

**First Interim REPORT**  
**“Monitoring of Local Elections of June 21, 2015 in Albania”**

**Tirana, Albania June 11, 2015**

**This report covers the work done by 90 Long Term Observers engaged by the Coalition  
for Free and Fair Elections and for Sustainable Democracy  
from May 22 to June 5, 2015**



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## Table of Contents

<b>ABBREVIATIONS.....</b>	<b>4</b>
<b>1. EXECUTIVE SSUMMARY .....</b>	<b>5</b>
<b>2. CFFESD ELECTION OBSERVATION MISSION .....</b>	<b>7</b>
2.1 PRE-ELECTION OBSERVATION .....	7
2.2 ELECTION DAY OBSERVATION .....	7
2.3 COUNTING PROCESS OBSERVATION .....	8
2.4 COMMUNICATION WITH THE PUBLIC .....	8
<b>3. POLITICAL BACKGROUND .....</b>	<b>8</b>
<b>4. ELECTION LEGISLATION &amp; ADMINISTRATION .....</b>	<b>10</b>
4.1 LEGAL FRAMEWORK.....	10
4.2 ELECTION ADMINISTRATION .....	10
4.3 CENTRAL ELECTIONS COMMISSION .....	11
4.4 ELECTORAL COLLEGE.....	13
<b>5. ANALYSIS AND FINDINGS.....</b>	<b>14</b>
5.1 ADMINISTRATION OF ELECTIONS .....	14
5.1.1 Election Administration Zones (EAZs)/Commission Election Administration Zones (CEAZs) .....	<b>Error!</b>
5.1.2 Activity of CEAZs.....	14
5.1.3 Procedures and decision-making .....	14
5.1.4 CEAZ headquarters, infrastructure, logistics and resources available to CEAZs .....	15
5.1.5 Gender representation in EAZ Commissions .....	17
5.1.6 Establishment of the Voting Center Commissions.....	17
5.2 ELECTORAL CAMPAIGN.....	18
5.3 PUBLIC INSTITUTIONS AND FUNDS IN THE CONTEXT OF ELECTIONS 2015.....	20
<b>6. ABOUT CFFESD .....</b>	<b>22</b>
<b>APPENDIX 1 TABLE OF CEAZS ADDRESSES.....</b>	<b>23</b>



## Abbreviations

AEA	Alliance for European Albania
CEAZ	Commission of Election Administration Zone
CEC	Central Election Commission
CFFESD	Coalition for Free and Fair Elections & Sustainable Democracy
EAZ	Election Administration Zone
DP	Democratic Party
EAZ	Election Administration Zone
OSCE/ODIHR	Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights
PAWD	People's Alliance for Work and Dignity
RP	Republican Party
SMI	Socialist Movement for Integration
SP	Socialist Party
VC	Voting Center
VCC	Voting Centres Commission



## 1. Executive summary

On May 22, 2015 Coalition for Free and Fair Elections and for Sustainable Democracy CFFESD launched its pre-election day observation effort deploying 90 long terms observers (LTOs) to each of the Albanian Electoral Administrative Zones (EAZ). This report presents the key findings for the period from May 22, 2015, when the electoral campaign was launched until June 6, 2015.

### Administration of Elections

- Eleven (11) out of ninety (90) Commissions of Electoral Administrative Zones (CEAZ) headquarters were established in facilities used by the public administration, other than healthcare, educational and cultural ones, which is contrary to the Electoral Code;
- Almost all commissioners are employed full time, which prevents them from dedicating enough time to their duties in CEAZs, thus causing delays in almost all CEAZs operations.
- In twenty-five (25) CEAZs it is a common practice among commissioners to hold meetings with phone calls or in premises outside the CEAZs;
- Regardless of the fact that the Electoral Code dictates that CEAZ meetings are public, in the majority of CEAZs, persons that are not accredited by the Central Electoral Commission (CEC) were allowed to attend only after citing the Electoral Code on the fact that CEAZ meetings are public;
- The commissioners, who are appointed by political parties, are replaced frequently. CFFESD expresses its concern that frequent replacements result in a considerable number of commissioners without appropriate training. CFFESD notes that on June 4, 2015, the CEC has received requests for replacements of commissioners although the last training was conducted on June 3, 2015.
- Thirty out of ninety (90) of CEAZs have problems with the supply of basic materials (documentation forms needed for their regular work, paper, printer ink, fuel, telephones), while twenty-six (26) CEAZs have not yet received the necessary budget for covering the activity costs;
- In total, over half of CEAZs, forty-six (46) of them, have, at least, one deficiency of basic materials, budget or ability of members to understand and perform the assigned duties as identified by members themselves.
- In the majority of the aforementioned cases the commissioners try to cover deficiencies in basic materials and budget by personally covering costs and resources.
- The Socialist Party (SP) and the Democratic Party (DP) observed the gender quota in CEAZs at about 30 percent as required by the law.
- In CEAZs' managerial positions, we have only fourteen (14) women appointed as CEAZ chairpersons, nineteen (19) deputy chairpersons and twenty-two (22) CEAZ secretaries;
- In thirty-six (36) EAZs, the last deadline for the establishment of the Voting Center Commissions (VCC), which was dated June 1, 2015, was violated;



- In twenty-eight (28) CEAZs, the electoral subjects delayed submitting the lists with candidates for local commissioners. The reasons quoted are mainly missing documentation in the submitted lists or it was deemed necessary to replace a number of commissioners who did not meet the criteria. In eleven (11) CEAZs, which have the biggest number of VCCs are located in non – functional facilities, private premises and are listed with the wrong addresses.

