



INTERNATIONAL ELECTION OBSERVATION Republic of Albania – Local Government Elections, 8 May 2011

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Tirana, 10 May 2011– This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Congress of Local and Regional Authorities of the Council of Europe (Congress).

The 2011 local elections were assessed for their compliance with OSCE and Council of Europe commitments for democratic elections, as well as with the legislation of Albania. This statement is delivered prior to the completion of the election process. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the election process. The Bureau of the Congress will discuss a report and will adopt a draft recommendation and resolution at its next meeting in mid-June. The report and texts will then be considered for adoption by the Congress at its next plenary session, in mid-October 2011.

The institutions represented wish to thank the authorities, political parties and civil society for their co-operation and stand ready to continue their support for the conduct of democratic elections.

PRELIMINARY CONCLUSIONS

The 8 May 2011 local government elections in the Republic of Albania were competitive and transparent, but took place in an environment of high polarization and mistrust between parties in government and opposition. As in previous elections the two largest political parties did not discharge their electoral duties in a responsible manner, negatively affecting the administration of the entire process. On election day, voting proceeded relatively well, albeit with procedural difficulties, but counting was delayed in many areas.

Despite repeated appeals for calm from the President and the Prime Minister, the campaign was marred by election-related violence in many municipalities and communes. Nevertheless, there were positive aspects of the elections which lay the groundwork for future progress. These included improvements to the voter lists, the work of the Electoral College in deciding pre-election day appeals, and the pluralistic media environment.

The Central Election Commission (CEC) functioned transparently and, despite evident division, completed the technical preparations for the elections. Nevertheless, the polarization affected the work of the CEC, where discussions were at times acrimonious and of a political nature. Decisions on issues disputed by the two main parties were taken along partisan lines, and not collegially. Some of these decisions were not well-grounded in the Electoral Code and were overturned on appeal to the Electoral College.

The Electoral Code has been previously assessed as providing a thorough technical foundation for the conduct of democratic elections if implemented with the intention to uphold the letter and spirit of the law. However, it contains gaps and ambiguities and does not always take into account the specifics of local elections.

Delays in nominating election commissioners led to some deadlines being missed. The opposition Socialist Party (SP) and Human Rights Union Party (HRUP) delayed the appointment of members of mid-level commissions, forcing the CEC to intervene to enable the elections to go ahead on schedule. After their appointment, most of these commissions worked collegially in the pre-election period. The ruling Democratic Party (DP) and the SP did not nominate all voting centre and counting team members in a timely manner. Statements by these parties questioning the integrity of election administration also contributed to undermining public confidence in elections.

The authorities have made considerable efforts to improve the voter lists. However, a large number of voters do not have a registered address, an issue which persists from previous elections.

The registration of candidates was inclusive. Most parties ran as part of two coalitions, led respectively by the DP and the SP. The campaign was active in most parts of Albania, and all contenders were generally able to campaign throughout the country. Unfortunately, there were substantiated cases of pressure on public employees and others to support the DP. Abuse of administrative resources appeared to be considerably reduced; however, in a limited number of cases, government and local officials used official events for campaigning.

There was extensive media coverage of the elections. The media offered a plurality of views, thus enabling the voters to make an informed choice. Nevertheless, there is a lack of truly independent broadcast media, with most private channels aligned with one of the two largest parties. Public television provided political parties with free airtime but gave more time to the ruling coalition in its news coverage. Some proposals of the Media Monitoring Board (MMB) reflected the partisan appointment of its members, diminishing its credibility. One CEC decision, based on an MMB proposal, required broadcasters to use tapes prepared by parties in their news coverage and gave parties influence over editorial choices in news programs. The decision was overturned on appeal.

The complaints and appeals system allowed for effective redress in the pre-election period. The Electoral College acted in a professional and unbiased manner in reviewing appeals prior to election day. The Electoral College did not provide its reasoning, except in one case.

The Electoral Code specifies gender representation in the candidate lists for council members, but does not effectively ensure that the requirement is met. The penalty for non-compliance is only a small fine. There appeared to be numerous instances in which candidate lists for council elections did not meet the gender requirement. The number of women candidates remained very low.

In contrast to the pre-election period, election day was overall calm but disorganized in some cases. Domestic observers were present in almost all voting and counting centres visited and appeared to be able to observe without hindrance. At the time of writing, the observed counting centres seem to function well and transparently, with some exceptions. However, counting proceeds at a slow pace and is disorganized at times. Vote counting has been marked by unscheduled interruptions in some locations.

