

ELECTIONS FOR THE ASSEMBLY OF ALBANIA

25 JUNE 2017

FINAL
MONITORING
REPORT

THE COALITION OF DOMESTIC OBSERVERS

ABOUT CDO



The Coalition of Domestic Observers is an alliance of non-governmental and non-partisan organizations, the core of activity of which is the development of democracy in Albania and defense for human rights, especially the observation of electoral processes. Since its establishment in 2005, the network of organizations in CDO has grown to include dozens of members.

CDO considers the observation of electoral processes by citizen groups as the most appropriate instrument for ensuring transparency, integrity and credibility of elections. CDO strongly believes that engaging citizens in following electoral processes does more than just promote good elections. Empowering citizens to observe the electoral process, among other things, helps to ensure greater accountability of public officials.

The leading organizations of CDO - the Society for Democratic Culture, KRIIK Albania and the For Women and Children Association - are three of the most experienced domestic groups. In fulfillment of the philosophy of action, these organizations announce relevant actions depending on the electoral or institutional process to be followed. All interested civil society organizations are invited to join the action, thus CDO re-assesses periodically, openly, and in a transparent manner the best values of network functioning.

The critical values of this network are independence, expertise and cooperation between civil society organizations. The activity of the Coalition in election observation activities is guided by the "Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations" and the conduct of observers by the "Code of Conduct for Non-partisan Citizen Election Observers and Monitors".

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November 2016 – July 2017

**THE MONITORING ACTION FOR THE ELECTIONS
FOR THE ASSEMBLY OF ALBANIA OF 25 JUNE 2017**

has been realized by:



THE COALITION OF DOMESTIC OBSERVERS (CDO)

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INTRODUCTION

The Final Observation Report for the Elections for the Assembly of Albania of 25 June 2017 is a summary of findings, analysis and assessment made by CDO following the nine-month period of the observation action. The period covered in this Report spans from the determination of the number of mandates for electoral constituencies by the CEC, on November 2016, until the announcement of final results, on July 2017.

This Final Report has been preceded by three Interim Reports, two Preliminary Statements on the processes of voting and vote counting, a Public Stance on finances of electoral subjects and one Report on Electoral Justice¹.

This Final Report, together with previous ones, constitutes a compilation of the findings and analysis on the activity and behavior of election commissions at all levels, other institutions responsible for the electoral process, and other actors involved.

For the observation of this electoral process, including Election Day and the vote counting process, CDO has accredited and trained approximately 1,900 observers and engaged 1,600. The Observation Action was supported by 34 organizations, throughout the country and was led by the Steering Committee of CDO and a coordination and expert team.

The activity of election administration at all levels as well as the activity of other responsible institutions was followed by 73 long-term observers. Observers also followed the overall political and institutional developments, behavior of the local and central state administration, and, to the extent possible, the progress and elements of campaign finance. Special attention was dedicated to the monitoring of the complaints and appeals process in both levels of administration and at the Electoral College. 1,500 short-term observers observed Election Day, the vote count process, the activity of the second level commissions in preparation of Election Day, during voting and the vote counting process, until the tabulation of the results.

¹ "Public Stance – The Electoral Process 2017 and other Institutional and Political Processes Related to it" published on 07.04.2017; "Second Interim Monitoring Report" published on 05.06.2017; "Third Interim Monitoring Report" published on 23.06.2017 and "Monitoring Report on Electoral Justice – Parliamentary Elections 2017" published on 31.08.2017.

On Election Day, CDO engaged both stationary and mobile observers, as well as additional observers that followed the process in special polling stations.

The bulk of short-term observers were stationary and observed a representative sample of randomly selected polling stations, which enabled the generalization of the findings for the whole country with a confidence level of 95% and within a margin of error of 4.69%². A Statistical Based Observation methodology was used for the second time by CDO, the first since the Elections for the Assembly of Albania of 2013. For the first time in Albania, during these elections CDO observers used a smartphone application to transmit data to the Operations Center, as a quicker and more effective data transmission means.

The elections for the Assembly of Albania of 25 June 2017 were the seventh general elections observed by the Coalition of Domestic Observers (CDO)³. CDO has also continuously followed the processes for the reform of the legal framework throughout this period.

As a network of domestic non-profit organizations that operate in the fields of democracy and human rights, The Coalition has followed and continuously follows electoral processes, other institutional or political developments that effect development of democracy, political rights and freedoms of the citizens or electoral matters.

2 On Election Day, CDO observed 541 polling stations throughout the country. After the analysis and data cleaning, findings are based on data from 524 polling stations. Every polling station was observed, mainly, by two stationary observers, in shifts of seven hours each. Observers followed and assessed the opening of the polling stations, the voting process proper and the closing of the polling stations. Intake of electoral materials and the vote count was covered in all ballot counting centers throughout the country.

3 Member organizations of the CDO, besides the founding organizations and members of the Steering Committee: Society for Democratic Culture (SDC), KRIIK Albania Association and For Women and Children Association (FWCHA) for this monitoring action were:

1 Albanian Disability Rights Foundation (ADRF) - Tirana; 2 "Me the Woman" Center - Pogradec; 3 Center "Women Forum of Elbasan"- Elbasan; 4 Center "Women in Development" - Tiranë; 5 Center "Youth Movement for Democracy"- Pukë; 6 Center "Law, Business and Rural Woman " - Tiranë; 7 Center "Youth Parliament of Lezhë"- Lezhë; 8 Center "National Platform for Women"- Fier; 9 Center "Human Rights in Democracy", Tiranë; 10 Center for Women Counseling and Social Services of Kukës "- Kukës; 11 Center Woman in Development - Korçë; 12 Counselling Center for Persons with Disabilities "- Shkodër; 13 Center for the Development of Civil Society - Durrës; 14 Center for the Development of Civil Society - Korçë; 15 Regional Center "Eye of the New Media "- Gjirokastrë; 16 Vlora Youth Center (VYC) - Vlorë; 17 Center e for Agricultural Publications - Tiranë; 18 Albanian Center "YMCA Tirana"- Tiranë; 19 Albanian Environmental Center" - Tiranë; 20 Association of Needlewomen" - Korçë; 21 Association for the Protection of Rural and Urban Women's Rights - Berat; 22 "Argitira" Association - Dibër; 22 Association "Woman Toward the Future " - Durrës; 22 Association "Women in Media" - Tiranë; 25 Association "Women in Development" - Shkodër; 26 Useful to Albanian Women Association - Tiranë; 27 Association "People First "- Fier; 28 Association "For Women and Children" - Lushnjë; 29 Association for "Women with Social Issues"- Durrës; 30 Society for Democratic Culture (SDC) Elbasan - Elbasan and 31 Independent Syndicate of Typography Workers - Tiranë.

I. SUMMARY OF FINDINGS AND ASSESSMENT

The Elections for the Assembly of Albania of 25 June 2017, the 18th general electoral process in the country since the fall of the communist regime, were held to elect the 9th Parliamentary Legislature.

Despite having strong aspirations toward European integration, for almost three decades Albania continues to face both major and basic challenges regarding enforcing rule of law, building independent institutions, and fighting systematic corruption. These phenomena, in the context of a society in which all spheres are submitted to the political engine, with undesirable levels of quality of life and wellbeing, dampen enthusiasm and support of citizens for the project of democratic state formation.

In this context, the electoral process of 25 June demonstrated once more traits of a democracy still in transition, of a state-formation struggle with essential challenges of enforcing rule of law, and a political class locked in clashes between political leaders.

The climate of political tension, institutional instability, lack of mechanisms enabling a meaningful involvement of citizens in electoral platforms, and political pressure and intimidation were again hallmarks of this electoral process.

This electoral process, although in violation of many procedural and legal regulations, was calm with regard to public order, providing an opportunity for citizens to vote. However, the lack of public discussion about electoral platforms, the harsh rhetoric of political leaders, lack of transparency on finances of electoral subjects and identification of suspicious cases of voter pressure, indicated a lack of will and institutional capacity to hold democratic elections, removed from the pervasive political agenda.

The electoral process of 25 June for the election of the new parliamentary representatives marked a distorted democratic experience, with free participation of the citizens but lacking in self-determination.

Following continuous observation, the progress of election preparations, preceded by monitoring of other institutional developments closely related to electoral matters, observation of Election Day and other steps of the process through the announcement of the final election results, the Coalition of Domestic Observers reached the following conclusions:

- The major disagreements among political leaders, since the agreement reached on constitutional amendments on July 2016 until the Political Accord of 18 May 2017, created a climate of uncertainty for citizens regarding institutional stability, almost to the point of jeopardizing public order.

