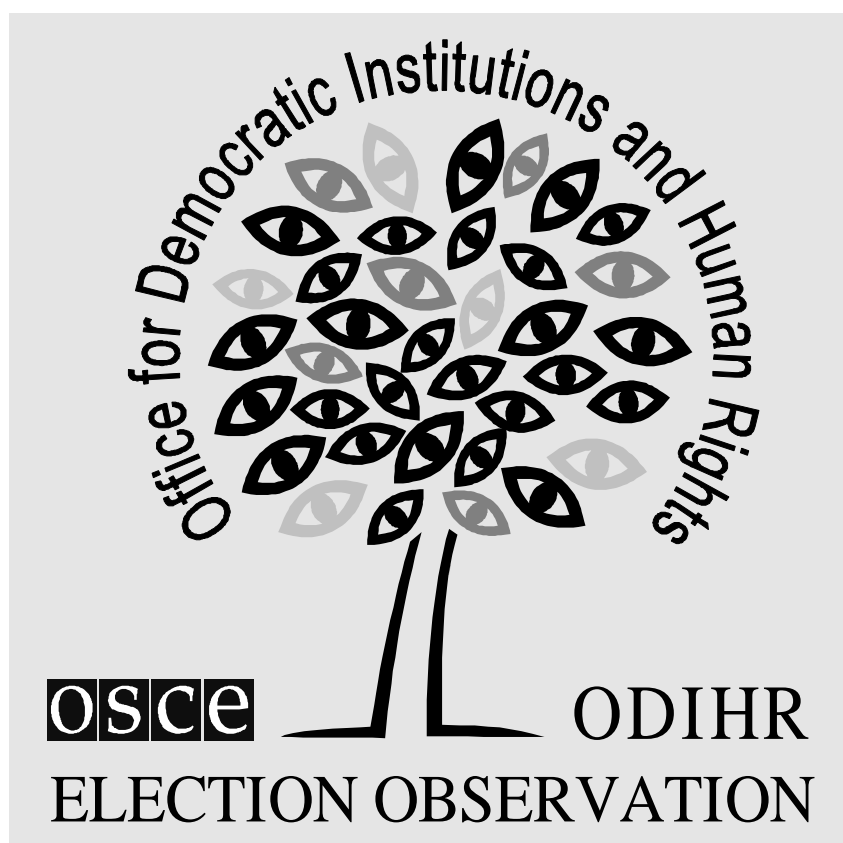




Office for Democratic Institutions and Human Rights

**REPUBLIC OF ALBANIA
LOCAL GOVERNMENT ELECTIONS**

1 and 15 October 2000



**Warsaw
11 December 2000**

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REPUBLIC OF ALBANIA
LOCAL GOVERNMENT ELECTIONS
1/15 October 2000
OSCE/ODIHR Final Report

I. EXECUTIVE SUMMARY

The 1 and 15 October 2000 local government elections in Albania marked significant progress towards meeting the standards for democratic elections formulated in the 1990 OSCE Copenhagen Document. In contrast with previous occasions, these elections took place in a tense but remarkably peaceful atmosphere, with only a few isolated incidents of violence reported during the campaign and election days. This was a reflection of restraint exercised by political parties and important measures undertaken by the Government to improve public order.

Legal Framework - Following the 1997 crisis, the authorities of Albania undertook an ambitious programme of reforms, including a new constitutional, legislative, and administrative framework that made substantial progress towards improving State structures and meeting international standards for democratic elections. However, the Albanian political scene remains highly polarized, and the reforms were used by the main political parties for campaign rhetoric, with the opposition Democratic Party (DP) rejecting most of the reforms and often resorting to boycott of national institutions. While a new Electoral Code, the result of multiparty roundtable discussions with the participation of international experts, in general provides a sound basis for democratic elections the parliamentary majority introduced some inconsistent transitional provisions that substantially changed the political balance on election commissions.

Election Administration - The administrative framework for these elections was problematic. The appointment of election commissions at all levels was contentious, causing delays in an already tight time frame. The Central Election Commission's (CEC) performance was hampered by shortcomings and lack of independence. In addition, errors and omissions in a new voter register presented another challenge. The CEC took some steps to address these problems and the overall impact did not affect the outcome of the election.

Campaign and Media - The electoral campaign for the 2000 local elections was considered by all parties to be the most peaceful campaign in Albania since 1991. For the first time, a broad spectrum of media offered voters a wide range of information. The public broadcaster provided free airtime to all election contestants in accordance with the law, and increasingly fair coverage as the campaign progressed. The private media, however, continued to provide highly biased and less than professional coverage.

Voting and Counting - During both rounds, voting was carried out in an orderly manner, commissions generally administered the procedures correctly, and police conduct was appropriate. Some irregularities were noted, but none seemed significant enough to impact the general outcome. The counting of the results was also generally done in accordance with the law. After the first round, the handling of complaints by the election commissions and the courts was inadequate and did not provide effective means of redress. The CEC's announcement of the results after the first round was slow and incomplete, and, between rounds, it did not take action to remedy some of the shortcomings observed on 1 October. In addition, the withdrawal of a number of Democratic Party (DP) candidates between rounds following a call to boycott from the DP national leadership caused confusion. This was made worse by the absence of a deadline for candidate withdrawal.

In Himara, the end of the campaign was marred by nationalist rhetoric in relation to the Greek-speaking community, reported at length in the local and national media even on election day, in an environment of increased tension with a neighboring country. On second round election day, the situation was marked in this constituency by some serious irregularities, which to this date have not been sufficiently addressed by the CEC.

Recommendations - In view of the above, OSCE/ODIHR recommends that a number of improvements should be considered, the most important of which are:

- The relationship between the CEC and other State bodies, such as Ministries, local government administration and Prefectures should be clearly regulated.
- The CEC should adopt internal rules of procedure to increase its efficiency and the transparency of its work. It should also adopt regulations and instructions to complete, and in some cases replace, those adopted in relation to the 2000 municipal elections.
- The CEC should re-organise its administrative services towards more efficient and operational units, in line with modern management techniques, and ensure that training of election commissions at all levels be improved and conducted in a timely manner.
- The CEC should develop its technical capacity to manage voter registration with the assistance of international support. A voter education programme should be launched immediately to inform citizens of the need to update their entry in the register to ensure that they will be able to vote at the parliamentary elections in 2001.

The OSCE/ODIHR stands ready to work closely with the authorities in addressing these and other concerns and recommendations contained in this report.

II. INTRODUCTION AND ACKNOWLEDGMENTS

In accordance with its commitments as an OSCE participating State, the government of Albania invited the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) to observe the 1 October 2000 local government elections.

On 25 August, following a Needs Assessment Mission, the OSCE/ODIHR established an Election Observation Mission (EOM) in Albania headed by Eugenio Polizzi (Italy) and comprising a core staff team of eight experts. At the beginning of September, the EOM deployed 11 long-term observers (LTO) throughout the country to follow the election campaign and the administrative preparation. On 1 October, the EOM deployed 251 short-term observers (STO) from 26 OSCE participating States who monitored polling and counting in over 900 of the 4,578 voting centres. On 15 October, 80 STOs from 18 OSCE participating States monitored polling and counting in over 300 voting centres.

On 2 and 16 October, the EOM issued statements of preliminary findings and conclusions. The EOM closed on 20 October, although two core team members remained in country for another week to follow-up a number of complaints, including those in the municipality of Himara.

The OSCE/ODIHR wishes to thank Ambassador Ahrens and the OSCE Presence for extensive logistical and political support to the EOM. The EOM is particularly grateful for voluntary contributions received from the Governments of Denmark, Germany, Italy, the Netherlands, Norway and Switzerland, which ensured that the EOM was able to remain in country to monitor the second round.

The OSCE/ODIHR wishes to thank the Albanian authorities, in particular the CEC for its assistance and co-operation throughout the observation mission.

III. THE POLITICAL CONTEXT

The 1 October elections were marked by the deep polarisation of Albanian politics, stemming from past elections and the aftermath of the 1997 crisis. Indeed, the political scene in Albania remains dominated by the two main political rivals, the governing Socialist Party (SP) and the opposition Democratic Party (DP). During the past decade, the fortunes of SP and DP have shifted dramatically from one election to another. The local government elections thus gained additional significance, being viewed by all political parties as a test for the 2001 parliamentary elections. This polarisation, which manifest itself in the campaign, was all the more regrettable as the 1 October polls were to elect mayors and councillors of local government bodies, with increased powers and responsibilities. Fortunately, candidates in the field often competed on local issues, in contrast to national party leaders in Tirana.

Due to the deep-rooted political rivalry between SP and DP, even the legal foundation of the State, i.e. the Constitution and main institutions, remain highly disputed. Since 1997, the Albanian authorities undertook significant measures to reform State structures and the electoral framework. This included the adoption of a new Constitution and Electoral Code, and the introduction of a computerised national voter register. In addition, an ambitious programme of decentralisation was started with the intention of giving representatives of municipalities and communes enhanced powers.¹ In general, these new instruments made substantial progress towards improving State structures and meeting international standards for democratic elections formulated in the 1990 OSCE Copenhagen Document. Regrettably, shortcomings in the implementation of these reforms were used by the main opposition party to denounce the whole election process. Calls mostly by the DP to boycott some of the newly-established local councils could create further difficulties in the development of healthy, competitive politics and institutions at national and local level.

IV. THE LEGAL FRAMEWORK

A. GENERAL OUTLINE

Domestic and international experts assisted the Albanian authorities in adapting the relevant legislation to meet internationally recognised standards set out by the principles of the 1998 Constitution. Following four-week long multi-party roundtable discussions held with

¹ i.e. Law on the Organization and Functioning of Local Government, No. 8652/2000.

representatives of the Council of Europe (CoE), International Foundation for Election Systems (IFES), United States Agency for International Development (USAID) and the OSCE, the Assembly of the Republic of Albania finally adopted the Electoral Code on 8 May 2000, incorporating last minute amendments introduced by the SP-led Parliamentary majority.

The Electoral Code provides a sound framework for competitive elections, and is an improvement over previous electoral legislation in Albania. However, some inconsistent transitory provisions, introduced late in the process without prior discussion in the roundtable and contrary to the advice of many domestic and international experts, are of concern, particularly those modifying the composition of lower-level election commissions.

The Central Election Commission composition, regulated by the Constitution, and the early appointment of six CEC members before the approval of the Electoral Code, led the DP to reject the Code in its entirety and boycott its adoption in Parliament, even though it had participated in most of the multiparty roundtable discussions.

B. LOCAL GOVERNMENT ORGANS

The local government organs to be elected were Commune and Municipal Councils, bodies of first level local government and Commune Mayors and Municipality Mayors (hereafter mayors), and executive organs of the bodies of first level local government. Municipalities are mainly cities and towns, while communes are, in general, rural villages. The distinction is not a rigid one, and depends also on history.² Each council is formed by a different number of councilors, depending on population, ranging from 13 in small communes to 55 for the Tirana metropolitan area.

Altogether, elections were held in 385 constituencies to choose 65 municipal councils, 309 Commune councils and 374 (65+309) mayors. Additionally, in Tirana, 11 mayors and councils were elected in newly established municipal units within the metropolitan city of Tirana. Elections did not take place for Regional Government organs, also provided by the Constitution, as they are not elected by direct popular vote, but selected from the councils of the municipalities and communes that comprise the region.

C. THE ELECTION SYSTEM

Mayors are elected using the majority system, in single member constituencies. Electoral subjects can field only one candidate for each constituency, and the candidate who wins more than half of all valid votes, is elected. If no candidate wins an absolute majority, run-off elections take place between the two candidates who have secured the most votes in the first round. In the second round, the candidate who wins most votes is elected. Councils are elected on the basis of multi-name lists, submitted by political parties or coalitions, as well as on the basis of individual independent candidacies. Mandates are allocated according to a proportional system (Hare quota with largest remainder).

² Law n. 8653 of 31 July 2000 on administrative division of the Units of local Government names each of them.

V. PRE-ELECTION PHASE

A. STRUCTURE OF THE ELECTION ADMINISTRATION

The Electoral Code provides for a three-tiered administration for local elections: a Central Election Commission (CEC), 385 Local Government Election Commissions (LGEC) and approximately 4,760 Voting Centre Commissions (VCC).