The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the counting, tabulation and announcement of results and the handling of possible complaints or appeals.

PRELIMINARY FINDINGS

Background

The 8 May local elections were announced by the President of Albania, Mr Bamir Topi, on 6 September 2010. These are the first local elections to be conducted since the adoption of a new Electoral Code in December 2008. In the 2009 parliamentary elections, the DP, together with the Socialist Movement for Integration (SMI) and other parties, won a narrow majority and formed a government. The results of the elections were disputed by the election coalition led by the SP, and its MPs boycotted parliament until March 2010.

Since the 2009 elections, the political environment has continued to be highly polarized, with harsh rhetoric and personal attacks, as well as demonstrations by the opposition. Tension increased following an SP-organized anti-government protest in Tirana on 21 January 2011, when violent clashes took place between protesters and security forces. Four persons were shot dead and numerous others were injured. There were subsequently several high-level international visits to call for calm and responsibility in the run-up to the local elections.

The Legal Framework and Electoral System

The legal framework regulating the 2011 local elections consists primarily of the Constitution and the Electoral Code. The provisions of the Electoral Code are supported and implemented by Decisions and Instructions of the CEC. Other applicable legislation includes the Law on Local Government, the Law on Demonstrations and pertinent provisions of the Code of Civil Procedures, the Code of Administrative Procedures and the Criminal Code. The Law on Political Parties was significantly amended in February 2011, especially regarding funding of political parties.

The Electoral Code is the product of electoral reforms launched after the 2007 local elections and was drafted and supported by both the DP and the SP. The Electoral Code addressed several recommendations previously offered by the OSCE/ODIHR, and has been assessed as providing a thorough technical foundation for the conduct of democratic elections if implemented with the intention to uphold the letter and spirit of the law.¹ However, some recommendations remain unaddressed, including those from the OSCE/ODIHR EOM final report on the 2009 parliamentary elections.

In addition, the Electoral Code contains several gaps and ambiguities with regards to local elections. For instance it is unclear if there is a minimum threshold for representation in the local councils; the provisions on campaign financing from public funds for local elections are imprecise; and there is no provision for registration of candidates for Tirana municipality. Other gaps or ambiguities pertaining to both local and parliamentary elections include the deadline for compilation of the Final Voter Lists (FVL), the nomination of members of Commissions of Electoral Administration Zones (CEAZs) and ballot counting teams and provisions on paid political advertisement in broadcast media.

The mayors of municipalities, the heads of communes and the councils of the 384 local government units (LGUs) are elected in direct elections. Councillors are elected under a proportional system,

¹ See OSCE/ODIHR Final Report on the 2009 parliamentary elections in the Republic of Albania, and the Joint Opinion of the OSCE/ODIHR and the Venice Commission of the Council of Europe on the Electoral Code (2009), both available at www.osce.org/odihr/elections/albania.

while mayors and heads are elected in a first-past-the-post system. The CEC chairperson informed the OSCE/ODIHR EOM that the issue of thresholds for the election of local council members would not be decided until the allocation of mandates after election day.

Election Administration

The 2011 local elections were administered by a three-tiered election administration, consisting of the CEC, 66 CEAZs, and 4,882 Voting Centre Commissions (VCCs). The vote count is conducted in 66 Ballot Counting Centres (BCCs), which cover one or more municipalities and communes.

The CEC is a seven-member body elected by the parliament through a formula aimed at ensuring balance between the majority and opposition parties. The CEC completed the technical preparations for the elections, including the printing of ballots, the distribution of materials and adopting instructions on counting procedures. However, the overall political environment affected the work and the collegiality of the CEC. The three opposition-nominated members stopped participating in CEC sessions from January until 8 April, due in part to disagreements with the majority-nominated members on the approval of the CEC internal rules of procedures.²

The discussions among CEC members were often acrimonious. While the CEC generally adopted decisions unanimously, it voted on partisan lines (four majority-proposed members against three opposition-proposed members) on matters disputed by the DP and SP. There were also disagreements as to whether some decisions could be made with a simple majority or required a qualified majority of five votes. Two decisions made without a qualified majority were overturned by the Electoral College on appeal.

