to legal deadlines, they were not streamed online like CEC meetings. EC decisions are final and they impact the conduct of elections.

The EC decisions<sup>51</sup> were fully uploaded on the official website of the Tirana Court of Appeals only after elections.<sup>52</sup> As of July 8, 2015, 22 EC decisions<sup>53</sup> on the 2015 Local Elections were published<sup>54</sup> on the Tirana Court of Appeals official website, even though not immediately after the decision was delivered<sup>55</sup>. Parties were informed on the EC decision during the trial and mostly through media, since the publication of EC decisions on the website was reflected in delays of more than five working days, therefore the right to access to court as well as the standard of publicity of reasoned court decision in electoral matters that influence the process was not fully respected.

EC judges depend on the Tirana Court of Appeals facilities and personnel, as well as logistics to perform their duties.<sup>56</sup> EC secretaries are not trained in advance on electoral procedures and there are no law clerks to assist EC judges. These situations are grounds for delays in all phases of the trial and lack professionalism in resolving electoral disputes by decreasing overall EC efficiency and performance. CFFESD suggests that EC should have its own dedicated facilities and administrative staff (law clerks, court secretaries and IT staff) for a better and efficient performance.

<sup>49</sup>During the time serving as Electoral College members, judges deal also with their everyday tasks in respective courts since they adjudicate non-electoral cases in panel of three judges and trial postponement is difficult to be coordinated; in these circumstances their workload is increased.

<sup>50</sup> 10 days from the deposit of appeal.

<sup>51</sup> 22 EC decisions are related to local government elections of 21 June 2015 and 1 EC decision is on local referendum (*January, 2015*).

<sup>52</sup> July 2015.

<sup>53</sup> From 29 EC decisions (Decision No. 24, No. 25 and No. 29 are not yet uploaded) online published decisions in Tirana Court of Appeal website, results that:

- 2 appeals were forwarded to Administrative Court of First Instance for adjudication,
- 2 EC decisions dismissed the case,
- 13 EC decisions upheld the CEC decisions
- 4 EC decisions compelled the CEC to take a decision
- 4 EC decisions completely overturned the CEC,
- 1 EC decision partially dismissed the appeal and therefore partially overturned the CEC decision.

<sup>54</sup> Tirana Court of Appeals. Online: <http://www.gjykataeapelittirane.al/?fq=brenda&m=shfaqart&aid=91>

<sup>55</sup> Decisions No. 3, No.6 and No. 22 were uploaded only after July 5, 2015.

<sup>56</sup> Electoral College is hosted by Tirana Court of Appeals, which should provide sufficient working space, supplies and personnel to enable it to perform its duties.

### ***Commissions of Election Administration Zones***

On May 22, 2015, CFFESD deployed 90 LTOs in each of the 90 EAZs to observe the activity of the CEAZs regarding the pre-election preparations leading up to elections. LTOs were trained to observe the frequency of meetings of each CEAZ, the quality of decision-making, transparency, respect of law and resources. From May 22 to June 20, CFFESD LTOs observed 653 CEAZs meetings in person and provided information for a total of 845 meetings.

Based on the long-term observation, CFFESD concludes that CEAZs meetings and activities were generally held in a calm, even though disorderly, manner. In most cases commissions' members showed a spirit of collaboration and offered valuable input to the general proceedings of the elections. However, LTOs also reported a number of problems in the work of CEAZs, which were the result of lack of proper preparation, high frequency of replacements of CEAZs members by the political parties, and a variety of technical difficulties that could easily be avoided in future elections.

### ***Formality of CEAZ Meetings***

In almost all CEAZs, the schedules<sup>57</sup> for the operation of commissions were not respected. As evidenced during the reporting period, in 25 CEAZs it was a common practice for a number of meetings to be conducted over the telephone or in premises outside CEAZ offices.<sup>58</sup> In many cases decision-making took place outside CEAZs meetings and commissions would meet within protocol requirements only when they had to sign their decisions.

According to interviews with commissioners, the main justification for such practices was the work-overload faced by CEAZ members, who also had daily jobs, which made it difficult to cover two positions simultaneously. It is worth noting that such practices ceased during the last week prior to E-Day and the CEAZs covered all their activities as required, from their official premises.

CFFESD LTOs also reported a lack of commitment from CEAZs to publicly announce the time and agenda of their next meeting, which caused several difficulties for the CFFESD LTOs to properly monitor every meeting, or the decisions made.<sup>59</sup> Few CEAZs put some effort into publicly announcing their decisions. However, it should be said that the law does not specify the means and ways by which the CEAZs should make the information of their activities public.

### ***The Right to Attend and Observe CEAZ Meetings***

Although the Electoral Code stipulates that CEAZ meetings should be public<sup>60</sup>, the few CEAZs visitors who came to observe CEAZ meetings without CEC accreditation, including CFFESD observers<sup>61</sup>, were not allowed to attend.

<sup>57</sup>CEC Directive No. 2, dated 25.2.2009, Article 18/1 determines that: "During the electoral period and up to three days before the elections, the CEAZ works mornings from 08:00 – 13:00 and afternoons from 16:00 – 20:00."

<sup>58</sup>Ibid, Article 20/1 determines that: "CEAZ meetings are public. They are solely held in its working premises."

<sup>59</sup> Ibid, Article 22/6 determines that: "The CEAZ has the obligation to immediately publish its decisions..."

<sup>60</sup>Electoral Code, Article 35/1: "CEAZ meetings are public"

Moreover, some CFFESD LTOs faced difficulties in monitoring their respective CEAZs. LTOs had trouble securing certified copies of CEAZ meeting minutes, even though Article 34 of the Electoral Code states that, “the CEAZ secretary must provide electoral subjects and third parties, free of charge and within 24 hours from the request, with verified copies of the CEAZ decisions or minutes of their meetings.”

### ***Replacement of Commissioners at the EAZ Level***

The high number of replacements during the electoral process and, most importantly, so close to E-Day, seriously undermined the quality of the process in an unjustified and unnecessary manner. CFFESD expressed its concern in its two interim reports about the high number of commissioners replaced at the EAZ level during the last month prior to E-Day. This trend increased in frequency as E-Day approached.<sup>62</sup> CFFESD raised concerns regarding the ability of the new commissioners to perform their duties, since a considerable number of them were replaced after the CEC completed its last training of EAZ commissioners held from June 2 to 4, 2015. On the other hand, in CFFESD meetings with political parties, the latter insisted the new commissioners were experienced, as they had covered similar positions in previous elections. While this may be true, CFFESD would like to note that each election has its own specifics, offering new challenges and new contexts for commissioners.

### ***Location of CEAZs Headquarters***

Regardless of the EC provision clearly stating that CEAZ headquarters cannot be established in buildings used by the public administration, other than educational, health and cultural institutions, there were 11<sup>63</sup> CEAZs whose headquarters were inappropriately located in buildings occupied by municipal or central administration. This constituted a violation of the Electoral Code, however, all these CEAZs were relocated within a week from E-Day.

### ***CEAZs Infrastructure and Logistics***

CFFESD LTOs noted that many CEAZs faced various problems in regards to infrastructure, logistics and cooperation with other institutions, such as the CEC and local authorities. In total, 26 CEAZs declared they suffer from infrastructure and/or logistical shortcomings. Of these, 19<sup>64</sup> CEAZs stated their headquarters were located in inappropriate and non-functional facilities and/or lacked space in offices that lacked electricity and/or water supply. They also claimed a lack in logistics such as missing a landline telephone and Internet connection, computers, printers and fax machines.

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<sup>61</sup> Five CEAZs denied access to CFFESD observers when they were still without accreditation, and they were allowed to attend CEAZs' meetings after the LTOs cited the Electoral Code on the fact that CEAZ meetings are open to public.

<sup>62</sup> In total, up to June 23, 264 commissioners were replaced at EAZ level: 135 in June, 85 in May, and 44 in April.

<sup>63</sup> CEAZ 1 (Malësi e Madhe) was located at the Agricultural Directorate, Koplik; CEAZ 9 (Tropoja) was located at Meeting Room, BajramCurri City Hall; CEAZ 20 (Krujë) located at Activity Room, Krujë City Hall, CEAZ 52 located at Librazhd City Hall; CEAZ 71 and 72 (Korçë) both located at Korçë City Hall; CEAZ 74 located at Përmet Sub-Prefecture Building; CEAZ 75 located at Këlcyrë Municipality Council Room; CEAZ 76 located at Memaliaj Municipality Council Room; CEAZ 77 located at Tepelenë City Hall; and CEAZ 88 located at Sarandë Municipality Council Room.

<sup>64</sup> CEAZ 1, 4, 6, 13, 21, 30, 38-39, 48-49, 52-53, 57, 63, 66, 71, 83, 86, 89. See list of CEAZs locations in Annex 1

Eleven<sup>65</sup> CEAZs stated they were not satisfied with the support received from the CEC<sup>66</sup> and seven<sup>67</sup> CEAZs stated they were not satisfied with the assistance received by the local authorities in solving these issues<sup>68</sup>. Only four<sup>69</sup> CEAZs stated they were not satisfied with the level of cooperation between commissioners.<sup>70</sup>

### ***CEAZs Issues with Budgeting and Basic Materials***

Commissioners' work became even more challenging when it came to CEAZs' basic materials and budget availability, or rather lack thereof, for carrying out their election activities. Thirty<sup>71</sup> CEAZs had problems with basic materials (documents, forms, printing paper, printer ink, fuel),<sup>72</sup> CEAZs expressed their concern at some point during the reporting period about the insufficient budget to cover their expenses and five<sup>73</sup> CEAZs stated they were not satisfied with their colleagues' abilities to perform their duties. In total, more than half of the CEAZs, or 46 of them, dealt with at least one problem regarding basic materials, budget deficiency or demonstration of lack of professional skills.

The CEC assigned each CEAZ a budget of 15,000 Albanian leke (ALL), mainly to cover expenses on printing paper and ink, which the commissions had to withdraw from their respective municipalities. This sum was not adequate to cover all CEAZ expenses, especially for travel expenditures. In this regard, budget needs varied considerably from one CEAZ to another, taking into account the number and location<sup>74</sup> of VCs<sup>75</sup> per EAZ. The lack of fuel and travel funds caused delays in the work of some CEAZs, especially in inspecting some VCs and supplying them with voter lists<sup>76</sup>.

It is also worth noting that the 15,000 ALL budget was made available to CEAZs on June 4, 2015. Given that the CEAZs started work on April 14, CFFESD judges this to be unduly late and damaging to electoral preparations.

In most aforementioned cases, the commissioners covered deficiencies in basic materials and budget through their own financial and material resources.<sup>77</sup> It is understandable, as much as unacceptable, that these technical difficulties can still affect the performance of commissioners.