This political climate shrouded the entire electoral process, which was ultimately about overcoming political and institutional crises rather than an opportunity to affirm the will of the citizens.

- The openly unlawful early election campaign, from the open engagement of the Council of Ministers to the electoral messages of the three-month opposition sit-in protest, served to weaken institutions and increase tensions.

The early election campaign subverted legal arrangements regulating media coverage, financial activity of electoral subjects or public administration.

- Despite signaling a positive agreement between the parties, the Political Accord of 18 May was product of a political class that, for an entire year, had failed to use the institutional channels, such as the Ad Hoc Parliamentary Committee for the Electoral Reform. It failed to demonstrate responsibility in finding an agreement within legal limits, and in such serious circumstances close to a critical crisis.

The agreement reached between two political leaders, in the tradition of Albanian politics of agreements *in extremis*, was made “behind closed doors”, lacking transparency, and ambiguous in terms of time and concrete commitments.

- The amendments to the three legal acts, as agreed in the Political Accord, were made in absence of public debate and, given time constraints, failed to address issues identified in the past.

CDO deems that these amendments were almost entirely ineffective in influencing this electoral process. In particular, the amendments to the Criminal Code, intensifying penalties for violations of electoral integrity, provided a flawed approach to applying the law and left room for possible adverse effects.

- Establishing the Task Force Inter-Ministerial Working Group is deemed as evidence of a positive example in the spirit of institutional cooperation, not just in terms of the electoral process.

Considering that the competences of the Task Force Group were duplicative of the Central Election Commission’s functional duties, the timeframe was far from being sufficient to be effective, the lack of real legal instruments, and lack of cooperation from the public administration with this body, this initiative was reduced to setting a good precedent while failing to be a guarantor of the electoral process.



- The replacement of the Chairperson of the Central Election Commission, a stipulation of the Political Accord, invalidated legal and institutional progress made since the adoption of the Electoral Code in 2008.

This precedent sustained two unlawful standards imposed by the political class: lack of independent management of the electoral processes and “certification” of the integrity of these processes by the political leadership.

- Postponing the election date and other deadlines, such as registration of electoral subjects or submission of names for members of the commissions, without any legal norm, imposed a stress test on the entire election administration, particularly the Central Election Commission, in its most sensitive time period.

This conduct has transformed the already established standard of lack of compliance with procedural deadlines into a hardening standard.

- Due to the new legal amendment restricting electoral advertisements in the vicinity of electoral offices and forbidding paid advertisement by media operators, the legal period of election campaign was not saturated with urban electoral promotion materials and media ads.

However, long-term observers reported a decentralized, but intense election campaign, characterized by signs of vote control.

- The legal obligation to register the premises of electoral offices with the Municipality, despite regulatory deficiencies, helped substantiate their number and calculate the financial costs incurred. While in many cases the electoral subjects did not register these offices with the municipality, observers have reported a high number.

This high number of offices, the intense door-to-door campaign, and use of voters’ lists by electoral subjects, hint at vote influence and control in the Albanian context.

- Notwithstanding the extension in time beyond the legal norm, the election campaign was lacking in electoral platforms, positive agendas, or distinct policies, failing to draw public attention during the electoral process.

In addition, the election campaign was closely linked to the personalities of the leaders of the main electoral subjects; competing candidates remained in the shadow of the respective electoral subject, turning the electoral contest into a “vote of confidence” for the political leaders.

- The respect for the legal framework guaranteeing transparency of the administration of the electoral process and the rights of observers, mainly at the level of the local commissions, was seriously lacking throughout this electoral process.

Lack of timely publication of both Central Election Commission and Electoral College decisions, lack of full disclosure of decisions of Commissions of Election Administration Zones, and lack of continuous and timely information from other institutions undermined confidence in the electoral process.

- The process for the 25 June 2017 elections was met with a low number of complaints from electoral subjects, both at the administrative and judicial level.

It is assessed that the low number of complaints from electoral subjects reflects the loss of trust of the electoral subjects, mainly non-parliamentary ones, in the efficiency and integrity of the mechanisms granting electoral justice.

- From reports of the Media Monitoring Board, it was found that media outlets failed to comply with time-balanced reporting for coverage of the election campaign during news editions, as stipulated in the electoral framework.

In addition, throughout the election campaign, media outlets allotted considerable TV time for activities of electoral subjects, in violation of the legal regulations.

- In covering the election campaign and TV debates during the campaign, media outlets became conveyors of electoral messages, without providing objective or critical coverage.

The use of audio-visual materials prepared by the subjects themselves and broadcasted in news editions raises questions about the use of concealed political advertising and professional ethics in transmitting information.

- In accordance with legal obligations, and in the spirit of the 18 May Political Accord, alternative means for citizens to report incidents of electoral malfeasance or abuse of public resources during the campaign beyond existing institutional mechanisms were implemented by Ministries and other responsible institutions.

These alternative mechanisms, while making use of opportunities offered by contemporary technology, were marked a low number of reports and an even smaller number of cases funneled into the channels of investigative institutions.

- As observed also in previous electoral processes, the behavior of members of first and second level commissions again revealed a pattern of behavior based on individual agreements between the commissioners outside of legal provisions.

Reflecting the Political Accord of 18 May, this behavioral pattern was deeper and more extensive in these elections.

- The lack of public disclosure of finances of electoral contestants and lack of transparency of the sources of funding of electoral subjects raised questions as to whether they are beholden to private or illegal interests.

The financial activity of the electoral subjects is expected to undergo an audit by accounting and financial experts selected by the Central Election Commission, but this process is deemed to be completely ineffective in guaranteeing transparency and enforcing legal arrangements.

- Overall, Election Day proceeded smoothly, with sporadic procedural violations that have not significantly affected the voting process. Photographing of ballots, family voting, and violations of procedures regarding voters requiring assistance constitute phenomena noted in a relatively high number of polling stations.

The tolerance of polling station commissioners to these phenomena was concerning. In particular, commissioners have neglected to comply with all legal obligations regarding the photographing of ballots.

- Although rare, electoral propaganda or attempts to influence voters' will by political party militants during Election Day, whether inside polling stations or in the vicinity, was concerning.

- Difficulty, and even inability, for disabled voters to exercise their voting right in many polling stations remained an unaddressed concern during these elections.

- The counting process was undertaken at an expedited pace, generally calmly, and in accordance with provisions of the Electoral Code. These elections established a positive precedent in terms of the speed of ballot counting, which ended within approximately 48 hours following the end of the voting process.

Although this counting process was the fastest of the seven elections held since the introduction of concentrated counting in Albania, the interruption of the counting process, mostly due to fatigue of ballot counting teams, as well as a failure to resume the process at the specified hour was observed in a considerable number of BCCs.

- Interference by political party observers in ballot counting teams' work continued to be problematic in a considerable number of ballot counting centers.

Loud communication among persons present, high presence of both authorized and unauthorized persons adversely affected the process.

II. POLITICAL SITUATION

The parliamentary elections of 25 June 2017 to elect the IX parliamentary legislature in Albania was the 18th general electoral process since the fall of communist regime.

The electoral processes in the country are consistently preceded by a climate of political conflict, with the respective characteristics accordingly. The climate of mutual suspicion and unrelenting contraventions have fostered a culture of institutional insecurity, and insecurity of public order. This situation essentially harms the spirit of electoral processes and democratic systems.

This anti-democratic tradition instilled by the political class, has transformed the electoral processes into a power struggle, rather than a competition of electoral platforms. Imposing insecurity, aggressive power struggles and consummation of processes with bi-partisan agreement for the acceptance of results, lead to an electoral process which is mostly perceived by the citizens as a moment of political progress in which to participate, and not as the culmination of self-determination of the plebiscite.

A. Conflict situation after the constitutional amendments

After a brief moment of agreement in July 2016, which witnessed the full consensus parliamentary approval of the constitutional amendments under the framework of justice reform, political polarization returned in September of that year.

In late 2016 and early 2017, the Albanian opposition forcefully expressed its concerns regarding the realization of free and fair parliamentary elections⁴.

In order to organize the elections, on 5 December 2016, the President of the Republic of Albania initially set a date of 18 June 2017.

The climate of political conflict and concerns raised by the opposition forces regarding the manipulation of the electoral process reached its peak with the protest organized on 18 February 2017. This protest was followed by the initiation of a sit-in by supporters of the opposition forces in “*Dëshmorët e Kombit*” Boulevard in front of the Prime Minister’s office for nearly three months, coupled with an institutional boycott by all opposition forces, including their lack of involvement in the preparations for the electoral process.

