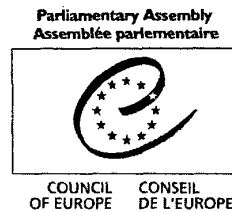


Parliamentary Assembly
Assemblée parlementaire



Doc. 10664
12 September 2005

Observation of the parliamentary elections in Albania (3 July 2005)

Report
Ad hoc Committee of the Bureau
Rapporteur: Mr Jerzy Smorawiński, Poland, Group of the European People's Party

The Parliamentary Elections in Albania on 3 July 2005 only partially complied with Council of Europe Commitments and other international standards for democratic elections. While the elections were overall competitive, and the media provided voters with a diversity of electoral information, the major political parties yet have to demonstrate political will and responsibility to a measure commensurate with the broad authority granted to them in the election process. The lack of political trust between the parties led to delays in reaching agreement on the electoral framework and negatively affected the preparations and conduct of these elections. Further electoral reform and the improvement of the accuracy of voters lists are issues of fundamental importance that need to be implemented by the authorities and political parties without further delay.

I. Introduction

1. Following an invitation by the President of the Parliament of Albania the Bureau of the Assembly decided on 25 April 2005 to set up an 40 member ad hoc Committee to observe the Parliamentary Elections in Albania to be held on 3 July 2005 and on 6 June appointed Mr Smorawiński as the Chairperson and rapporteur of this Ad Hoc Committee.
2. On 4 October 2004 a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law (Venice Commission). In conformity with article 15 of the agreement – “When the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser” -, the Bureau of the Assembly invited an expert of the Venice Commission to join the ad hoc Committee as advisor.
3. Based on proposals by the political groups in the Assembly, the ad hoc Committee was composed as follows:

Socialist Group (SOC)

Mr Andreas GROSS
Mme Fatma PEHLIVAN
Mme Josette DURRIEU
Lord John TOMLINSON

Switzerland
Belgium
France
United Kingdom

Group of the European People's Party (EPP/CD)

Mr Božidar BOJOVIĆ	Serbia & Montenegro
Mr Jerzy SMORAWIŃSKI	Poland
Mr Egidijus VAREIKIS	Lithuania

Alliance of Liberals and Democrats for Europe (ALDE)

Mr Johannes RANDEGGER	Switzerland
Mr Morten ØSTERGAARD	Denmark

European Democratic Group (EDG)

Mr Xhevdet NASUFI	"the former Yugoslav Republic of Macedonia"
Mr Ruhi AÇIKGÖZ	Turkey
Mr Valery GREBENNIKOV	Russia

Group of the Unified European Left (UEL)

Mr Leo PLATVOET	Netherlands
Mr Alexander FOMENKO	Russia

Venice Commission

Mr Oliver KASK	Estonia
Mr Pierre GARRONE,	Head of Division

Secretariat

Mr Vladimir DRONOV, Head of Secretariat, Interparliamentary Co-operation unit
Mr Bas KLEIN, Deputy to the Head of Secretariat
Ms Farida JAMAL, Principal Administrative Assistant
Ms Anita DYSERINCK, Assistant

4. The ad hoc Committee acted as part of the International Election Observation Mission (IEOM) which also included the election observation missions of the OSCE Parliamentary Assembly and the European Parliament as well as the election observation mission of the Organisation for Co-operation and Security in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

5. The ad hoc Committee met in Tirana from 1 to 4 July 2005 and held, *inter alia*, meetings with representatives of the main parties participating in these elections, the Speaker of the Albanian Parliament, the Chairman of the CEC, the Head of the election observation mission of the OSCE/ODIHR and his staff, representatives of the international community in Tirana, as well as representatives of the civil society and mass media. The programme of the meetings of the ad hoc Committee appears in Appendix 1.

6. On Election Day the ad hoc Committee was split into 10 teams which observed the elections in and around Tirana, Dures, Lezhe, Elbasan, Kavaje, Shkoder, Vlore and Gjirokaster.