The CEC was generally transparent in its decision-making process. Its sessions were public and were broadcast live on its website. However, the agenda was not always published 24 hours prior to CEC sessions as required by law. The members nominated by the opposition and the SP party representative stated during the sessions that they did not always receive the documents for discussion sufficiently in advance. In some cases, the CEC chairperson addressed these concerns by postponing the discussion to the following session.

The CEAZs should have been established three months before the elections, but the parties did not submit their proposals by the legal deadline. Although the majority parties nominated members shortly thereafter, the opposition parties did not do so, leaving half of the CEAZs without a quorum.³ As the Electoral Code does not foresee this situation, the CEC adopted a decision to appoint commissioners from civil society, enabling the CEAZs to adopt decisions on important steps of the election process, such as candidate registration. By the end of March, all parties submitted their nominations, and CEAZ members could be appointed in accordance with the law.⁴

After these appointments, most CEAZs worked collegially in the run up to election day. However, not all CEAZs held regular meetings or followed the working hours recommended by the CEC. Many CEAZ members were replaced during the process at the request of the parties which nominated them.⁵

2 The CEC did not address this issue after the return of the opposition-nominated members.

3 Leadership positions in the seven-member CEAZs are evenly shared between the largest majority party and the largest opposition party. Thus, each side of the political spectrum holds the majority in half of the CEAZs.

4 The interim commissioners resigned to allow appointment of the opposition party nominees.

5 The Electoral Code allows parties to request replacements without any justification. Of the 130 replaced, 17 were nominated by SMI, 37 by DP, 38 by SP, and 38 by HRUP.

The CEC and the CEAZs missed several deadlines, such as the establishment of BCCs, selection of parties entitled to nominate counting team members, approval of procedural manuals, and the appointment of VCCs. Some of the missed deadlines, however, were the direct consequence of the failure of parties to comply fully with the duties and responsibilities given to them by the law, especially in appointing members of CEAZs and VCCs. These delays did not appear to affect the overall material preparations but placed strains on the election administration. Training of CEAZ members on voting and counting procedures started two weeks after the scheduled time due to the late approval of the training manuals by the CEC. In addition, not all VCC members could be trained by the CEC due to their late nomination by political parties and last-minute changes to the composition of VCCs.

By law, voting centres (VC) should have between 150 and 1,000 registered voters. In almost all municipalities there were VCs which had more than 1,000 voters, in some cases up to 2,000 voters. Such high density VCs could be vulnerable to overcrowding, long queues or other problems. The location of the VCs in private buildings and changes in VC premises were the subject of political disputes. For Kamez and Tirana Boroughs 4 and 9, these issues were eventually appealed to the Electoral College.⁶

In accordance with its responsibilities, the CEC prepared a voter education campaign which addressed voting procedures, the participation of young voters, and the prevention of family voting.

Voter Registration

According to the CEC, there were a total of 3,166,279 registered voters. The voter lists are based on a National Civil Status Register database maintained by the Ministry of the Interior (MoI) and updated by the Civil Status Offices (CSO), which are part of the local administration. The CSOs are responsible for the compilation and accuracy of the voter lists. The Preliminary Voter Lists were compiled and posted for public scrutiny in October 2010. The Final Voter Lists (FVL) were compiled by the 8 April deadline. The FVL were usually posted at VCs, although there were instances in which the FVL were not posted or were inaccessible. Electronic copies of the FVL were available to parties upon request.

The MoI has undertaken efforts to eliminate duplicates and deceased persons from the civil register. In a verification conducted in October-November 2010, some 39,000 duplicate records were found in the civil register, corresponding to some 19,000 citizens. After checks were conducted in all CSOs, the duplicate records decreased to 1,600. Remaining duplicates, according to the MoI, can only be deleted by the CSOs, including duplicate entries that appear in different LGUs.

Notwithstanding this progress, a number of issues with the voter lists were noted. There was a discrepancy of 1,420 voters between the total number stated by the CEC (based on data from CEAZs) and the number announced by the MoI (based on the nationwide database). According to the MoI, this was due to the CSOs printing the FVL on different dates than the one instructed by the MoI. In addition, spot checks of the FVL by the OSCE/ODIHR EOM showed that more than 1,200 voters included in the FVL were not assigned a VC. Approximately 40 per cent of the voters in the FVL nationwide had no specific residence code.⁷ These voters are reportedly mainly emigrants or

6 Mayors are responsible for the selection of the VC locations under certain conditions regulated in the Electoral Code. The use of private premises as VCs can only be done with CEC authorization.