<sup>65</sup>CEAZ 5, 13, 22, 30, 34, 39, 47, 63, 66, 83, 89. See list of CEAZs locations in Annex 1

<sup>66</sup> CEAZs have addressed the aforementioned issues to the CEC and have remained unsatisfied by its response/reaction.

<sup>67</sup>CEAZ 2, 13, 34, 38, 52, 57, 83. See list of CEAZs locations in Annex 1

<sup>68</sup> Local authorities are responsible in providing infrastructure and a good part of the logistics. The seven CEAZs have expressed their dissatisfaction with what they have been provided by local authorities.

<sup>69</sup>CEAZ 20, 39, 44, 47. See list of CEAZs locations in Annex 1

<sup>70</sup> In such cases, commissioners tend to accuse colleagues from rival parties that they are "dragging their feet" on orders from their party heads.

<sup>71</sup> CEAZ 2, 4, 13, 16, 19, 21-23, 28-30, 33, 38-39, 42, 52-53, 57, 60-63, 66-67, 70-72, 83-84, 90.

<sup>72</sup>CEAZ 2, 12-13, 19, 21-22, 29-30, 33, 38-39, 42, 46, 52-53, 62-67, 70, 72, 82, 89-90.

<sup>73</sup>CEAZ 12, 39, 47-49. See list of CEAZs locations in Annex 1

<sup>74</sup> Example: Shkodër Municipality has 4 EAZs (2, 3, 4, 5). EAZ 3, 4, 5, have respectively 46, 44, 46 VCs, all situated in the city of Shkodër. EAZ 2, with headquarters in Shkodër City, has 110 VCs, all in rural areas, some in very remote highlands and bad road infrastructure.

<sup>75</sup> Example: EAZ 64 (Berat) is the biggest in the country in terms of VCs (124), situated both in urban and rural areas, while EAZ 69 (Pustec) is the smallest in the country with only 8 VCs.

<sup>76</sup> As of June 13, CEAZ 2 had not been able to provide 13 VCs with Voter Lists: VC 91-94 (Pult Commune), VC 115-119/1 (Shalë), and VC 132-134 (Shosh). These are all very remote communes. CEAZ 13 had not supplied 27 VCs with Voter Lists: VC 690-696 (Blinisht Commune), VC 704-708 (Kallmet), and VC 720-728 (Kolsh)

<sup>77</sup> CFFESD contacted the CEC on Monday, 08.06.2015, regarding the budget issue, and the CEC response was that the budget funds have been transferred on Thursday, 04.06.2015, and CEAZs have been notified to withdraw the respective funds.



<b>TABLE 1: List of CEAZs with Problems Divided in Two Groups</b>			
<b>Problems with infrastructure, logistics and cooperation</b>	<b>Number of CEAZs</b>	<b>Problems with basic material, budget, and professional capacities</b>	<b>Number of CEAZs</b>
Inappropriate infrastructure/Logistic deficiency	19	Deficiencies in basic material	30
Lack of cooperation with the CEC	11	Budget deficiency	26
Lack of cooperation with local authorities	7	Lack of professional capacities	5
Lack of cooperation among commissioners	4	Others	0
<b>Total no. of CEAZs with, at least, one of the issues listed above</b>	<b>26</b>	<b>Total no. of CEAZs with, at least, one of the issues listed above</b>	<b>46</b>

### *Gender Representation in EAZ Commissions*

CFFESD appreciates the fact that SP and DP have respected the 30%<sup>78</sup> gender quota required by the law for gender representation in CEAZs, despite the frequent replacement of commissioners before and after May 22, 2015. As of June 13, 2015, out of 270 SP commissioners, 103 (38%) were women and out of 270 DP commissioners, 87 (32%) were women.

However, although the two main parties respected the law, gender representation in EAZ commissions remained far from the spirit of the law, with only 208 (29%) women out of a total of 720 commissioners, including secretaries. This was also affected by the low number of female commissioners nominated by the two smaller parties, the SMI and the Republican Party (RP), which had respectively only nine (10%) female commissioners out of 90 in total.

An observation of gender representation in terms of leading positions in the commissions (chair, deputy chair, and secretary), showed even more discouraging figures. Out of 90 commissioners for each of the positions mentioned above, there were only 14(16%) female chairs, 19 (21%) deputy chairs and 22(24%) secretaries.

### *Establishment of the Voting Center Commissions*

The deadline for the establishment of VCCs was June 1, 2015. Thirty-six CEAZs did not meet this deadline for various reasons. Eleven CEAZs finished the process only by June 19, 2015 (less than 48 hours from E-Day). Specifically, CEAZ 15 (Kurbini) finished the process only on June 20, a few hours before the opening of the polls, when the CEC, via Decision 716, dismissed the four commissioners from the opposition parties, who were accused of blocking the process.

Firstly, in 28<sup>79</sup> CEAZs, political parties delayed the submission of candidate lists for commissioners, had documentation deficiencies in the lists submitted, or the CEAZ deemed it

<sup>78</sup>Electoral Code, Article 29/1/ç determines that: “30 per cent of the members proposed respectively by the biggest party in power and biggest party in opposition shall be from each gender.”

<sup>79</sup>CEAZ 1-2, 4-5, 9-10, 16, 18-19, 25, 31, 34-35, 39-41, 45-46, 48-49, 63-65, 71, 73, 81, 86, 90. See list of CEAZs locations in Annex 1

was necessary to replace a number of candidates for commissioners, who did not meet the criteria. Secondly, in 11<sup>80</sup> CEAZs, the deadline for the establishment of VCCs was violated due to various problems these CEAZs have with a number of VCs, including VCs in dysfunctional facilities, in private premises, or at the wrong address. Thirdly, in 11<sup>81</sup> CEAZs commissioners themselves delayed the work for the establishment of VCCs, mostly due to delays of meetings.

### ***Establishment of Counting Teams and Ballot Counting Centers***

CFFESD LTOs reported that twenty CEAZs established counting teams (CTs) after the legal deadline of June 11, 2015.<sup>82</sup> Again, as with the establishment of VCCs, political parties failed to provide lists of counting team members on time, provided lists without the required documentation, or included counters who did not meet the minimum criteria.

In this regard, CEAZ 1 (Malësi e Madhe) became the most problematic where, for various reasons, commissioners failed to establish CTs before E-Day. The CEC intervened via Decision 729, on June 22, 2015, by ordering CEAZ 1 to finally fulfill its duty. With the exception of CEAZ 19 (Dibra), all BCCs were supplied with the necessary logistic materials (tables, chairs, scanners) within a reasonable amount time.

### ***Electoral Campaign***

The campaign was officially launched on May 22, 2015, but almost all candidates and political representatives had already commenced the campaign weeks before its official start, violating national electoral legislation. The campaign followed its trend of increasing the tone, culminating on the last week with closing coalitions' rallies in the main- cities of the country. With the exception of a few isolated incidents, the campaign remained generally calm.

The campaign was characterized by the full and rather excessive engagement of political party leaders and by the introduction of platforms that were more adapt for parliamentary elections, not local ones. Most of the promises focused on policies that are implemented at the central level.

### ***Candidates***

The CEC registered 89 electoral subjects, 63 political parties and 14 independent candidates running for mayors and 12 independent candidates running for members of municipal council. Two big party coalitions were also created. Both coalitions, the AEA (37 parties led by SP) and PAWD (15 parties led by DP) set the tone of the campaign throughout its course. Independent candidates remained in the shadows due to smaller-scale meetings and events, as well as lower media coverage, likely as a result of limited financial and structural resources.

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<sup>80</sup>CEAZ 2, 4, 15, 34, 38-39, 49, 62, 71, 82, 85. See list of CEAZs locations in Annex 1

<sup>81</sup>CEAZ 1, 9, 19-20, 23, 31, 34, 39-40, 46, 81. See list of CEAZs locations in Annex 1

<sup>82</sup>Electoral Code, Article 95/1.

Municipal council candidates, future members of local parliaments where important decisions will be made on the development of respective municipalities, were absent from this electoral race. Information on municipal council candidates including their qualifications and past and expected contribution in their respective communities remained minimal. Generally, municipal council candidates were not part of the teams of the mayoral candidates in public meetings.

CFFESD notes that newly adopted gender provisions increased the final number of women councilor candidates. However, women remained under-represented when it came to mayoral candidates with only 16 (10%) of female candidates from a total number of 161 candidates. On a positive note, women competed in large and significant cities such as Durrës and Shkodër, for the first time in the history of Local Elections. 9 women were successful in their race.

Another issue in these elections was the representation of the Roma and Egyptian community. Despite the significant presence of this community in some of the main municipalities in the country, it was difficult to find any member of this community in the municipal council party lists or promises made by candidates or parties that considered their concerns and daily necessities. Our domestic observers did not report any electoral activities of candidates in the areas where this community lives.

#### *Platform Presentation*

Electoral rallies have been the main means of campaigning for both coalitions, with party leaders and supporting teams moving from one city to another. The involvement of the leaders of the three main parties in the election campaign and taking the main stage while promoting respective mayoral candidates was problematic. Unlike the spirit and aim of these elections, the respective leaders of SP, DP and SMI conducted an electoral campaign typical of parliamentary elections, with a focus on issues of national importance, such as tax cuts at the national level, reduction in the cost of electricity and of essential consumable products, employment at large, and national-scale projects.

These approaches were simultaneously counterproductive and misleading for voters. CFFESD believes that this was associated with two negative aspects. First, the campaigns unnecessarily contributed to further polarization of the election race between local candidates and undermined the importance of local candidates in the race. Secondly, national level policy promises were made from the positions where they stand as party leaders, often not directly linked to respective constituency needs.

National and local television stations that covered the party leader rallies and neglected, or insufficiently reported the meetings of candidates in suburban areas and small community meetings have also influenced this view, according to CFFESD. Tirana and Durrës were exceptions in this regard, as the activities of the coalitions' candidates in these municipalities were widely covered.

On the other hand, CFFESD welcomed the fact that most candidates made efforts to move away from that line and focus their campaign around respective platforms for the development of the municipalities where they competed. Electoral platforms were elaborated somewhat further, but

CFFESD noted that again promises remained generic and were not accompanied by detailed plans for implementation. CFFESD strongly believes that it was necessary to explain to citizens the means for achieving electoral program promises, including competent institutions, regulations, required funds and deadlines for their fulfillment. In some cases, mayoral candidates from both coalitions, most probably influenced by their party leaders, referred to national policy-making level in their platforms, too.

### *Discourse and Attacks Towards Candidates*

CFFESD observers monitored the mayoral candidates' messages and language and were pleased to note that the main focus was on individual platforms rather than personal attacks, even though the latter were not entirely absent either.