7. In order to draw an assessment of the electoral campaign as well as the political climate in the run-up to the elections, the Bureau sent a pre-electoral mission to Albania from 30 May to 1 June 2005. The cross party pre-electoral mission consisted of: Mr Jerzy Smorawiński (Poland – EPP/CD); Mr Morten Østergard (Denmark –ALDE); Mr Ruhi Açıkgöz (Turkey – EDG); and Mr Leo Platvoet (Netherlands – UEL). In Tirana the delegation met with, *inter alia*, representatives of parties participating in the elections; the President of Albania; the Chairman of the Central Election Commission (CEC); the Chairman of the Constitutional Court; the Prime Minister of Albania; the ministers of Justice, Public Order and Local Government and Decentralisation, the Head of the OSCE/ODIHR election observation mission; the head of the OSCE Presence in Albania; Ambassadors of Council of Europe member States as well as representatives of civil society and mass media. Furthermore the delegation made a working visit to Elbasan to assess preparations for the elections in that region. The statement issued by the delegation at the end of their stay appears in Appendix 2.

8. The IEOM unanimously concluded that the Parliamentary Elections in Albania on 3 July 2005 only partially complied with Council of Europe and OSCE Commitments and other international standards for democratic elections. While the elections were overall competitive, and the media provided voters with a diversity of electoral information, the major political parties yet have to demonstrate political will and responsibility to a measure commensurate with the broad authority granted to them in the election process. The lack of political trust between the parties led to delays in

reaching agreement on the electoral framework and negatively affected the preparations and conduct of these elections. Further electoral reform and the improvement of the accuracy of voters lists are issues of fundamental importance that need to be implemented by the authorities and political parties without further delay. The press statement issued by the IOM appears in appendix 3.

9. The ad hoc Committee wishes to thank the Parliament of Albania, the OSCE/ODIHR election Observation Mission and the Special Representative of the Secretary General of the Council of Europe in Albania for their co-operation and support provided to the ad hoc Committee and its pre-election mission.

II. Political and legal context

10. The Parliamentary Elections in Albania take place against the backdrop of remarkable economic progress achieved over the last years. The political system in Albania however continues to be highly polarised with two parties, the ruling Socialist Party and the opposition Democratic Party, dominating the political scene and electoral process. Previous elections have not yet met Council of Europe Commitments and Standards for democratic elections. The 2005 Parliamentary Elections were therefore a crucial test for Albania to show that it has the political will and capacity to organise genuinely democratic elections in conformity with the standards it committed itself to when joining the Council of Europe.

11. The unicameral parliament of Albania consists of 140 members, of which 100 are elected in single mandate majoritarian constituencies. The other 40, supplementary, mandates are elected from nation wide party or coalition lists with a 2,5 % threshold for parties and a 4% threshold for party coalitions. The constitution of Albania states that: *"the total number of deputies of a party [...] shall be, to the closest possible extent, proportional to the valid votes won by them on the national scale.."* The electoral code therefore stipulates that the 40 supplementary mandates are allocated in such a manner that the parties total share of mandates will approximate to the closest possible extent the percentage of the vote received by their respective electoral lists. Under this system parties that gained more mandates in the single mandate constituencies than their proportional entitlement do not participate in the allocation of the supplementary seats, while parties that gained less mandates in the single mandate constituencies than their proportional entitlement are compensated to the closest possible extent.

12. The Electoral Code has been amended several times since the last Parliamentary Elections (2001) and the Election Code in its latest revision was finally adopted by Parliament on 10 January 2005 after a protracted negotiation between the governing Socialist Party (SP) and main opposition party – the Democratic Party (DP) – and their respective allies. The new Electoral Code brings about several improvements and seeks, to an extent, to implement the recommendations made by the Parliamentary Assembly, the Venice Commission and the OSCE/ODIHR. Although not all recommendations were taken fully into account, and several shortcomings remain, the new Electoral Code in general could serve as basis for the organisation of democratic elections if there is the political will to implement its provisions effectively and in good faith by all political parties, state institutions and officials responsible for upholding the law.