### Electoral Campaign

- According to the Electoral Code, the campaign should start on May 22, 2015. CFFESD observers noted that the Socialist Party (SP), Democratic Party (DP) and the Socialist Movement for Integration (SMI) violated this requirement as they had started the campaign before the specified date, by conducting party leaders' electoral tours in main cities;
- CFFESD observers noted that campaigning so far has been conducted in a calm and orderly manner;
- Another characteristic of the campaign is that political party promises more correspond to the parliamentary rather than local elections;
- This campaign has focused more on the candidates for mayors and it seems as it has almost been forgotten that during these elections citizens also vote for the municipality council, i.e. local parliaments. These are the institutions where all important decisions for the development of the respective municipality are made, and where development policies and programs, budgets are approved. Citizens have very little information, if any, on who these candidates are, what their experience is like and what contribution they have given to their community. Candidates for councilors are rarely seen or promoted during rallies and meetings organized by mayoral candidates and their respective parties;
- During these elections, insufficient attention has been paid to the Roma and Egyptian community. They are not well represented in the candidate list and also our observers have not reported any electoral activity by the candidates for mayors in areas populated by this community;
- In comparison to previous elections, there is an increase in the use of social media and websites by candidates and their respective parties;
- CFFESD observers claim that there are few alleged instances noted of political parties putting pressure on the administration, central or local, to become part of electoral activities during the election campaign.

### Public Institutions and Use of Public Resources in Pre-electoral Campaign

- CFFESD observers claim there are some cases where there is suspicion that political parties have put pressure on public administration staff, central or local, to election activities during the campaign;
- CFFESD observers received information from interlocutors in about five (5) cases of alleged pressure on public administration staff, students, or employees of state owned enterprises to take part in rallies or campaign activities.



CFFESD also expects the prosecutor's office to complete swiftly investigations related to cases of the transfer of voters to Durres and Kavaja, which, if proven to be true, would seriously undermine the credibility of the electoral process in Albania. CFFESD strongly calls the authorities to investigate the above-mentioned cases and punish those who abused it.

CFFESD will publish its next intermediate report regarding the election observations on June 19, 2015.

## **2. CFFESD Election Observation Mission**

### ***2.1 Pre-election observation***

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 has deployed ninety (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 also closely monitoring 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.

### ***2.2 Election day observation***

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

CFFESD will deploy 500 stationary observers to a random representative sample of voting centers throughout Albania and will deploy an additional 500 observers to observe competitive mayoral races with the same statistical logic described above. Observers will be present the voting centers for the entire day from the opening to the handover of the materials to Commissions of Electoral Administrative Zones (CEAZs). Given that counting process will not be conducted at the voting centers, CFFESD will not project elections results. However, CFFESD will have accurate information about quality of the Election Day process and voter turnout. The confidence level of the SBO is 95%, which statisticians accept as standard, so Albanians should have a high confidence in CFFESD's findings. The margin of error will be determined once all of CFFESD's data is received but is expected to be between 3 and 5 percent.



### ***2.3 Counting process observation***

Following the Election Day processes, CFFESD will deploy observers to all the counting centers throughout the country, to be able to access the quality of the counting process as well. CFFESD observers will monitor the entire counting process starting from the reception of the materials from the CEAZ to the tabulation of the results. The CFFESD will not monitor the process of transporting the ballot boxes from the Voting Center to Counting Center.

### ***2.4 Communication with the public***

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 allows CFFESD to aggregate and analyze the data easily. As data is analyzed, CFFESD will be issuing statements throughout pre-election period, on the 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 potential violations. CFFESD will publish reports based on the findings of its observers during the pre-election process, including a preliminary report before the Election Day.

On June 19, 2015, CFFESD will organize a simulation of Election Day in its headquarters, to test the mechanism of collecting and receiving the data from observers. The simulation day will include all the observers that will be deployed on the Election Day through the sample units all over Albania and the communication operators at the headquarters. CFFESD will publish at least two press releases on the Election Day, while the first post Election Day report will be released on June 22, 2015. The final report will be released only after the official publication of the results.

## **3. Political background**

The Local Elections on June 21, 2015 will be the first elections in Albania, since the European Council of the European Union (EU) granted to Albania candidate country status for accession to the EU in June 2014. Holding elections that fulfill European and international standards, to guarantee the conditions for citizens' free and fair vote, has been one of the key conditions of the EU for Albania.