The CEC is a largely autonomous body with separate budget and broad powers. It is responsible for maintaining the national voter register, appointing members of LGECs and supervising their performance, introducing uniform election practices, serving as an appeals body and imposing administrative penalties in cases of administrative offences. Working in close co-operation with various Governmental administrations, it is also responsible for all electoral logistics.

LGECs administer the elections in the constituencies. They are responsible for posting, revising and approving the voter list in their respective commune or municipality, registering candidates and party/coalition lists, appointing VCCs, declaring the result and ruling on appeals against VCC decisions.

VCCs are responsible for the conduct of the elections in their voting centres as prescribed by the Electoral Code and in accordance with CEC instructions.

B. COMPOSITION OF ELECTION COMMISSIONS

As in all previous Albanian elections, the **CEC composition** was a very sensitive and controversial issue. Although the new CEC held its first formal meeting on 12 June 2000, six out of the seven members required by the new Constitution were appointed by the summer of 1999, well before the approval of the new Electoral Code. This created considerable controversy. Refusing to recognize the 1998 referendum on the Constitution and the legitimacy of the CEC, the DP declined to suggest any acceptable candidates and insisted on returning to the previous CEC composition, whereby ruling and opposition forces enjoyed equal representation. This resulted in endless political disputes.

After prolonged talks among high-level State authorities and the main political parties, under the mediation of the OSCE Presence, two members of the CEC eventually resigned in the first week of April 2000. This left three vacancies altogether. Still, the DP refused to agree to acceptable candidates. Two of the three vacant positions were filled in early June when the President nominated someone formerly affiliated with the small opposition National Front Party and the High Council of Justice nominated a Tirana-based lawyer. On 24 June, Parliament elected a Shkodra-based law professor also close to the opposition, to the remaining vacant position. The DP closely monitored CEC activities, appointing a non-voting representative.

Despite the constitutional stipulation that the CEC should be an independent and non-partisan body, five of its members are close to the Government coalition. In this context, the election of Fotaq Nano, a family relative of the SP Chairman, to the position of CEC Chairman only reinforced the perception of political and personal ties linking the CEC to the ruling coalition. Also the appearance of the Deputy Chairperson at a SP rally during the election campaign prompted new accusations of bias.

Article 38 of the Electoral Code regulates the establishment and composition of **Local Government Election Commissions (LGECs)**. However, for these elections, the transitory provisions of article 153 applied. Members were appointed by the CEC based on proposals submitted by the seven political parties that won the most votes *nationwide*, as opposed to locally, in the local elections of 1996. As a result, all LGECs were to include four members representing Government coalition parties, and three opposition representatives. Since the seven parties did not nominate representatives to all 385 LGECs, these commissions occasionally had a different composition within the minimum of four members required for a quorum.

Voting Center Commissions (VCCs) are composed of a chair, a deputy and up to five additional members, all nominated by the same seven political parties represented on LGECs. The secretary of the VCC is appointed by the LGEC and serves as a non-voting member. The chair and the deputy represent the SP and DP, or vice versa.

Political parties and independent candidates not represented in the commissions, but registered with the CEC, may designate a non-voting member to election commissions at all levels, with the right to monitor and participate in meetings.

C. PERFORMANCE OF THE ELECTION ADMINISTRATION

The CEC was hampered by initial under-staffing and inexperience. Local commissions in particular lacked clear guidelines and training. The CEC lacked proper rules of procedure and failed to implement the few rules already provided by the Electoral Code. The lack of proper appeals and complaints procedures was a particular concern and, with deadlines already tight, led to delays and confusion.

The CEC adopted decisions in informal meetings and unnecessarily delayed their publication. Political parties, candidates and voters were poorly informed of these decisions, especially in the regions. Such practices had a negative impact on the transparency and uniformity of election administration. Moreover, the CEC failed to take even simple measures to ensure transparency. It neither produced a clear and public meetings schedule, as stipulated in the Electoral Code, nor meetings agenda. It also did not introduce a procedure to notify all interested parties of any extraordinary meetings, or rules of procedure for taking decisions on various issues. Furthermore, decisions were not publicised or recorded, and on several occasions, despite specific provisions of the Electoral Code, the announcement of important decisions was delayed. Once published, written decisions sometimes differed from what had been adopted during CEC sessions.

The CEC relied almost entirely on the Government and Prefectures for logistical support, even for communication with LGECs. Although this is not unusual, it was not sufficiently regulated to ensure transparency and prompted allegations of undue influence. Also, the training programme and VCC manual prepared by IFES was not used adequately by the CEC.

The constitution of LGECs was a protracted process, hampered by the following difficulties:

1. The inability of parties to nominate members for all LGECs within time limits;
2. The occasional registration of nominated or appointed members as candidates, resulting in vacancies; and
3. The exclusion of approximately one third of the secretaries of communes and municipalities, and *ex officio* secretaries of LGECs from serving as LGEC secretaries due to their registering as candidates.

In addition, the DP threatened not to participate if their representatives were systematically excluded from chairing LGECs. CEC Instruction No 4/2000 determined that LGECs should meet by 30 August and propose, by secret vote, the name of the chairperson, as the transitory provisions are unclear on this matter. However as only 111 Chair/Deputy Chairpersons had been appointed by 2 September, the CEC decided to distribute the rest under a ratio of 60 percent DP and 40 percent SP, so that the two major parties received approximately equal number of LGEC Chairs. The designation process was completed by 4 September, although over 100 LGEC member positions remained vacant, mostly due to delayed nominations from the United Right coalition.

The appointment of the VCC members was also difficult. CEC Instruction No 13/2000 was approved on 19 September and confirmed a 50/50 distribution of VCC Chairs between SP and DP. However, the CEC Chair only signed the instruction on 24 September, meaning that it only became publicly available five days before election day. In several cases, including Vlora and Durres, LGECs had already appointed SP nominees to all VCC Chairs. Reversing this decision proved difficult, and at times was impossible.

While multiparty commissions enhanced transparency, partisan commission members at times used their position on LGECs and VCCs to obstruct the election administration. Furthermore, concerns were raised about the political balance of local election commissions.

Between the two rounds of elections, the CEC did not take appropriate steps to remedy some of the shortcomings observed on 1 October. It did not provide lower-level election commissions with additional training and information on how to address inaccuracies in the voter lists, invalid ballot papers and election complaints.

D. THE NATIONAL COMPUTERISED VOTER REGISTER

In accordance with the new Electoral Code, a national computerised register of voters was established for the first time in Albania. Assisted by the international community through a UNDP Electoral Assistance Project, in which IFES, OSCE and other bi-lateral donors participated, computerised lists of the civil registers were compiled by the Social Insurance Institute. These were updated by the civil status offices and through door-to-door enumeration undertaken by multi-party enumeration teams. Both the Albanian Government and international project partners launched civic education campaigns to familiarise the Albanian public with the new registration exercise.

The voter registry database (VRD) was established, maintained and updated by the Finance Information Center (FIC), a government institution. Upon completion of data entry from the enumeration forms, the VRD contained an unrealistically high number of records, exceeding 3.5 million. Later, by freezing the records of citizens not found at home during the enumeration and who were not declared as emigrants, the number of records in the preliminary voter list was reduced to approximately 2.4 million. However, no document authorising this act was ever made available by the Albanian authorities. This freezing of so-called “L”-marked records was denounced by the opposition as a political conspiracy, designed to deliberately disenfranchise DP voters.

The decision not to include the “L” marked records was an inadequate answer to compensate for the inability to purge the database of duplicate records within the given timeframe and avoid double or triple registrations in the final voter list. Indeed, packs of similar records potentially referring to the same person were identified and grouped together. However, no guideline was provided to determine which of these records should be considered, and by whom, as the correct entry for inclusion in the final voter list. For example, no reliable auxiliary database was available to cross-

check the voter registry database against the database of most frequently-used Albanian names or updated addresses.

On 9 September, the CEC stated that the names of all eligible voters included in the civil registers would be entered in the voter lists, regardless of whether or not they had been checked through the door-to-door enumeration visits, or whether they were emigrants or people who had moved without notifying the relevant authorities of their new residence. Each voting centre was thus provided with a list divided into two separate parts, part A containing the final revised list of registered voters, and part B, a complementary list of voters who were not interviewed during the door-to-door enumeration, and not included in the register. All citizens who found their name in either part of the list, would be entitled to vote. Given the potential for multiple registration, and therefore multiple voting, the CEC introduced the inking of voters' thumb on election day. This was a far-reaching and positive measure to avoid potential voter disenfranchisement.

In line with the Electoral Code, permanent voter identification cards bearing a unique number matching that of the voter's entry in the register and a photograph were to be distributed to voters. However, due to time constraints, only about half of the cards were issued in time for the 1 October elections, an estimated 30-40% of which were inaccurate. However, as a result of a transitory provision of the Electoral Code, voters were free to vote with any other identification document bearing a photograph (domestic or international passport, birth certificate, etc.). At the 2001 parliamentary elections, only registered voters in possession of a voter card will be allowed to cast their ballot.

E. REGISTRATION OF PARTIES, CANDIDATES AND MULTI-NAME LISTS

In an open process, a total of thirty five political parties and one coalition, the United Right, were registered by the CEC, along with 2,232 candidates and 2,360 lists. However, few candidates met the 8 September deadline. Mayoral candidates experienced the greatest difficulties, as each nomination had to be signed by the *national* party chairman, a time consuming process, especially for mayors of small and remote communes, which was exacerbated by the late establishment of LGECs. In view of this, the CEC postponed the deadline and accepted candidate applications until Monday 11 September, the end of the verification period.

The CEC approached the issue of complaints and appeals related to candidate registration very liberally and almost all plaintiffs had their candidates registered. However, the CEC confused the process by extending the right to submit candidate nominations to local party chairmen, without issuing clear and written instructions to LGECs. A number of LGECs rejected candidates, mostly from smaller parties, nominated by local party chairmen and some LGECs failed to transfer registration documentation to the CEC. The Agrarian Party, the Republican Party (RP) and the Union for Human Rights Party (UHRP) claimed that, as a result of this confusion, although being duly registered at LGEC level, some of their representatives did not appear on the ballot papers. In a number of areas, including Ksamil (Saranda), Permet and Gramsh, the parties even filed a complaint with the CEC to annul the election, and in at least two cases, the CEC admitted that names of candidates registered in the communes of Balagat and Ksamil were left off the ballot. While the RP notified the EOM that the CEC had not officially responded to their complaint, new elections were held in these constituencies on 15 October.

VI. CAMPAIGN

A. GENERAL FEATURES OF THE CAMPAIGN

The electoral campaign for the 2000 local elections, which started officially on 1 September, was considered by all parties to be the most peaceful campaign in Albania since 1991. Candidates were generally able to campaign in all parts of the country, even in areas that were traditionally considered to be strongholds for their opponents. Overall, the police reacted appropriately, despite allegations of isolated incidents of harassment.

The campaign between the two largest parties, the SP and the DP was unfortunately dominated by mutual accusations of vote stealing and falsification of the voter list, the latter becoming the main topic in the run-up to the first round, overshadowing any existing programmatic differences between the two parties. Smaller parties complained about the extremely polarised political climate and perceived that they were excluded from the election administration, as a result of an unwritten power sharing agreement between the SP and DP. They also felt the regulations on campaign financing, which strongly favours larger parties, and the overwhelming coverage of SP and DP activities in both public and private media, perpetuated the existing two-party system.

There was a sharp difference in the campaign rhetoric of national party leaders and local candidates, who mostly campaigned on local issues and generally respected each other. While agreements on campaign ethics were signed in several municipalities (Korca, Tepelena, Shkodra) by competing candidates, even those representing SP and DP, national party leaders often counteracted these local initiatives and resorted to inflammatory language and personal attacks.

Despite the more peaceful nature of the campaign, a few isolated campaign-related incidents did take place:

- The Deputy Speaker of Parliament and Deputy Chairwoman of the DP, Jozefina Topalli, was ambushed and threatened by armed men when returning from a campaign event near Vlora.
- The Deputy Prime Minister, Makbule Ceco (SP), was prevented by armed men from entering the village of Lazarat, Gjirokaster Prefecture, for a campaign event.
- One day before a scheduled visit of SP Chairman Fatos Nano to Bajram Curri, a bomb exploded in the town; the visit was postponed and then cancelled.
- During a campaign rally of DP Chairman Sali Berisha in Fier, a person was arrested in the crowd, armed with a grenade.