13. Voting strategies where parties call for their supporters to support one party in the majoritarian vote and another in the proportional vote (referred to as strategic voting in Albania) are problematic in the Albanian context. While voting strategies are not problematic per se, in Albania they run counter to the Constitutional provisions for proportionality and are disproportionately rewarded under the Albanian electoral system, which could potentially skew the outcome of an election.

14. A shortcoming of the amended electoral code is that it fails to ensure transparency and certainty in the allocation of mandates to the party lists by being ambiguous about the possibility for parties to re-order the ranking of candidates on the proportional lists after the elections have taken place. In the joint recommendations the Venice Commission and the OSCE/ODIHR noted that the possibility for re-ranking candidates on the proportional lists after the voters have cast their ballots would run counter to international standards for democratic elections.

15. A new provision in the electoral code is that the votes in each electoral zone are counted centrally in a Zone Counting Centre. The pre-electoral mission raised concerns with the authorities about the daunting logistical efforts needed to transport the votes to the counting centres, especially in areas where proper infrastructure is lacking, as well as about the time needed for the central vote count. Both issues could negatively affect the overall conduct of these elections as well as undermine the confidence of voters and stakeholders in their outcome. In addition, the legal deadlines for the arrival of

the ballots at the counting centres, as well as the finalisation of the counting processes, are unrealistic for the majority of election zones potentially further undermining public confidence in the electoral process.

16. Proper provisions for financial disclosure and transparency of campaign finances are still lacking in the electoral law and, in addition to being a point of contention between the political parties, undermine the trust of the voters in the fairness of the electoral system.

17. In addition to the new electoral code, the parliament adopted on 3 March 2005 a separate law on the boundaries of the election zones after a long and protracted negotiation between the SP and DP on the redrawing of those boundaries. The final compromise is an improvement with regard previous boundaries, but does not fully meet the legal requirement in a number of zones that no zone may deviate more than 10% from the average number of voters on the national scale.

III. Election Administration

18. The Parliamentary Elections in Albania are administered by the three-tiered election administration: the Central Election Commission (CEC), 100 Zone Election Commissions (ZECs) and 4.762 Voting Centre Commissions (VCCs).

19. The CEC is a permanent body composed of 7 members with a 7 year mandate. Two members are appointed by the President of Albania, two by the Parliament and three by the High Council of Justice, with the political parties exercising considerable political influence on the nomination procedures. On 14 October 2004 an agreement was reached between SP and DP which altered the "balance" of the CEC with the parliamentary majority giving one of its 5 seats to the opposition. While most decisions by the CEC are reached by an absolute majority of 4 votes, a qualified majority of 5 votes is needed to certify the election results.

20. The ZECs are composed of 7 members appointed by the CEC based on nominations from 6 designated parties - 3 from each side of the political spectrum -, while the chairperson, the 7th member, is nominated by either the SP or DP on a parity basis determined by random selection. The VCCs and Counting Teams are appointed via an identical procedure. The result of this is a highly politicised election administration where political parties can exert considerable influence over the functioning of the electoral process through their nomination of members on election commissions at all levels.

21. The ad hoc Committee welcomes reports that the CEC in general worked professionally, unbiased and collegially during the election period. Political parties had considerable difficulties in appointing their members on the ZECs and VCCs within the legal deadlines, which hindered the training of members on a number of these commissions. The election law allows political parties to change their representatives on the election commissions right up to Election Day. Ostensibly this is done to reduce the possibility for bribing election committee members, but a considerable number of relatively last minute changes in the composition of the election commissions can undermine their proper functioning and could be used to obstruct their work on Election Day.

22. A dedicated Electoral College of the Tirana Court of appeals rules on complaints against CEC decisions. The Electoral College is composed of 8 judges selected from a random pool of eligible judges. All cases are decided by a panel of five judges also selected by lottery. Observers found that in general the court fulfilled its obligation to rule fairly and impartially.

