



## **Contestants campaigned freely, fundamental freedoms respected in Albania elections, but politicized election administration reduced trust in process, international observers say**

TIRANA, 26 June 2017 – The 25 June parliamentary elections in Albania took place following a political agreement between the leaders of the Socialist Party (SP) and Democratic Party (DP) that secured the participation of the opposition. Electoral contestants were able to campaign freely and fundamental freedoms of assembly and expression were respected. The implementation of the political agreement, however, created challenges for the election administration and resulted in a selective and inconsistent application of the law, the international observers concluded in a statement today.

The continued politicization of election-related bodies and institutions, as well as widespread allegations of vote-buying and pressure on voters, reduced public trust in the electoral process, the statement says.

“It is good that the elections could be held and that promises were made to improve elements of the electoral process that have created so much distrust in the past in the functioning of this key component of a democratic system,” said Roberto Battelli, Special Co-ordinator and leader of the short-term OSCE observer mission. “In light of this, it is disappointing that so much of what we observed was a repetition of past practices – in particular concerns related to pressure on voters, creating a negative atmosphere. I hope the new government will engage in serious efforts to improve this key aspect of free and fair elections.”

“The agreement between the leaders of two main political parties, which made these elections possible, was a positive development. However, the agreement also led to strains on the electoral process,” said Paolo Corsini, Head of the delegation from the Parliamentary Assembly of the Council of Europe. “It is time for Albania to move forward towards genuine democracy bound by the rule of law.”

The elections took place in the context of a long-standing and deep political division between the SP of the ruling coalition and the opposition DP, as well as of low public trust in the electoral process, the observers said. Positively, the internationally mediated political agreement reached on 18 May between the leaders of the two parties ended a three-month standoff, and allowed the DP to nominate several key ministerial positions.

“I have witnessed a broad desire to overcome once and for all the political gridlock that has held Albania back for too long,” said Marietta Tidei, Head of the delegation from the OSCE Parliamentary Assembly. “I sincerely hope that this momentum, triggered by the political agreement, will be exploited to the fullest in the best interests of our Albanian friends, to meet their domestic ambitions and aspirations for integration into the European Union. We will continue to support Albania.”

“We hope these elections will create a positive political atmosphere that will enable the government to make progress in implementing the reforms needed to move further towards the EU accession process.” said Eduard Kukan, Head of the delegation from the European Parliament.

The campaign presented a variety of political options and was significant throughout the country, although widespread allegations of vote-buying, concerns over misuse of state resources, and workplace-related pressure on voters further undermined public trust. Some 40 per cent of candidates were women, and women were active in the campaign. Several campaign events specifically targeted women voters.

Media provided the electorate with extensive campaign coverage and a range of political opinions, but with only a limited analytical approach. Media monitoring revealed that all monitored television stations

focused mainly on the activities of the three largest parties. The public broadcaster complied with the legal obligation to provide proportional free air time to parties.

Election day proceeded in an orderly manner, but key procedural irregularities and omissions were observed, including inconsistent ink verification procedures, instances of proxy and group voting, and interference by unauthorized party activists. Concerns were noted about possible intimidation by groups of party activists in and around voting centres, the statement says. Counting procedures were not always followed, and transparency was not guaranteed.

The Central Election Commission (CEC) registered 15 political parties within the legal deadline, and three more following the political agreement – after the deadline. At the same time, two prospective contestants were denied registration due to late nomination. While largely inclusive, the candidate registration process suffered from selective and inconsistent application of the law, the statement says

The CEC operated transparently, with regular public sessions, and completed its core tasks despite the complex set of legal, institutional, financial, and administrative challenges that followed the political agreement. It did not, however, take measures to clarify inconsistencies related to newly amended legislation, and some of its decisions were not consistent or legally sound. The formation of lower-level election commissions was completed long after the legal deadlines, due to the late nomination of commissioners by parties. This, together with the high number of replacements, meant many election staff were not trained. Altogether, this negatively impacted on the efficiency of the election administration.

The legal framework provides an adequate basis for the conduct of democratic elections, even though many prior OSCE/ODIHR and Council of Europe Venice Commission recommendations were not addressed, including the need to depoliticize key aspects of the election administration. Legal changes following the political agreement aimed at enhancing campaign finance oversight and ensuring free advertising in all broadcast media. However, the manner of implementation demonstrated the primacy of political interests over respect for the rule of law. The late introduction of legal changes and lack of meaningful public consultation created legal uncertainty and negatively affected the administration of several electoral components.

“Importantly, fundamental freedoms were respected in a process where contestants were able to campaign freely,” said Ambassador Peter Tejler, Head of the election observation mission from the OSCE Office for Democratic Institutions and Human Rights. “Unfortunately, the continued politicization of the institutions and bodies responsible for administering the election’s limited public trust in the electoral process. Longstanding shortcomings have to be addressed to ensure public confidence.”

The amended legislation contributed to transparency and accountability of campaign financing, addressing some earlier OSCE/ODIHR and Council of Europe recommendations. New measures to reduce campaign costs were welcomed by most mission interlocutors. Transparency was reduced by the absence of disclosure requirements before election day.

The law provides for citizen and international observation at all stages of elections. In a positive step, the CEC obliged the lower-level commissions to publicly display the counting results protocols, adding to transparency. Accreditation of observers was inclusive, and all contestants were able to observe voting, counting and tabulation.

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