The demands of the opposition forces, setting conditions to end their institutional boycott and become part of the electoral process, were not materialized in a comprehensive text. However, these demands were

⁴ This concern was based on a claim for the risk of manipulations and vote orientation by the majority governing. Regarding the legitimization of the opposition forces, the strongest example to prove this risk was the organization of the electoral process for the partial elections for the mayor of Dibër, held on 11 September 2016.

established on three political issues: guaranteeing the citizens' will and maintaining the secrecy of the vote, combatting narco-trafficking, and the creation of a provisional government composed of technocrats to assume responsibility for the organization of the electoral process.

The exact manner in which these demands could be met remained unclear in the given context. However, among these, the main demand to guarantee the will of voters and vote secrecy was practically read as a request for the use of voting technology in the electoral process. Further to the public stance and the permanent protest of the opposition forces, they insisted that the claims were non-negotiable.

The use of technology in voting, identification and counting in the electoral process is an outstanding issue in the political dialogue since the establishment of the *Ad-Hoc* Parliamentary Committee for the Electoral Reform, which failed in performing its work⁵. This *ad-hoc* Parliamentary Committee was established following the commitments of the main political actors for a deep and integral reform of the electoral legal framework, and it was the second of its kind aiming to thoroughly amend the "*Electoral Code of the Republic of Albania*" of 2008.

However, lack of will from parties to engage in holding sessions of the Commission, lack of provision of well-reasoned alternatives, and postponement of discussions making impossible every essential amendment, demonstrated the existence of a general will for the failure of this Committee's work.

During the several-month period of functioning of the Parliamentary Committee throughout 2016, had a common sense of maturity been shown by the political actors, at least a minimal resulting legal amendment could have been achieved. Such a situation would have made possible a climate of diminished suspicion ahead of the electoral process while avoiding the procedural and political stress that institutions had to face.

Besides the failure of Electoral Reform, the political convulsion and institutional boycott initiated with the protest of 18 February 2017 by the opposition forces paralyzed the institutional process for three months. This paralysis put the holding of the parliamentary electoral process in question as well as major processes of special importance that the country was expected to go through. What heightened even more the climate of institutional insecurity was the political discourse of the opposition forces, who made anti-institutional calls in their public declarations⁶.

⁵ In a 15-month timeframe, 5-time mandated by the Parliament of the Republic of Albania, the Commission held only 5 plenary sessions and did not approve a working plan and did not conclude in any legal act. The subject of the conflict between the parliamentary parties represented in the Commission, and which brought in the failure of this Commission, was the persistent claim of the opposition forces for the use of technology in the electoral process, identification, voting and counting.

⁶ This environment of conflict, mainly between the leadership of the Socialist Party and the Democratic Party, affected even the partial elections for the mayor of Kavajë, which had been scheduled to be held on 7 May 2017. Following the violent language of the opposition forces, a call was made for the organization of an international protest in the date of holding the partial elections in Kavajë, which was in contradiction to the legislation on rallies. Under these circumstances, the Prime Minister called for the withdrawal of the two candidates to candidate in the

The political tension was furthered by the failure to find common ground for a pre-electoral coalition of the governing forces, mainly from the Socialist Party and the Socialist Movement for Integration. Senior representatives, such as the head of the Socialist Party, expressed several times publicly their will for a reaffirmation of the coalition government. The leadership of the Socialist Movement for Integration never publicly rejected the offer, but it closely connected the reaffirmation of the coalition government with the participation or non-participation of the opposition forces in the elections of June. This stance was held past the legal deadline for the potential registration of the electoral coalitions, thus making impossible a pre-electoral coalition between the two forces, SP and SMI.

B. Reaching a parliamentary majority-minority political agreement

In the course of the procedural steps to prepare for the electoral process boycotted by the opposition forces, there were some efforts made with a view towards a possible agreement, for instance by the President of the Republic of Albania, diplomatic representatives in the country and envoys of allied countries⁷.

The final effort made by the representatives of allied countries was that of Deputy Assistant Secretary of the US State Department, Mr. Hoyt Brian Yee, through a series of meetings in Tirana. This effort did not by itself bring about an immediate accord, but decisively contributed to the agreement between the two main leaders of the Socialist Party and the Democratic Party.

After their second *tête-à-tête* meeting, in the framework of the negotiations between them, the two leaders announced publicly that agreement was reached in the early hours of the morning of 18 May 2017.

In essence, the agreement put an end to the institutional boycott and opened the way to the inclusion of the opposition forces, based on a set of agreed points. Although there was no public official bi-partisan and conclusive document, the media made public a document with six core points⁸.

Among the elements comprising the Agreement of 18 May between the two main leaders, five were closely related to the electoral process. Among these were the postponement of Election Day and registration of the opposition parties as electoral subjects, appointment of some technical ministers, replacement of the Chairperson of the Central Election Commission, some amendments to the electoral legal framework, and the

election process, one of them was representative of the Socialist Party and the other a candidate from the civil society. As a response to this public call, the two candidates submitted their letter of resignation to the respective CEAZ, postponing this electoral process for an indefinite date.

⁷ Among those, as the first concrete step to reach an agreement was the visit and the effort for an agreement on 25/04/2017, with the member of the European Parliament Mr. David McAllister as mediator. All these efforts contributed to promoting the language of dialogue and to bringing the sides closer to an agreement formula.

⁸ The themes of these six points, composed of sub-issues, comprised in general nominally such issues: 1Elections;2Government;3Parliament;4Independent bodies;5Reforms and 6Other measures.

establishment of an inter-ministerial structure to monitor the progress of the electoral process. Such elements effectively altered the process, thus setting new precedents.

First of all, the political agreement managed to postpone, in a completely extra-legal manner, the date of elections by one week, thus 25 June. In addition, the postponement of elections provided the opportunity to the opposition political parties to register as electoral subjects.

The participation of the opposition forces was predicated on other issues agreed upon between the governmental majority and the parliamentary opposition. For this reason, the Parliament of the Republic of Albania convened an extraordinary session on 22 May 2017⁹.

Some of the points of the agenda of this extraordinary parliamentary session were the replacement of top officials of six ministries playing key roles in electoral processes, as well as the Head of the Central Election Commission and Deputy Prime Minister¹⁰.

These Ministries, whose ministers were replaced, were criticized and accused in previous electoral processes of having senior officials being illegally involved in electoral campaigns, using the administration's human and material resources. As a result, based on the agreement, some of the senior officials in these institutions were also replaced by technical officials selected by the opposition forces¹¹.

Regarding the provision to prevent abuse of state administration in the electoral process, the Agreement concluded with a proposal for the establishment of an inter-ministerial structure, in the form of a Task-Force. This structure was headed by the technical Deputy Prime Minister and some other senior officials. This structure was also supported by the Decision of the Council of Ministers No.473, dated 1 June 2017, which regulated to some extent the activity of the Task-Force Group¹².

⁹ In the extraordinary session convened on 22 May 2017, the Parliament of the Republic of Albania approve amendments to the election legal framework. These amendments consisted in amendments to the Law "On Political Parties", Law "On the audio-visual media in the Republic of Albania" and "Criminal Code of the Republic of Albania". Of course, that the content of these amendments could not have been part of a public consultation process, as the legal framework requires, but no attention was paid to them in the previous public discussion. This mainly served to the amendments made to Law "On Political Parties", which, even though affected major issues such as the funding of electoral subjects, did not reflect any idea previously addressed or proposed. Finally, the replacement of the Head of the Central Election Commission was approved in the extraordinary parliamentary session. After the resignation of Mr. Denar Biba, the Parliament, after a 24-hour vacancy period, approved Mr. Klement Zguri as the Head of CEC, who was a member of CEC, proposed by the Republican Party. Meanwhile, in the same session, Mr. Denar Biba was appointed a member of CEC, proposed by the Republican Party. Denar Biba, who in 2013 was proposed as a member by the Socialist Party, in 2016 was elected the Head of CEC by the Parliament as an independent candidate, and one year later, due to the context, he was approved as a member proposed by the Republican Party.

¹⁰ Minister of Health, Mr. Ilir Beqja was replaced by Mr. Arben Beqiri; Minister of Education, Mrs. Lindita Nikolla was replaced by Mrs. Mirela Karabina; Minister of Justice, Mr. Petrit Vasili was replaced by Mr. Gazment Bardhi; Minister of Internal Affairs, Mr. Fatmir Xhafa was replaced by Mr. Dritan Demiraj; Minister of Finance, Mr. Arben Ahmetaj was replaced by Mrs. Helga Vukaj; Minister of Social Welfare and Youth Mrs. Olta Xhaçka was replaced by Mrs. Xhuljeta Kërtusha and the Deputy Minister, Mr. Niko Peleshi was replaced by Mrs. Ledina Mandija.