23. The Albanian electoral law does not provide for Albanian citizens living abroad to vote. While this is closely related to the lack of an accurate voters list and civil register the ad hoc Committee regrets that this resulted in the disfranchising of a considerable number of Albanian citizens who are living abroad.

IV. Candidate and Voter Registration

24. Voters' lists continue to be problematic in Albania. New legislation to reform the voter registration process was adopted between October 2004 and January 2005. The new law transferred the responsibility of the compilation and maintenance of the voters lists from the CEC to the local government authorities, who also maintain the civil registries. However the new law does not provide for a central voters register. The preliminary voters lists were compiled on the basis of the civil registers and the 2003 voters list and then updated via a door-to-door verification process in which each voter was assigned a 10 digit numerical address. Persons who could not be contacted, and thus not be linked to their registered residence, received a numerical address ending in 999 (henceforth 999 entries). The

computerised voters lists were then entered in a central nation wide voter's database maintained by the Ministry of Local Government and Decentralisation who was tasked to check for specific problems such as duplicate records and incomplete data.

25. In total approximately 200.00 double entries, pertaining to some 100.000 voters, were identified by the Ministry of Decentralisation and Local Government. However, as the law specifies that only local governments can update voters lists the Ministry's space for remedy of these double entries was limited to informing the local governments in question. Notwithstanding that, double entries for over 80.000 voters were resolved by 8 June 2005, the date the voters lists were finalised.

26. By law, the voters list should have been displayed for public scrutiny between 1 April and 3 May 2005. This deadline was regularly postponed to give voters more time to check and correct their data and finally expired on 30 May 2005. After this deadline voters needed a court order to be added to the voters list if they wanted to vote on Election Day. It was noted that very few voters checked their entries and even fewer sought a court order to be added to the voters list before Election Day.

27. The accuracy of the final voters list remained a point of contention during the pre-electoral period, especially with regard to the high number, approximately 470.000, of 999 entries and the inconsistent approach to allocating these entries to voting centres, which resulted in some 16% of the voting centres having more than 1000 voters – the legal maximum - on their voters list. Although it is expected that a large number of these 999 entries pertain to Albanian citizens who are living abroad, but who maintain an official residence in Albania, this high number is an indication of the continued problems with the accuracy of the voters list. A controversy arose late during the pre-electoral period about the use of birth certificates as identification documents in the voting centres. This document can be easily obtained, even requested on behalf of family members, and most local governments do not keep consistent records about the certificates issued. This, and the theft of a large number of blank certificates, fuelled allegations about possible abuses such as impersonating voters in zones where the outcome was expected to be close.

28. The ad hoc Committee regrets the decision by the Mayor of Borough 2 in Tirana not to register some 1.400 students despite the fact that the law allows students to vote in their place of study. It should be noted that Election Day fell in an exam period, which would have forced students to choose between travelling to their place of residence in order to vote, or to sit their exams. Although this decision was overturned by the court, non registered students had to go to court individually to be added to the voters list, in effect disfranchising a large number of them.

29. The CEC registered a total of 27 electoral lists and more than 1.200 candidates for the single mandate election zones, 11 of which were independent candidates. The CEC initially rejected 13 party lists. Five successfully appealed at the courts against the CEC decision. Contrary to internationally accepted standards for democratic elections, many parties decided not to present a fixed ranking of candidates of their party list, instead announcing that the final ranking would be established taking into account the performance of the lists in the different election zones.

30. The SP did not make any formal coalition agreements with its allies in the parliamentary majority, although voting agreements were evident on the local level. The DP concluded written agreements with the 7 parties in the Alliance for Justice, Freedom and Welfare (AJFW) coalition. Although both parties have quotas for female candidates only 8 SP and 3 DP candidates in single mandate constituencies were women. Due to strategic voting arrangements the number of women elected from the proportional lists of these parties will be minimal. The ad hoc Committee regrets that the 2005 elections did not significantly address the under representation of women in the incoming parliament.