CFFESD observers in Vlora noted that independent candidate Vasil Bedinaj<sup>83</sup> used derogatory language towards senior officials of the country in some cases. The same candidate was in turn the subject of negative messages of Vlora TV, which also transmitted messages against candidate of the right-wing coalition, Genc Deromenaj. It is worth noting that in this instance, the CEC ordered the media outlet to put an end to this practice.

CFFESD observers reported a number of incidents against candidates, electoral offices and posters. The most flagrant case was the violation of the electoral office of the Human Rights Union Party (HRUP) in Himara, representing the Greek minority, and the destruction of posters of its candidate Fredi Beleri. In another concerning incident, the staff of the DP candidate in Pogradec, Eduard Kapri, reported that he received a threatening message on his mobile phone. The prosecution office investigated the case. In Vlora, independent candidate Vasil Bedinaj<sup>84</sup> denounced pressure from the government officials towards him and his associates considering the case as violation of their freedom to express their ideas.

### *Campaigning Means*

In addition to rallies of party leaders, candidates used traditional forms of communication with voters. From CFFESD findings, and as listed in order of frequency of use, those were: posters, meetings, door-to-door introductions, and debates held on the radio or on television.

Social media was the preferred medium in 81%<sup>85</sup> of municipalities and candidates provided coverage of events in their respective social media accounts. CFFESD appreciates that in a few cases (Berat and Shkodër) so-called public hearings or discussion meetings were organized, where both main candidates presented and debated their electoral program with citizens and various interest groups.

<sup>83</sup>The video can be accessed in the following link: [https://video-fra3-1.xx.fbcdn.net/hvideo-xtfl/v/t42.1790-2/11275256\\_431189900375754\\_846240387\\_n.mp4?oh=5aaa7aa275b7407fbb07c8607a034725&oe=557B655F](https://video-fra3-1.xx.fbcdn.net/hvideo-xtfl/v/t42.1790-2/11275256_431189900375754_846240387_n.mp4?oh=5aaa7aa275b7407fbb07c8607a034725&oe=557B655F)

<sup>84</sup>Gazeta Rilindja Demokratike. Online:

<https://www.facebook.com/GazetaRD/photos/pcb.801559349942316/801559046609013/?type=1&theater>

<sup>85</sup>CFFESD statistics – elaboration of the LTO's questionnaires

The visual aspect of the electoral propaganda was strengthened during the last week of campaigning. The number of party flags, posters, and banners of the respective parties and candidates increased considerably. According to LTO observations, overall, the left-wing coalition was more visible in terms of propaganda materials, especially in Peqin, Gramsh, Pogradec, Saranda, Himara, Berat, Fier and Kavaja.

Even though not the focus of CFFESD observation, after meetings with electoral headquarters throughout the country, LTOs did not report major concerns on the national media coverage or access when it comes to the two main coalitions in the race. On the other hand, independent candidates claimed they did not receive considerable access in the national media.<sup>86</sup> This fact made their race unequal compared to political parties' candidates. It also affected the voters who did not receive the complete background information on independent candidates, thus indirectly limiting the voter's decision on the ballot casted.

### *Proactive Disclosure of Campaign Finance*

The electoral activities, party rallies, and visual propaganda material suggested that as far as the three large parties were concerned, this was an expensive campaign. Only one independent candidate publicly shared donor financial contributions in the campaign period and invited other parties to follow suit. CFFESD welcomed the initiative and invited all candidates and parties to provide financial data and contributions from donors in their reports and to proactively report them before legal requirements, in an act of political accountability towards voters. Moreover despite legal obligation to publish a bank account, only four electoral subjects have made their bank account number public for non public funding of their respective campaign: SP, SMI, Demo-Christian Party and Gjergj Bojaxhi, candidate proposed by the voters in Tirana.<sup>87</sup>

### *Territorial and Administrative Reform*

This local election took place in the context of the new TAR. CFFESD believes that apart from structural changes addressed so far, a lot more remains to be done in terms of functions, political powers, fiscal decentralization, financial resources (conditional and unconditional grants from government and its own financial resources), the relationship between municipalities (first level of local government) and regions (second level), and inclusion of new municipalities in the decision-making process of the reform.

### *Police Conduct*

The State Police acted professionally throughout the campaign. Efforts went into proper preparation and training of staff. There was a detailed plan of measures prepared by the General Directorate and Regional Directorates of the State Police. The police staff was trained, apart

<sup>86</sup> These conclusions are the result of meetings with the electoral staffs of Mr. Gjergj Bojaxhi, candidate proposed by voters in Municipality of Tirana, and Mr. Vasil Bedinaj, candidate proposed by voters in Municipality of Vlora.

<sup>87</sup> According to the Electoral Code, Article 90/2 "Registration of non public funds", electoral subjects should open a bank account no later than three (3) days after the start of the electoral campaign. <http://www2.cec.org.al/sq-al/Zgjedhjet/Zgjedhjet-Vendore/Zgjedhjet-2015/Financimi-i-Subjekteve>

from other aspects of election campaign, on topics of conduct in the field during elections and on how violations of the law during the electoral process should be treated.<sup>88</sup>

Incidents and reported complaints were isolated cases. The most serious incident was recorded in Vau i Dejës (EAZ 6) on the first day of the official campaign, where a policeman was involved. CFFESD would encourage police authorities to keep strengthening this attitude that has been noted during the last two election periods.

### ***Use of Public Resources***

Public resources other than state budget funds for parliamentary parties, duly regulated by law, should not be used for electoral purposes. It is the responsibility of the government, to ensure that public and administrative resources, both material and human, are not abused in support of any particular candidates or parties. If public buildings or other public facilities are available for use as campaign offices or campaign meetings, they should be available to all candidates or parties on the same basis. At a minimum, public employees should strictly separate their roles as public servants from their involvement in any campaign activities. Public employees should not be required to attend campaign events, to finance individual candidates or political parties, or be coerced to vote for a particular party or candidate as clearly stated in the Albanian Electoral Code and the Civil Service Law of the Republic of Albania.

### ***Pressure on Public Administration Employees***

During the pre-election period, there were few<sup>89</sup> reported cases where the employees of the Government of Albania, central or local public administration, and agencies of central institutions supported candidates and political parties during their working hours.

CFFESD observers also reported a number<sup>90</sup> of cases where public administration employees were pressured to participate in the electoral activities of political parties and candidates. In Ura Vajgurore (EAZ 62), the DP candidate claimed that public administration employees were pressured to participate in the electoral activities of the left-wing coalition. Likewise, in Berat (EAZ 64), the DP head of campaign argued that all of the Berat public administration employees were allegedly pressured to take part in the campaign of the AEA candidate. Furthermore, in Selenica (EAZ 85) public employees, teachers and hospital staff have stated that they participated in the meetings of the AEA candidate, under the threat of losing their jobs.

Similarly, there were few<sup>91</sup> cases reported where the employees of the Government of Albania, central or local public administration, and agencies of central institutions supported candidates and political parties during their working hours.

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<sup>88</sup> In addition, police forces have been subject of several trainings, including one from OSCE, as regards the elections. The latest training undertaken by the police force was during the period of 20.04-05.05.2015. Online: [https://www.facebook.com/permalink.php?story\\_fbid=1605689033050795&id=1502420603377639](https://www.facebook.com/permalink.php?story_fbid=1605689033050795&id=1502420603377639)

<sup>89</sup> Ura Vajgurore, Pogradec, Vlora, Poliçan, Himara.

<sup>90</sup> Tirana, Ura Vajgurore, Berat, Poliçan, Vlora, Selenica.

<sup>91</sup> Ura Vajgurore, Pogradec, Vlora, Poliçan, Himara.

In Ura Vajgurore, the local government workers and teachers were seen in a rally of the left-wing candidate as documented with photos on the Facebook page of the candidate. The CFFESD observer at the CEAZ No. 67 in Pogradec reported that employee of state institutions and the local government left work during official working hours to join the electoral offices of political parties.

CFFESD draws attention to the Vlora case, where employees of the municipality, workers of water supply and sewage system and hospital staff participated in the meetings of the left-wing candidate for the Vlora mayor during their working hours. In addition in Vlora, the LTOs reported that urban transportation workers participated in a meeting of the left-wing candidate on June 2, 2015 at 12:40pm. The local media in Vlora also has documented these cases.

Furthermore, in Poliçan (EAZ 65) the municipality employees, as well as the headmaster of the Poliçan high school accompanied the candidate of the left-wing Alliance for a European Albania (AEA) during his electoral campaign in Paraspuar and Rehovë at 10:34am on June 2, 2015. Similarly, in Himara (EAZ 86) on June 5, at 11:30 am, the incumbent mayor had a meeting at “1 Maj” neighborhood, accompanied by a number of municipality employees.

CFFESD expresses its serious concerns for such cases, as they cannot be viewed in any other way, except as clear violations of Article 3 paragraph 7 of the Albanian Electoral Code, which states that electoral subjects cannot use human resources of the public administration of any level. Political parties are invited to make transparent all the cases when individuals employed by the public administration participated in the campaign after having taken time off from their public roles, in order to avoid all allegations connected with the public administration employee pressure and misuse of human resources.

#### *Relief Aid Distribution*

CFFESD noted a number of cases of relief aid being delivered to families flooded in November 2014, like in UraVajgurore (June 11, 2015, from 4:00pm to 6:30pm). Likewise, in Novoselë (Vlora, EAZ 84) relief aid was delivered to voters in form of food, as reported also by the local media. CFFESD LTOs also reported cases of delivery of relief aid to families flooded in November 2014 in the commune of Qender in Vlora. The timing of this aid remains of concern to CFEESD as it could indicate a tendency to influence voters. This goes against the principle of the free vote highlighted by Albanian Electoral Code as well as international standards.

CFFESD recommends that any type of relief aid should not be given during the election period because it might give the impression that there is the attempt to influence the vote of the beneficiaries.

#### *Public Project Inauguration and Distribution of Property Legalization Titles*

Another aspect of the campaign was the use of the inauguration of important public projects by politicians and members of government as part of campaign events. Such cases were noted in Fier and Divjakë. In Fier, the rally organized by the left-wing coalition, attended by the Prime Minister of Albania, started with the inauguration of the city's promenade, a public investment

that should not be linked to the local election campaign. While in Divjaka, on June 8, Member of Parliament Erion Braçe, used the occasion of the official opening of the touristic season, to campaign for the candidate of the left coalition, Fredi Kokoneshi.

CFFESD is concerned by multiple media reports of events conducted by electoral candidates, during which the property legalization titles were distributed. Such events could not be clearly distinguished from electoral activities and central government engagement should be conducted separate from campaigning events.