¹¹ After the appointment of 6 new ministers by the Republic of Albania, 5 senior officials holding important positions in the administration were replaced by technicians selected by the opposition forces as well. In fact, these officials were appointed for a very short-term period, having no time to be efficient and determinant in their duties.

¹² Decision of the Council of Ministers No.473, dated 01/06/2017, "On taking the measures and monitoring of

The political climate before the electoral campaign and the political agreement were also reflected during the electoral campaign. The latter developed as an extension of the previous experiences and the pre-campaign climate, but it did not bring in any out-of-ordinary eventualities.

The most typical of this electoral campaign was the secret agreement of “no attack” between the Democratic Party and Socialist Party. This agreement shifted the center of gravity in the electoral campaign for the election of 25 June to a confrontation between the two traditional parliamentary parties DP-SP on one hand, and the two small parliamentary parties PJIU-SMI on the other.

The latter, as two parties established later in the Albanian democracy experience, have had a determining role in decision-making due to their number of parliamentary seats and became targets of accusations by the two traditional parties as beneficiaries of governments without assuming responsibilities and costs. The ongoing mutual accusations brought again in the electoral speeches allegations for involvement in narco-trafficking, corruption, misuse of public resources, and other serious allegations.

Following the publication of the preliminary results, and then the declaration of the final results¹³, the Socialist Party won the parliamentary majority, without having the need to seek a post-electoral coalition.

This result was indirectly accepted by the opposition forces, but in their public speeches they delegitimized it as the result of an electoral process with violated integrity.

Again, in their reasoning, the opposition forces made allegations of a massive phenomenon of vote-buying and vote-selling, as well as the abuse of public administration in vote influence.

activity, behavior or use of human and financial resources, and logistics of the state administration, during the election process for the parliamentary elections of Albania for 2017; abrogated the Order of the Prime Minister of the Republic of Albania No.65, dated 12/05/2017, “On taking the measures to stop the use by the electoral subjects of different tools, funds and materials which are property of the public administration, as well as the use of human resources of the public administration institutions at any level, for the parliamentary elections of Albania of 18 June 2017”.

¹³ Decision of the Central Election Commission No. 555, dated 26/07/2017, “On the declaration of the final results for the parliamentary elections of Albania of 25 June 2017”.

III. ELECTORAL LEGAL FRAMEWORK

The core of the legal framework for elections is *the Electoral Code of the Republic of Albania*, adopted in 2008 and amended twice since. This legal act mainly regulates matters related to election administration, financing of electoral subjects, and the electoral justice system.

In regulating these issues, the Code primarily focuses on the functioning of permanent institutions, such as the Central Election Commission (CEC) and Electoral College (EC), but also of temporary bodies, such as the Media Monitoring Board (MMB), Commissions of Electoral Administration Zones (CEAZ) or Voting Centers Commission (VCC).

In addition to this major act, there are other acts that regulate electoral processes, the most important of which in the legal hierarchy is *the Constitution of the Republic of Albania*, which ensures the whole mechanism of the governing mandate. The following acts can be referenced as well: *Criminal Code of the Republic of Albania* on criminal offences that undermine elections, *Code of Administrative Procedures of the Republic of Albania* on the administrative activities of the CEC, or the Law "On Political Parties" on the functioning of political parties.

A. Election administration

Election administration consists of three major components in ensuring the progress of the electoral processes. These components are as follows: the preparation of the *list of voters*; *establishment of the election administration*, such as second or third level Commissions; *establishment of the implementing infrastructure*, such as determining voting centers or ballot counting centers; ensuring the necessary capacities for the services of electricity and supplementary technologies for recording ballot counting, among other things.

1) Albanian electoral system

As a result of the constitutional amendments in 2008, the Albanian governing system is based on a closed regional proportional electoral system. This regional system consists of 12 electoral constituencies that match the administrative units of qarks, from which the candidates of the respective electoral constituency are voted.

On elections for the Assembly, political parties that run alone and do not secure more than 3% of the votes, as well as coalitions that do not secure more than 5% of the votes in their respective electoral zone are excluded from the allocation of seats¹⁴.

Based on the experience of the three previous general elections in 2009, 2013 and 2017, this mechanism has identified some issues in determining the will of the people.

¹⁴ Seats are allocated among different subjects by way of a math formula called D'Hondt method, while the other formula called Sainte-Laguë method allocates seats among the parties that comprise the coalition.

Two main identified issues are the “lost votes” of the subjects that cannot pass the threshold and “vote inequality” between subjects that are part of the pre-electoral coalitions and those that run alone.

These two phenomena, along with lack of provision for run-offs and the fact that lists of candidates are closed and prepared by the heads of the subjects, have caused an imposition of politics upon voters.

Effectively, according to the electoral system, citizens vote the choices of the heads of electoral subjects; not directly for the candidates who can represent them in the parliament.

On the other hand, according to the constitutional regulation, after they are elected as members of parliament, the candidates in the parties’ lists are allocated seats of individual representation, making them accountable neither to the citizens nor their own parties.

2) Election infrastructure

The support infrastructure in electoral processes, such as: location of Voting Centers, Commissions of Electoral Administration Zones (EAZ), or Ballot Counting Centers (BCC), along with the respective requirements and criteria for these locations, comprise the essence of the electoral process administration. The legislation stipulates the establishment of this infrastructure for every electoral process, according to a mechanism, criteria, time frames and interaction among certain institutions. The large volume of preparations for establishing such a structure¹⁵ with the interaction of some institutions for every electoral process, is considered to be an improper management of resources and capacities.

The legislation may stipulate the consolidation of a permanent map of the location of the electoral administration bodies, which is continuously updated by the permanent administration of the Central Election Commission with recent information on the situation.

This could make the CEC administration operate in an efficient way, providing these Commissions with the necessary infrastructure and services, such as: internet, electricity, landline telephony services or checking the premises where these bodies will operate.

On what was concluded in this electoral process, these infrastructural matters raised the same issues as in previous electoral processes.

3) Compilation and preparation of the list of voters

The electoral system in Albania stipulates passive voter registration based on the National Register of Civil Status (NRCS), in other words an automatic transposition without imposing any obligation on the voters.

The preparation and specification the Final List of Voters is foreseen to go through a mechanism which includes five procedural stages: *‘a monthly*

¹⁵ During this electoral process the infrastructure included 5,362 Voting Centers, 90 Zonal Electoral Administration Commissions, and 90 Ballot Counting Centers, and 433 tables of the ballot counting centers;

cycle publication of the preliminary lists of voters; ²written notification of voters; ³administrative correction of the preliminary lists; ⁴legal correction of the preliminary lists and ⁵right of voting by court decision.

In addition to the problems of the legal framework and its observance, the essence of these problems is the implementation of the Law “*On the Civil Status*”¹⁶.

Demographic migration and emigration dynamics have not been reflected continuously in the National Register of the Civil Status¹⁷. The two main problems that were noted during this process were the voters that did not have a numeric election address (no residence code)¹⁸ and the actual civil status of the population, the most problematic being that of persons in the penitentiary system.

In this regard, we can reference some positive initiatives, such as Law No.14/2016, “*On the Identification and Registration of the Albanian Citizens Living Abroad*” and the Ministry of Interior (MoI) Project for Registering Addresses and Citizens called *Population*.

However, these initiatives did not have an impact on the electoral process and their implementation was hindered by the lack of transparency and law enforcement.

In respect to the lists’ compilation mechanism, which in essence is aimed at mass informing citizens on the voting center where they can vote, we identify a problem regarding vote choice, especially in the relevant context. The informing mechanism on the lists of voters and the right of the electoral subjects to have the lists of voters at their disposal is viewed as a potential tool for vote influence and control during some electoral processes.

In the framework of electoral campaigns being carried out based on the “door to door” strategy, the availability of the lists of voters helps electoral subjects to impact on vote choice and control. Even though in the beginning this right of the electoral subjects served for informing their supporters on the voting center where they could vote, the situation has now changed. The stability of the lists of voters and electronic forms of informing has lowered the need to obtain information from electoral subjects. In the meantime, the aim of this tool has changed due to the use by political subjects. The ability of electoral subjects to localize each voter and obtain almost complete information on their socio-economic situation,

¹⁶ Law No. 10 129, dated 11/05/2009, *On the Civil Status*; amended by Law No.6/2012, dated 02/02/2012; Law No.130/2013, dated 25/04/2013; Law No.134/2016, dated 22/12/2016.