V. Pre-election period

31. The electoral campaign was active and highly visible. Although turning more heated and rancorous during the final weeks of the campaign, overall most parties devoted more time than in previous elections in promoting their respective political platforms. In general the election campaign provided the voters with a wide range of information necessary to help them make a choice on Election Day.

32. The ad hoc Committee welcomed the Code of Good Conduct, calling inter alia for law abidance and restraint during the campaign, which was initiated by the President of the Republic and signed by

16 parties. The signatory parties largely adhered to the provisions of this Code of Good Conduct although an increase in negative campaigning was noted in comparison with previous elections.

33. The IEOM received credible reports of, albeit isolated, violations of internationally accepted democratic standards during the campaign period such as pressure being put on some public employees and students to support one candidate or the other, police intimidation of voters, the abuse of administrative resources as well as gifts and money being offered in return for the support of one candidate or the other. The ad hoc Committee would like to stress that, if confirmed, such practises have no place in a democratic society.

VI. Media

34. The role of the media in the election campaign was clearly an improvement over previous elections with the electronic broadcasters providing a relatively balanced and unbiased coverage of the election campaign, although giving a disproportionate amount of airtime to the two main parties at the cost of the smaller parties in contravention of legal provisions. The print media offered a wide range of views although some newspapers displayed clearly partisan editorial policies.

35. The Media Monitoring Board (MMB) started its monitoring activity on 3 June. The CEC, after receiving complaints by electoral subjects regarding unfair coverage, asked the broadcasters to rebalance their airtime ratio on the basis of the monitoring reports by the MMB. In general the work of the MMB contributed positively to the conduct of media during the election campaign.

36. The electoral code stipulates that the public broadcaster should provide equal airtime to all parliamentary parties that have gained up to 20% of the seats in the previous parliamentary elections. For parties that obtained more than 20% this airtime is doubled. News coverage on public and private television and radio broadcasters, as well as the entitlement to buy paid political advertisements, are governed by the same principles. This clearly discriminates against the smaller parties and helps maintaining the dominant position of both SP and DP in the electronic media.

VII. Election day -Vote count and tabulation

37. On Election Day the vote generally took place in a calm and organised manner, although a number violent incidents marred the voting process including the fatal shooting of a polling station committee member in Tirana, which was later reported by the Ministry of Public Order as not being election related.

38. The main problems observed during Election Day were related to the apparent lack of familiarity with the voting procedures by a large number of members of voting commissions. The late appointment of members by the political parties, as well as a number of relatively late changes, may have affected the proper training of these members on the commissions. The unfamiliarity of members with the procedures resulted in a considerable number of polling stations not opening in time as well as the inconsistent application of the voting procedures including the - checking of - inking of voters to prevent multiple voting. The latter is of concern especially taking into account the controversy regarding the birth certificates and the high number of 999 entries on the voters' lists.

39. The ad hoc Committee welcomes the role of the police during these elections, which, in contradiction to earlier elections, respected their legal obligations and remained outside the voting stations during Election Day.

40. Despite considerable progress the voters list continued to be problematic on Election Day with a large number of voters being turned away at the polling stations because their names were not on the voters list. Fortunately in the majority of cases these voters were able to locate their polling station with the help of special information points at the ZEC who had access to the voters' list database of the Ministry of Decentralisation and Local Government. Discrepancies between some of the final voters lists posted on the Voting Centres prior to the elections and the lists distributed to the Voting Centre Commissions are a point of concern. In a small number of cases voters were turned away because of spelling errors in their names.

41. Observers noted that in a large number of cases the voting booths were turned in such a manner that observers and party representatives had full view of the proceedings in these booths. While ostensibly this was done to facilitate the observation process, it undermined the sense of secrecy of the vote which is a key requirement for democratic elections. Your rapporteur would suggest to the Albanian authorities to install waist high curtains in the voting booths during future elections.

42. Family voting, while occurring less frequently than in previous elections, continued to be problematic, especially in rural areas.