7 All voters on the voter lists must have a residence code. If the specific residence is unknown, a general code such as "888", "999", or "000" appears.

citizens without registered addresses. This number varies throughout the country but is highest in Vlore (54 per cent), Durres (51 per cent), and Prrenjas (55 per cent). The issue persists from previous elections and could affect the quality of the voter list.

The SP alleged that a number of people were registered fraudulently in order to inflate the number of voters and change the balance of power in some LGUs. Some SP officials made public claims that further complaints might be filed against any such voters who appeared on election day or that they would be prevented from voting. These claims contributed to tensions in the week before election day.

Candidate Registration

A total of 53 political parties registered candidates for the local elections. Of these, 22 parties contested the elections as part of the DP-led coalition, Alliance for the Citizen, and 23 parties competed as part of the SP-led coalition, Alliance for the Future. According to the CEC, there were 872 mayoral candidates, including 44 independent candidates, and some 75,000 candidates for the councils, with only 62 of these being independent. As the Electoral Code does not specify the body responsible for the registration of candidates for Tirana mayor and council elections, the CEC directly registered these candidates.

Eighteen decisions regarding denial of registration by CEAZs were eventually overturned upon appeal. In two LGUs, registered party lists were not initially put on the ballot by the CEC due to CEAZ errors. In one case the HRUP appealed to the Electoral College and was put on the ballot in the respective LGU, while in the other case there was no appeal.

Election Campaign

The elections took place in a highly polarized political environment. Some party leaders used harsh language against their opponents, including alleged corruption and responsibility for the events of 21 January 2011. Opposition parties expressed mistrust in the authorities and the election administration, while governing parties claimed that opposition-nominated election commissioners would obstruct the process.

The official campaign period opened on 8 April. Party leaders held rallies throughout Albania, and local party offices organized campaign events on a wide scale, including meetings with small groups of voters and door-to-door campaigning. There was a strong focus on the elections for mayors and heads of communes, rather than on the council elections, and particularly on the race for mayor of Tirana. Election contenders, especially the DP, stressed local issues, while the SP also focused criticism on the national government, particularly the Prime Minister. Campaign advertising was widely used by both main parties. Many SP campaign ads were strongly negative, including footage of the violent events of 21 January.

State officials, notably the President and the Prime Minister, made repeated appeals for a calm and peaceful campaign. There were a large number of violent election-related incidents in several regions, including non-fatal shooting incidents, explosions targeting the property of candidates and parties, beatings and threats, which marred the campaign environment.⁸ This is not in accordance with paragraph 7.7 of the 1990 OSCE Copenhagen Document.⁹

8 Violence was most prevalent in the regions of Tirana (Tirana city and Kamez), Durres, Korce, and Kukes.

9 Paragraph 7.7 states that participating States will “ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor

The OSCE/ODIHR EOM and the Congress delegation received a large number of allegations in most regions of the country that pressure was applied to state employees, including teachers and healthcare workers, as well as students, either to participate in DP campaign events, or to desist from opposition activities. Such pressure included threats of job loss or lower marks for students. The OSCE/ODIHR EOM assessed several cases, in Tirana, Kukes, Elbasan, Vlore and Korce regions, as credible. The Prime Minister acknowledged “sporadic” instances of such pressure and called for them to end. In addition, both the SP and the DP claimed that public sector workers were required to provide personal data on themselves and their family members, including about their place of voting, allegedly as a form of pressure. The OSCE/ODIHR EOM verified a few cases in Elbasan and Tirana regions.

There was controversy over the placing of posters and flags in many areas. Provisions in the Electoral Code and a CEC instruction regulating the responsibility of local authorities to designate public places for campaign materials were inconsistently implemented, and in many places not at all. In numerous instances this led to the removal of posters or flags, and sometimes to violent confrontations.

The use of administrative resources for campaigning is prohibited. At the outset of the campaign, the Prime Minister issued an instruction requiring state and local officials to ensure that administrative resources, particularly vehicles, would not be used for campaigning. In a limited number of cases, government officials, including the Prime Minister and incumbent mayoral candidates in Tirana and Durres, used official events for campaigning.

Media

Both broadcast and print media are largely divided along political lines. In spite of this, the diversity of media outlets allowed the voters to choose from a plurality of views. The numerous radio and television stations are the primary sources of information. The circulation of print media is limited to urban areas. The Electoral Code regulates all broadcast media during the campaign period, with strict rules for news coverage, paid advertisements and free airtime.