¹⁷ In essence, the whole legal regulation lies in the obligation of citizens to reflect the change of their residence for a period of more than three months as a change in the civil status. Failure to comply with this regulation during the electoral processes has brought different issues in relation to the accuracy of the lists of voters.

¹⁸ The numeric election address was determined for the voters (Article 6) in the legal amendments to the Electoral Code of the Republic of Albania in 2004, when the Central Election Commission was in charge of preparing the lists of voters. After that, the amendments in 2005 and ongoing determined that “the list of voters consists of the following for every voter: the ordinal number on the voters’ list of the respective voting center, the numeric election address, name, father’s name, surname and date of birth” (Article 5i).

compounded by the context of a restrained society, politicized institutions and few guarantees for law enforcement, helps, and contributes to, vote influence or control.

4) Sublegal acts of the Central Election Commission

According to the Electoral Code, as well as pursuant to, and in compliance with, the law, the Central Election Commission can issue only decisions or instructions¹⁹. After the approval of the Electoral Code in 2008, the Central Election Commission has approved at least 45 sublegal acts or changes to normative acts, pursuant to this Code. Out of these acts, 11 have been formally adopted as decisions, six instructions are currently abrogated and five others are currently amended.

In many cases throughout its course, this institution has approved or amended an entirety of acts that have an instructory nature, but are legally formatted as decisions. For a part of the acts, this occurred when the collective body of the CEC was incomplete and it consisted of only four members, due to the vacancies created and not filled by the parliamentary parties.

In addition to not making an effort to systematize the number of sublegal acts procedurally formulated in a discretionary manner, the non-publication of nine of these acts in the Official Journal is still problematic, and eight of them are still in force. Out of these sublegal acts, five are explicitly linked to the entry into force with the publication in the Official Journal at the end of the legal text, thus raising doubts about their legal applicability. Additionally, the five sublegal acts published on the Central Election Committee Website do not have links to accompanying materials.

B. Electoral justice

In the majority of the cases of reporting or analyzing electoral processes, the field of electoral justice is considered the same with the reviewing system of complaints and appeals' cases of electoral subjects.

As a matter of fact, the proper approach to electoral justice should also include cases of reviewing types of election fraud or forms of violation of the voters' will. In this way, the institutions that are included in this system are not only those that have a genuine electoral scope, but also institutions such as ordinary courts, or investigative institutions such as the Prosecution Office.

1) Criminalization of offences that undermine elections

Since the approval of the *Electoral Code of the Republic of Albania* in 1995, Chapter X sets forth offences that violate the freedoms and integrity of the electoral processes.

¹⁹ Acts that have a normative nature and are approved by this body have power on the whole country and everyone and they formally "enter into force after their publication in the Official Journal, except for those cases when the circumstances require their immediate entry into force, while other acts enter into force immediately".

The act in point has been amended several times over the years, providing for a series of contraventions regarding acts that undermine elections. Following the amendments made on the extraordinary Parliamentary session of 22 May 2017, the previous contraventions are now regarded as crimes, and hence their sanctions became more severe.

The increase of sanctions is moderately appreciated not only in the theories of law, but mainly on issues of the criminal law. Experience has shown that increasing sanctions does not encourage the culture of legal punishment and enforcement.

In the Albanian context, where violators of the electoral processes in the majority of the cases are not punished, increasing sanctions may bring the opposite of the desired effect²⁰.

The forecast of an effective investigative mechanism and reporting procedure to the phenomena that violate the freedom and integrity of electoral processes is considered problematic and unaddressed by the Albanian legal framework. Reporting procedures are especially considered a major problem. The lack of an effective procedure, compounded by a culture of impunity, has provoked public perceptions of an impunity cult which requires a great initiative to change it.

2) The electoral process of complaints and appeals

After the adoption of the *Electoral Code of the Republic of Albania* in 2003, which constituted the Electoral College for the first time, a relatively comprehensive mechanism for the complaints and appeals system for electoral issues was established. This is a system based on administrative judgment, which includes the Commissions of Electoral Administration Zones and the Central Election Commission, as well as on the court decision of the Electoral College, the judicial body in the Tirana Court of Appeal.

This mechanism of electoral justice, which suffered secondary changes, has been used in seven other general electoral processes, the most recent being the elections of 25 June 2017. What is noted in this experience is the devaluation of this electoral justice mechanism, in other words the restoration of the electoral subjects' rights that have been violated during the electoral processes.

This devaluation has come as a result of a political behavior aimed at damaging the electoral justice as a process, as well as due to the great problems in the legal regulations.

In the essence of these problems, can be identified three general issues that have made the system inefficient. We can also note the lack of doctrine

²⁰ In the context of a closed society with close family and social relationships and low trust in the institutions and law enforcement, or where the impunity cult is strong, increasing sanctions makes people reluctant to report the violators. On the other hand, it is more difficult for investigative structures to prove the criminal offence and the "resistance" of corrupt forms is viewed to be higher when faced with increased sanctions.

of precedent, which is displayed in strong decision-making incoherence, especially as regards to court decisions.

Moreover, competences and roles overlapping in the relations among the Central Election Commission, Electoral College and Constitutional Court are noted as well.

Following the two abovementioned cases, can be noted the incorrect determination of rights and legal tools of the parties to address this mechanism. The legal framework is unclear on the legitimate issues, subjects or circumstances to address to this court, as well as the limits of decision-making rights of this court in relation to the electoral process.

C. Finances of electoral subjects

The legal text that regulates, controls and provides the transparency of the financial activities of political parties during the electoral or calendar year period, stipulates a combined mechanism consisting of three levels. These levels are comprised of the yearly financial self-declaration report submission by the parties, yearly and/or electoral auditing of the financial activities by accounting experts selected by the CEC, as well as the verification process undertaken by the CEC. A mechanism that *a priori* ensures the maximum accuracy of financial books of electoral subjects, but not a real identification of incomes and expenses²¹.

Apart from the lack of law enforcement, the legal framework also lacks stipulation of real legal tools, and complete or minimum addressing of significant problems. We can note the lack of regulations regarding expenses of third parties, or the so-called “shadow campaigns”, the high risk of conflict of interest for donors, or lack of legal definitions for basic notions, such as electoral offices, party branches, political volunteering or early campaign.

The control mechanism was added to with a new tool in the amendments to Law “*On Political Parties*” during the extraordinary session of the Assembly on 22 May 2017. Legal amendments stipulate that for the benefit of assessing electoral campaigns costs, the CEC assigns financial experts to monitor the subjects’ electoral activity. Within four months of the declaration of results these experts are obliged to submit the respective assessment reports, and the deadline of this particular electoral process’ submission is 26 November 2017.

D. Reformation of the legal framework

The noted problems during the electoral processes and the failure of the electoral reform process in 2016, gave vital importance to the legal

²¹ *The financial activities of political parties and electoral subjects are considered to be completely ineffective since the adoption of the Law on Political Parties in 1991, and the amendments made to it in 2001. The legal framework in question consists of a few regulations, determines a fictitious control and ensures a false transparency of the electoral subjects’ financial activities.*

framework for elections. A process of amendments that needs to be integral on what it includes, and comprehensive regarding the actors, and transparent during the discussion processes.

1) Deep reformation and alignment of the legal framework

The political agreement of 18 May, although saving the electoral process from the negative precedent of non-participation of the opposition, did not save it from another experience of negative precedents.

The change of legal time frames without any legal regulation, the replacement of the CEC Chairman by means of a formal procedure and the overlapping of the political will to the legal regulation, resulted in the recent electoral experience, which is not in compliance with the law.

Based on past electoral experience, political will has been determinative in accepting or “certifying” the electoral processes and results, delegitimizing institutional decision-making. The last precedent completely determined through the will of political leadership, which is now the administrative will of the electoral processes.

The spirit of the expected electoral reform first needs to come to terms with separation of political will from the administration and “certification” of the electoral processes. Explained in legal terms, this separation implies strengthening of the independent institutions and the role of citizens in the electoral processes.

2) Transparency of the electoral process

Ensuring the integrity of the electoral processes requires law enforcement and independent institutions and also the appearance of such.

Public perception is a necessary criterion for building citizens’ trust in the institutions and their engagement. This is a behavior that cannot be attained without ensuring maximum transparency of the whole electoral process.

Apart from guaranteeing in legal text, maximum transparency should be present at all institutional levels to identify the weaknesses of the processes and to remove citizens’ doubts regarding all potential forms of manipulation.