A number of parties also alleged that some of their candidates were forced to resign, after experiencing intimidation, reportedly including threats relating to loss of employment, threats against family members and direct physical attacks. However the EOM has no evidence that such incidents took place.

B. CAMPAIGN FOR THE SECOND ROUND

Considering that the DP won more than 80% of the communes in the last local elections in 1996, the results of the first round were deemed a setback for the party. DP leaders immediately attributed the poor results to manipulations by the SP and announced that the DP would not accept the elections in those constituencies where they had proof that irregularities and fraud had taken place.

As a protest against the alleged manipulations, the national leadership of the DP threatened not to participate in the second round unless the CEC was changed, the voter lists updated and the election date postponed. Both the CEC and the government rejected these decisions. As a result, the DP did not fully participate in the second round. In spite of an explanation by the DP Chairman to the EOM, that the party decision did not prevent individual candidates from running in the second round, by 15 October, approximately a quarter of all DP candidates, including all DP candidates for the 10 boroughs of Tirana, had withdrawn. This caused confusion amongst election officials and voters. The process of withdrawals was disorderly with many LGECs refusing to accept resignations and others not functioning. As the CEC argued that the resignations were illegal, the second round elections proceeded without any changes to the ballot papers. Several other parties, especially the Republican Party and the Union for Human Rights Party, also announced that they would not accept the results in those constituencies where their candidates were not registered or had not appeared on the ballot papers in the first round.

Overall, campaign activity between the rounds was low key, and, for the most part, took place in a calm and peaceful atmosphere. The SP was the only party to launch a high-level campaign for the second round elections, and as the DP did not fully participate in the run-offs, the competition was rather one-sided. As a result, and although the majority of second rounds featured contests between SP and DP candidates, the focus shifted in certain constituencies to local competitions between the SP and its national junior coalition partners. In Himara, an unusual coalition, coined “Alliance of the Nation” comprising all other political forces, including the DP, supported the SP candidate and resorted to inflammatory speeches in its campaign against the candidate of the Union for Human Rights Party (UHRP). As a result, the last days of the campaign were marred by inflammatory speeches and nationalistic rhetoric (see Section IX).

VII. MEDIA COVERAGE OF THE CAMPAIGN

A. MEDIA SITUATION IN ALBANIA

The Albanian media scene is changing rapidly. New television and radio stations are constantly appearing, broadcasting licenses are in the process of being allocated to private radio and television stations and the public television broadcaster TVSH is undergoing transformation. In general, and with the exception of *Tele Norba SH* and *Top Albania Radio* that have modern studios and technology, the quality of programmes is not high, and a blatant lack of respect for copyright laws is apparent.³

A total of 30 local newspapers and 10 national dailies are published in Albania. with the exception of the *Albanian Daily News*, poor financing puts into question their independence from economic or political powers. Moreover, research by the *Albanian Media Institute* shows that 62% of the population has a negative opinion of the role of the press in Albanian society.

B. MEDIA REGULATIONS FOR THE 2000 ELECTION CAMPAIGN

The laws governing the media and freedom of expression in Albania reflect progress compared with previous legislation. The Electoral Code stipulates that the public broadcaster for radio and television (RTSH) is obliged to allocate free airtime to electoral subjects participating in the

³ Law No. 7564, dated 19 May 1992, “On Copyright” and law No. 8594, dated 6 April 2000, “On Some Amendments and changes to Law No. 7564, dated 19 May 1992 On Copyright”.

campaign and all radio and television stations are required to offer political parties the possibility to broadcast electoral spots at the lowest rates for the requested time period. As with RTSH, private radio and television is bound by general criteria of pluralism, objectivity and correctness of information. However, legal provisions in this area are vague and do not provide specific guidelines for private media in terms of their campaign coverage of news and information programmes.

C. EOM MEDIA MONITORING AND FINDINGS⁴

The purpose of the EOM's media monitoring activity was two-fold: to assess the application of the laws regulating media coverage of the campaign; and to assess the general standards of media information against the criteria of fairness, pluralism and impartiality.

The team analysed five national and independent newspapers (*Shekulli*, *Gazeta Shqiptare*, *Albania*, *Koha Jonë*, 55), using quantitative analysis to monitor the allocation of time and space dedicated to political subjects and the campaign, and qualitative analysis to assess the tone of the information provided.⁵ National and local television were also monitored. The EOM recorded the public television channel (*TVSH*), generally considered pro-Government and favouring the Socialist Party, and one of the most important private channels, *TV Shijak*, considered to be close to the Democratic Party, seven days a week, eight hours a day from 16:00 to midnight. In addition, the EOM monitored the main evening news on four local television channels: *TV 6+1* in Vlora, *TV 1 Shkodra* and *TV Rozafa* in Shkodra, and *TV Antenna Jug* in Gjirokaster.

The media played a major role in the pre-election campaign both at national and local levels. For the first time, a broad spectrum of media outlets offered voters a wide range of information. In general, electoral and campaign issues were widely reported, particularly prior to the first round. The generally less aggressive tone of the campaign was reflected in both electronic and print media. The media also reflected the polarisation between SP and DP, with newspapers dedicating more than 50% of their coverage to the two main parties' campaigns, and less than 50% to the other 33 parties. Prior to the second round, the time given to candidates and the campaign was limited, as the media preferred to concentrate on broader political issues such as the threat of a DP boycott and the situation in Himara. Few media outlets could be considered independent. In some cases, a pronounced editorial policy and support for one party or another was clearly visible. The media often magnified the inflammatory tone used by the main national leaders during the political campaign. In particular, this was the case for the party press in which the quality of information provided was poor and often distorted. Coverage of the CEC was often quite critical.

The public television station, *TVSH* showed significant progress towards fair and pluralistic coverage of the campaign. Free airtime devoted to parties and candidates running in the election were allocated largely in accordance with the Electoral Code and provided viewers with a wide range of information on the various political actors and issues.⁶ For the second round, *TVSH* gave overwhelming but neutral coverage to the Socialist Party.

The private media was less professional and more biased, devoting most of their time to the two main political parties. For example *TV Shijak's* coverage of the campaign clearly favoured the DP. In addition, the channel broke the Electoral Code several times, broadcasting more than the five

⁴ EOM media monitoring charts can be found in Annex 1.

⁵ The methodology employed by the EOM is a simplification of the methodology implemented at the *Osservatorio per la comunicazione televisiva di Pavia*, Italy.

⁶ The air time was assigned through a lottery, broadcast on TV, to ensure the transparency of the process.

minute-spots allowed by law per party per day. However it did broadcast paid electoral spots submitted by the SP, and in collaboration with USAID, produced five voter education spots encouraging people to vote, which were distributed free of charge to other channels.

Some local TV channels also violated the media provisions of the Electoral Code. *TV Rozafa* broadcast an interview with an Austrian official, present at a DP rally in Shkoder, and *ATN 1* broke the campaign silence. The National Council for Radio and Television immediately requested that *ATN 1* be fined 500,000 lek, but the CEC never reacted. The coverage of the electoral campaign on *TV 6+1* and *TV 1 Shkodra* appeared more balanced and pluralistic, while limited data for *TV Antenna Jug* indicates that the channel mostly covered the main parties.

Some television channels, in collaboration with the National Democratic Institute (NDI) and USAID, organised televised debates between candidates. This new experience for Albania seemed popular with the electorate. However, several parties complained that most debates featured only the candidates from the two main parties.

VIII. OBSERVATION OF VOTING AND COUNTING IN THE FIRST ROUND

A. THE VOTING

Elections were scheduled to take place in 385 constituencies: 65 municipalities, 309 communes and 11 Tirana boroughs. However, because of the disputed establishment of the LGEC in Pult and non-distribution of election material, elections did not take place in Pult and Shale communes. In Grekan commune (Elbasan district), elections were postponed to 29 October following the death of one of the candidates.

On election day, the EOM received reports that a small numbers of voters could not find their names on the list. Some of these voters were in possession of the newly distributed voter cards, others had the registration receipt. Commissions reacted to this in different ways, some allowing people to vote after writing their names down on a makeshift supplementary list. After checking the database, the Finance Information Centre (FIC) indicated that some of these voters were in fact registered in a neighboring voting centre. Around noon, the CEC issued a televised announcement, confirming that only registered voters were allowed to vote, but encouraging people with a voting card who were not on a list, to check the overall list at the LGEC. The EOM was informed that in most voting centres observed, the number of such voters was less than ten, although, in very few cases, it rose to 30. Only very few voters from the B list voted. This was considered to be evidence of manipulation by the opposition, and evidence of fairly accurate voter lists (part A) by the CEC.

On election day, many VCCs opened late. Delays in opening ranged from 15 minutes to one hour in Tirana and reached several hours in a few cases. Poor distribution of ballot papers was the main problem during the first half of the day. Some LGECs had distributed ballot papers according to the number of voters recorded under list A and B. As a result, insufficient quantities of ballot papers were left and LGECs had to retrieve ballot papers from some VCCs and redistribute them to others. The process was disorderly and conducted in a hasty and non-transparent way. In Durres, no record was kept of ballot transfers between voting centres during the day, which made any reconciliation impossible.

Generally most members of VCCs performed their tasks well and in a cooperative spirit, enabling voters to cast their ballots freely throughout the day. However, the lack of training received by VCCs as a result of their late establishment was clear on election day. Copies of the Electoral Code and training manual were delivered together with the electoral material, and VCC members had to learn on the spot how to run the voting centre. Observers reported that VCCs often did not properly follow the procedures for inking voters and allowed widespread “family voting” according to local tradition.

B. THE COUNTING

Counting was in general conducted properly, although procedures to ensure transparency and the proper handling of complaints were not always followed. Most significantly, commission members did not always receive a copy of the protocol signed and stamped, as entitled by law. Some VCC members left in protest, without officially signing or recording their complaints in the protocols.

Observers noted a number of invalid ballot papers, in general not exceeding 8%. Press reports in Tirana that, from the 264,000 votes for mayoral candidates, only 153,958 or 58% were valid were checked by the EOM and discovered to be unfounded. The LGEC protocol showed that 264,000 was the total number of registered voters, while 154,000 was the actual turnout. The rumor was perpetuated by the fact that the LGEC protocol was incomplete, omitting any record of invalid and spoiled ballots, and missing the signatures of all LGEC members on 23 out of 25 pages.

C. DOMESTIC OBSERVERS

Two well-established non-governmental organisations requested accreditation from the CEC as domestic non-partisan observers. The Society for Democratic Culture deployed 1,300 observers, covering 25 percent of voting centres, as well as the CEC and all LGECs. The Albanian Helsinki Committee deployed a smaller number of observers in several parts of the country. The CEC also accredited two newly-established NGOs with clear links to the DP.

D. FIRST ROUND RESULTS

The aggregation of results was slow due to a restrictive interpretation of Article 19.7 of the Electoral Code:⁷ the CEC refused to announce any results until it had received all materials from the LGECs and only issued the following summary of preliminary results (CEC Decision No. 40 dated 7 October) in the early hours of 8 October:

Party	No. of Municipalities Won	No. of Communes won
Socialist Party	28	110
Democratic Party	9	58
Union of Human Rights	-	5
Legality Movement Party	-	1

However, this announcement was incomplete. For example, it did not contain the final number of registered voters nor the overall turnout. Moreover, the results for the mayor elections and the list

⁷ Article 19.7: “The final results of an election are announced no later than three days from the date when the CEC receives all official data from the electoral commissions or court judgments on appeals against decisions of the electoral commissions. The decision is published in the Official Journal no later than three days from the date the decision is taken”.

of constituencies holding second rounds were only provided a few days later and detailed results for municipal and commune councils were only provided on 7 November when the CEC published the final results.⁸

Overall, according to this decision the SP won the first round of mayorial elections. Of the 212 constituencies decided in the first round, 28 municipalities, one of the boroughs of Tirana and 110 communes will be governed by an SP mayor. The candidate for Tirana City Mayor, Edi Rama, endorsed by both the SP and SDP, won with 52.73% of the votes. The DP won in nine municipalities and 58 communes. Five communes will be governed by a Mayor from the Union for Human Rights Party, and one by a Legality Movement Party mayor.