The European Commission progress report of 2014 stated that “*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.*” The conduct of elections shapes political life in the long-run in the country, and also impacts Albania's path





towards integration in the EU. Hence, it is important that the election reflects maturity of the political class and the citizens in Albania.

This will also be the first local elections conducted in the context of the new territorial and administrative reform (TAR) approved by Parliament on July 31, 2014. The first level of local government will now consist of 61 Municipalities, instead of 373 units (*65 municipalities/cities and 308 communes/rural units*). In terms of local managers, TAR has reduced the number of mayors from 373 to 61 and Municipality Council members from 6,152 to 1,595. Any territorial organisation reform has an impact on elections. However, although the opposition and several non-parliamentary parties claimed that the reform process was not inclusive and that the redistricting was made along partisan lines and did not always take into account the specifics of minority-populated areas, all actors have chosen to contest the election.

On June 21, 2015, Albania's 3,370, 206<sup>1</sup> voters will have the opportunity to express their political will in 5,299 voting centres and elect new mayors and council members, according to the data from the Central Election Commission (CEC).

The campaign is characterized by full and active engagement of leaders of the parties and by introduction of political platforms that are more characteristic of parliamentary elections such as boosting economic growth, reducing unemployment, taxation, major public investments, the price of electricity, etc.

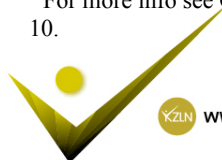
In these elections, parties will seek to administer as many units of local government as possible, but also test their political support for the 2017 elections. The SP is looking for reconfirmation of the victory of the 2013 elections and a demonstration that the reforms undertaken so far enjoyed public support. The DP seeks to overthrow the loss from 2013 parliamentary election and change the situation in its favor.

This year's continued political disagreements among political forces postponed and violated deadlines for important decisions regulating the electoral framework, including the approval of Electoral Code amendments, which directly undermines the stability of the electoral law. It is important to note that fundamental elements of electoral law should not be amended a year before the election, according to the international standards for democratic elections<sup>2</sup>.

The political environment leading to the elections has been tense, largely due to long-standing conflicts between the two major parties. This has continued with respective accusations on decriminalisation among political parties and lack of will to engage in a legal reform process on the issue. Pervasive distrust between the parties can negatively impact the conduct of the elections. CFFESD deplores the fact that political parties have not used the sufficient time they have had at their disposal to submit lists of candidates that do not raise a single suspicion of the integrity and credibility of their candidates for mayors and councillors.

<sup>1</sup> [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>2</sup> For more info see Code of Good Practices in Electoral Matters' – Venice Commission, Opinion No. 190/2002, II./2/b, pg. 10.



Citizens of Albania deserve to choose among the mayoral and councillors' candidates with flawless records.

Freedom of expression continues to be generally respected. The media is providing extensive coverage of the June 2015 campaign elections. However, it is noticed that campaign of Tirana's candidates Mr. Halim Kosova and Mr. Erion Veliaj are broadcasting live on television, while little space is given to the independent candidates for Tirana and /or candidates for the Tirana municipal council .

#### **4. Election legislation & administration**

##### ***4.1 Legal framework***

The 2015 local government elections is conducted under a sound legal framework, resting on the Constitution and the Electoral Code (EC). The provisions set by the EC 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>3</sup>, Law on the Organization and Functioning of Local Government, Law on Political Parties, Code of Administrative Procedures, and the Criminal Code.

Albania guarantees universal and equal suffrage to citizen 18 years and older. Citizens have equal voting rights and each voter has one vote. This fundamental right is guaranteed by the Constitution of Albania and the EC.

The EC 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 parties' coalitions, according to which multi-name lists of candidates for Municipal Council members shall contain a 50 percent representation for each gender, and one in every two consecutive names in the listing shall belong to the same gender<sup>4</sup>. Lists that do not comply with gender representation are not accepted for registration by CEC<sup>5</sup>.

Last minute amendments of EC for the local election of of June 21, 2015 in April 2015, just two months before the elections, do not comply with the international standards for democratic elections enshrined in the 'Code of Good Practices in Electoral Matters'<sup>6</sup>.

##### ***4.2 Election administration***

Elections in Albania are administered by a three tiered election administration:

- Central Elections Commission (CEC) composed by 7 members.
- 90 Commissions of Electoral Administration Zones (CEAZs) 720 members, and
- 5299 Voting Centre Commissions (VCCs).

<sup>3</sup> Law 115/2014

<sup>4</sup> Art. 67 of Electoral Code, amended

<sup>5</sup> Art. 175 of Electoral Code, amended

<sup>6</sup> See Code of Good Practices in Electoral Matters, Venice Commission, Opinion No. 190/2002, II./2/b, pg. 10

In addition, there are 90 Ballot Counting Centers (BCCs), one for each Electoral Administration Zone (EAZ), where Counting Teams (CT) count votes on the EAZ level.