CFFESD recommends that all inaugurations of public projects and distribution of property legalization titles during the electoral campaign should be carefully organized in terms of the aim and time period, so as to be clearly distinguished from campaign events. If possible, these events should take place outside of the official electoral campaigning period.

### *Public Space Usage*

Political contestants overall did not complain of unfair distribution or use of public spaces for posting of campaign materials. However, there were isolated incidents in a number of municipalities which were mostly addressed. There have been a few cases noted where use of public spaces by parties was done without local authorities consent, as well as accusations of alleged unfair distribution of public space by local authorities.

There were a number of claims by parties of unequal space allocation for candidates to post their propaganda materials. In Vlora, the right-wing coalition and the independent candidate have both claimed in local media that the left-wing AEA candidate enjoyed more space to post his propaganda material. Additionally, in Ura Vajgurore the DP candidate claimed that he was not given adequate space to post his propaganda material. In Vlora, as reported by the local media and by the other candidates (DP candidate and independent candidate), the left-wing AEA candidate enjoyed more public spaces to post his propaganda material than the other candidates. Moreover, in Ura Vajgurore (CEAZ no. 62) the CFFESD observer had a meeting with the DP candidate who claimed that he was not given enough space to put his propaganda material. In addition, the DP head of campaign in Berat argued that the AEA coalition aggressively usurped all the spaces for the posting of the propaganda material.

Instances were reported where political parties used public spaces without authorization and the local government authorities were quick to react. In Bulqizë, on Thursday, June 12, the DP put its flags and posters in the Palace of Culture, where CEAZ 18 is also situated. They were subsequently removed following complaints of the SMI candidate to the local mayor.

CFFESD reminds the local authorities in charge of this matter that the Electoral Code of the Republic of Albania stresses that all electoral subjects shall enjoy equal opportunities for their electoral campaigns.



### *Fictitious Voters*

CFFESD wishes to draw the attention of the authorities to allegations made public by Voltana Ademi, the DP candidate for Shkodër, about abuses of border crossings' TIMS System<sup>92</sup> by fictitious immigrants entering the country. If these allegations stand, then this could represent a national problem and not only for the region of Shkodër, but also in regards to the Local Elections process as a whole. CFFESD expects the respective authorities to conduct a swift investigation of these allegations and to assure citizens of the integrity of their vote.

CFFESD also expects full investigation by the relevant authorities in relation to cases of transfer of voters to Durrës and Kavaja, which, if proved to be true, would seriously undermine the credibility of the electoral process in Albania. CFFESD strongly calls upon the authorities to investigate and solve the above-mentioned cases.

CFFESD is not able to verify the accuracy of these allegations but the Coalition recommends to the respective authorities to investigate them thoroughly and to inform the citizens as soon as possible about outcome of the inquiry, in order not to undermine the process and results of the elections. A major pre-requisite for implementation of free and fair elections and for building the public trust into electoral process is for all perpetrators of criminal offences with relation to electoral rights and rules to be penalized in compliance with the Albanian legal system.

### **Election Day**

The observation of election-day activities was a shared responsibility among the core team, LTOs, STOs, calls center, local coordinators and mobile teams. Among these, however, STOs were the mission's primary resource for observing and assessing election-day procedures at polling stations based on a pre-designed questionnaire. More than 1,000 STOs were deployed in a random and representative sample around the country on E-Day, to observe voting.

### ***Voting Centers during Election Day***

Overall, key election procedures followed the Electoral Code, with violations in isolated cases. This suggests that more attention must be paid to certain aspects of VCC training in the future. These incidents appeared in two categories. The first related to improper distribution of ballot box codes that are for cross checking at the Counting Centers and the second was the lack of complete attendance at VCCs during opening.

In other cases, violations were more concerning and require careful monitoring of the CEC - such as incidents where voters were not found on the voters list, VCC members could not reconcile ballots received by CEAZ, and improper conditions for voters who cannot vote themselves. While all these violations do not significantly compromise the outcome of elections, the reported incidents violate the Albanian Electoral Code and, in some cases, international codes.

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<sup>92</sup> Border crossings register

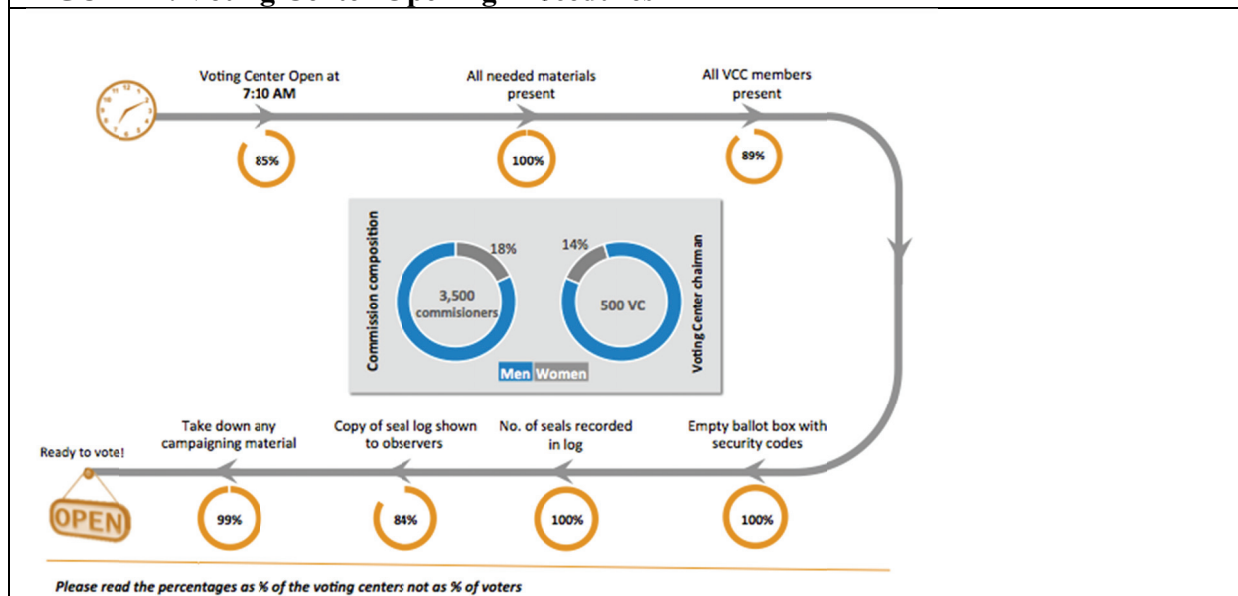
Analysis on E-Day is organized around Opening, Voting and Closing Procedures, with additional data presented on Gender Composition of Administration, Voting of People with Disability and Electoral Violations.<sup>93</sup>

### *Opening of the Voting Center*

Opening procedures were conducted mostly in conformity with electoral law, with few incidents that did not significantly influence the voting process. The main issues were that copies of the ballot box codes were not appropriately distributed and that the VCC was not in full attendance at the opening of the voting center.

From the procedural point of view, more than half of the voting centers in the national sample respected all key opening procedure requirements, as observed by CFFESD observers. For the remaining voting centers, almost a third was missing the observance of one key procedure.<sup>94</sup>

**FIGURE 1: Voting Center Opening Procedures**



More than 85% of voting centers country wide opened on time with few delays, and of all the VCs observed, there was only one incident where the voting center did not open. Almost all voting centers in Albania were equipped with the necessary materials to begin the voting process. CFFESD observers report that all VCCs followed procedures of presenting the empty ballot boxes to the present observers. There were isolated incidents where the codes on the seals of the empty ballot boxes were not properly recorded. Almost all voting centers did not have campaign materials or propaganda posted within 150 meters.

CFFESD expresses concern that in 16% of the VCs nationwide, commissioners and observers

<sup>93</sup>Detailed information on the tabulations for each variable can be found in the Annex posted on the CFFESD website. The information is presented with the national sample stratified by Qark and with focused samples in Tirana, Durrës, Shkodër, and Himara stratified by Electoral Administrative Zone within the municipality.

<sup>94</sup>Information about this variable can be found in the Methodology Annex.

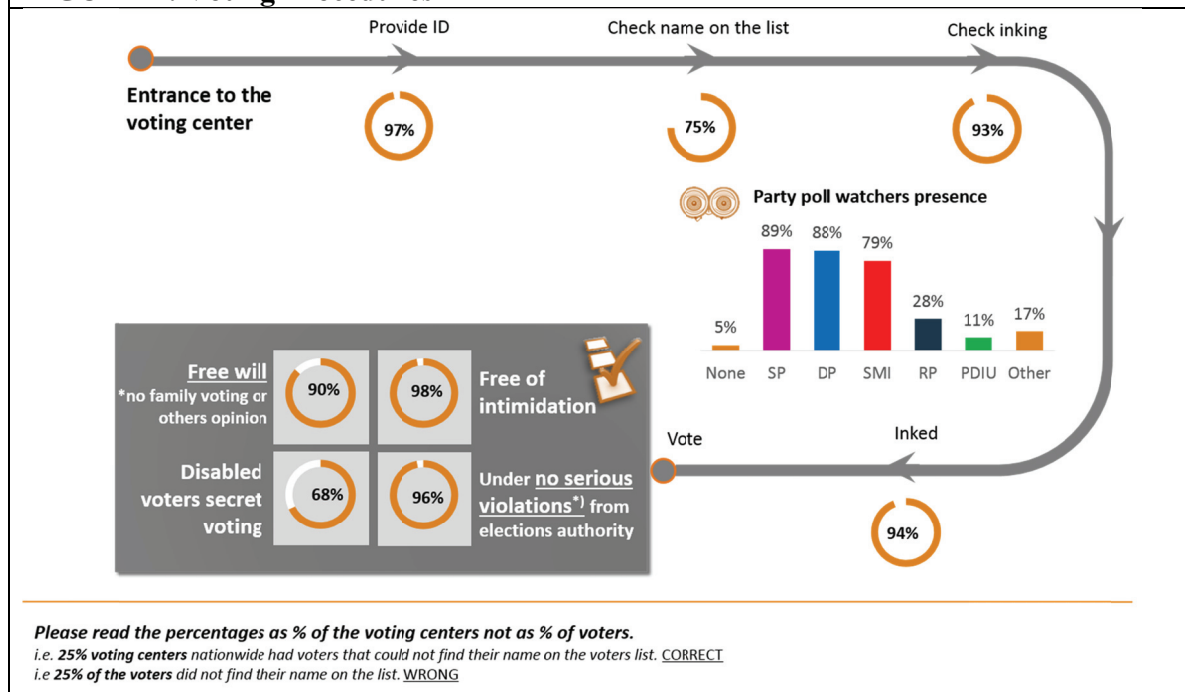
did not receive copies of codes used to close the ballot boxes.<sup>95</sup> A higher trend was witnessed in the Tirana and Durrës municipalities but the situation was significantly better in the Shkodër municipality with 94% of voting centers following the procedures. These unique codes are assigned to the voting center ballot boxes and must match official CEC documentation at the counting centers. If the commissioners and the observers do not receive this documentation, it could undermine confidence in the electoral results. Additionally, this finding could suggest that the CEC did not appropriately train all VCC members to ensure that this procedure was upheld. Since the majority of incidents occurred in Albania's larger municipalities where the races are usually more competitive, CFFESD finds these procedures especially important for the CEC to emphasize in future commissioner training and for the CFFESD to monitor in future elections.