Based on the first round national aggregated results for municipal and commune councils provided by the CEC, the SP gained 42.91% of the votes and the DP 33.79%. Among the smaller parties, the Social-Democratic Party (SDP) was most successful, receiving 7.11% of the votes. Of other parties, the Democratic Alliance (DA) received 3.14%, Republican Party (RP) 2.68%, the Human Rights Party (HRP) 2.24%, the Christian-Democratic Party (CDP) 2.3%, United Right 2.09%, and the Agrarian Party 1.53%.

E. THE DURRES CASE

Election day in Durres was tense. The DP claims that a “coup d’état” took place on 1 October because of the strong police presence and alleged widespread manipulations, while the authorities accuse DP local leaders of planning criminal actions to disrupt the election process. Tension was further exacerbated by a number of factors:

- the refusal of LGEC chairmen to implement the 50/50 distribution of VCC chairs between SP and DP;
- a shortage of ballot papers in several voting centres on election day;
- the receipt of accreditation cards by party observers, including those from the DP, only in the afternoon of 1 October;
- the disappearance of the LGEC chairman from his office for several hours on election day.

On 3 October, local DP leaders informed the EOM that the figures from four voting centre protocols did not match those entered in the LGEC tabulation. Two showed a significant difference and were completely out of scale with all other voting centres. In voting centre 61, the DP copy of the original protocol bears 206 votes for the DP and 355 for the SP, whereas the consolidated LGEC protocol bears 25 for the DP and 545 votes for the SP. For the council contest, the consolidated LGEC protocol is also different from the DP figures, but shows 120 votes to the DP. In voting centre 84, the tabulated figures give 700 votes to the SP and 25 to the DP, and a total number of votes higher than the number of estimated ballot papers delivered.

The difference between the figures provided by the DP and the tabulated protocol was large enough to require a run-off in Durres. The LGEC provided neither clear explanation nor the requested documentation for these two voting centres, claiming that they did not have a copy of the original protocols due to a lack of forms. The EOM considers that there is substantial evidence that serious irregularities during the aggregation process took place in Durres constituency. Nevertheless, the DP chose not to seek redress in Court.

⁸ See Annex: CEC Decision No. 44 dated 7 November 2000, with complete final results and updated figures, following the allocation of the remainder of votes and divisions between parties in coalitions.

IX. OBSERVATION OF VOTING AND COUNTING IN THE SECOND ROUND

On 15 October, second round elections were held in 28 municipalities, 128 communes and 10 of the 11 Tirana boroughs. First round elections for mayor were re-run in Ksamil (Saranda) and Ballagat (Lushnje), for mayor and council in Paskuqan (Tirana) and for council in Kodovjat (Gramsh). In addition, first round elections for mayor and council took place in Pult (Shkoder) and Shale (Shkoder), and voting centre 6 of Velipoje (Shkoder), where polling did not take place on 1 October.

On 15 October, voting and counting procedures were carried out in a calm and orderly manner in most constituencies, with some exceptions in the south of the country. There was some confusion linked to the resignation of certain DP candidates shortly before election day, following an appeal to boycott by the national leadership. The resignation of DP commission members deprived the election process of an essential safeguard and element of transparency; and, as a result, election commissions at times did not reach the legal quorum. The CEC was prompt to point out that commissioners would be prosecuted for disrupting the election process if they failed to fulfill their duties on election day without any proper justification.

On 12 October, DP leaders also called on their supporters not to vote. The turnout for the second round was lower than in the first round, although this must in part be attributed to the general lack of interest in the run-offs.

A. HIMARA CASE

After the first round, the candidate of the Union for Human Rights Party (UHRP) notified the EOM that the SP and DP chairs of the Qeparo voting centre, constituency of Himara, disappeared with the ballot box after the vote count and fixed the protocols in order to force a second round. On 4 October, the Spokesperson of the Foreign Ministry of Greece issued a statement complaining of widespread violations against the Greek-speaking minority during the first round. No evidence of such widespread fraud was uncovered by the EOM at that stage, although blocks of identical signatures in the voter lists were observed in one voting centre after the second round election.

In the run up to the second round, high-level SP representatives actively campaigned in Himara and the Prime Minister visited the municipality two days before polling. More importantly, leading politicians resorted to nationalist rhetoric and inflammatory language. In contrast, the UHRP ran a low-key campaign and did not resort to any such language. Though the campaign of the “Alliance for the Nation” was widely covered in the national media, local party representatives in Himara confirmed that the Alliance was not a local initiative and that despite the DP mayor’s personal declaration of support for the SP candidate, there had been no joint campaign.

On the eve of the election, tension in Himara was exacerbated when 13 buses with approximately 500 Albanian emigrants coming from Greece were stopped at the border for lack of proper vehicle documentation to enter Albania. After discussion, the emigrants were let through and picked up on the other side of the border by Albanian busses and escorted by the police and two Members of the Hellenic Parliament. In addition, two UHRP representatives were detained for two hours on the eve of the second round, and emigrants were taken to the police station for questioning about their military obligations.

Accusations of Greek interference in Albanian internal affairs surfaced on 14 and 15 October, following the arrival in Himara of 10 Members of the Hellenic Parliament and four staff.⁹ The SP and the CEC issued official statements of protest against Greek interference and violation of the Electoral Code, which specifically prohibits foreigners from campaigning or from entering polling stations unless duly accredited. In a letter addressed also to the OSCE, the Speaker of the Hellenic Parliament refuted these accusations and stressed that the presence of 10 independent MPs did not constitute an official representation of the Hellenic Parliament.

Throughout the election day, the EOM received information from observers deployed in Himara on behalf of a number of organisations, including the Council of Europe, OSCE Presence, Embassy of the United States and European Community Monitoring Mission (ECMM). They reported that Greek parliamentarians were seen addressing voters in front of voting centres and in the presence of journalists. The Electoral Code prohibits any campaign activity within 150 meters from voting centres and on election day. It is, however, difficult to distinguish between campaigning and the usual visits of foreign dignitaries and Members of Parliament (MPs) on election day. Observers did not indicate that the MPs had held any public rally or entered any voting centre. With the exception of three members of one voting centre, who stated that two Greek MPs entered the voting centre for a few minutes, all other interlocutors also stressed that the MPs had not entered any voting centre.

On election day, the EOM also visited the voting centre in Dhermi (Himara), where a dispute between commission members broke out and the UHRP member destroyed the ballot box in an attempt to prevent a voter from casting a ballot.¹⁰ One person was armed with a gun. The box was subsequently thrown out of the window, collected, replaced with a new ballot box provided by the LGEC and polling resumed. Observers noted that many ballots were not folded and all marked in favour of the SP candidate. Others reported that the voter lists contained blocks of identical signatures in the same handwriting. A number of UHRP commission members indicated to observers that they had been intimidated and asked to leave the voting centres.

During the counting of votes, observers in two voting centres reported seeing a number of ballot papers still attached to each other at the stub, indicating that irregular voting had taken place. In Himara, the total of 4,634 votes cast in the second round was higher than the 3,440 cast in the first round, leading the UHRP to claim that this was evidence of manipulation. Moreover, VCCs in Himara did not receive sufficient numbers of protocols, making it impossible for party representatives on the commissions to receive copies and adequate documentation in support of their complaints. In addition, in Himara, voting centre members, and even chairpersons, were changed without reason by the LGEC a day before the second round, in clear violation of the law. However, it seems that UHRP members left the voting centres before the count

On 19 October, the CEC decided not to uphold the UHRP complaint to invalidate elections in Himara, on the grounds that the results of the contested voting centres could not impact the overall outcome. On the same day, Vasil Melo, UHRP chairman, indicated that they would not lodge a complaint in court due to the UHRP being part of the ruling coalition.

In view of the above, the EOM continued to monitor the situation in Himara after the second round and concluded that no effective measures to address the irregularities had been taken by the CEC.

⁹ See Shekuli lead article on 16 October entitled “elections held under Greek terror”.

¹⁰ The UHRP member claimed that it was to prevent the voting centre Chair from stuffing the box.

B. FINIQ CASE

On 15 October, observers reported evidence of irregularities in Blerinas (Finiq constituency). The team had visited the voting centre at 12:30 when almost 100 voters had already cast their ballot and few more voters were still expected, since only 120 had voted in the first round. However, this VCC was the last to report the results to the LGEC. According to the UHRP representative on the VCC, the final results were completely manipulated. At the end of the count, the other VCC members allegedly filled in additional ballot papers and added them to the ballot box, ripping off the protocol of results and completing a new one. The first results allegedly gave 172 votes to the SP and 37 to UHRP, while the revised protocol showed 230 votes for SP, 20 for UHRP and 25 invalid. Considering that there were only 350 registered voters, the official protocol would imply over 80 percent turnout, while all other voting centres in the constituency recorded less than 30% voter participation. Moreover, the UHRP representative on the LGEC complained to observers that the police had not allowed him into the voting centre of Blerinas. The alleged manipulation changed the overall result for the constituency, from a UHRP victory to a SP one, by just a few votes.

The UHRP was confused whether to appeal to the CEC or to the court. As a result, at one point, neither the district court nor the CEC were called to address the complaint. The appeal was subsequently filed with the High Court and rejected on 26 October.

C. RESULTS OF THE SECOND ROUND

The results of the second round were declared by the CEC on 21 October. The SP gained 114 communes and municipalities, the DP only 21. A number of constituencies will have partial or complete re-runs of the second round. The CEC declared that it would issue final results only after all re-run elections had been held. On 7 November, the final results were issued, in Decision No. 44, although some run-offs still had to take place and a few court cases were still pending (see Annex 2 for consolidated final results).

D. POST-ELECTION PERIOD

After the elections, a coalition of parliamentary opposition parties submitted a preliminary statement and a comprehensive final report on shortcomings and irregularities during the 2000 local elections to the international community, including to OSCE/ODIHR. The DP leadership also called on its elected members in several communes and municipalities to boycott council meetings in protest at alleged electoral manipulations. This strategy has created a certain degree of confusion, both at national level and in certain communes and municipalities, where DP councillors are not taking part in meetings and decisions.

X. COMPLAINTS

A large number of complaints were lodged with the CEC, the LGECs and the courts.¹¹ Most concerned irregularities on election day; in particular, insufficient distribution of ballot papers

¹¹ The EOM recorded 13 complaints to different courts, over 100 complaints to election commissions and more than ten complaints to the National Council for Radio and Television (NCRT) regarding media coverage of the campaign.

(Durrës, Tepelena, Tirana), proxy voting for persons residing outside Albania (Himara, Tepelena), and appeals on the overall results.

Unfortunately, the election complaints procedure did not provide an effective means of redress as required under Paragraph 5.10 of the OSCE Copenhagen Document of 1990. The provisions of the new Electoral Code on complaints require clarification and the CEC and the High Court failed to establish rules of procedure to implement the Code satisfactorily. There was also confusion as to which institution was responsible for ruling on complaints. Electoral commissions, courts and State administrative structures should henceforth seek to improve their ability to address in a fair and independent manner the complaints brought to their attention.

On 7 October the CEC dealt with the complaints concerning the first round.¹² Most were rejected summarily without considering the individual cases at all. CEC Decision No. 40 on the first round results implied rejection of most complaints, except the four constituencies and one voting centre where re-runs were ordered and those complaints which received a collective ruling. The CEC referred other complaints to local courts without clear reasoning. At local level, LGECs dismissed cases hastily and, in some instances, gave no official reply to complaints received, or simply refused to investigate evident discrepancies. Appellate courts were reluctant, with a few exceptions, to examine the substance of the complaints addressed to them. District courts, who are responsible for recounts, were sometimes reluctant or slow to carry them out.

After the second round, the CEC met twice on 19 October to address complaints. The CEC found irregularities and invalidated the elections in voting centre 5 Krahes (Tepelene), voting centre 3 Zall Bastar (Tirana), voting centres 8 and 10 Pult (Shkoder), and voting centre 3 Malzi (Kukes). Many complaints did not receive an official written response, depriving parties of the legal means to seek redress in courts. The High Court rejected complaints from the DP and SDP, and the complaint filed by the UHRP in the Finiq case. All but one aspect of the Republican Party appeal to the High Court were rejected.