CEC is a permanent body responsible for the overall conduct of the elections. The CEC's responsibilities include establishing the EAZs, appointing and removing CEAZ members, printing ballots, training lower-level election officials, overseeing campaign finance, imposing sanctions for election related administrative infractions, considering complaints and appeals, and announcing the final results for the local councils.

CEAZs are appointed by the CEC for each election and are composed of seven members and a secretary with no right to vote. CEAZ members are nominated by the parties. Although CEAZs should have been established on April 13, 2015 and their training should be organized prior to the start of work, members of CEAZs have changed many times in this short period before elections. New untrained members continue to be appointed, on requests of political parties for replacements. To prepare the newly appointed CEAZ members, CEC conducted another training session on June 2 through 4, 2015, to train the new commissioners and refresh the knowledge of the others. However, still CEC continues to receive requests for replacement of commissioners. These changes have, at times, affected the carrying out of CEAZs responsibilities for organizing and conducting the elections in the EAZ under their supervision, such as candidate registration, appointing the members of the VCCs and CTs.

VCCs are composed of seven members and appointed by CEAZs based on party proposals. The same formula for the establishment of CEAZs is applied here. Political parties nominate VCC members (*no later than 30 days prior to the Election Day*) and cannot recall their nominees at their own discretion. The VCCs are responsible for organizing voting, as well as packing and transporting ballots and other election materials after voting to the relevant BCCs.

With the exception of the CEC Chair, all members in all tiers of electoral administration are politically nominated, therefore reducing the process to the mercy of the will of the parties. The official campaign started on May 22, 2015, and will finish on June 19, 2015, with a one day of silence on June 20, 2015, one day prior to election day.

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

The Central Elections Commission (CEC) is the highest state authority that administers local and parliamentary elections. CEC is composed of seven members which are elected by Albanian Parliament based on the proposals of the political parties, with the CEC Chair coming from independent candidacy. Each CEC member is supposed to act a-politically. Once they are appointed, the commissioners are guardians of the electoral process and citizens' interest, and not their party interests.

The most important CEC decisions regarding the division of EAZs, elections results tabulation, seats allocations, elections invalidity require a qualified majority of votes. The rest of CEC decisions require a simple majority of votes; such decisions include candidate



registration, CEAZ members appointments/replacements and monitoring of their everyday work, CEAZ members training in pre-electoral period, imposition of administrative sanctions for violations of Electoral Code, etc.

For the coming Local Governance Elections, CEC has increased the publicity of the meetings by regular and timely notifications. Meetings were notified by email and/or other means of publications, therefore all participants, political parties representatives, media and observers, so far were notified in advance of the coming meeting. The agenda is published in advance on the CEC official website and by the CEC spokesperson. CEC meetings were held on time, and were accessible by media and other interested stakeholders. All CEC meetings were broadcasted live online on the CEC official website. Therefore all interested parties and/or actors could have full access to CEC decision-making and discussions in real time.

CEC had discussions on every issue as presented in the daily agenda and granted the right to political parties representatives to present their observations prior to decision-making.

CEC Instructions were approved unanimously, related to procedures for receiving Ballot Boxes from Receiving Teams, 'Counting Teams allocation, composition and counting procedures', for the 'VCC's establishment and functions', as well as the Instruction 'On data assembling and preliminary elections results'<sup>7</sup>. Also approved unanimously were the CEC decisions No. 588, May 28, 2015 'On the approval of the usage of the special tool that enable blind people to read the Ballot Paper' and decision No. 578, May 26, 2015 to approve the Counting Team Manual.

Some CEC decisions below were taken by simple majority, by the approval of only 4 CEC members:

- CEC decision June 1, 2015, to consider the Electoral College decision on the resignation of the candidate for Municipality of Kurbin Mr. Altin Biba and approval of the other candidate Mr. Ilir Pjetraj - [*CEC decided to reject the resignation of Mr. Biba and invalidate the CEAZ decision for appointing the other candidate Mr. Pjetraj. In these circumstances, Mr. Biba will formally run for the Municipality of Kurbin*]
- CEC decision June 1, 2015, on the evaluation of Elections Monitoring Board (EMB) Report on electoral campaign to compensate the time for political parties, by rejecting EMB proposal to impose fines to media companies.
- CEC decision June 2, 2015, on political parties entitled to participate at the drawing of lots for selecting the third and fourth members of Counting Teams. CEC decided that third member should be from LSI/SMI and the fourth member from PR/Republican Party, therefore PDIU/PJID was left out the lottery for Counting Team members.

<sup>7</sup> All CEC instructions are fully displayed at the CEC website <http://www2.cec.org.al/sq-al/Udh%C3%ABzime-2015>.



Information on voting of CEC members is evidenced by monitoring of CEC meetings and by the media but it is not yet available on the CEC official website. This is something the CEC can consider to improve regarding the publicity and transparency of its activity.