In this respect, the legal framework determines relatively complete criteria in ensuring transparency of the electoral processes and the observers’ rights.

However, these legal guarantees have been undermined by the responsible actors from essential issues to behaviors in violation of the law, such as the non-publication of the institutional decision-making. It is necessary for the legal framework to not only stipulate penalties for the violator, but also determine alternative routes of obtaining information when the responsible functionaries decide or behave in a way that violates the rights of public informing or those of the observers.

IV. ADMINISTRATION OF THE ELECTORAL PROCESS

The administration of the electoral process in Albania is envisioned as a three-tiered pyramid structure. The commissioners and public administration of the Central Election Commission are at the top of the administrative chart. The function of CEC institution is not only to organize, but also to monitor the election process. Hence, other institutions responsible for the election process assist the institution. This cooperation is enabled through Liaison Officers (LO), who are functionaries appointed to specifically create a dynamic communication between institutions.

Regional Electoral Offices (REO) are at the second and local level, whilst during the year when elections are held, Commissions of an Electoral Administration Zone are established and operate for approximately three months and are appointed to administer every Electoral Administration Zone. Ballot Counting Centers are established at every CEAZ and Ballot Counting Teams (BCT) are established at every BCC. Commission members for counting ballot papers are appointed by the Counting Teams. Voting Centre Commissions are short-term structures that function only one day, specifically, on Election Day.

The CEC body has seven members and according to the “The Electoral Code of the Republic of Albania” is the structure responsible for observing the progress of the electoral process, prior, during and following Election day²². During this electoral process, this structure was placed at the top of the administration chart, which is composed of 90 CEAZs for 90 EAZs, 28 REOs and 28 inspectors, 92 Liaison Officers, 866 CTs and 5,362 VCCs.

A. The progress of the activity of the Central Election Commission

1) The distortion of CEC membership composition

One of the effects of the political agreement of May 18th was the replacement of the Chairperson of the Central Election Commission²³.

According to the legal framework, the Chairperson of the Central Election Commission is the head of the institution and the key factor in ensuring the decision-making majority of the institution.

²² Six of the Central Election Commission members are elected with a majority vote of “50 plus 1” by the Assembly of the Republic of Albania. Three of their candidacies are submitted by the two largest parties of the parliamentary majority and three others are submitted by the two largest parties of the parliamentary opposition. Furthermore, the seventh member, who functions as the Chairperson and head of the institution, is elected with a majority vote of “50 plus 1” by the Assembly. Unlike other members, the candidacies are an open public call and they are elected by the Commission for Legal Matters, Public Administration and Human Rights (CLMPAHR). Two candidacies are selected according to a parliamentary majority and opposition representative disqualifying mechanism at CLMPAHR. Finally, the Assembly approves the candidacy for CEC Chairperson with a parliamentary majority vote of “50 plus 1”.

²³ During the extraordinary session of 22 May 2017, the Assembly of the Republic of Albania officially approved the candidacy for Chairperson of Mr. Klement Zguri, after the incumbent Chairperson appointed on 3 November 2016 had resigned and after a public announcement of the vacancy was made in less than 24 hours. Mr. Zguri, since 2000, had been a member of the Commission and his candidacy had been submitted by the Republican Party. On the other hand, Mr. Biba, now former Chairperson, had been a member of the CEC for three years and his candidacy had been submitted by the Socialist Party. He was officially reappointed as a member of the CEC during the session of 22 May of the Assembly and this time around his candidacy was submitted by the Republican Party.

According to the main aim of the legal framework and following a several years-long effort, since the 2000 Electoral Code of the Republic of Albania, the Chairperson is responsible for ensuring that the CEC is non-biased and institutionally independent. The 2012 Electoral Reform introduced an open procedure for appointing this position, in order to elect a person that can guarantee non-bias and institutional independence.

The amendments made, as a result of the agreement of 18 May, apart from a forced legal procedure²⁴ and proving that the political will to create a non-biased and independent institution was not genuine, also revealed that the CEC member composition was distorted.

The CEC body currently has four members that are proposed by the parliamentary majority, whilst the Chairperson is one of the three members proposed by the parliamentary opposition.

Although such a formula can theoretically ensure “equal numbers” in governing the body and the institution, it however “clashes” with the essence and the structure of the electoral legislation.

This distortion not only affects electoral administration issues, but also other issues that fall under the CEC’s competencies. We have to admit that this is an institution that is burdened with tasks that are not only related to the elections, such as administration, electoral justice or political party finances, but also to referenda, or with the so-called decriminalization process.

2) Decision-making of the Central Election Commission

Since the first Election Day was decreed, the CEC body carried out 72 plenary sessions on the preparation and administration of the electoral process. During these sessions, it adopted 478 Decisions²⁵, four of which were decisions on Instruction amendments and three of which were Instructions.

In almost all sessions, participation of the members has been complete and the progress of these sessions was in compliance with the rules. However, the body lacked collegiality and institutional dialogue, although they achieved a mostly uniform decision. Members continue to position themselves *en bloc* while discussing different matters. In two meetings, in which there was conflict between the parties, the members of the Commission nominated by the Parliamentary minority boycotted the meeting²⁶.

²⁴ The public vacancy announcement, the time period required for the interested candidates to submit their application, the majority-opposition mechanism of the parliamentary commission for candidate disqualification and the appointment of one of the two candidates by the Assembly foresee formalities and legal terms that can last several weeks.

²⁵ During the duration of the document period, the CEC body adopted in total 565 Decisions, 478 of which were Decisions on the electoral process for the parliamentary elections, 31 were Decisions on carrying out the Mayoral by-elections in the Municipality of Kavajë, 50 were Decisions on the decriminalization law and 6 were Decisions on other matters. The votes of the decision-making body of the Central Election Commission on the electoral process of the parliamentary elections were as follows: 439 Decisions with 7-0 votes; 9 Decisions with 6-1 votes; 3 Decisions with 5-2 votes; 16 Decisions with 4-3 votes; 59 Decisions with 6-0 votes; 30 Decisions with 4-0 votes; 3 Decisions with 4-2 votes; 2 Decisions with 4-1 votes and 4 Decisions with 5-0 votes.

²⁶ During the session of 27 February 2017 on the discussions for appointing the Secretary-General of the CEC and during the session of 23 March 2017, on the discussions for scrutinizing the records of some of the members of parliament and mayors under the framework of the Decriminalization Law. For more information go to Public stance “On the electoral process for Assembly of the Republic of Albania elections on the 18th of June 2017 and other institutional and political processes related to December 2015- 31 March 2017” pages 22,23:<http://www.zgjedhje.al/uploads/File/2017/Procesi%20zgjedor%202017/KVV-QendrimPublik-Zgjedhjet2017eTeTjeraProceselInstitution>

The CEC was engaged not only in the preparation of the electoral process, but also in the implementation of the so-called decriminalization process.

Pursuant to this legislation, during the period mentioned in the documentation, the vetting of nine mayors, 16 members of parliament and 10 members of Municipal Councils were scrutinized. The decision-making body of the CEC ruled that the seats of one mayor, two members of parliament and nine members of Municipal Councils shall be concluded prior to their term²⁷.

Institutional transparency remains a problem of the public administration of this institution. While it is noted that there have been developments on this, the situation is far from the legal obligations and even more from the spirit of transparency that would encourage confidence of citizens in the integrity of the process. Regarding the obligation to publish Acts within 24 hours on the official website, 50% have been published on time, 45% have not been published even after a week, 118 of the published Acts lack the attached materials, and nine Acts regarding this specific process have not been published to date.

3) Observance of procedural deadlines

It is noted that the observance of procedures and most deadlines by the electoral administration institutions during previous processes have been problematic.

This was caused not only because of lack of fulfillment of deadlines, but because institutions did not consider the legal deadlines as an obligation, but simply as orienting and flexible. Furthermore, this approach was not a standard “imposed” by the progress of the practice, but it was used as an institutional double-standard. In some cases, the procedural form has been regarded as non-violable, but in others the content has been regarded as prevailing to formalities.

Pursuant to the legal framework for elections and to the progress of the electoral process, the CEC adopted, through a decision, the “*Orienting Action Plan*” (OAP). This plan reflects the procedural obligations in organizing the electoral process, and also the timelines that the institution itself determines. The Decision for an OAP for this electoral process was adopted during the session of 9 December 2016 and had 58 Paragraphs. According to the analyses carried out, this plan was respected only 43% until 18 May 2017, the day when the political agreement was signed and when the procedural terms were amended. However, it is true that the OAP diverted from its scope due to the institutional boycott of the opposition and the postponing of the Election Date, coming as a result of the 18 May agreement.