Another concern of opening procedures on E-Day is that slightly more than 10% of VCs nationwide did not have full member composition during opening. This percentage is slightly higher in Tirana municipalities at 15% of voting centers, followed by 11% in Durrës, while the situation in Shkodër was somewhat better, with this happening at 8% of voting centers.

## Voting Procedures

CFFESD observers noted that voting procedures for voter identification, complete voter inking procedures, and voting of people with disabilities were mostly conducted according to Electoral Code. Most concerning are the incidents where voters were unable to find their name on the voters list.

**FIGURE 2: Voting Procedures**



<sup>95</sup> According to Electoral Code Article 101: Copies of the Record of Sealing with the stamp of the VCC are given to the VCC members and to observers of the parliamentary parties.

Voters were not denied the right to vote and procedures that ensure voting only once were followed. Generally, eligible voters with appropriate identification were allowed to vote. There were isolated incidents where voters were permitted to vote without proper identification and where voters were blocked from voting even if their name was on the voters list and where they provided proper identification. Nationally, almost all VCCs followed inking procedures according to code by checking the voters' fingers for ink prior to voting upon arrival at the voting center and after receiving their ballot. Tirana, Shkodër, and Durrës municipalities reflect these trends.

More than 25% of voting centers countrywide had voters that could not find their name on the voters list. Tirana, Shkodër, and Durrës municipalities reflected this trend. Local authorities are obligated to provide voting center location information to all eligible and registered voters within 60 days of the announcement of E-Day, according to the Electoral Code. However, CFFESD reports that generally voters did not receive notifications from their local authorities due to budget limitations and delegation of responsibilities between the local and national authorities. This could be the primary reason why voters did not find their names on the list. It should be noted that voters have the ability to find their voting location by calling the CEAZ authorities, checking posted lists at voting centers, or visiting the Ministry of Interior website. Efforts should be taken to provide for proper notification in the future, further promotion of ways to check and/or sources of assistance.

Additionally, observers noted that some of these cases were happened due to splitting polling stations into multiple VCs at the same premises. This is proper practice according to the Electoral Code as when the number of registered voters on the list exceeds 1,000 registered voters, another voting center is opened in the same public space to lighten the load. Due to this, some voters were present at the incorrect station at the correct voting center address. Therefore, the voter was allowed to vote once they arrived at the appropriate voting center within the same building.

Regardless of the cause, this trend is concerning and could cause eligible voters to be excluded from the voting process with the responsibility falling on both citizens and local authorities. This finding is a particular concern as it can interrupt voting administration and the ability for voters to exercise their right to vote. CFFESD calls on the CEC to have a more active role in monitoring the creation of the voters' lists.

CFFESD is pleased to note that the right of nonpartisan observers to be present in voting centers and to monitor their proceedings was respected in nearly all the voting centers throughout the country. In 98% of voting centers nationwide, observers exercised the rights stipulated in the Electoral Code.<sup>96</sup> Isolated incidents were reported, mostly during the opening and closing procedures. Observations in the Tirana, Shkodër, and Durrës municipalities echoed the nationwide trend.

At least one political party observer was present at 95% of the voting centers nationwide. Poll watchers from the two dominant parties, the SP and the DP, were present in approximately 90%

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<sup>96</sup> Information about this variable can be found in the Methodology Annex.

of voting centers. SMI had poll watchers in approximately 80% of voting centers. A similar pattern was observed in the municipalities of Tirana and Shkodër, while in Durrës all three parties were represented in approximately 95% of voting centers.

### ***Gender Representation***

The under-representation of women continues to be an area of concern for CFFESD, as political parties failed to fully honor their commitment to increasing women's participation in the electoral process.

In 37% of voting centers nationwide, there were no female members of the polling station commission. There were no female members in VCCs in 28% of the voting centers in Durrës and 40% of the voting centers in Shkodër. The situation was slightly better in Tirana's voting centers (13% of the voting centers having no female members).

A woman was the chair of the commission in 14% of voting centers nationwide. While Durrës and Shkodër follow the national trend, the situation in Tirana and Himara is better. For Tirana, it is almost two times higher than the national average, at 28%.

CFFESD regrets the fact that the third-tier level of election administration continues to suffer from extremely low representation of women.

### ***Rights of Voters Who Cannot Vote for Themselves***

All voters, even those that require assistance or are disabled, have the right to vote freely, directly, and in secret. CFFESD points out serious and widespread shortcomings related to ensuring right to participate in elections for voters who require assistance.

More than 57% of voting centers nationwide did not have ramps or elevators, making the majority of voting centers inaccessible to people with disabilities. A similar pattern was observed in the municipalities of Tirana (53%), Shkodër (48%), and Durrës (62%).

Almost 90% of voters that required assistance nationwide were able to vote with a registered voter assistant and only when they requested help.

### ***Closing Procedures***

Closing of the voting centers was quiet and the stipulated closing procedures were generally followed.

The majority of the voting centers closed on time and all people eligible to vote were guaranteed the right to vote until 7:00 pm. The VC commissioners followed rigorously the procedures preparing the ballot box for transportation by sealing and securing it in the presence of authorized people. However, about a quarter of voting centers could not match the ballot totals with ballots received by CEAZ at the opening of the voting center.

CFFESD monitored the closing time, securing and sealing of the ballot boxes, reconciliation of ballot numbers, presence of unauthorized people and closing protocol practices (including persons accompanying the box during transportation. Data on this topic was received for 99% of the national representative sample.

The table below summarizes the situation at closing time of the voting centers:

<b>TABLE 1: SITUATION AT CLOSING TIME: 7:00PM</b>							
	<b>VOTING CLOSING (NO QUEUE)</b>	<b>VOTING STILL OPEN</b> (voters allowed to vote after 7:00PM)	<b>DISCREPANCIES WITH BALLOT TOTALS</b> (vc total ballots $\neq$ the CEC ballots)	<b>UNAUTH. PEOPLE PRESENT</b>	<b>CRITICAL INCIDENTS</b> <i>serious violations or suspension for more than 30 minutes</i>	<b>OFFICIAL PROTOCOLS FOLLOWED</b>	<b>BALLOT BOX TRANSPORT ISSUES</b>
<b>National level</b>	<b>79%</b>	<b>8%</b>	<b>23%</b>	<b>2%</b>	<b>1%</b>	<b>100%</b>	<b>1%</b>
Tirana	77%	10%	25%	3%	1%	99%	2%
Shkodër	84%	9%	18%	1%	1%	99%	0%
Durrës	71%	14%	21%	1%	0%	100%	1%

The official closing time for voting centers is 7:00pm on E-Day. The time may be extended if there are still people in the queue. However people are not allowed to vote if they arrive at the voting center after the legal closing time of 7:00pm, according to Electoral Code.

Voting generally closed at about 7:00pm with 79% of the voting centers closing without a queue of voters. Seventeen percent of voting centers that had people in line at 7:00pm remained open until the last voter casted the ballot, whereas people in line denied to vote was reported in 19 voting centers and people allowed to vote though getting to the voting center after 7:00pm occurred in 8% of the voting centers. The same was reported for the municipalities of Tirana, Shkodër and Durrës with regards to the people voting at closing time. No correlation between the voting centers opening late and those that closed late was observed, suggesting that both opening and closing time are treated as technical by voting centers commissioners.

Twenty-three percent of voting centers reported discrepancies in the final ballot counts including how many were used, unused, and spoiled reconciled with the number of ballots recorded at the start of E-Day. There were incidents where CFFESD observers were not allowed to observe the closing procedures and did not receive the final minutes from the VCCs and, therefore, could not receive the final ballot numbers. For future elections, the Electoral Code should require that commissioners must be obligated to give a copy of the minutes to the observers present at the end of voting day in order to properly report on the final ballot counts.

CFFESD observers saw that at the national level, the presence of unauthorized persons in voting centers, suspension of closing procedure for more than 30 minutes, and such procedural violations as not securing and sealing of ballot box prior to transport, were only at the level of isolated incidents. The same trend was observed in the Tirana, Durrës and Shkodër municipalities.

Political party poll watchers submitted official complaints in 7% of voting centers nationwide, suggesting that political parties considered E-Day generally good. SP and DP filed complaints in 5% of voting centers. SMI filed complaints in 3% of voting centers. The Tirana and Durrës municipalities echoed this trend with complaints registered in 3% and 5% of voting centers, respectively. In Shkodër, written complaints were filed in 17% of voting centers.

## **Post Election**

### ***Ballot Counting Centers***

After closing, ballot boxes were transported from polling stations to Counting Centers. Counting Teams, established 10 days before E-Day, were composed of 4 members proposed by political parties.<sup>97</sup> Each team had to count from 5 to 10 voting centers and it was replaced at the end of the process by another team.<sup>98</sup> As per Electoral Code and relevant CEC Decisions<sup>99</sup>, the counting process proceeded in two phases. Votes for mayors were counted first, followed by votes for municipal council members. Counting began at different times throughout BCCs, generally shortly after 23:00 on E-Day and it lasted between 2 and 4 days in almost all BCCs. Independent domestic and international observers as well as political party observers (SP, DP, SMI, RP, PDIU), closely followed the counting process.

Counting was officially closed on June 28, seven days after the closing of VCs. Although the Electoral Code states that the Summary Tables of Election Results for each EAZ should be drawn by the CEAZ no later than 22:00 of the day following E-Day, there was an improvement from the 14 days it took for the counting in previous local elections.<sup>100</sup> In 2011, local elections in Tirana covered four local government bodies<sup>101</sup>, therefore the counted number of ballot boxes was nearly double compared to this year's elections. Shortly after completion, the CEC publicly stated the conclusion of the process and the outcome of the ballot counting.