In all CEC Decisions published online so far, none of them is the original scanned version with CEC member's signatures. This creates difficulties for the public or interested actors to have detailed information on the quorum of CEC members that took the decision.

#### **4.4 Electoral College**

Electoral subjects have the right to appeal to the EC of the Court of Appeals in Tirana against CEC decisions, within five (5) days of the decision announcement, or CEC failure to take a decision. The EC is composed of eight Appellate Court Judges selected<sup>8</sup> by drawing lots. The EC was established since the last Parliamentary Elections 2013 and is operational for the coming local government elections of June 21, 2015. EC decisions are final.

CFEEDS had monitored EC activity through media coverage and online publication of its decisions.

Up to date, the EC had adjudicated eighteen (18) appeals against CEC decisions. During this pre-election period, there was an increase<sup>9</sup> of appeals on pre-election disputes, especially of appeals related to candidates registration, compared to previous elections. The EC has adjudicated disputes within the legal deadline<sup>10</sup>.

EC judges depend on the Tirana Court of Appeals facilities and/or personnel, as well as logistics to perform its duties<sup>11</sup>. EC secretaries are not trained in advance on electoral procedures and there are no law clerks to assist EC judges.

EC trials have been public and the media and political parties had been 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 in electoral issues.

To date, twelve (12) decisions<sup>12</sup> (*out of 18 adjudicated disputes*) are published<sup>13</sup> on the Tirana Court of Appeals official website, even though not immediately after the decision was

<sup>8</sup> From throughout the country, selected by High Council of Justice.

<sup>9</sup> During the time serving as Electoral College members, judges deal also with their everyday business 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>10</sup> 10 days from the deposit of appeal.

<sup>11</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.

<sup>12</sup> From 12 EC online published decisions in Tirana Court of Appeal website:

1 decision is related to referendum requests on administrative reform and EC decision overturned the CEC decisions;

2 appeals were forwarded to Administrative Court of First Instance for adjudication,

1 decision dismissed the case,

- 3 EC decisions overturned CEC,
- 3 EC decisions upheld CEC decisions and
- for 2 appeals the case was partially dismissed and EC decision compelled CEC to take a decision.

<sup>13</sup> <http://www.gjykatacapelittirane.al/?fq=brenda&m=shfaqart&aid=91>

delivered by judges. The decision on deregistration of candidates for elections in the Municipality of Kurbin is not yet published online, even though the decision has been written and so far scanned copy of it has circulated.

## 5. Analysis and findings

### 5.1 Administration of Elections

#### 5.1.1 Activity of CEAZs

Ninety (90) CFFESD LTOs monitored the activities of CEAZs during the period of May 22 to June 6, 2015. They participated in 283 out of 404 meetings held in total, including the June 2 through 4, 2015, training sessions conducted by the CEC. The relatively small number of meetings in total is due to the fact that for a good part of this period, CEAZs were on the ground inspecting voting center infrastructure and the posting of voters' lists. However, a number of CEAZs have been slow in performing their duties, partially due to technical reasons explained below and partially due to the lack of cooperation and coordination among the commissioners.

#### 5.1.2 Procedures and decision-making

CEAZs meetings are generally held in a calm atmosphere and without major problems. However, in almost all the commissions CFFESD LTOS observed a breach of protocol for the proceedings of meetings.

In almost all CEAZs, the schedules<sup>14</sup> for the operation of the commissions are not respected. On the contrary, as evidenced in interviews with members of the commissions, in twenty-five (25) CEAZs, it is a common practice that a number of meetings of commissioners are conducted over the telephone or in premises outside the CEAZs.<sup>15</sup> This is a result of the work overload of the commissioners, who also have regular daily jobs and do not find it easy to cover two positions simultaneously.

At the same time, twenty-five (25) CEAZs are not committed to publicly announcing the next meeting, the respective meeting agenda, or to publish the decisions made.<sup>16</sup>

Regardless of the fact that the EC dictates that CEAZ meetings be public<sup>17</sup>, at a few CEAZs visitors who came to observe CEAZ meetings without CEC accreditation, including CFFESD observers<sup>18</sup>, were allowed to attend.

<sup>14</sup>CEC Instruction 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>15</sup>Ibid, Article 20/1 determines that: "CEAZ meetings are public. They are solely held in its working premises."

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

<sup>17</sup>Electoral Code, Article 35/1: "CEAZ meetings are public"

<sup>18</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.



Due to frequent replacements of commissioners before May 22, 2015, but also afterwards<sup>19</sup>, CFFESD observers note, from interviews with CEAZs, that a number of commissioners might lack the capacities to perform duties<sup>20</sup>, even though almost all of them have undergone CEC training.<sup>21</sup> Here it is important to note that CEC has called several times on the parties to stop replacing their representatives in CEAZs, but such appeals have fallen on deaf ears.