43. The concerns of the pre-electoral mission regarding the logistical difficulties of the centralised vote count were confirmed during Election Day and its immediate aftermath. Closing procedures in the voting centres were time consuming and a large number of polling stations were not able to transfer the ballot boxes and voting materials to the Zone Counting Centres within the 3 hour deadline originally foreseen in the election law.

44. Each of the Zone Counting Centres was composed of five counting teams which were responsible for the counting of the ballots from 40 to 50 voting centres in that zone. It should be noted that the law does not foresee breaks in the counting process nor the replacement of members on the counting teams when the counting process has started. Due to the limited number of counting teams the counting and tabulation process was lengthy. At the end of Tuesday 5 March – two days after the closing of the polling stations – the vote count was still continuing in approximately 30% of the Zone Counting Centres. In several cases the counting process was interrupted due to a walk out of members of the counting teams, partly because of exhaustion, partly because of obstruction strategies by the parties they represented. The CEC vowed to prosecute those members who interrupted the counting process.

45. The ad hoc Committee could not fully observe the counting and tabulation process due to the long time this was taking. OSCE/ODIHR observers remained in place to observe these processes till their conclusion.

VIII. Conclusions and recommendations

46. The Parliamentary Elections in Albania on 3 July 2005 only partially complied with Council of Europe Commitments and other international standards for democratic elections. While the elections were overall competitive, and the media provided voters with a diversity of electoral information, the major political parties yet have to demonstrate political will and responsibility to a measure commensurate with the broad authority granted to them in the election process.

47. These elections proved that electoral reform in Albania is still very much needed, and that the electoral system is still open to abuse and not yet sufficiently robust. The lack of political trust between the parties led to delays in reaching agreement on the electoral framework and negatively affected the preparations and conduct of these elections. Many of the shortcomings observed are structural in nature and have already been noted by the Assembly as far back as the early nineties, and have been a point of concern for the Monitoring Committee ever since. The Albanian authorities should without delay continue the process of electoral reform to address the shortcomings noted during these elections as well as their underlying reasons. In the view of the ad hoc Committee it would be unacceptable if the same shortcomings were to be observed again during the upcoming local elections. The Assembly can not be asked to show unlimited patience in this respect.

48. Similarly, the continued inaction of the Albanian authorities in introducing a uniform system of addresses of buildings as well as new personal identity documents across the country diminishes the considerable efforts undertaken to improve the voters lists for these elections. These are issues of fundamental importance which have been mentioned by the Monitoring Committee a number of times, and whose resolution requires immediate and unconditional commitment by the Albanian authorities and political parties.

49. While deploying voting strategies is not problematic per se, in the Albanian context they run counter to Constitutional provisions for proportionality and are disproportionately rewarded, potentially skewing the outcome of elections. The issue of strategic voting should therefore be addressed in the electoral reform process after these elections.

50. The long period of time between the closing of the polling stations and the announcement of the results of the elections undermines public confidence in the electoral process and its outcome, and led to considerable tension among party supporters when both governing and opposition parties claimed victory on the basis of partial results. The ad hoc Committee therefore recommends for future elections to substantially increase the number of counting teams in each of the Zone Counting Centres, if the principle of the centralised counting is maintained in the new electoral law.

51. The ad hoc Committee welcomes the positive role of the media during these elections. However, media provisions in the electoral law that discriminate against smaller parties, especially with respect to paid political advertising, should be abolished.

52. The re-ranking of candidates on the proportional lists after the voters have cast their ballot runs counter to Council of Europe standards for democratic elections and should be explicitly forbidden in the new electoral law.

53. The late appointment and/or changes by parties of their members on the election commissions negatively affected the conduct of these elections. The new electoral law should set a clear deadline for appointments and changes in such a manner that the proper training of all members on the polling stations can be guaranteed

52. The continued antagonism between the main political parties, especially taking into account their dominant position, hinders political reform in Albania. The ad hoc Committee calls upon these parties and their leadership to fully respect the trust and responsibility invested in them by the Albanian electorate and to show a more constructive and inclusive approach in the upcoming reform process than has been the case till now.