The media monitored by the OSCE/ODIHR EOM offered extensive coverage of the elections in different types of programs.¹⁰ This included 35 planned TV debates among party representatives and local candidates, although in 16 cases one or both candidates did not attend. The public broadcaster *TVSH* provided political parties with free airtime in accordance with the Electoral Code. The monitored broadcast media respected the provisions for campaign silence.

While the law prescribes that *TVSH* must provide equal airtime between the largest parties in news broadcasts, it devoted 42 per cent of its political news coverage to DP and 36 per cent to SP. An additional 10 per cent was provided to the DP-led government. Only 12 per cent of news coverage remained for all the other political parties. The tone of news coverage was more positive for the DP and slightly negative for the SP.

For the private channels, media monitoring showed the political division among media, but also the diversity of views available to voters. *TV Klan* favoured the ruling parties, while *Vizion Plus*

intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution”.

10 The OSCE/ODIHR EOM monitored five TV channels (*TVSH*, *Top Channel*, *TV Klan*, *Vizion Plus* and *News 24*), daily from 18:00 to 24:00 hours, and four daily newspapers (*Shqip*, *Gazeta Shqiptare*, *Panorama* and *55*).

favoured the opposition. *Top Channel* and *News 24* provided generally neutral coverage to the DP and SP but was more negative in tone towards the government.

TV Klan allotted 59 per cent of news coverage to DP, 27 per cent to SP and 7 per cent to the government. *Vizion Plus* devoted 47 per cent of its news coverage to SP, 34 per cent to DP and 7 per cent to the government. *News 24* allotted 45 per cent of its news coverage to SP and 33 per cent to the DP. Five per cent of coverage was allocated to the government. *Top Channel* devoted 41 per cent of its news coverage to SP, 31 per cent to DP and 12 per cent to the government.

The CEC appointed the Media Monitoring Board (MMB), the body in charge of overseeing the compliance of broadcast media with the legal requirement to provide balanced media coverage of the campaign. The MMB provided reports to the CEC on its monitoring and made proposals to order broadcasters to give compensatory airtime. However, some proposals made by the MMB reflected its partisan composition.

Two CEC decisions, made at the proposal of the MMB, were controversial. On 14 April, the CEC ordered the media to stop the airing of two SP campaign ads on the grounds that the SP was not clearly recognizable as the sponsor. The decision was based on Article 84.4 of the Electoral Code, even though this article does not specify how a campaign ad should be marked.¹¹ The ads were broadcast again after they were more clearly identified as being from the party.

The second decision ordered broadcasters to air tapes prepared by electoral subjects in case the stations could not provide their own news coverage and gave political parties the power to determine the allocation of news coverage between party and candidate activities.¹² The decision departed from the Electoral Code and gave parties influence over editorial decisions of broadcast media. The decision was overturned by the Electoral College.

On 29 April, the CEC rejected an SP proposal to suspend the airing of DP campaign ads on TV channels that exceeded the legal limit of 90 minutes.¹³ The CEC based its rejection on the grounds that coalition-sponsored ads supporting candidates should be counted separately from party-sponsored ads. As a consequence, the limit was recalculated to account for the number of parties in a coalition, to 411 minutes for the DP-led coalition and 310 minutes for the SP-led coalition.

Complaints and Appeals

The CEC reviews complaints on the conduct of the electoral process, on decisions of the CEAZs and on the failure of CEAZs to reach a decision. CEC decisions, and failure to reach a decision, can be appealed to the Electoral College of the Court of Appeals of Tirana, whose decisions are final. The Electoral College consists of eight judges selected by a drawing of lots. Major parliamentary parties are granted the right to reject judges without giving any reason, a provision that undermines the principle of the independence of the judiciary.¹⁴

Up to election day, the CEC reviewed 57 complaints pertaining mostly to denial of registration of candidates by CEAZs. The CEC examined some 40 of these cases on their merits and granted

11 CEC Decision No. 425.

12 CEC Decision No. 460. Three broadcasters had stated they would not use such tapes. In a few instances, these media did use broadcasting signals provided by parties but did not appear to use tapes provided by parties.

13 Article 84.5 of the Electoral Code allocates large parties (DP and SP) 90 minutes each, smaller parliamentary parties 45 minutes each, and non-parliamentary parties 10 minutes each.