Approximately 300 CFFESD observers followed counting of ballots in the country's 90 BCCs, assessing all aspects of the process. This implied reporting on procedures; BCC equipment; composition of Acceptance Groups; accessibility of observers; CEAZ decisions and the overall

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<sup>97</sup> Electoral Code, Article 95/2 One from the party of the Chair of CEAZ, one from the party of the CEAZ's Deputy Chair, the third member is proposed by the parties of the ruling majority, and the fourth one is appointed on the proposal of opposite parties. CEC specifies by normative act the criteria for the number of Counting Teams for each Ballot Counting Center, the working methods, the division of duties among the Counting Team members and the rules on the order of actions.

<sup>98</sup> Electoral Code, Article 95/4

<sup>99</sup> According to Article 12, the CEC Instruction No. 5 dated 22.04.2015, for the first phase, the counting began with counting the votes for the mayoral candidates, and after it each BCC declares the result of the votes for the mayoral candidates.

<sup>100</sup> Electoral Code, Article 122/1, 123/1

<sup>101</sup> Mayor, Members of the Municipal Council, Chairmen of the Mini-Municipalities/Boroughs and Members of the Mini-Municipalities/Boroughs Councils.

progress of counting in the BCCs. Incidents were reported to the communication center as they occurred.

### *Findings from the Monitoring of the Ballot Counting Process*

In terms of time framework, ballot counting marked improvement compared to previous elections. Despite some cases of interruptions, CFFESD observers assessed that the counting process as a whole was orderly and conducted in an atmosphere of cooperation. Yet, legal requirements need to be met in order to improve the overall process.

Observation indicated that upon arrival of ballot boxes, receiving groups followed the correct procedures related to security seals. During delivery to Counting Centers only 21 ballot boxes were declared irregular due to missing original copies of VCC decisions or accompanying documentation of ballot papers with respective serial numbers, or damaged security codes (CEAZ 71, 74, 2, 26, 39, 43, 68). CFFESD observation showed that CEAZs' decisions on evaluating the validity and acceptance of ballot boxes proceeded freely, without any pressure.

CFFESD observers reported 20 cases of interruptions due to conflicts between counters and political observers, which did not significantly hamper the counting process and results. CEAZs often decided to interrupt the counting due to fatigue and overload, despite provisions in the Electoral Code that counting continues uninterrupted until the completion of all regular ballot boxes. Taking shifts between counting teams as well as CEAZ members would facilitate the counting process and eliminate unnecessary waste of time. In 39 cases, in different BCCs and at different times, counting was suspended or interrupted for more than 25 minutes. Furthermore 4 to 10 hours breaks were taken after counting ballot papers marked for Mayor, which goes against the Electoral Code<sup>102</sup>. The two counting groups per table replace each other in order for the process to continue without interruption. Consequently, these interruptions remain unjustified.

CFFESD observation showed that counting started at different times in different BCCs, with two thirds (58 BCCs) starting counting before 02:00 am of June 22. Twenty-five (25) BCCs began counting at 22:00 and went on until 00:00. From reports received from CFFESD observers, in thirty-three (33) BCCs, the counting process began between midnight and 02:00; in seventeen (17) BCCs between 02:00 and 04:00; and in five (5) BCCs the counting process started after 06:00 in the morning of June 22. Malësia e Madhe represents the most problematic case in the counting process in these elections, as the counting process there started two days later.

CFFESD observers were obstructed in seven (7) cases. There was one (1) case where a CFFESD observer was prevented to participate in the process of submitting and receiving election materials and six (6) cases, respectively the BCC No. 26 (Vora), 36 (Municipal unit no. 6, Tirana) 67 (Pogradec), 83 (Vlora), 84 (Vlora), where observers were obstructed and were not allowed to continue monitoring during the process of counting the votes for candidates of municipal councils, on the grounds of overcrowding and not recognizing the authorization given by CEC to independent observers. During the counting of BCC No. 1 Malesi e Madhe, performed by the Central Election Commission staff, party observers were present (one observer

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<sup>102</sup>ELECTORAL CODE, Article 95/4 "A counting team counts no less than five voting centers and not more than 10 polling stations. At the conclusion of this process the group is replaced by another counting group".



from each political party) but the participation of independent observers was not allowed, on grounds of the large number of independent observers interested to follow the process. Regardless of a significant presence of independent and political observers the full transparency of the process was not guaranteed due to the set up of the Counting Center. The distance of tables from observers impeded having a full view of all procedures.

Our observers reported that in 17 (seventeen) BCCs there were unauthorized persons without the appropriate accreditation.<sup>103</sup> According to article 121 of Electoral Code, in addition to the members and the secretary of the CEAZ and the members of the Counting Teams, only observers of the electoral subjects and other accredited observers are allowed in the BCC. Even though the counting process was generally peaceful, there were 5-recorded cases of verbal and physical violence: at BCC No. 1 (Malësia e Madhe), 26 (Vora), 44 (Peqini), 57 (Fier) and 58 (Fier).

The counting process was completed in all BCCs on June 28, 2015. BCCs that concluded the process the latest, were those of Kamza, Vora, BCCs number 20, 21, 22, 23 in Durres, BCCs no. 5 and 39 in Tirana, and BCCs No. 1 Malesi e Madhe, the latter of which took place in Tirana. Due to numerous delays and disruptions the CEC took a decision (no. 751, dates 06.27.3025) to transfer 20 boxes to Tirana. CEC staff on the premises of 1 Maji School then counted the boxes from Malesi e Madhe.

CEAZs received 23 formal complaints from political parties' observers related to counting. These included:

- 1- Ten complaints from the Democratic Party in CEAZ 68 (Maliq), CEAZ 48 (Elbasan), CEAZ 71 (Korce), CEAZ 39 (Tirana) and CEAZ 26 (Vore).
- 2- Four complaints against CEAZs from the Socialist Party in CEAZ 39 (Tirana), CEAZ CEAZ 3 (Shkoder), CEAZ 22 (Durres) and CEAZ 16 (Mar).
- 3- Four complaints from the Socialist Movement for Integration in CEAZ 26 (Vore), CEAZ 23 (Durres) and CEAZ 73 (Erseke).
- 4- One complaint from the Republican Party in CEAZ 26 (Vore).
- 5- One complaint from the Law and Justice Party in CEAZ 5 (Shkoder).

## ABOUT CFFESD

The Coalition for Free and Fair Elections and for Sustainable Democracy (CFFESD) is an independent, non-partisan organization that promotes civic participation in elections and helps secure a sustainable democracy. CFFESD focuses on issues that influence the upholding of human rights, gender equality and the rights of people with disabilities.

CFFESD has endorsed the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations and its code of conduct of Global Network

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<sup>103</sup>ELECTORAL CODE, Article 121“Persons present during the vote counting process 1. Only the members and the secretary of the CEAZ, the members of the Counting Teams, observers of the electoral subjects, other accredited observers, accredited media representatives, and the technical personnel authorized by the CEC for the maintenance of the camera system, are to be present during the vote counting process at the Vote Counting Center.”

of Domestic Elections Monitor (GDNEM), setting forth a clear and forceful statement of principles and code of conduct for nonpartisan election monitoring by citizen organizations. CFFESD observation methodology is in full compliance with international and national standards including international documents, such as the International Convention on Civil and Political Rights, the European Human Rights Convention, the Constitution of the Republic of Albania as well as the Albanian Electoral Code.

CFFESD as of June 6, 2015 consists of 30 partner organizations and hundreds of Albanian citizens who volunteer their time to CFFESD's efforts for the Local Elections of June 21, 2015.

Assist Impact supports this project on local election observation through funding provided by United States Agency for International Development (USAID) and with the technical assistance from the National Democratic Institute (NDI).

## **ABOUT THE PROJECT “ELECTION OBSERVATION MISSION”**

CFFESD's long-term observation methodology is based on international standards and allows campaign highlights to be captured but also to identify and document problems, if they occur. CFFESD deployed 90 trained independent observers to all 90 Electoral Administrative Zones (EAZs) to observe the Pre-Election Period starting on May 22, 2015, and concluding on the Election Day, June 21, 2015. During this period, our LTOs have been monitoring the work of electoral administration, campaigning by political parties and independent candidates, as well as the potential abuse of public sources and institutions for electoral purposes. LTOs closely monitored the implementation of legal requirements on voter lists, gender representation in the electoral administration as well as preparations to ensure accessibility of the Voting Centers.

On Election Day, CFFESD incorporated statistical principles into the Election Day observation deployment plan methodology. CFFESD used the same observation methodology for the June 2013 parliamentary elections in the Qark of Tirana. The methodology, commonly referred to as statistically based observation or SBO, is a powerful tool that allows CFFESD to confidently and systematically assess the quality of the Election Day processes (opening, voting, and closing of Voting Centers) throughout Albania, as well as the four municipalities of Tirane, Durrës and Shkodër.

CFFESD deployed 1000 impartial stationary observers to a random and a representative sample for the country nationwide as well as for the municipalities of Tirana, Shkodër and Durrës. CFFESD's qualitative data is reliable with a 95 % confidence interval, within a margin of error (MoE) +/- 4 % nationwide, +/- 5 % for Tirana, +/- 5 % for Durrës and +/- 5 % for Shkodra. CFFESD's response rate from the national sample was 100%, while for the selected municipalities of Tirana, Durrës and Shkodër, the response rate was more than 95%. Missing data was proportionally distributed throughout the country and therefore does not compromise the reliability of data.

Following Election Day processes, CFFESD deployed around 300 observers to all the counting centers throughout the country, to be able to access the quality of the counting process as well. CFFESD observers monitored the entire counting process starting from the reception of the materials from CEAZs to the tabulation of results. CFFESD did not monitor the process of transporting the ballot boxes from the Voting Center to Counting Center.

CFFESD observers have been trained by CFFESD staff to observe the pre-electoral period, Election Day and the counting and tabulation of results. Observers use a standardized form to record their observations, which are then transmitted to CFFESD's communications center in Tirana. Each observation is entered into a specially designed database that allowed CFFESD to aggregate and analyze the data easily. As data was analyzed, CFFESD issued statements throughout pre-election period, on Election Day and following the counting process, to share important findings with the public and election stakeholders on the quality of the electoral procedures and violations.

CFFESD published reports based on the findings of its observers during the pre-election process, two press releases on Election Day, as well as a preliminary report the day after the Election Day. On June 19, 2015, CFFESD organized a simulation of Election Day in its headquarters, to test the mechanism of collecting and receiving the data from observers. The simulation day included all observers that were to be deployed on Election Day through the sample units all over Albania and the communication operators at the headquarters. All the information was posted in real time on the website of the Coalition [www.kzln.org.al](http://www.kzln.org.al) and its social networks.

## **ACKNOWLEDGMENT**

During the implementation of the project CFFESD received enormous support from observers, citizens, media, election administration, donors and the core team who contributed to reaching the project's objectives. Donor financial and advisory support ensured high quality and adequate working conditions, and a firm foundation to fulfill the project goals. The media played a great role by broadcasting and reporting on CFFESD activities to the public.