### 5.1.3 CEAZ headquarters, infrastructure, logistics and resources available to CEAZs

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 are eleven (11) CEAZs (see table below) whose headquarters are inappropriately located in buildings occupied by municipal or central administration. This constitutes a violation of the EC. Meanwhile, CEAZ 86 in the Himara Municipality is still working in temporary premises (a kindergarden building) and will be transferred to its final premises (Himara's football stadium offices) on June 12, 2015.

CEAZ	Address
1	Agricultural Directorate, Koplik
9	Meeting room, Bajram Curri City Hall, Tropoje
20	Activity room, Krujë City Hall, Kruje
52	Librazhd City Hall
71, 72	Activity room, Korçë City Hall, Korce
74	Activity room, PËRMET Sub-prefecture
75	Municipality Council room, Kelcyre
76	Municipality Council room, Memaliaj City Hall, Memaliaj
77	Sub-prefecture, City Hall building, Tepelene
88	Activity room, Municipality Council, Sarande

CFFESD LTOs noted that many CEAZs face various problems in regards to infrastructure, logistics and cooperation with other institutions, such as CEC and local authorities. In total, twenty-six (26) CEAZs have stated to suffer from infrastructure and/or logistics shortcomings. Of these, nineteen (19<sup>22</sup>) CEAZs have stated their headquarters are located in inappropriate and non-functional facilities and/or lack space; in offices that lack electricity and/or water supply. They also claim to lack in logistics like the lack of a land line telephone and internet connection, computers, printers and fax machines. Eleven (11<sup>23</sup>) CEAZs have stated they are not satisfied with the support received by the CEC<sup>24</sup> and seven (7)<sup>25</sup>CEAZs

<sup>19</sup> There have been 44 replacements at CEAZ level in April, 85 in May, and commissioners are being replaced in July as well, at a regular pace. Since the start of official campaign, May 22, CFFESD observers have counted 19 commissioners who have been replaced or are in the process of being replaced.

<sup>20</sup> Broadly, this would include the ability to understand procedures and legal requirements of the job.

<sup>21</sup> For example, on 03.06.15 via Decision No. 615, the CEC commissioned 2 new replacements in CEAZ 44 (Peqin Municipality), at the same time that CEC commissioned the CEAZs training all over the country, on June 2-4. There are several (19 counted so far) requests by CEAZs to replace commissioners, which are awaiting a decision from CEC: for example CEAZ 1 (Koplik Municipality) is awaiting decision to replace the Chair, while CEAZ 2 (Shkodra Municipality) is still awaiting CEC's decision to replace three of its members.

<sup>22</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

<sup>23</sup> CEAZ 5, 13, 22, 30, 34, 39, 47, 63, 66, 83, 89. See list of CEAZs locations in Annex 1

<sup>24</sup> CEAZs have addressed the aforementioned issues to CEC and have remained unsatisfied by its response/reaction.

have stated they are not satisfied with the assistance received by the local authorities in solving these issues<sup>26</sup>.

Only four (4)<sup>27</sup>CEAZs have stated they are not satisfied with the level of cooperation among the commissioners<sup>28</sup>.

Commissioners' work becomes even more challenging if we take a look at CEAZs' basic material and budget available, or rather not available, for carrying out their election activities. Thirty (30<sup>29</sup>) CEAZs have problems with basic materials (documents, forms, printing paper, printer ink, fuel), twenty-six (26<sup>30</sup>) CEAZs have not yet received the necessary budget to cover their expenses and five (5)<sup>31</sup> CEAZs stated they are not satisfied with their colleagues' abilities to perform their duties. In total, more than half of the CEAZs, or forty-six (46) of them, are dealing with at least one problem regarding basic material or budget deficiency or demonstration of lack of professional skills.

In most aforementioned cases, the commissioners try to cover deficiencies in basic materials and budget through their own financial and material resources.<sup>32</sup> It is understandable, as much as unacceptable, that these technical difficulties affect the performance of commissioners.

**List of CEAZs with problems divided in two groups:**

<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
Total no. of CEAZs with, at least, one of the issues listed above	26	Total no. of CEAZs with, at least, one of the issues listed above	46

<sup>25</sup> CEAZ 2, 13, 34, 38, 52, 57, 83. See list of CEAZs locations in Annex 1

<sup>26</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>27</sup> CEAZ 20, 39, 44, 47. See list of CEAZs locations in Annex 1

<sup>28</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>29</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>30</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>31</sup> CEAZ 12, 39, 47-49. See list of CEAZs locations in Annex 1

<sup>32</sup> CFFESD contacted CEC on Monday, 08.06.2015, regarding the budget issue, and 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. LTOs are monitoring the situation.



### 5.1.5 Gender representation in EAZ Commissions

CFFESD appreciates the fact that the SP and the DP have respected the gender quota required by the law for gender representation in committees at not less than 30 percent<sup>33</sup>, despite the frequent replacement of commissioners before and after May 22, 2015. As of June 6, 2015, out of 270 SP commissioners, 103 (38 percent) are women; out of 270 DP commissioners, 87 (32 percent) are women.