14 As stated in paragraph 5.12 of the 1990 OSCE Copenhagen Document.

registration to 22 candidatures. In two cases the CEC applied different standards to a non-parliamentary party and a parliamentary party, ordering the CEAZ to accept the registration documents in the latter case on the grounds that the voters' right to choose had to be protected, while rejecting the appeal of the other party.

During the pre-election period, the Electoral College reviewed 33 appeals against CEC decisions. Twenty-two of these pertained to candidate registration or refusal of registration. Most of these were challenges to the registration of independent candidates and smaller parties by parliamentary parties but most were unsuccessful. Other appeals pertained to media (see Media Section), the establishment or location of VCs, the use of reserve stamps, and the content and form of ballots.

The Electoral College adjudicated the appeals in an expedited manner and respected the procedural rights of the parties. It did not provide its reasoning, except in one case. Even though the Electoral College decisions are final, the reasoning is important, particularly when a CEC decision is returned to the CEC for review.

Participation of Women

Women's representation in the political life of Albania remains low. Out of 140 MPs, 23 are women (16 per cent). The Electoral Code stipulates that in local elections one in every three names on each candidate list must belong to each gender. Failure to respect the quota results in a fine of only 30,000 ALL (approximately 213 Euros). A number of party lists initially did not meet the gender requirement, but parties were given an opportunity to correct their lists. The CEC has fined one party for not respecting the gender requirement (Party for Justice, Integration and Unity list for Tirana council) but stated that it would not review the compliance of candidate lists submitted from CEAZs prior to election day. There appeared to be numerous instances in which candidate lists for council elections did not meet the gender requirement. In these elections, out of the 872 mayoral candidates only 14 were female (2 per cent).

The Electoral Code contains provisions to ensure the participation of women in the CEC and in the CEAZs. Two out of seven members of the CEC are women. The number of women among members of CEAZs is low, particularly in leading positions. Based on the data from the CEC, women represent 26 per cent of all CEAZ members, but only a small percentage of chairpersons and deputies. There is no gender requirement for VCCs; election day observation showed that only some 13 per cent of the VCC chairpersons were women.

Participation of National Minorities

Rights of national minorities are guaranteed under the Constitution, although there is no official data on their numbers. The most significant minority is the Greek community, located mainly in the south of the country. Smaller minorities include Roma, Egyptians, Vlachs, Macedonians, Bulgarians, Serbs, Montenegrins and Bosniaks. Four political parties presenting themselves as minority parties were running for these elections: the HRUP, the Greek Ethnic Minority for the Future Party, the Macedonian Alliance for European Integration, and the New Tolerance Party. The number of national minority representatives in the election administration is unknown.

The OSCE/ODIHR EOM received reports of pressure exercised on some representatives of the Egyptian community by public authorities.¹⁵ Various interlocutors expressed concern over alleged vote-buying attempts in many Roma and Egyptian communities. A number of Roma and Egyptian voters may have been disenfranchised due to lack of proper identification documents.¹⁶

Domestic Observers

The Electoral Code provides for domestic and international observation at all levels of the election administration. Election observers from civil society organizations were accredited by the CEC and party observers by the CEAZs. The accreditation process was conducted in an inclusive manner. Among the domestic observers, 4,617 represented non-governmental organizations (NGOs). For parties in a coalition, the right to appoint observers lies with the coalition rather than the parties; however, candidates may be present in BCCs.

Eighteen NGOs joined together as the Coalition of Domestic Observers, which deployed around 170 long-term and over 900 short-term observers. The Coalition stated that they would visit all VCCs and BCCs throughout the country. Other domestic observers included the Albanian Helsinki Committee and the Forum of Local Observers Monitoring Women's Participation in the Election Process.

Election Day, Counting and Tabulation of Results

Election day was relatively calm compared to the pre-election campaign. The election day process was affected by disorganization in a number of VCs, but most problems in these VCs were procedural in nature. The transparency of the election day process was assessed positively, overall. Political contestants deployed representatives to nearly all VCs and BCCs, while domestic non-party observers were present in one fifth of VCs visited. The CEC announced a national turnout of 51 per cent.

