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to the international organizations
Vienna

Statement of the Delegation of Albania,
On Democratic election and follow up on of election
observation recommendations in Albania

As delivered by the Permanent Representative, Ambassador Spiro Koçi,
At the Human Dimension Implementation Meeting
Working Session 8,

30 September 2011

Mr. Moderator,
Distinguished Colleagues,

Albania has fully aligned itself with the statement delivered by Sweden on behalf of the EU and supports it in full. Nonetheless, we would like to share with this distinguished audience some remarks on a national capacity. They relate to the Albania's longstanding and successful cooperation with the ODIHR in the remit of election observation and our intentions to upgrade this cooperation by following up on recommendations contained in the 2009 and 2011 elections reports. I thank also the distinguished representative of the US and assure him that his remarks on elections in Albania will be duly conveyed and well received in Tirana.

Mr. Moderator,

At this point, I wish to reiterate the appreciation of the GoA for the work carried out by ODIHR in Albania during the last years in monitoring general and municipal elections alike. In particular, we highly value the attention that the OSCE pS and the ODIHR have devoted to the local government elections held on 8 May 2011.

We are grateful to the ODIHR for deploying a large Election Observation Mission and to the pS for seconding hundreds of short-term observers. We thank them for the report released by mid August, which, in our opinion, was objective and inspirational for future election in Albania.

The GoA fully shares the crystal-clear assessment of this report that the local government elections were competitive, transparent and laid the groundwork for future progress. We entirely endorse the findings that the electoral system ensured the integrity of the process, whereas the counting process was assessed overall positively.

Competitiveness stands out as a founding pillar of a free and fair election process. This principle is about ensuring equality among candidates and the right of all citizens to equally participate in the electoral process.

According to the Copenhagen commitments a competitive election process is also based on the equality of financial resources at the disposal of the ruling majority and the opposition. We are pleased to note that this was case in Albania's municipal elections, as rightly pointed out by the report. Indeed, the latter positively assessed the decision of the Council of Ministers to ban the use of public resources for the electoral race. By this decision the GoA set a standard that cannot be reversed. In this connection, the Report refers directly to the Copenhagen commitments and highlights the importance of this element in ensuring competitive, free and fair elections.

At this juncture, permit me to dwell upon the elections for the mayor of Tirana. Here, I would like to recall that the electoral race was unprecedentedly tight and the result quite exceptional, with the two candidates divided by only 10 votes out of more than a quarter of a million of ballots cast. Such a narrow result, which could have challenged even older and more mature democracies, posed an extraordinary test to the electoral system of Albania. It led to a series of lawsuits and counter lawsuits filed by both candidates, which delayed the official results for weeks.

Now that the process is over, it is relevant to stress that this electoral dispute was overcome by exhausting all legal means provided by the Albanian law and constitution. Indeed, the dispute was addressed by upholding the principle that each and every valid vote should be counted for. It is in this spirit that the election administration institutions decided to count 762 misplaced ballots and declare the final result.

This neck to neck race, which very much resembled the narrow race between President Bush and Vice President Al Gore in Florida, calls for further amendments of the electoral law. As recommended by the ODIHR report, these amendments should be tailored to address the issue of miscast ballots, whose validity and legitimacy the report did not question.

The ODIHR has also expressed its readiness to support the undertakings of the Albanian authorities to follow up on the recommendations contained in the 2009 and 2011 elections reports. This process should further improve Albania's electoral code, which, as the ODIHR report has concluded, provides a

thorough technical foundation for free and fair elections. In our understanding the main ODIHR recommendation remains the call to the political parties to demonstrate political will to strictly observe the electoral code and to engage in a free and fair election process.

It is in this spirit that the GoA accepted with pleasure the offer of the ODIHR to send a senior expert team in Albania to follow up on the above-mentioned recommendations. Such visit took place from 12 to 15 September. During the visit the GoA reiterated its invitation to the opposition to kick start the discussions on the ODIHR recommendations well ahead of the 2013 elections.

The GoA is open to an all-inclusive process with the participation of the civil society and the relevant institutions of election administration. We are encouraged that both the ruling majority and the opposition have clearly indicated their commitment to make full use of the recommendations of the 2009 and 2011 elections reports as a basis for discussions to advance this important reform.

I thank you for your attention.