APPENDIX I

AS/BUR/AH ALB (2005) 5
23 June 2005

**AD HOC COMMITTEE FOR THE OBSERVATION OF THE PARLIAMENTARY ELECTIONS IN
ALBANIA**

3 July 2005

PRELIMINARY DRAFT PROGRAMME

Thursday, 30 June 2005

Arrival of the members of the ad hoc Committee
All members will be met at the airport and provided with transport to:

*Hotel Rogner Europapark,
Bvd Deshmoret e Kombit
Tirana
Albania
Tel : + 355 (0)42 35035
Fax : +355 (0)42 35050*

Friday, 1 July 2005

Hotel Rogner

10:30 – 12:00 Ad Hoc Committee Meeting

Joint briefing programme with the delegations of the OSCE-PA and European Parliament

15:00 – 17:00 Opening remarks by the Heads of Delegation
Meetings with NGOs and Mass Media representatives
Meeting with Mr Ben Blushi, Minister of Decentralisation and Local Government

17:30 – 19:30 Briefings prepared by the OSCE/ODIHR Election Observation Mission in Albania

- Opening remarks by Head of Mission Jorgen Grunnet and Deputy Head of Mission Paul O'Grady
- Legal Analyst Jessie Pilgrim: Legal background and the election law
- Political Analyst Laurent Marion: Political background
- Election Analyst Stefan Krause: Election administration, voting and counting procedures
- Media Analyst Mirella Marchese: Media landscape
- Dr. Rubin Zemon: Minority issues
- Gender Expert Edeltraud Gatterer: Gender issues
- PA Liaison Officer Tiina Ehrnrooth and Logistics Officer Pawel Jurczak: Program for PA teams and logistical arrangements

Saturday, 2 July 2005

Hotel Rogner

Joint briefing Programme (continued)

09:00 -12:00 Central Election Commission: Head of the CEC Ilirijan Celibashi

Political parties:

- Socialist Party - SP
- Movement for National Development
- SDP
- Socialist Movement for Integration - SMI
- Democratic Party - DP
- Republican Party
- Human Rights Union Party

Afternoon: Deployment to the regions

Sunday, 3 July 2005

Observation of the Parliamentary Elections

Monday, 4 July 2005

Hotel Rogner

09:00 – 10:30 Ad Hoc Committee Meeting

10:30 – 11:00 Joint debriefing with the OSCE-PA and EP delegations

16:00 Joint Press Conference (TBC)

Afternoon:

Departure of the members of the ad hoc Committee

Tuesday, 5 July 2005

Departure of the members of the ad hoc Committee (continued)

APPENDIX 2

PRESS RELEASE**Coming parliamentary elections are a window of opportunity for Albania, says PACE delegation**

Strasbourg, 02.06.2005 – “The main conditions are in place for democratic elections in Albania. However the truly democratic conduct of elections – in line with commitments Albania subscribed to when it joined the Council of Europe – depends now on the political will of the authorities and parties participating in these elections. The election commissions and party leadership bear a special responsibility to ensure that their members act not only according to the letter, but also according to the spirit of the law.” These were the main conclusions of the four-member(*) pre-election mission of the Parliamentary Assembly of the Council of Europe (PACE) that visited Albania from 30 May to 1 June to assess the preparations and political climate in the run-up to the parliamentary elections scheduled for 3 July 2005.