The lack of rules of procedure and the formalistic approach adopted by commissions and courts created obstacles for plaintiffs, in contrast to the flexible attitude shown earlier during the candidate registration period. Commissions and courts seldom gave adequate legal rationale to their decisions, and often failed to respect the legal deadlines and to inform the plaintiffs and the public of their decisions.¹³ Regrettably, as the Code allows ballot recounts only in cases of close results, recounts could not be used in situations where tabulated results were contested, even on solid grounds, or where one party or candidate was just above or below 50%.

While the large number of complaints showed that electoral subjects were inclined to seek redress through legal means, in some of the most problematic cases (such as Himara and Durrës) political parties refused to appeal CEC results in the High Court. Many of these complaints were, however, poorly formulated. The CEC should have provided adequate information and education to all actors about complaint procedures prior to the election. They subsequently failed to give adequate guidance to complaining parties. There is clearly a need for education and information in this area.

Parties and candidates filed various complaints about the coverage of the electoral campaign in the media both to the NCRT and to the CEC. In particular, these concerned partial coverage of the

¹² The two opposition members of the CEC were not present, and did not sign the declaration of first round results.

¹³ For example CEC Decision No. 39 did not provide legal rationale and was only made available on 11 October when the deadline for appealing to the High Court could be considered as expired.

electoral campaign, exclusion from broadcast debates, broadcast of false or manipulated information, broadcasting of messages calling for disturbances, pressure on private channels or threats to journalists, and NCRT bias. All complaints but three were filed against private channels (ATN 1, TV Shijak, TV 2000, Adria 2, TV Dardania, TV Klan). The NCRT played a positive role during this electoral campaign, interpreting the legal framework as obligating public and private media to provide impartial coverage and providing an effective mechanism for addressing media-related complaints. Functioning in a transparent and balanced manner, the NCRT always answered complaints and advised the media on best practice to improve pluralism and accuracy of information, rather than simply calling for sanctions.

XI. RECOMMENDATIONS

A. ELECTION ADMINISTRATION

1. The relationship between the CEC and other State bodies, such as Ministries, local Government administrations and Prefectures, should be clearly regulated.
2. The CEC should issue internal rules of procedures as a matter of urgency, which would increase its efficiency and the transparency of its meetings and decisions.
3. A comprehensive packet of CEC regulations and instructions to complete, and in some cases replace, the series of instructions issued in relation to the 2000 municipal elections should be issued to clarify those aspects of the Electoral Code that proved problematic.
4. The CEC should hire appropriate staff and re-organise its administrative services, towards more efficient and operational units, in line with modern management techniques. Training of election commissions at all levels should be improved and dispensed in a timely manner.
5. The distribution of election materials should be more carefully regulated and documented.
6. Sufficient copies of protocols should be provided to VCCs and LGECs, to ensure that all commission members, party proxies and observers can receive official documentation and maximise the transparency of the count and aggregation.
7. The CEC should develop its technical capacity to manage voter registration with the assistance of international support.
8. The accuracy of the national voter registry database (VRD) should be enhanced, based on information available from the updated voter lists from the 2000 local elections and additional door-to-door enumeration, if necessary. Moreover, clear procedures for the regular maintaining and updating of the VRD, and distribution of voter cards, should be issued well ahead of the next elections.
9. A specific voter education program should be launched immediately to inform citizens of the need to update their entry in the voter register and be issued with a voter card, or risk being disenfranchised in the next elections.

B. CAMPAIGN AND MEDIA

1. The current legislation on campaign financing should be amended to reduce the overwhelming advantage afforded to larger parties and ensure that smaller parties have sufficient funds to purchase minimum airtime for electoral spots in private channels.
2. The criteria governing the coverage of the campaign in private media need to be clarified; this would also enable the NCRT to enforce more effectively the legal provisions of the Code related to media and elections.
3. Smaller political parties should be invited to electoral debates on TV, in order to enhance participation of a broad spectrum of political forces.

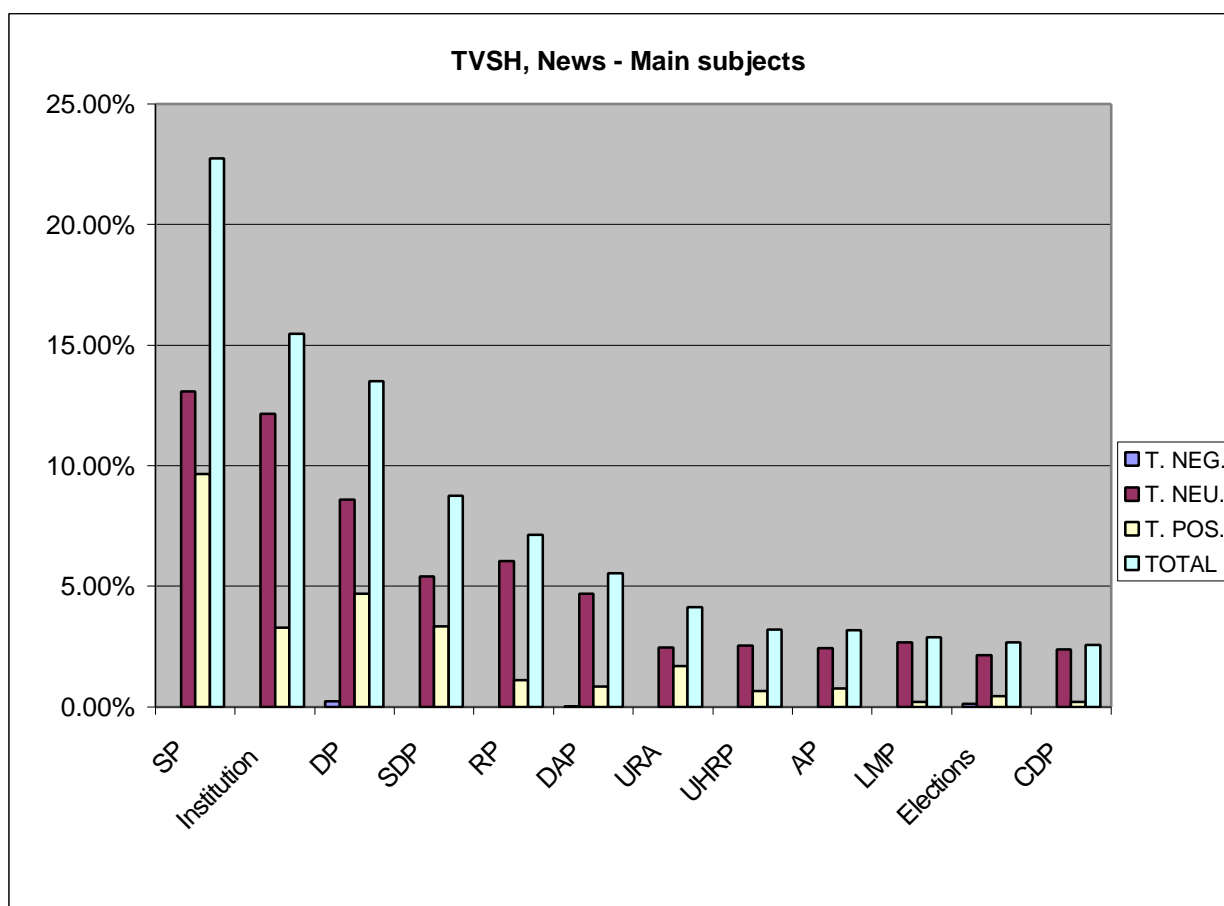
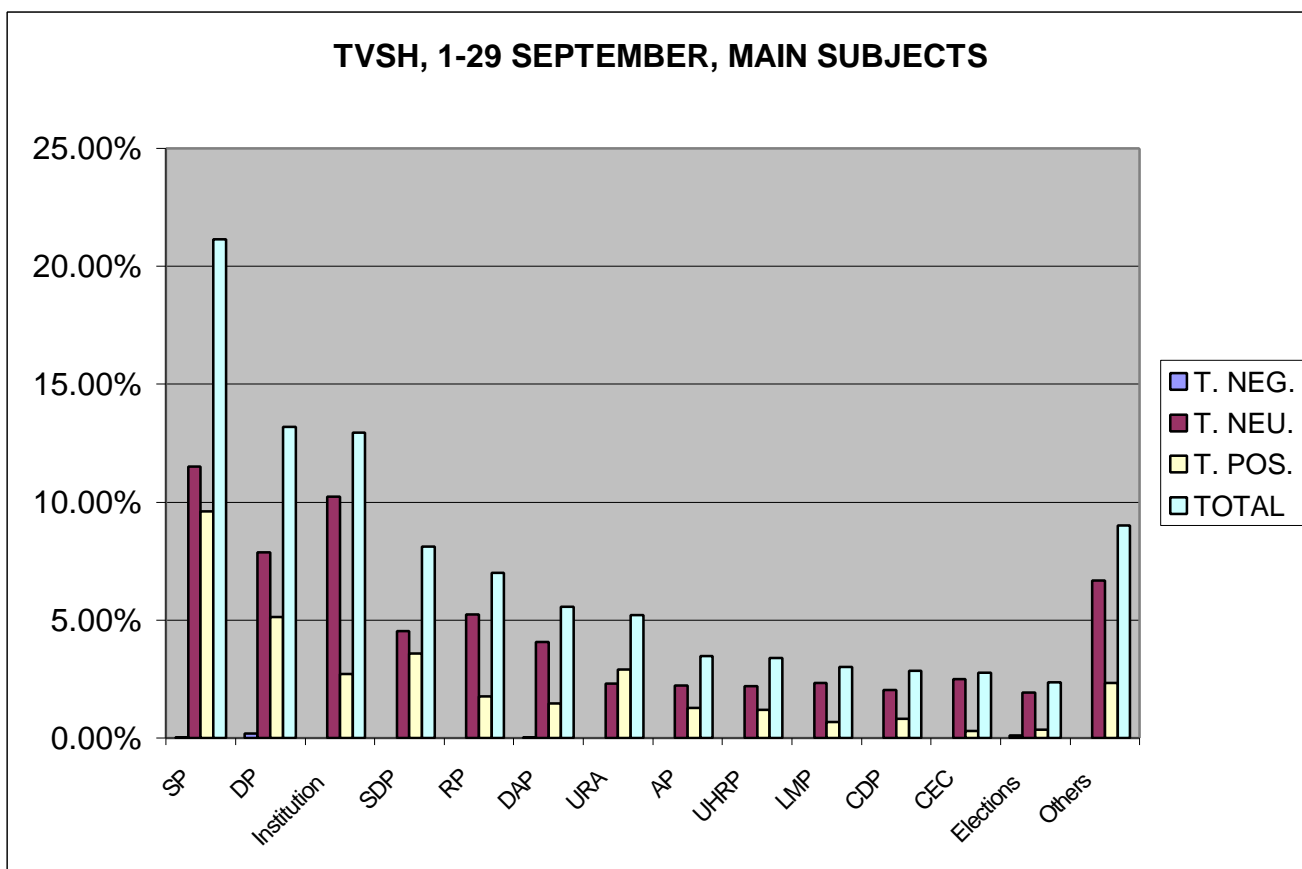
C. ELECTORAL DISPUTES