However, although the two parties have respected the law, gender representation in EAZ commissions remains far from the spirit of the law, with only 208 (29 percent) women out of a total of 720 commissioners, including secretaries. This is also affected by the small number of female commissioners tabled by the two smaller parties, the SMI and the Republican Party (RP), which have respectively only nine (9) (10 percent) 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), shows even more discouraging figures. Out of ninety (90) commissioners for each of the aforementioned positions mentioned above, there are only fourteen (14) (16%) female chairs, nineteen (19) (21%) deputy chairs and twenty-two (22) (24%) secretaries.

### 5.1.6 Establishment of the Voting Center Commissions

The deadline for the establishment of Voting Center Commissions (VCC) was June 1, 2015. Thirty-six (36) CEAZs did not meet this deadline for various reasons and two (2) CEAZs<sup>34</sup> are expected to finish the process by June 9, 2015.

Firstly, in twenty eight (28<sup>35</sup>) CEAZs, political parties delayed the submission of candidate lists for commissioners, had documentation deficiencies in the lists submitted, or the CEAZ deemed it was necessary to replace a number of candidates for commissioners, who did not meet the criteria.

Secondly, in eleven (11<sup>36</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 eleven (11<sup>37</sup>) CEAZs, the work for the establishment of VCCs was delayed by the EAZ commissioners themselves, mostly for reasons like delays of meetings, while CEAZs No. 1 in Koplik awaits a pending replacement of the commission's chairperson.

<sup>33</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>34</sup>CEAZ 41 (Tirana) and CEAZ 86 (Himara).

<sup>35</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

<sup>36</sup>CEAZ 2, 4, 15, 34, 38-39, 49, 62, 71, 82, 85. See list of CEAZs locations in Annex 1

<sup>37</sup>CEAZ 1, 9, 19-20, 23, 31, 34, 39-40, 46, 81. See list of CEAZs locations in Annex 1



## 5.2 Electoral Campaign

The campaign for the upcoming local elections of June 21, 2015, was officially launched on May 22, 2015, but almost all candidates and political representatives had already commenced the campaign weeks before its official start. Even though a discussion can be launched after these elections on whether the campaign timeline is in line with international standards, electoral subjects should not have violated the domestic electoral legislation on this point.

The main contest throughout the country is between the candidates of the Socialist Party (SP) and the Socialist Movement for Integration (SMI) - the two main parties in power leading the Alliance for a European Albania (AEA) - and candidates of the Democratic Party (DP), the biggest opposition party, leading the People's Alliance for Work and Dignity (PAWD). Fifteen (15) independent candidates (proposed by the voters) run throughout the country.

Two weeks prior to Election Day the campaign is running smoothly, despite the growing intensity of the race.

CFFESD welcomes the fact that most candidates focus their campaign around respective platforms for the development of the municipalities where they compete. However, a good part of these platforms do not appear to be backed by detailed plans followed by financial estimates and timeframe, which would provide citizens with a mere idea of the expectations of fulfilling the electoral engagements.

The involvement of the chairmen of the two main parties in pre-electoral campaign remains problematic. Unlike the spirit and aim of these elections, the respective chairmen of the SP and DP conduct an electoral campaign typical for parliamentary elections, with focus on issues of national importance, such as tax cuts at the national level, reduction of the cost of electricity and of essential consumable products, employment at large, and national-scale projects are simultaneously counterproductive and misleading for voters. They also risk to unnecessarily polarize the electoral race between local candidates.

Candidates have continued to use traditional forms of communication with voters. From our findings, and as listed in order of density of use, those are: posters, meetings, door-to-door introductions and radio and television debates. The use of social media is the preferred medium in 81 percent of municipalities. CFFESD appreciates the wide use of so-called public hearings or discussion meetings with various citizen and interest groups.

CFFESD observers have monitored the mayoral candidates' messages and language and are pleased to note that the main focus is on individual platforms rather than personal attacks, even though the latter are not entirely absent either. LTOs have not reported denigrating or anonymous materials against rival candidates.

Municipal council candidates – future members of local parliaments where important decisions will be made on the development of respective municipalities - are absent from this electoral race. Unfortunately, municipal council candidates are part of the closed lists proportional system and citizens' information about them, their qualifications and past and



expected contribution in their respective communities remains minimal. Generally, municipal council candidates are not part of the teams of the mayor candidates in public meetings.

CFFESD hopes that the newly adopted gender provisions will increase the final number of women councilors, which remains to be seen after June 21, 2015. However, women remain under-represented when it comes to mayoral candidates with only sixteen (16) (10 percent) female candidates from a total number of 161 candidates. On a positive note, women compete in large and significant cities such as Durrës and Shkoder, for the first time in the history of local elections.

Another issue in these elections is the representation of Roma and Egyptian community. Despite the significant presence of this community in some of the main municipalities in the country, it is hard to find any member of this community in municipal council parties' lists or promises made by candidates or parties that consider their concerns and daily necessities. So far, our domestic observers have not reported any electoral activity of candidates in the areas where this community lives and they continue to remain outside the electoral platforms introduced by candidates.