While satisfied with the general conditions, the delegation said some main areas of concern remained that need to be urgently addressed in order to ensure genuinely democratic elections:

- Despite the enormous progress achieved with the compilation of voters' lists, for which the authorities should be hailed, the lists are still far from being perfect and will have a large number of omissions or incomplete data that could potentially disenfranchise a considerable part of the Albanian electorate. The authorities should ensure a fast-track mechanism at the relevant courts to ensure that voters can easily make corrections to their data on the voters' lists well in time before the elections take place.
- Voter awareness is very low in Albania, which is problematic, especially considering the still incomplete state of the voters' lists. The CEC should urgently start a voter education campaign that will also exhort voters to check their personal information on the voters' lists.
- The logistical and practical arrangements necessary for the centralised vote count are daunting and could potentially have a negative impact on the overall conduct of the elections and the confidence of the voters in their outcome. A lot needs to be done to ensure that all votes are correctly counted within the time limits set out in the election law.
- The political discourse of the parties competing in these elections is still very much antagonistic and fails to address the issues necessary for voters to make an informed choice on election day.
- Financial disclosure and transparency of campaign finances are still lacking and, in addition to being a point of contention between the political parties, this undermines the trust of voters in the fairness of the electoral system.

The delegation would remind the mass media of their special responsibility to allow balanced and fair access to, and coverage by, the media of all parties participating in these elections.

The delegation especially welcomed signature by all parties of the code of conduct proposed by the President of Albania, and expects that all parties will fully honour this code of conduct, in both letter and spirit. A fair election campaign is an essential requirement for truly democratic elections.

The Parliamentary Assembly will return to Albania with a 40-member delegation to observe the elections on 3 July 2005.

Contact: Vladimir Dronov, PACE Secretariat, mobile + 33 663 493 792.

 (*) Jerzy Smorawiński (Poland, EPP/CD), head of the pre-electoral delegation
 Morten Østergaard (Denmark, LDR)
 Ruhi Açıkgöz (Turkey, EDG)
 Leo Platvoet (Netherlands, UEL)

APPENDIX 3

PRESS RELEASE

Albanian elections competitive but weakened by insufficient political will and a system open to abuse

TIRANA, 4 July 2005 - The parliamentary elections in Albania on 3 July complied only partially with international commitments and standards for democratic elections. The elections were competitive and voters were provided with a diversity of information. While the Central Election Commission has so far administered the elections professionally, state and local authorities and major political parties have yet to demonstrate political will that corresponds with their responsibilities for the electoral process.

These are the preliminary conclusions of the International Election Observation Mission for the parliamentary elections in Albania on 3 July. Some 410 observers from 36 countries observed the elections for the four organizations represented in the mission.

"Overcrowding, delays and uncertainty regarding identification of voters gave an impression of disorganisation but so far few allegations of serious irregularities have been substantiated," said Jørgen Grunnet, Head of the Election Observation Mission of the OSCE's Office for Democratic Institutions and Human Rights, ODIHR.

Doris Pack, MP, who headed the delegation from the European Parliament, said: "The election system remains open to abuse. Intentionally inaccurate voter lists have left voters disillusioned."

Senator Jerzy Smoravinski, Head of Delegation of the Parliamentary Assembly of the Council of Europe, added: "The delay in launching the electoral reforms to address the shortcomings from previous elections affected negatively the preparation and conduct of these elections. The authorities and political parties should continue without delay the reforms in order to redress the remaining shortcomings noted by the IEOM.

Ambassador Andreas Nothelle, who coordinated the OSCE's Parliamentary Assembly Delegation, said: "The Albanian voters and the local voting commissions were obviously dedicated to make use of their rights and have free and fair elections. By that they showed more democratic maturity than some of their political leaders, who should understand that reciprocal allegations aimed at influencing international observers create distrust, detrimental to the development of a democratic society."

Election day was generally peaceful but a few violent incidents, one fatal, cast a shadow over the process. The conduct of the poll showed only limited progress over previous elections. In many cases observers noted incorrect procedures, particularly regarding the use of ink to prevent multiple voting, the secrecy of the vote and the checking of voters' identities. While some voters were turned away from polling stations because their names did not appear on voter lists, this affected relatively few voters. A few polling stations could not open on time since they did not receive voter lists.

The OSCE/ODIHR will remain in Albania to continue the observation until the completion of the election process, vote count and hearing and ruling on complaints.

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