Postponing the Election date to 25 June moved the whole progress of the electoral process into a legal vacuum. This situation placed the administration process under a *stress-test* during its two most delicate months.

[aleEPolitikeTeLidhuraMeTe-07-04-2017.pdf](#)

²⁷ Prior to this, it was ruled that the seats of 18 members of the Municipal council was to be concluded due to them not having submitted their self-declaration forms to the CEC in May 2016. For more information go to Public stance “On the electoral process for Assembly of the Republic of Albania elections on the 18th of June 2017 and other institutional and political processes related to December 2015- 31 March 2017” pages 22,23. <http://www.zgjedhje.al/uploads/File/2017/Procesi%20zgjedhor%202017/KVV-QendrimPublik-Zgjedhjet2017eTeTjeraProceselInstitucionaleEPolitikeTeLidhuraMeTe-07-04-2017.pdf>

The CEC as the supervising and governing institution was made responsible of this situation with no legal Act, apart from a second Decree by the President on 21 May 2017, determining a new date for elections.

Hence, the Central Election Commission extra legally and disrespecting the terms, did the following: registered some electoral subjects and the respective candidates²⁸, accepted the submissions for CEAZ member proposals by the opposition political parties, replaced the appointed CEAZ members and approved the ballot paper models.

This precedent publicly “revealed” the double-standards in the observance of electoral procedures, thanks to a greater will, which in the future can be political or not.

4) The positive precedent of determining the number of seats in each electoral constituency and electoral administration zones

Two occurrences of great importance are the determination of number of seats for electoral constituencies and electoral administration zone (EAZ). During the past electoral processes, these matters have caused heated debates amongst members of the Central Election Commission body and the political environment²⁹.

Regarding the organization of the electoral process for the elections of 25 June, discussing these two matters proved to be very different from past similar experiences.

The discussion and the decision-making process of the Central Election Commission followed a rather calm and constructive institutional course. This precedent is considered as an example as to how political conflict can intervene in the institutional course and as to how managerial issues can turn into political debates.

B. Progress of the activity of Commissions of Electoral Administration Zones

The Commissions of Electoral Administration Zones are second level commissions that administer the electoral processes at a local level³⁰.

²⁸ In this situation, the CEC in Decisions No.324 and No.325, on registering the Democratic Party and the Republican Party, used as a legal basis Article 3, Paragraph 3 of Law 44/2015 “The Code on Administrative Procedures of the Republic of Albania” mentioned in the current Acts. This provision in “The Code on Administrative Procedures of the Republic of Albania” is in fact a definition of the term discretion regarding the competencies or the functional duties of the public administration. This definition is incorrectly mentioned in the previous Acts, and has been incorrectly used as a basis of the legal framework for surpassing, and most importantly, it is not safe to use it in the future.

²⁹ Heated institutional and political debates took place during the implementation experience of the legal criteria required to determine the electoral administration zones during the four electoral processes (2009, 2011, 2013, 2015), following the adoption of the new Electoral Code in 2008. Although the Electoral Code exclusively charges the Central Election Commission with determining the electoral administration zones, this function has been generally carried out by the Assembly of the Republic of Albania through legislative Acts. In 2013, this function was carried out by the Electoral College.

³⁰ The Commissions of Electoral Administration Zones have seven members with the right to vote and a secretary in charge of the commission paperwork, who does not have the right to vote (Article 29 of the Electoral Code). These commissions are responsible for establishing the Counting Teams (Article 36 of the Electoral Code), accreditation of political observers (Article 6 of the Electoral Code), announcing the results (Article 122 of the Electoral Code) and, most importantly, they are the first tier of administrative adjudication of complaints (Article 126 of the Electoral Code).

Due to the nature and the specifications of the commissions, they are probably the most important structures in the electoral administration process, but they are also more vulnerable and partially more difficult to be monitored. It is of significance to mention that these commissions have a temporary function, a proper political composition, are of considerable number and are distributed all over the country. It needs to be stressed that although these commissions have an institutional nature, their members are not, formally, public functionaries.

1) The establishment and progress of activity of the CEAZs

The Commissions of Electoral Administration Zones for 90 electoral administration zones were established on 3 April 2017. Due to the fact that only the Socialist Party and the Socialist Movement for Integration submitted their proposals within the 5 April 2017 deadline, half the number of secretaries or chairpersons were appointed by initiative of the CEC³¹.

Following the Agreement of 18 May and the submission of member propositions by the Democratic Party and the Republican Party, the CEC replaced the members appointed by its initiative on 31 May 2017 and 5 June 2017.

The CEC carried out training sessions based on a “cascade” model in order to inform on the progress and the legal preparation of the commission members. Initially, on 13 May 2017 it organized training sessions for the trainers of the Commissions of Electoral Administration zones members and the Regional Electoral Offices inspectors. While on 07 June 2017 training sessions with the participation of new CEAZ members were carried out. However, the progress of the CEC was mostly impinged by the replacement of the named members and the discharge-appointing of the respective members by the electoral subjects following the tradition of previous processes in the country.

Although there were no opposition members in the commission until when the members appointed by the CEC were replaced, the electoral subjects of both the Socialist Party and the Social Movement for Integration discharged and appointed their members by replacing 15 members and four secretaries.

Following the political configuration of the CEAZs, until the end of the electoral process, 53 other members were discharged-appointed, 22 of whom were secretaries, two deputy chairpersons and one Chairperson. The total percentage of discharge-replacement rate of CEAZ members has decreased compared to past processes, which was 24.5% including the members appointed by initiative of the CEC³².

³¹ Due to the fact that the proposals for members and secretaries by the Democratic Party and the Republican Party were not submitted within the deadline stipulated in Article 28 of the Electoral Code, specifically on March 6th 2017, the CEC made a public announcement on 12 March 2017 for interested applicants from civil society. After the applicants expressed their interest, 47 members and 45 secretaries were appointed on the meeting of 3 April 2017.

³² During the 2013 electoral process, the discharge-replacement rate of CEAZ members was 37,2% and for the 2015 electoral process it was 37%.

2) Transparency of the activity of CEAZs

Among others, the legal framework provides that CEAZ decision-making sessions are plenary; their meetings must be carried out in specific environments, like their headquarters; the decision made by the commissions must be made public within 24 hours and provided free-of-charge to interested parties; the working hours of the commissions are determined and submitted motions are documented in the protocol books. Following the tradition of previous electoral processes, yet again, these non-ambiguous requests of the legal text on transparency were mostly not implemented in this electoral process.

On 20 June 2016, the Coalition of Domestic Observers submitted a request to obtain copies of the decisions made by the Commissions by both official letter and email to the 90 Commissions of Electoral Administration Zones. Prior to this official communication, the commissions' representatives refused the verbal requests submitted by the long-term observers of CDO to obtain facsimiles of the Decisions.

Even after the official letters were submitted, an official response was not given by any of the Commissions of Electoral Administration Zones.

Based on the CEAZ documentation submitted to the CEC and partially taken from the latter³³, 48 Commissions have submitted incomplete and irregular documentation to the CEC, documentation that reflect the progress of their work.

Based on information received verbally, until three weeks following Election Day, some CEAZs had not forwarded the complete decision-making documentation to the CEC³⁴ and from a total of 48 CEAZs that had submitted the documentation³⁵, copies of which CDO was able to obtain, the shortcomings

³³ The Coalition of Domestic Observers dated 03/07/2017 addressed a letter to the Central Election Commission, in which it required a copy of the Commissions of Electoral Administration Zones decision-making documentation. In response to this letter, the Commission officially refused to issue a copy of the documentation with the argumentation that they had technical problems at the time. Although these actions were anti-legal, the documentation was informally forwarded only following the Coalition representatives' insistence.