There is a detailed plan of measures by the General Directorate and Regional Directorates of the State Police. The training included the topics on conduct in the field during elections and on how violations of the law during the electoral process should be treated.<sup>38</sup> Until now, with the exception on an incident in Vau i Dejës on the first day of the official campaign, there were no reports of police forces involvement in election-related incidents, and CFFESD encourages police forces to maintain such behavior.

Even though not in focus of the CFFESD observation, our LTOs, after meetings with electoral headquarters throughout the country, do not report concerns on the national media coverage/access when it comes to the two main coalitions in the race. On the other hand, independent candidates claim they are not receiving considerable access in the national media.<sup>39</sup> This fact makes their race unequal compared to political parties' candidates. It also affects the voter who does not receive the complete background information on independent candidates, thus indirectly limiting and the voter's decision on the ballot casted.

The electoral activity to date suggests that as far as the three large parties are concerned, this is an expensive campaign. A typical case is the mass coverage of the city of Shkoder with party flags by both main candidates, to be then removed a week later, following the disapproving reaction of citizens. Only one independent candidate has publicly shared donor financial contributions and has invited other parties follow suit. CFFESD welcomes the initiative and invites all candidates and parties to provide financial data and contributions

<sup>38</sup> Even though CFFESD doesn't have a document showing the existence of such Plan from the State Police, we have been told of the measure during meetings with chiefs of Police in Fier and Pogradec. 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

[https://www.facebook.com/permalink.php?story\\_fbid=1605689033050795&id=1502420603377639](https://www.facebook.com/permalink.php?story_fbid=1605689033050795&id=1502420603377639)

<sup>39</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.



from donors in their reports and to proactively report them, in a great act of political accountability towards voters.<sup>40</sup>

### ***5.3 Public institutions and funds in the context of elections 2015***

The CFFESD observers report of several alleged instances of political parties putting pressure on the administration, central or local, to become part of electoral activities during the election campaign. CFFESD observers obtained information from interlocutors about five alleged cases of pressure on public administration staff, students or employees of state-owned companies to participate in rallies and election activities. However, CFFESD observers were not able to verify this information.

If these allegations turn out to be accurate, CFFESD will inform public in upcoming statements.

In few cases (four), CFFESD observers have seen that employees of central or local public administration and agencies have supported candidates/political parties during working hours. For example, CFFESD observer of the CEAZ No. .62 in Ura Vajgurore reports that local government workers and teachers were seen in a rally of the left-wing candidate (proof with photos on the Facebook page of the candidate). Furthermore, our observer at the CEAZ No.67 in Pogradec saw workers of state institutions and the local government leaving work during the official working hours to join the electoral offices of political parties. In CEAZ No. 81 in Vlora there are reports that workers of the local government and health care workers participated in the electoral meeting of the left wing candidate during working hours. In addition, in Vlora, the LTOs report that urban transportation workers participated in a meeting of the left-wing candidate on June 2, 2015 at 12:40. Despite the right to have free political opinion and to get involved in the election campaign, these instances comprise violations of legal provisions prohibiting the workers of central or local government to participate in political/electoral activities during working hours.

CFFESD is also concerned about multiple media reports of ceremonies where the government has distributed property legalization titles in events with candidates that are not clearly distinguished from electoral activities. Such central government engagement should be clearly distinguished from campaigning. Our observers also reported the case of delivery of relief aid to families flooded in November 2014 in the commune Qender, in Vlora. The timing of this assistance raises questions and concern over potential vote influence.

In general, candidates and political forces have enjoyed equal opportunities in using public buildings where the use is permitted for campaigning. Local authorities have also respected

<sup>40</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. On CEC website, only four electoral subjects has made public their bank account number for non public funding of their respective campaign: SP, SMI, Democrtistian Party and Mr. Gjergj Bojaxhi, candidate proposed by the voters in Tirana. <http://www2.cec.org.al/sq-al/Zgjedhjet/Zgjedhjet-Vendore/Zgjedhjet-2015/Financimi-i-Subjekteve>

the balance in the allocation of public space for candidates to put up their propaganda materials.

Finally, CFFESD wishes to draw the attention of the authorities concerning allegations made public by Ms. Voltana Ademi, the DP candidate for Shkodra, about abuses of TIMS System<sup>41</sup> by fictitious immigrants entering the country. If these allegations stand, then this is a national problem and not only for the region of Shkodra but also in regards to the local elections as a whole. CFFESD expects from respective authorities to conduct a swift investigation of these allegations and assure citizens of the integrity of their vote.

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

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<sup>41</sup> Border crossings register



## 6. About CFFESD

The Coalition for Free and Fair Elections and for Sustainable Democracy (CFFESD) is an independent, non-partisan organization to promote civic participation in elections and in securing 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 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 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.

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

More details and findings can be found on the CFFESD website.

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### Appendix 1 Table of CEAZs addresses

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