The majority of VCs observed opened late (57 of 75). Some delays were due to missing election material, including ballots, ink, or ballot boxes, but also to arguments of VCC members over procedures. Observers reported procedural problems in 19 VCs and unauthorized persons inside 10 VCs, mostly party activists. These factors led to observers assessing the opening of VCs negatively in a high number of cases (21 VCs). Mistakes in the production or distribution of ballots resulted in three electoral races not being held, and voting was cancelled in another eight VCs.¹⁷

The voting process was assessed positively by observers in 90 per cent of VCs visited. The negative assessment in the remaining 10 per cent was mainly due to procedural problems, which may have been caused by the late appointment of VCC members and a consequent lack of standardized training. The procedures were not always followed in 16 per cent of VCs observed, and the VCCs did not seem familiar with the procedures in 12 per cent. This was particularly evident in the inking procedures, with voters' fingers not consistently checked for ink (20 per cent of observations) and

15 The OSCE/ODIHR EOM was informed that payments of their monthly social allowance would be discontinued unless they voted for the ruling party.

16 Lack of civil registration and identification documents by a number of Roma and Egyptians has also been acknowledged by authorities as an continuing problem.

17 Due to ballot printing or distribution errors, mayoral races were cancelled in Paper and Pishaj Communes in Elbasan region (CEAZs 14 and 15), and the council race was cancelled in Molles Commune CEAZ 31 (Korce). Elections will also be repeated in Shllak, CEAZ 42 (Shkoder), where not all ballot papers were received and the SP VCC members walked out. DP commissioners walked out of VC 2801 Stravaj, CEAZ 17 (Elbasan).

voters not inked (7 per cent). Group/family voting, which violated the secrecy of the vote, was observed in 21 per cent of VCs visited. Many VCs were overcrowded (14 per cent) or had an inadequate voting layout (6 per cent). Tension or disturbances were observed inside 7 per cent of VCs visited. Some election materials were missing in 4 per cent of VCs. The assessment of observers varied regionally, with Tirana being assessed overall more positively (94 per cent).

Although to a lesser extent than procedural problems, a number of irregularities were noted. Voters were intimidated in 15 cases (almost 2 per cent of observations) or influenced in their choice (4 per cent). Proxy voting was observed in 5 per cent of VCs visited and the same person “assisting” multiple voters in 3 per cent. Observers also verified two cases of ballot box stuffing.

In 18 of 72 VCs observed, the closing procedures were not always fully applied. In 6 VCs there was tension or unrest, and the closing in some VCCs was unduly delayed. The observers evaluated the closing as positively in 56 VCs. The transport of materials to BCC was evaluated positively for all VCs observed.

At the time of writing, the observed BCCs seem to function well and transparently, with some exceptions. However, counting proceeds at a slow pace and is marked in some cases by unscheduled interruptions. The counting has been assessed as disorganized at times. The activities are affected by tension (25 BCCs) and by the presence of unauthorized persons (30 BCCs), although they are generally not interfering with the counting process. The understanding of the counting procedures is assessed as poor in 10 BCCs.

Contrary to previous practice, at the time of writing the CEC publication of preliminary election results was not broken down by VC and CEAZ, but rather limited to the total number of votes obtained by the candidates and electoral subjects.

***The English version of this report is the only official document.
Unofficial translation is provided in Albanian.***

MISSION INFORMATION & ACKNOWLEDGEMENTS

Tirana, 10 May 2011 – Following an early invitation from the Permanent Mission of the Republic of Albania to the OSCE on 5 November 2010, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 28 March. The OSCE/ODIHR EOM has a 16-member core team and 24 long-term observers deployed to 11 locations throughout the country. On election day, some 315 short-term observers were deployed. In total, there were observers from 36 OSCE participating States. Jonathan Stonestreet is the Head of the OSCE/ODIHR EOM.

Following an invitation from the Minister of Interior, the Bureau of the Congress decided to observe the local elections. A pre electoral mission was conducted on 12-13 April to carry out a first political assessment of the situation. The Congress organized its observation mission from 4-10 May. The delegation included 14 local and regional elected representatives from 11 countries. Four members of the delegation are members of the EU Committee of the Regions. The head of delegation is Hana Richtermocová from the Czech Republic. Volkram Gebel from Germany is the Rapporteur.

Observers visited over 1,000 VCs out of a total of 4,882, and observed the counting of ballots and tabulation of results in 54 out of the 66 BCCs.

The institutions represented wish to thank the authorities of Albania for the invitations to observe the elections, the Central Election Commission for its co-operation and for providing accreditation documents, and the Ministry of Foreign Affairs and other authorities for their assistance and co-operation. The

institutions also wish to express appreciation to the OSCE Presence in Albania and other international institutions for their co-operation and support.

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