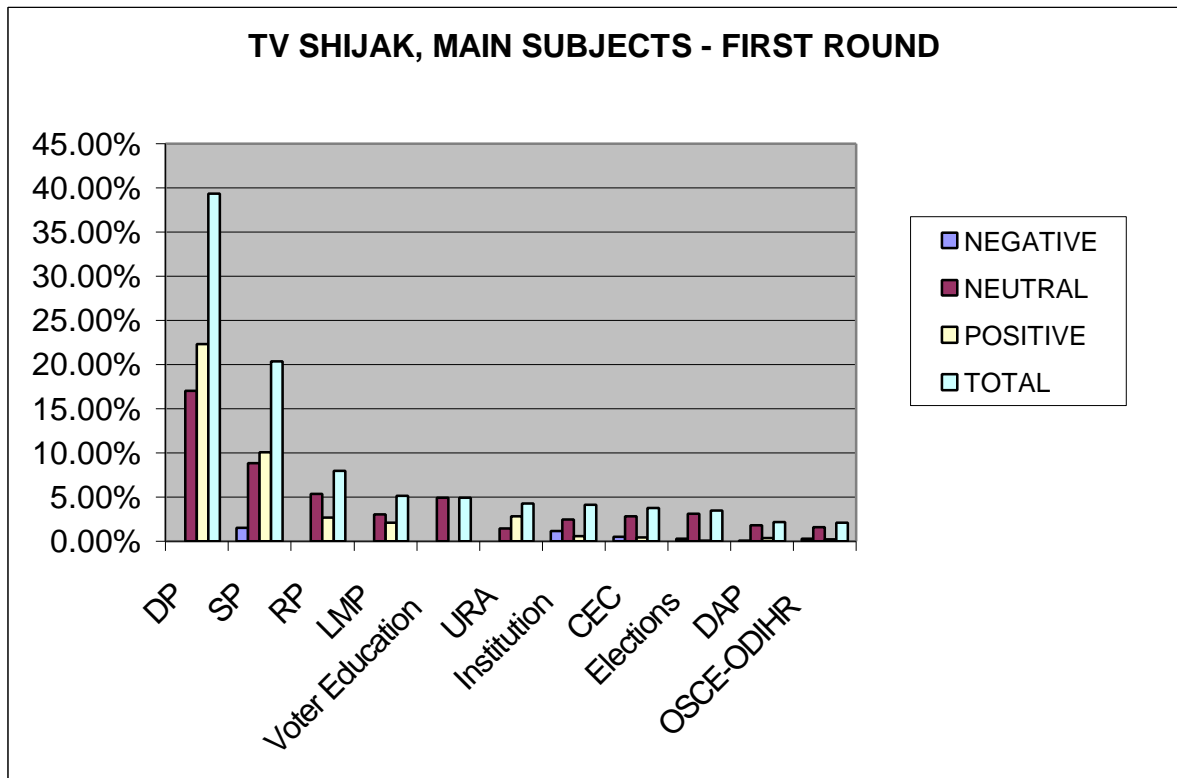
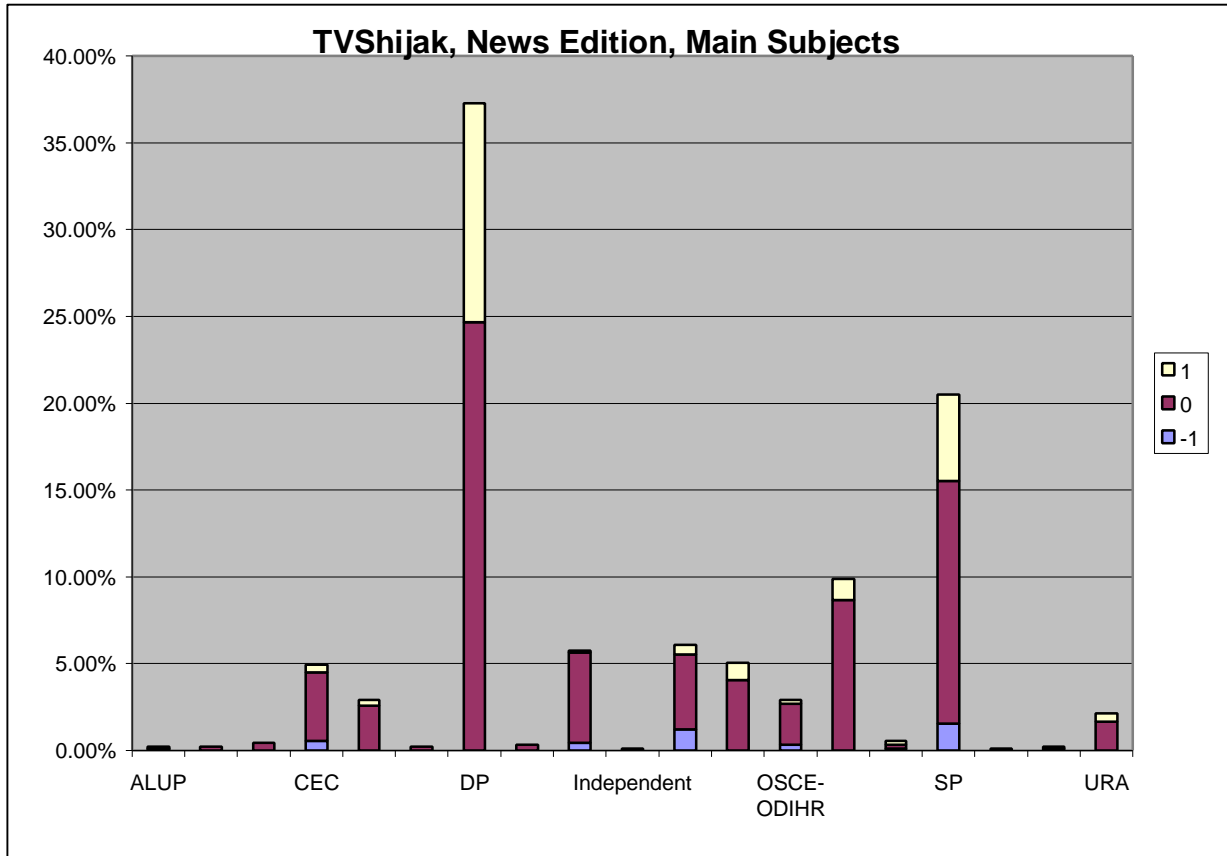
1. The election disputes resolution process could be reviewed in accordance with guidelines produced by OSCE/ODIHR to clarify the election appeals process, mainstreaming the respective roles of election commissions and courts.¹⁴ Moreover, the legal affairs department of the CEC should be entrusted with the preparation of complaint cases prior to their discussion in plenary CEC sessions.
2. The Electoral Code should be amended to increase the possibility of ordering ballot recounts.

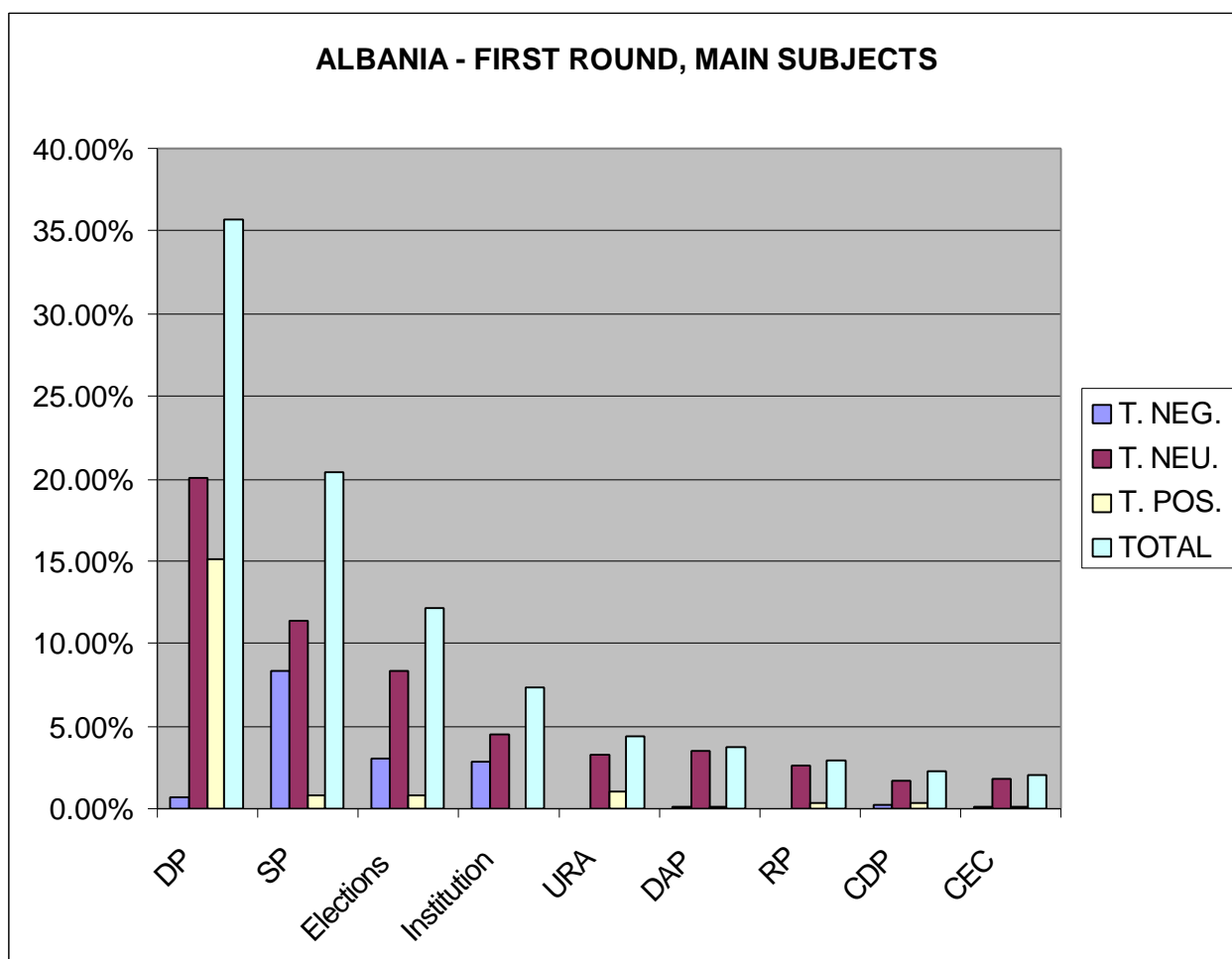
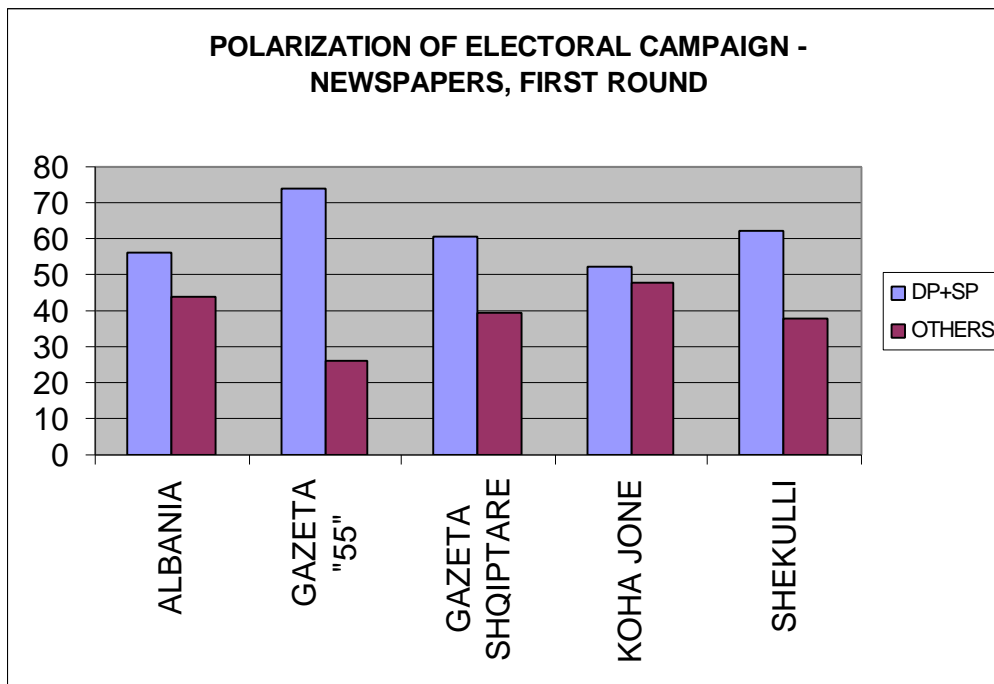
¹⁴ See “Resolving Election Disputes in the OSCE Area: Towards a Standard Election Dispute Monitoring System”, Warsaw, 12 July 2000.