We would like to thank all our observers, who have done their work uncompromisingly, devotedly and professionally, thus making a contribution to the conduct of free and fair elections in Albania. They represented monitoring power and motivation.

CFFESD deeply thank the National Democratic Institute for International Affairs in Albania for their technical support.

In particular, a special thank you goes to our donor USAID that supported financially CFFESD for a successful implementation of this very important citizen's mission through Assist Impact.

## APPENDICES

Appendix 1 - Table of CEAZs addresses

Municipality	Adm. Unit	CEAZ	Municipality	Adm. Unit	CEAZ	Municipality	Adm. Unit	CEAZ
Malësi e madhe	Koplik	1		Nj. Bashkiak Nr. 1	31	Mallakastër	Ballsh	61
	Shkodër	2		Nj. Bashkiak Nr. 2	32	Uravaigurore	Uravaigurore	62
Shkodër	Shkodër	3		Nj. Bashkiak Nr. 3	33	Kuçovë	Kuçovë	63
	Shkodër	4		Nj. Bashkiak Nr. 4	34	Berat	Berat	64
	Shkodër	5		Nj. Bashkiak Nr. 5	35	Polican	Polican	65
Vauidejë	Bushat	6	Tiranë	Nj. Bashkiak Nr. 6	36	Skrapar	Çorovodë	66
Pukë		7		Nj. Bashkiak Nr. 7	37	Pogradec	Pogradec	67
Fushëarrëz		8		Nj. Bashkiak Nr. 8	38	Maliq	Maliq	68
Tropojë	Bajramcurri	9		Nj. Bashkiak Nr. 9	39		Pustec	69
Has(Krumë)	Krumë	10		Nj. Bashkiak Nr. 10	40	Devoll	Bilisht	70
Kukes	Kukës	11		Nj. Bashkiak Nr. 11	41		Korçë	71
	Lezhë	12	Kavajë	Kavajë	42		Korçë	72
Lezhe	Lezhë	13	Rrogzhihë	Rrogzhihë	43	Kolonjë	Ersekë	73
Kurbini	Laç	14	Peqin	Peqin	44	Këlcyrë	Përmet	74
Mirdite	Rrëshen	15	Belsh	Belsh	45	Përmet	Këlcyrë	75
Mat	Burrel	16	Cërrik	Cërrik	46	Memaliaj	Memaliaj	76
Klos	Klos	17		Elbasan	47	Tepelenë	Tepelenë	77
Bulqizë	Bulqizë	18		Elbasan	48	Gjirokastrë	Gjirokastrë	78
Dibër	Peshkopi	19	Elbasan	Elbasan	49	Libohovë	Libohovë	79
Krujë	Krujë	20		Elbasan	50	Dropull	Jorgucat	80
	Sukth	21	Gramsh	Gramsh	51		Vlorë	81
Durrës	Durrës	22	Librazhd	Librazhd	52		Vlorë	82
	Durrës	23	Prenjas	Prenjas	53		Vlorë	83
	Durrës	24	Lushnjë	Lushnjë	54		Vlorë	84
Shijak	Shijak	25		Lushnjë	55	Selenicë	Kotë	85
Vorë	Vorë	26	Divjakë	Divjakë	56	Himarë	Himarë	86
	Kamëz	27	Fier	Fier	57	Delvinë	Delvinë	87
Kamëz	Paskuqan	28		Fier	58	Sarandë	Sarandë	88
	Kashar	29	Patos	Patos	59	Livadhja	Dermish	89
Tiranë	Bërzhitë	30	Roskovec	Roskovec	60	Konispol	Konispol	90

## Appendix 2 - Questionnaire of the Observers used during Election Day of June 21<sup>st</sup>, 2015



Coalition for Free and Fair Elections and Sustainable Democracy  
STO Voting Day Checklist Local Elections 21 June 2015

Please fill out the entire form!

Observer Code:

Voting Center Number:	Voting Center Name and the Address:
Observer Name:	Observer Telephone Number:
Coordinator Name:	Coordinator Telephone Number:
<b>SMS Number:</b>	+31614793545
Call Center Number: (FOR REPORTING INCIDENTS ONLY!)	0692477405 ; 0692477551; 0692477552; 0692477574; 0692477576

### SMS 1 – Opening of the Voting Center

You must send the SMS to NUMBER +31614793545 at 07:15

AB	What is the number of your Voting Center (number provided by the CEC and clearly marked at the entrance of the Voting Center)?  <i>Please note that the number can be 4 or 5 digits. If the number of your Voting Center is 4 digits, the first space must be a 0.</i>								AB	
AC	What time did the Voting Center Open? <i>If the VC opened after 7:10 or did not open, fill out a critical incident form.</i>	Before 06:50 (1)	06:50 - 07:10 (2)	After 07:10 (3)	Didn't open (4)				AC	
AD	Number of Registered Voters at the Voting Center								AD	
AE	Number of Ballots Issued to the Voting Center by the CEAZ								AE	
AF	Was the ballot box empty and was it shown to the observers before it was sealed with the security codes? <i>If no, fill out a critical incident form.</i>		Yes (1)		No (2)				AF	
AG	Were the numbers of the security seals that locked the voting ballot box recorded in the Seal Log and the Meeting Protocol Book of VCC?		Yes (1)		No (2)				AG	
AH	Was there a copy of the Seal Log given by the VCC to the members and the party observers?		Yes (1)		No (2)				AH	
AJ	Did the Voting Center have ALL of the below listed materials? [Ballot Papers, Voters List, Ballot Box, Indelible Ink, Official Stamps, Voting Booth] <i>If no, fill out a critical incident form and explain what was missing.</i>		Yes (1)		No (2)				AJ	
AK	Were all seven Voting Center members present at the voting center prior to opening?		Yes (1)		No (2)				AK	
AM	How many of the Voting Center members are women?	0	1	2	3	4	5	6	7	AM
AN	Is the Voting Center Chair a woman?		Yes (1)		No (2)					AN
AP	Is the Voting Center accessible to disabled voters (ramp or elevators if needed)?		Yes (1)		No (2)					AP
AQ	At any time, were you or another observer prevented from observing the voting process or accessing information about the process? <i>If yes, please fill out a critical incident form.</i>		Yes (1)		No (2)					AQ
AR	At any time, did you observe any serious violations that are influencing election results at the voting center you are observing? For examples, refer to the Critical Incident Form. <i>If yes, please fill out a critical incident form.</i>		Yes (1)		No (2)					AR
AS	Did any party member and/or candidate perform campaigning within 150 meters of the Voting Center? [This includes propaganda materials] <i>If yes, please fill out a critical incident form.</i>		Yes (1)		No (2)					AS

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Each SMS starts with V and the observer code	Question AB Can be 4 or 5 digits. If 4 digits, the first space must be a 0	Question AC {1, 2, 3, or 4}	Question AD {probably less than 1000}	Question AE {probably less than 1000}	Question AF {1 or 2}	Question AG {1 or 2}	Question AH {1 or 2}	Question AJ {1 or 2}
V	A B	A C	A D	A E	A F	A G	A H	A J

Question AK {1 or 2}	Question AM {0 to 7}	Question AN {1 or 2}	Question AP {1 or 2}	Question AQ {1 or 2}	Question AR {1 or 2}	Question AS {1 or 2}
A K	A M	A N	A P	A Q	A R	A S

Example: V01234AB01234AC1AD700AE700AF1AG1AH1AJ1AK1AM1AN1AP1AQ1AR1AS1

DO NOT SEND THIS - THIS IS JUST AN EXAMPLE HOW YOUR MESSAGE SHOULD LOOK LIKE!

SEND SMS TO NUMBER: +31614793545

**SMS 2 – Voter Turnout Measure at 14:00**

You must send the SMS to NUMBER +31614793545 at 14:00

BA	Exactly how many voters voted from the opening of the Voting Center to 14:00? <i>Please ask the Committee Chair for this information.</i>				BA
BC	How many of these voters were women? <i>Please ask the Committee Chair for this information.</i>				BC
BD	How many of these voters were men? <i>Please ask the Committee Chair for this information.</i>				BD
BE	How many voters voted with a court order? <i>Please ask the Committee Chair for this information.</i>				BE
BF	How many voters voted with assistance? <i>Please ask the Committee Chair for this information.</i>				BF
BG	At any time, were you or another observer prevented from observing the voting process or accessing information about the process? <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)		BG
BH	At any time, did you observe any serious violations that are influencing election results at the voting center you are observing? For examples, refer to the Critical Incident Form. <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)		BH
BJ	Was the voting process suspended for more than 30 minutes at any time? <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)		BJ
BK	Did any party member and/or candidate perform campaigning within 150 meters of the Voting Center? [This includes propaganda materials] <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)		BK

Each SMS starts with V and the observer code	Question BA (number)	Question BC (number)	Question BD (number)	Question BE (number)	Question BF (number)	Question BG (1 or 2)	Question BH (1 or 2)
V	B A	B C	B D	B E	B F	B G	B H

Question BJ {1 or 2}	Question BK {1 or 2}
B J	B K

Example: V01234BA123BC123BD123BE1BF1BG1BH1BJ1BK1

DO NOT SEND THIS - THIS IS JUST AN EXAMPLE HOW YOUR MESSAGE SHOULD LOOK LIKE!