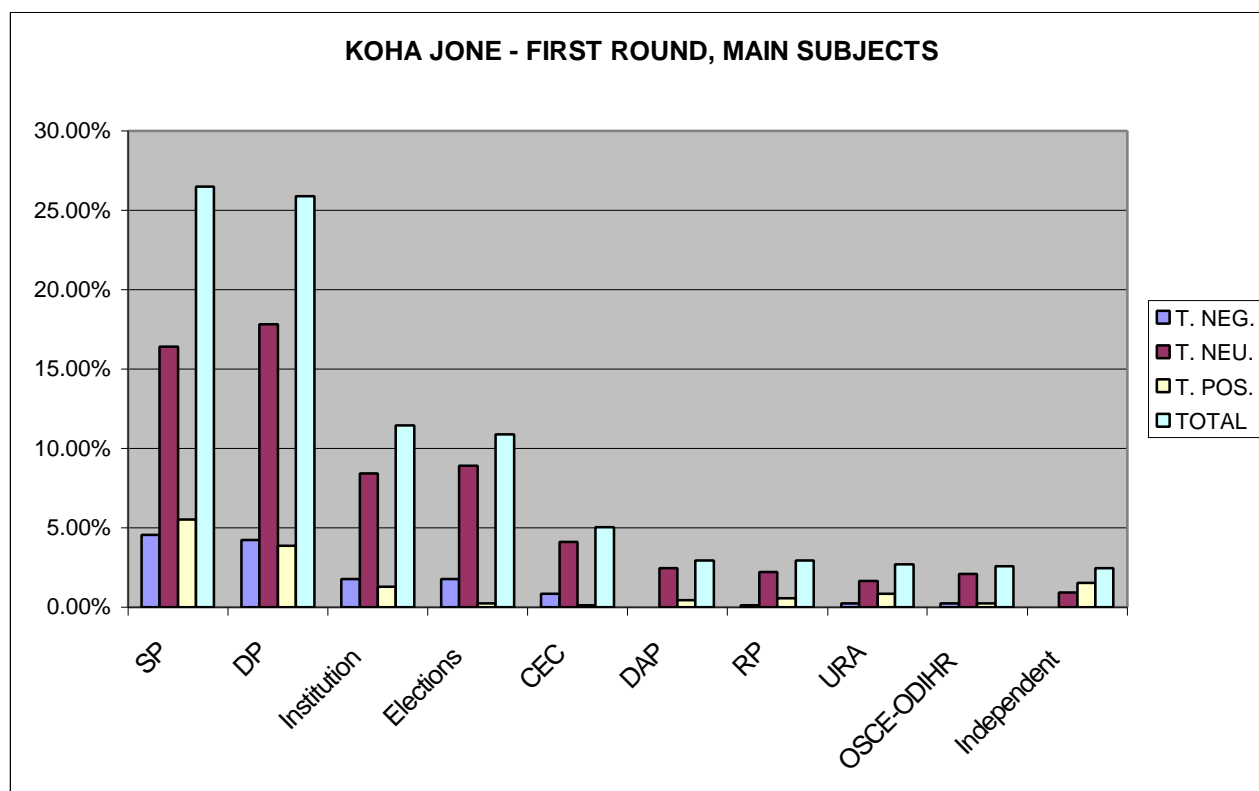
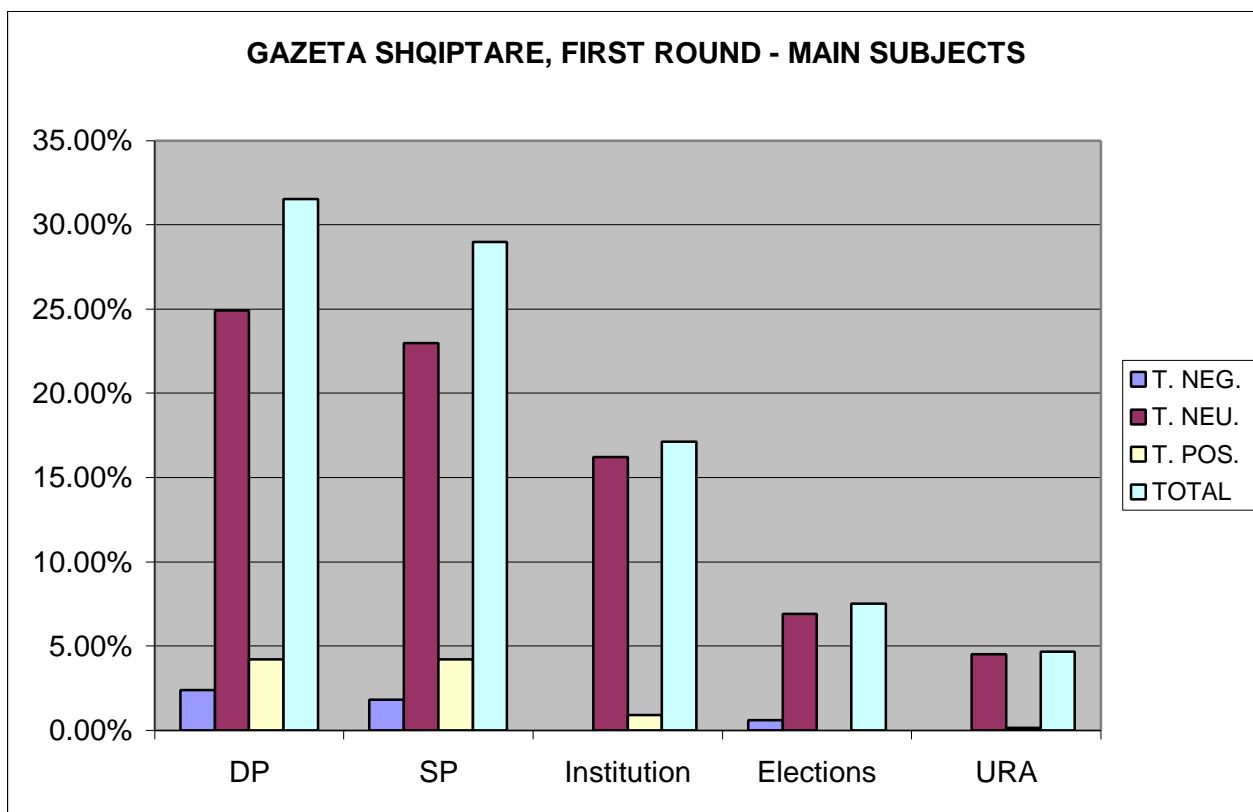
ANNEXES

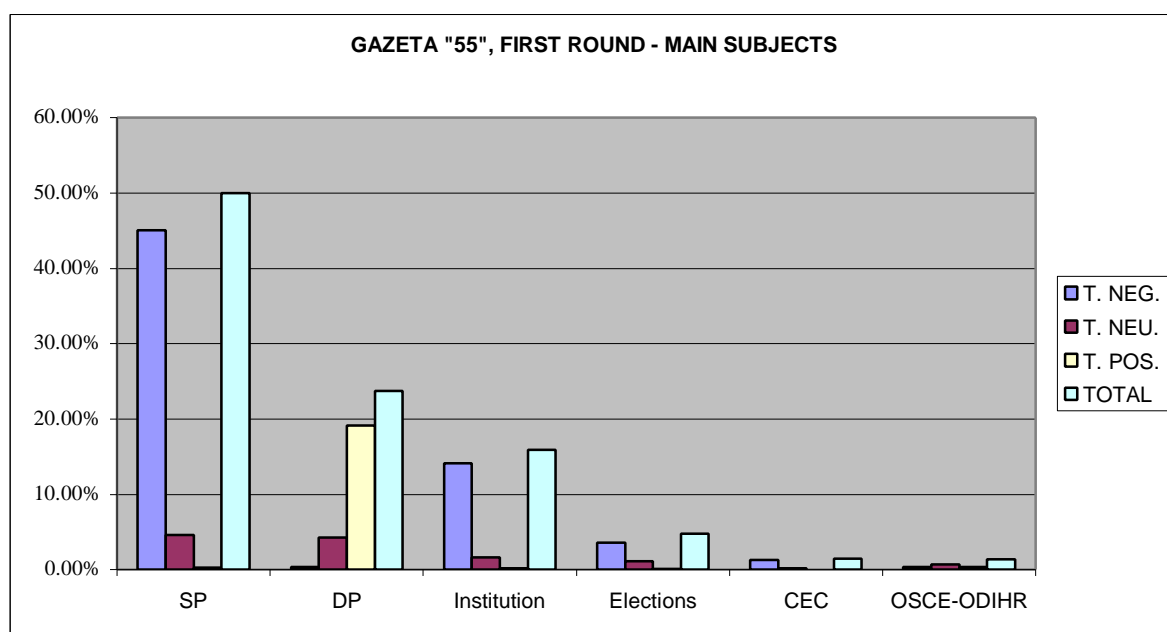
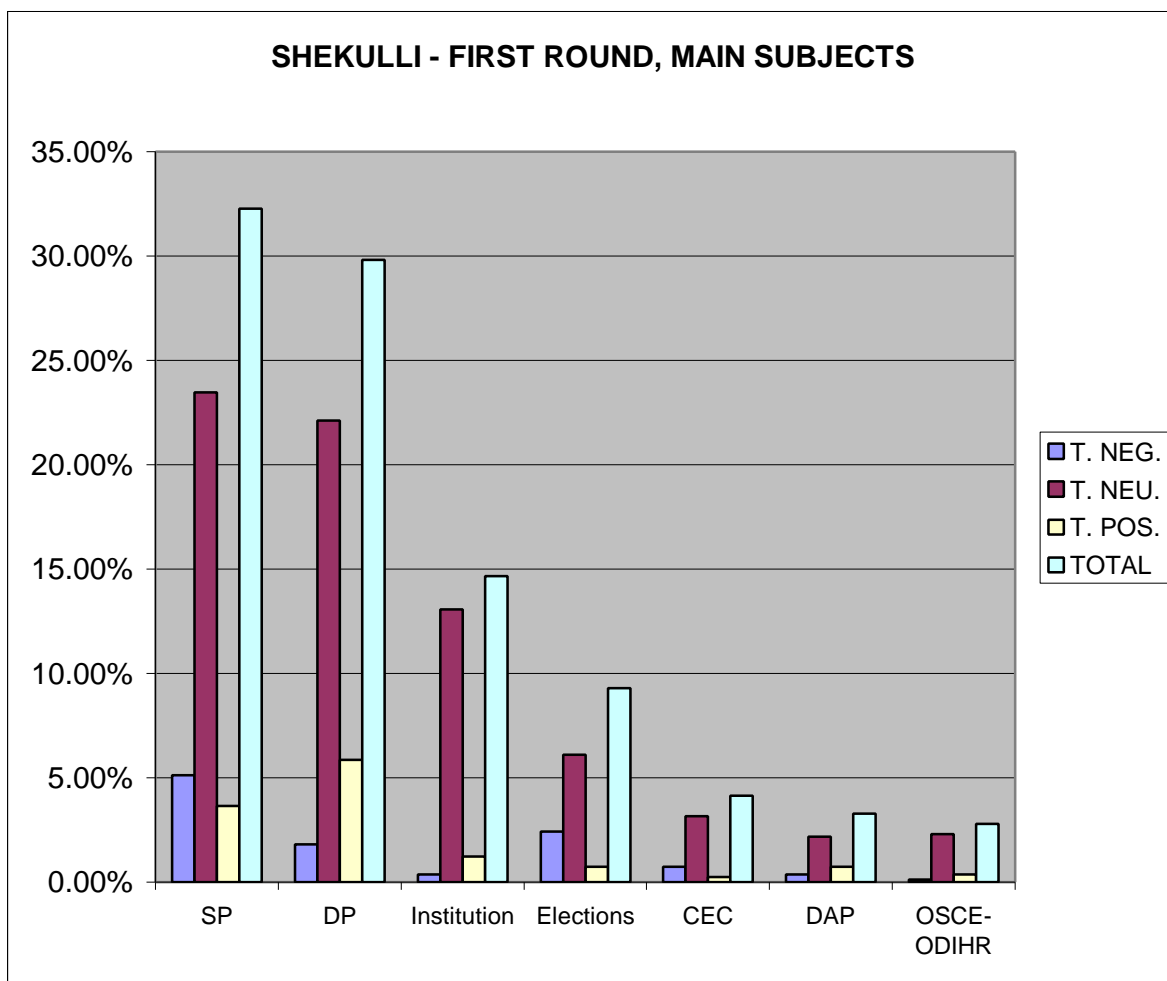
ANNEX 1 - EOM MEDIA MONITORING CHARTS