SEND SMS TO NUMBER: +31614793545

**SMS 3 – Voting**

You must send the SMS to NUMBER +31614793545 at 19:00

CA	How many people were permitted to vote <u>without</u> presenting a valid passport or national identification card? <i>If more than 10, please fill out a critical incident form.</i>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CA
CB	How many people were permitted to vote <u>without</u> having their name on the voter list or without a court order? <i>If more than 10, please fill out a critical incident form.</i>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CB
CD	How many eligible voters, voters who had a valid identification document and were on the voters list or had a court order, were <u>not</u> permitted to vote? <i>If more than 10, please fill out a critical incident form.</i>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CD



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CE	Were all voters who required assistance to vote, properly assisted? [Voters who for physical reasons are not able to vote for themselves, seek the help of a family member or another voter.] <b>If no, please fill out a critical incident form.</b>	No voters required assistance at VC (9)		Yes (1)	No (2)	CE			
CF	How many voters for others without being asked to provide assistance and/or without being properly registered or recorded by the VCC? [The person that helps the voter should be a voter of the VC and has a registered statement in the VC Commission Protocol Book. The assistant cannot be a VCC member and cannot help more than one person.] <b>If more than 10, please fill out a critical incident form.</b>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CF			
CG	How many voters did not find their names on the voters list? <b>If more than 10, please fill out a critical incident form.</b>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CG			
CH	How many voters <u>were not checked</u> for inked fingers prior to voting? <b>If more than 10, please fill out a critical incident form.</b>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CH			
CJ	How many voters' fingers <u>were not inked</u> prior to voting? <b>If more than 10, please fill out a critical incident form.</b>	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CJ			
CK	How many voters with disabilities were not able to vote independently and in secret? <b>If more than 10, please fill out a critical incident form.</b>	No disabled voters present at VC (9)	None (1)	1 to 5 (2)	6 to 10 (3)	More than 10 (4)	CK		
CM	Did you witness any incidents of ballot box stuffing, multiple voting, bribery, pre-filled ballots, taking photo/video of the ballot, violence or intimidation, suspension of voting for more than 30 minutes, campaigning within 150 meters of the voting center, or any other significant violations during the voting process? <b>If yes, please fill out a critical incident form.</b>	Yes (1)			No (2)	CM			
CN	At any time, were you or another observer prevented from observing the voting process or accessing information about the process? <b>If yes, please fill out a critical incident form.</b>	Yes (1)			No (2)	CN			
CP	Which of the following party observers were present at any time during the process? <b>Mark all that apply and answer the SMS with all applicable numbers.</b>	None 1	SP 2	DP 3	SMI 4	RP 5	PJIU 6	Other 7	CP

Each SMS starts with V and the observer code	Question CA (1, 2, 3, or 4)	Question CB (1, 2, 3, or 4)	Question CD (1, 2, 3, or 4)	Question CE (9, 1, or 2)	Question CF (1, 2, 3, or 4)	Question CG (1, 2, 3, or 4)	Question CH (1, 2, 3, or 4)	Question CJ (1, 2, 3, or 4)	Question CK (9, 1, 2, 3 or 4)
V	A	B	D	E	F	G	H	J	K

Question CM (1 or 2)	Question CN (1 or 2)	Question CP (1 or combo of numbers)
M	N	P

Example: V01234CA1CB1CD1CE1CF1CG1CH1CJ1CK1CM1CN1CP1234

DO NOT SEND THIS - THIS IS JUST AN EXAMPLE HOW YOUR MESSAGE SHOULD LOOK LIKE!

SEND SMS TO NUMBER: +31614793545

**SMS 4 - Closing (Complete these questions during the closing of the Voting Center)**

You should send the SMS to NUMBER +31614793545 as soon as VCC leaves the VC

DA	Were voters in the queue at 19:00 allowed to vote?	No Line (9)	Yes (1)	No (2)	DA
DB	Were voters who arrived to the Center after 19:00 allowed to vote?	No one arrived after 19:00 (9)	Yes (1)	No (2)	DB
DC	Did the number of ballots received by the Center match the number of ballots on the material receipt of the CEAZ?	Yes (1)		No (2)	DC
DE	Were any unauthorized people present in the voting center at any time during the process? [People allowed at the VC are voters, commissioners, accredited observers of political parties or independent candidates as well as other independent observers] <b>If yes, please fill out a critical incident form.</b>	Yes (1)		No (2)	DE
DF	Did security personnel enter the voting center at anytime during the opening, voting, or closing <u>without</u> being asked by the Voting Center Chair or refuse to leave after being asked into the voting center? <b>If yes, fill out a critical incident form.</b>	Yes (1)		No (2)	DF

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DG	Was the process suspended for more than 30 minutes at any time? <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)	DG					
DH	At any time, were you or another observer prevented from observing the voting process or accessing information about the process? <i>If yes, please fill out a critical incident form.</i>	Yes (1)	No (2)	DH					
DJ	Was the ballot box sealed and secured prior to transport? <i>If no, please fill out a critical incident form.</i>	Yes (1)	No (2)	DJ					
DK	Was the record of sealing inserted in the ballot box prior to transport? <i>If no, please fill out a critical incident form.</i>	Yes (1)	No (2)	DK					
DM	Were there any problems or violations during the closing process? <i>If yes, fill out a critical incident form.</i>	Yes (1)	No (2)	DM					
DN	Which of the following party observers submitted complaints during the Election Day? <i>Mark all that apply and answer the SMS with all applicable numbers.</i>	None 1	SP 2	DP 3	SMI 4	RP 5	PJIU 6	Other 7	DN
DP	Was anybody unauthorized in the team that accompanied the ballot box accompanied to the ballot counting center? [Delivery of the ballot box from the VC to the ballot counting center is done by car, in which the members and secretary of the VCC as well as a police officer, who is in charge of guaranteeing the safety of the ballot box and voting materials] <i>If yes, fill out a critical incident form.</i>	Yes (1)	No (2)	DP					
DQ	Number of Voters that Voted (include number of people who voted with a court order)								DQ
DR	How many voted with a Court Order?								DR
DS	How many voters voted with assistance, according to the VCC books (special register)?								DS
DT	How many of the voters were women?								DT
DU	How many of the voters were men?								DU
DV	Number of Unused Ballots								DV
DZ	Number of Spoiled Ballots								DZ

Each SMS starts with V and the observer code	Question DA (9, 1, or 2)	Question DB (9, 1, or 2)	Question DC (1 or 2)	Question DE (1 or 2)	Question DF (1 or 2)	Question DG (1 or 2)	Question DH (1 or 2)	Question DJ (1 or 2)	Question DK (1 or 2)	Question DM (1 or 2)
V	A	B	C	E	F	G	H	J	K	M

Question DN (1 or combo of numbers)	Question DP (1 or 2)	Question DQ (number)	Question DR (number)	Question DS (number)	Question DT (number)	Question DU (number)
N	P	Q	R	S	T	U

Question DV (number)	Question DZ (number)	SEND SMS TO NUMBER+31614793545 Example: V01234DA1DB1DC1DE1DF1DG1DH1DJ1DK1DM1DN123DP1DQ400DR70DS50DT25DU12DV30DZ15 DO NOT SEND THIS - THIS IS JUST AN EXAMPLE HOW YOUR MESSAGE SHOULD LOOK LIKE!
V	Z	

**Thank you for being an observer for the Coalition for Free and Fair Elections and Sustainable Democracy!**



### Appendix 3 - Incident form for the observers used during Election Day of June 21<sup>st</sup>, 2015



Coalition for Free and Fair Elections and Sustainable Democracy  
Critical Incident Form Local Elections 21 June 2015

**Please fill out the entire form!**

Observer Code:	
Voting Center Number:	Voting Center Name and the Address:
Observer Name:	Observer Telephone Number:
Coordinator Name:	Coordinator Telephone Number:

**When submitting a critical incident, always use the Communication Center Number:  
0692477405; 0692477551; 0692477552; 0692477574; 0692477576**

**Form filled out by** ☐ 1) Observer ☐ 2) Coordinator

**Type of Incident** – Choose all items that apply:

- |   |  |
|---|--|
| <input type="checkbox"/> 1) Voting Center opened after 07:00 (Quest. AC)  | <input type="checkbox"/> 14) Theft or damage to ballot box or ballot (Quest. DJ)                             |
| <input type="checkbox"/> 2) Observer obstruction (Quest. AQ, BG, CN, DH)  | <input type="checkbox"/> 15) Prefilled ballots (CM)  |
| <input type="checkbox"/> 3) Voting Center lacked critical voting materials (Quest. AJ)  | <input type="checkbox"/> 16) Voting suspended (Quest. BJ, CM, DG)  |
| <input type="checkbox"/> 4) Secrecy of vote not guaranteed  | <input type="checkbox"/> 17) Presence of unauthorized persons (Quest. DE, DF)                                |
| <input type="checkbox"/> 5) Voters not on the Voter List and without a Court Order, and without ID were allowed to vote (Quest. CA, CB) | <input type="checkbox"/> 18) Problems with assisted voting (Quest. CE, CF, CK)                               |
| <input type="checkbox"/> 6) Inking procedures not performed (Quest. CH, CJ)   | <input type="checkbox"/> 19) Pictures or video were taken of the ballot (Quest. CM)                          |
| <input type="checkbox"/> 7) Voters on the Voter List or with a Court Order, and with ID, were not allowed to vote (Quest. CD)           | <input type="checkbox"/> 20) Ballot box was not appropriately handled (Quest. AF, DJ, DK, DP)                |
| <input type="checkbox"/> 8) Many voters not found on the voter list (Quest. CG)   | <input type="checkbox"/> 21) Campaigning conducted on or near the premises of the Voting Center (AS, BK, CM) |
| <input type="checkbox"/> 9) Violence in or near Voting Center (Quest. CM)   | <input type="checkbox"/> 22) Problems with Closing of the Voting Center (Quest. DM)                          |
| <input type="checkbox"/> 10) Intimidation or harassment at or near Voting Center (Quest. CM)  | <input type="checkbox"/> 23) Other significant violations (explain)  |
| <input type="checkbox"/> 11) Voting more than once (Quest. CM)  |  |
| <input type="checkbox"/> 12) Ballot box stuffing (Quest. CM)  |  |
| <input type="checkbox"/> 13) Purchase/sale of votes (Quest. CM)   |  |

ANSWER QUESTION 2 ONLY IF EVIDENCE IS OUTSIDE THE VOTING CENTER. IF NOT, MOVE ON TO QUESTION 3.

**2. Material received as evidence of the incident?**

If YES, please email it to [kzln@kzln.org.al](mailto:kzln@kzln.org.al) or with Viber or WhatsApp to [0695291923](tel:0695291923) Yes No

**CONTINUE TO THE NEXT PAGE**

**3. Detailed explanation (*Please use the next page to add information if necessary*)**

Please give a detailed report of the incident specifying who, what, where, when, why, etc. (please give the name and political party, if appropriate). Also specify if you personally witnessed the incident or if your report is from someone else. If this is a report from someone else, please specify who it is and the reliability of the report. Please, also, comment on the impact of the incident at the local level.

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**Assessment of the Incident**

What is your perspective of what happened and possible reactions?

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**Reactions**

Were there any reactions observed from the VCC or CEAZ? If yes, please describe.

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**Ongoing Monitoring**

What else will you do to continue monitoring this incident? What can the KZLN team do to help you?

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Report immediately all incidents to the KZLN Center at the numbers:  
0692477405; 0692477551; 0692477552; 0692477574; 0692477576

**4. After a consultation with legal advisers in the communication center, was a complaint filed to the Commission?**

YES      NO

Observer's Signature	Observer's Full name	Time and Date of the Incident
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**Appendix 4** - The E-day Info graphics- Please find the Info graphics at the CFESC website: [www.kzln.org.al](http://www.kzln.org.al)

**Appendix 5** - The E-day tables of observing results - Please find the E-day tables of observing results at the CFESC website: [www.kzln.org.al](http://www.kzln.org.al)



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KZLNCFFE



KZLN CFFE