ANNEX 2 - FINAL RESULTS: CEC DECISION NO. 44 DATED 7 NOVEMBER 2000 AS PROVIDED BY THE OSCE PRESENCE TO ALBANIA

**TABLE No. 1
RESULTS FOR MAYOR OF MUNICIPALITY/COMMUNE
BY POLITICAL SUBJECTS, COALITIONS AND POLITICAL GROUPS**

No.	Subject, Coalition, Political Group	Initials	No. of Munic	%	No. of Comm.	%	No. of Munic. and Comm.	Total %
1	Democratic Alliance	DA	0	0	1	0.32	1	0.26
2	Albanian United Right	UR	0	0	0	0	0	0
3	Albanian United Right + RP	UR+RP	0	0	0	0	0	0
4	Independent	Independent	1	1.32	2	0.65	3	0.78
5	Albanian National League	ANL	0	0	0	0	0	0
6	Albanian Agrarian Party +ASP	AP+SP	0	0	7	2.27	7	1.82
7	Albanian Agrarian Party + UHRP	AP+ UHRP	0	0	0	0	0	0
8	Albanian Liberal Alternative Party	ALAP	0	0	0	0	0	0
9	National Front Party	NFP	0	0	0	0	0	0
10	Union for Human Rights Party	UHRP	0	0	6	1.94	6	1.56
11	Union for Human Rights Party + ASP	UHRP+ SP	0	0	1	0.32	1	0.26
12	Union for Human Rights Party + ASP+SDP	UHRP+ SP + SDP	0	0	1	0.32	1	0.26
13	Republican Union Party	RUP	0	0	0	0	0	0
14	Albanian National Community Party	ANCP	0	0	0	0	0	0
15	Albanian Business Party	ABP	0	0	0	0	0	0
16	Democratic Party + LMP + LUP + NDFP + DUP	DP+ LMP + LUP + NDFP + DUP	11	14.47	78	25.24	89	23.11
17	Democratic Union Party + DP + PLL + LUP + NDFP	DUP + DP + PLL + LUP + NDFP	0	0	1	0.32	1	0.26
18	Democratic Party + RP + LMP + LUP + NDFP	DP + RP + LMP + LUP + NDFP	0	0	0	0	0	0
19	Albanian Demochristian Party	DCP	0	0	0	0	0	0
20	People's Welfare Party	PWP	0	0	0	0	0	0
21	Albanian Emigration Party	AEP	0	0	0	0	0	0
22	Forza Albania Party	FAP	0	0	0	0	0	0
23	Albanian Communist Party	CP	0	0	0	0	0	0
24	United Communist Party	UCP	0	0	0	0	0	0
25	Conservative Party	Cons.P	0	0	0	0	0	0
26	Legality Movement Party	LMP	0	0	1	0.32	1	0.26
27	Legality Movement Party + DP + LUP + DNFP + DUP	LMP + DP + LUP + DNFP + DUP	0	0	1	0.32	1	0.26
28	Albanian Peasants' League Party	APLP	0	0	0	0	0	0
29	Albanian Workers Movement Party	AWMP	0	0	0	0	0	0
30	Albanian National Reconciliation Party	ANRP	0	0	0	0	0	0

31	Albanian Republican Party	RP	0	0	3	0.97	3	0.78
32	Albanian Environmental Party	AEP	0	0	0	0	0	0
33	Social Democratic Party	SDP	1	1.32	4	1.29	5	1.3
34	Social Democratic Party + ASP	SDP + ASP	0	0	4	1.29	4	1.04
35	Socialist Party + AAP	SP + AAP	0	0	1	0.32	1	0.26
36	Socialist Party + UHRP	SP + UHRP	2	2.63	0	0	2	0.52
37	Socialist Party + UHRP + SDP + AAP + NUP	SP+UHRP+ SDP+AAP+ NUP	0	0	0	0	0	0
38	Socialist Party + SDP	SP+ SDP	8	10.53	16	5.18	24	6.23
39	Socialist Party + SDP + AAP	SP+ SDP+ AP	0	0	1	0.32	1	0.26
40	Socialist Party of Albania	SP	40	52.63	187	60.52	227	58.96
41	Albanian Demochristian Party	DCP	0	0	0	0	0	0
42	National Union Party	NUP	0	0	0	0	0	0
	TOTAL		63		315		378	

Not yet declared are the mayoral elections of:

- Lac (Kurbin), Kelmend (Malesi e Madhe), Pult (Shkoder), which are subject to a court ruling;
- Grekan (Elbasan), which is in a run-off for the second round;
- Vau i Dejes (Shkoder), Bujan (Tropoja), in which the elections will be repeated in one polling station, due to irregularities;
- in Ballaban (Permet), which is under verification.

TABLE No. 2
NUMBER OF COUNCILLORS IN MUNICIPAL AND COMMUNE COUNCILS ACCORDING TO
POLITICAL SUBJECTS, COALITIONS AND POLITICAL GROUPS, ON A NATIONAL SCALE

No.	Party, coalition, political group	No. of Munic. Council lors	%	No. of Comun. Council lors	%	Gen. No. of Council lors	%
1	Democratic Alliance	53	3.26	185	4.14	238	3.91
2	United Right Party	39	2.40	78	1.75	117	1.92
3	Independent	3	0.18	5	0.11	8	0.13
4	Albanian National League	3	0.18	1	0.02	4	0.07
5	Albanian Agrarian Party	9	0.55	90	2.02	99	1.62
6	Albanian Agrarian Party + UHRP	0	0	2	0.04	2	0.03
7	Albanian Liberal Alternative	1	0.06	1	0.02	2	0.03
8	UHRP	35	2.15	144	3.23	179	2.94
9	Republican Union Party	0	0	0	0	0	0
10	National Democratic Union Party	0	0	1	0.02	1	0.02
11	Albanian National Community Party	0	0	1	0.02	1	0.02
12	Albanian Business Party	0	0	1	0.02	1	0.02
13	Democratic Party+LMP+LUP+NDFP+DUP	504	30.96	1378	30.86	1882	30.89
14	Democratic Party+RP+LMP+LUP+CDUP	33	2.03	47	1.05	80	1.31
15	Albanian Demochristian Party	47	2.89	69	1.55	116	1.90
16	Popular Welfare Party	0	0	0	0	0	0
17	Albanian Emigration Party	0	0	1	0.02	1	0.02
18	Forca Albania Party	0	0	0	0	0	0.00
19	Communist Party of Albania	15	0.92	34	0.76	49	0.80
20	Albanian United Communists Party	1	0.06	11	0.25	12	0.20
21	Conservative Party	0	0	1	0.02	1	0.02
22	Albanian Peasants League	0	0	0	0	0	0
23	Legality Movement Party	0	0	1	0.02	1	0.02
24	Legality Movement Party + DP + LUP + DCUP + DUP	0	0	3	0.07	3	0.05
25	Albanian Workers Movement Party	2	0.12	1	0.02	3	0.05
26	Albanian National Reconciliation Party	0	0	1	0.02	1	0.02
27	Albanian Republican Party	42	2.58	146	3.27	188	3.09
28	Albanian Environmental Party	0	0	0	0	0	0
29	Social Democratic Party	114	7.00	403	9.03	517	8.49
30	Socialist Party + UHRP	67	4.12	17	0.38	84	1.38
31	Socialist Party + SDP	10	0.61	54	1.21	64	1.05
32	Albanian Socialist Party	645	39.62	1780	39.87	2425	39.80
33	Albanian Socialchristian Party	3	0.18	0	0	3	0.05
34	National Union Party	1	0.06	3	0.07	4	0.07
	TOTAL	1627		4459		6086	

In one municipality and in six communes, the post of one councilor must be determined by lottery between the following political subjects:

- Selenice Municipality, Vlora District, between UR and RP;
- Tregan Commune, Elbasan District, between DAP and DP+LMP+LUP+DCUP+RUP;
- Zavalin Commune, Elbasan District, between UR and ASP;
- Zall Rec Commune, Diber District, between DAP and UHRP;
- Suke Commune, Permet District; between RP and CP;
- Vendresh Commune, Skrapar District; between RP and UHRP;
- Berzhite Commune, Tirana District, between DAP and RP.

TABLE No. 3
RESULTS OF THE POLITICAL SUBJECTS, COALITIONS AND POLITICAL GROUPS FOR
THE MUNICIPAL AND COMMUNAL COUNCILS ON A NATIONAL SCALE

No	Political Subject	Initials	No. of Votes	Percentage
1	Democratic Alliance	DAP	42137	3.13
2	Albanian United Right	UR	28227	2.1
3	Independent	Independent	3040	0.23
4	Albanian National League	ANL	1597	0.12
5	Albanian Agrarian Party	AP	20798	1.54
6	Albanian Agrarian Party + UHRP	AP+UHRP	141	0.01
7	Albanian Liberal Alternative Party	ALAP	1479	0.11
8	National Democratic Front Party	NDFP	172	0.01
9	Albanian National Community Country Party	ANCP	187	0.01
10	National Front Party	NFP	85	0.006
11	Union for Human Right Party	UHRP	30757	2.28
12	Republican Union Party	RUP	787	0.06
13	Albanian Business Party	ABP	160	0.01
14	Democratic Party +LMP+LUP+CDUP+DUP	DP+LMP+LUP+C DUP+DUP	417312	30.98
15	Democratic Party +RP+LMP+LUP+DCUP	DP+RP+LMP+ LUP+DCUP	34740	2.58
16	Albanian Demochristian Party	DCP	31447	2.34
17	People's Welfare Party	PWP	138	0.01
18	Albanian Emigration Party	AEP	234	0.02
19	Forza Albania Party	FAP	142	0.01
20	Albanian Communist Party	ACP	11508	0.85
21	Albanian United Communist Party	AUCP	4499	0.33
22	Conservative Party	Cons.P	874	0.07
23	Legality Movement Party	LMP	68	0.01
24	Legality League Party +DP+LUP+DCUP+URP	LLP+DP+LUP+ DCUP+URP	264	0.02
25	Albanian Agrarian League Party	AALP	674	0.05
26	Albanian Workers' Movement Party	AWMP	859	0.06
27	Albanian National Reconciliation Party	ANRP	430	0.03
28	Albanian Republican Party	ARP	36591	2.72
29	Albanian Environmental Party	AEP	386	0.03
30	Social Democratic Party	SDP	95736	7.11
31	Socialist Party + UHRP	SP+UHRP	39164	2.91
32	Socialist Party + SDP	SP+SDP	8381	0.62
33	Albanian Socialist Party	SP	532261	39.51
34	Albanian Socialchristian Party	ASCP	1140	0.08
35	National Union Party	NUP	917	0.07

TABLE No.4
NUMBER OF ELECTORS, NUMBER OF VOTERS, DAMAGED BALLOT PAPERS, INVALID
AND VALID BALLOT PAPERS ON A NATIONAL SCALE

First Round

	No. of electors acc. To list A	No. of Voters	% of voters	Damag. ballot papers	%	Invalid Ballot papers	%	Valid Ballot Papers	%
For Mayor	2329014	1443705	61.99	17863	1.24	97216	6.73	1346489	93
For Councilor	2329014	1448411	62.19	48889	3.38	97883	6.76	1350528	93.2

Second Round

	No. of electors acc. To list A	No. of Voters	% of voters	Damag. ballot papers	%	Invalid Ballot papers	%	Valid Ballot Papers	%
For Mayor	969148	459381	47.4	3366	0.73	12499	2.72	446882	97,3

In the first round, the elections were repeated for irregularities in the electoral process in: the commune of Ksamil (Saranda) for Head of the Commune, Velipoja Commune (Shkoder) in voting centre No. 6 and Paskuqan Commune (Tirana) for the Council and the Head of the Commune and Kodovjat Commune (Gramsh) for the Council.

In the second round, the elections were repeated for irregularities in the electoral process in Krahez Commune (Tepelene) in voting centre No. 5, Zall Bastar Commune (Tirana) in voting centre No. 3, Pult Commune (Shkoder) in voting centres No. 8 and No. 10 and Malzi Commune (Kukes) in voting centre No. 3.