³⁴ CEAZ No.1 Municipality of Malësi e Madhe; CEAZ No.2 Municipality of Shkodër; CEAZ No.8 Municipality of Fushë-Arrëz; CEAZ No.9 Municipality of Tropojë; CEAZ No.10 Municipality of Hos; CEAZ No.11 Municipality of Kukës; CEAZ No.12 Municipality of Lezhë; CEAZ No.13 Municipality of Lezhë; CEAZ No.15 Municipality of Kurbin; CEAZ No.17 Municipality of Klos; CEAZ No.18 Municipality of Bulqizë; CEAZ No.19 Municipality of Dibër; CEAZ No.20 Municipality of Krujë; CEAZ No.21 Municipality of Durrës; CEAZ No.26 Municipality of Vora; CEAZ No.27 Municipality of Kamëz; CEAZ No.30 Municipality of Tirana; CEAZ No.31 Municipality of Tirana; CEAZ No.33 Municipality of Tirana; CEAZ No.36 Municipality of Tirana; CEAZ No.38 Municipality of Tirana; CEAZ No.39 Municipality of Tirana; CEAZ No.42 Municipality of Kavajë; CEAZ No.43 Municipality of Rrogozhinë; CEAZ No.45 Municipality of Belsh; CEAZ No.46 Municipality of Cërrik; CEAZ No.48 Municipality of Elbasan; CEAZ No.49 Municipality of Elbasan; CEAZ No.50 Municipality of Elbasan; CEAZ No.51 Municipality of Gramsh; CEAZ No.59 Municipality of Patos; CEAZ No.62 Municipality of Ura Vajgurore; CEAZ No.63 Municipality of Kuçovë; CEAZ No.64 Municipality of Berat; CEAZ No.66 Municipality of Skrapar; CEAZ No.68 Municipality of Maliq; CEAZ No.73 Municipality of Kolonjë; CEAZ No.76 Municipality of Memaliaj; CEAZ No.78 Municipality of Gjirokastrë; CEAZ No.82 Municipality of Vlorë; CEAZ No.88 Municipality of Sarandë; CEAZ No.89 Municipality of Finiq.

³⁵ CEAZ No. 3 Municipality of Shkodër; CEAZ No. 4 Municipality of Shkodër; CEAZ No. 5 Municipality of Shkodër; CEAZ No. 6 Municipality of Shkodër; CEAZ No. 7 Municipality of Shkodër; CEAZ No. 14 Municipality of Mirditë; CEAZ No. 16 Municipality of Mat; CEAZ No. 22 Municipality of Durrës; CEAZ No. 23 Municipality of Durrës; CEAZ No. 24 Municipality of Durrës; CEAZ No. 25 Municipality of Shijak; CEAZ No. 28 Municipality of Kamëz; CEAZ No. 29 Municipality of Tiranë; CEAZ No. 32 Municipality of Tiranë; CEAZ No. 34 Municipality of Tiranë; CEAZ No. 35 Municipality of Tiranë; CEAZ No. 37 Municipality of Tiranë; CEAZ No. 40 Municipality of Tiranë; CEAZ No. 41 Municipality of Tiranë; CEAZ No. 44 Municipality of Pëqin; CEAZ No. 47 Municipality of Elbasan; CEAZ No. 52 Municipality of Librazhd; CEAZ No. 53 Municipality of Përrenjas; CEAZ No. 54 Municipality of Lushnjë; CEAZ No. 55 Municipality of Lushnjë; CEAZ No. 56 Municipality of Divjakë; CEAZ No. 57 Municipality of Fier; CEAZ No. 58 Municipality of Fier; CEAZ No. 60 Municipality of Roskovec; CEAZ No. 61 Municipality of Mallakastër; CEAZ No. 65 Municipality of Paliçan; CEAZ No. 67 Municipality of Pogradec; CEAZ No. 69 Municipality of Pustec; CEAZ No. 70 Municipality of Devoll; CEAZ No. 71 Municipality of Korçë; CEAZ No. 72 Municipality of Korçë; CEAZ No. 74 Municipality of Përmet; CEAZ No. 75 Municipality of Këlcyre; CEAZ No. 77 Municipality of Tepelenë; CEAZ No. 79 Municipality of Libohovë; CEAZ No. 80 Municipality of Dropull; CEAZ No. 81 Municipality of Vlorë; CEAZ No. 83 Municipality of Vlorë; CEAZ No. 84 Municipality of Vlorë; CEAZ No. 85 Municipality of Selencë; CEAZ No. 86 Municipality of Himarë; CEAZ No. 87 Municipality of Delvinë dhe CEAZ No. 90 Municipality of Konispol.

were assessed according to the chronological order of the acts and it resulted that at least 10% of the Decisions made were not forwarded to the CEC³⁶.

One of the most problematic issues regarding the decision-making processes of 48 CEAZs is that there are no Acts for approving party observers that support their decisions. This situation creates a problematic context because there are many uncertainties regarding the implementation of the legal obligations on the number of party observers at the VCs, CEAZs or BCCs; which political entities accredited these observers and the number of observers each entity had in rapport with each administration commission.

3) The infrastructure enabled by the CEC for the CEAZs

Taking into consideration the implementation of legal obligations, the legal framework stipulates that infrastructure is required for the work of the Commissions of Electoral Administration Zones. This infrastructure includes appointing a headquarters, providing landline service, internet service, electricity or office materials (personal computers, printers, scanners, etc.). It is acknowledged that, in the context of local capacities, terms and amendments of the legal framework, these requests are difficult to be carried out.

The progress of the process stressed that there are shortcomings and problems in observing the requirements of the law regarding the infrastructure of these commissions.

Regarding the approved location of these commissions' headquarters, it resulted that five were deemed not to be in compliance with the legal framework³⁷.

Until the end of May, approximately one month prior to Election Day and two months after the establishment of the Commissions, the commissions continued to have shortcomings regarding the commodities required in offices. None of the commissions had a landline phone number, at least 20% did not have personal computers, approximately 20% did not have printers or scanners and approximately 20% did not have internet connection. These shortcomings were present even on the Election Day, when the commissions had shortcomings pertaining to the legal framework³⁸.

C. The Progress of the activity of Voting Centre Commissions

Election Day of 25 June 2017 was administered by 5,362 Voting Centre

³⁶ What was noticed in many cases in the decisions forwarded to the CEC and made available to CDO, dozens of the CEAZs' decisions were made only in few days. Twelve of the CEAZs have taken all their decisions between 24 and 26 June 2017.

³⁷ The headquarters of CEAZs No.71, 72, 74, 75 and 89, were not appointed at public facilities with an education, cultural or health function. They were appointed at the Municipality facility or dependent to the Municipality. This gives the idea that the commissions are not independent administration bodies, but local governance dependent bodies.

³⁸ CEAZ No.24 Municipality of Durrës had no computers, printers and electricity, CEAZ No.35 computers did not function properly; CEAZ No.80 Municipality of Dropull had no landline telephone number; CEAZ No.48 Municipality of Elbasan had no printer and photocopier; CEAZ No.49 Municipality of Elbasan had a non-functional printer.

Commissions³⁹. From a total of 5,362 Voting Centers (VC), 4,952 were located in public premises, 389 in private premises and 21 in the premises of special institutions.

The VCCs had to be established by 31 May 2017⁴⁰, but ultimately the submission for proposals of members of the VCCs by electoral subjects were submitted one day before Election Day. This was an issue that was raised with force by the Central Election Commission in some public communications⁴¹.

During the last public communication of the CEC regarding this matter, as of 22 June 2017, the VCCs of 16 CEAZs had not yet been established.

According to the Decision of the Council of Ministers No.473, 1 June 2017, it was determined that public functionaries who wanted to be VCC members were required to inform and get the approval of their superiors⁴². This created an intimidation situation or a situation in which the superiors of the public functionaries proposed by the electoral entities for VCC members did not allow this.

The current Act not only affected the progress of establishing the commissions, but also raised questions on its legality, concerning the inclusion or not of the public administration in the electoral administration process and also on the legal form that the regulatory Act played in employee legislation.

In the case of CEAZ commission members, who had almost all been appointed when the Act was issued, a significant problem was identified on determining the duties and positions of CEAZ members, who are also public administration employees, should have during the three or more months period during which the CEAZs function, without impinging the employment relationship or participation in the commission's activities.

³⁹ It is foreseen that in the vicinity of voting centers, Voting Centre Commissions shall be established. The VCCs shall be composed of seven members, one of whom will be the Chairperson and the other the secretary. Four members of half of the voting Centers are chosen by the two largest parties of the parliamentary majority and three are chosen by the two largest parties of the parliamentary opposition. The opposite happens at the other half of the Voting Centers, whilst the Chairperson and the secretary belong to opposite parties and are always proposed by the two largest parties of the parliamentary majority-opposition.

⁴⁰ "The Electoral Code of the Republic of Albania", Article 36, CEC composition, (...) "2. The CEAZ shall appoint the CEC members not later than 5 days from the submission of the proposals".

⁴¹ The CEC made five public announcements regarding the CEC member appointing process, addressing the delay in observing the Law on establishing these commissions. According to the declarations regarding this issue, fewer than 50% of the commission members were appointed on 13/06/2017. According to the declaration dated 15/06/2017, 62 CEAZs had not appointed any commission members for the Voting Centers, and none of the political parties had not submitted proposal in 31 CEAZs. In the declaration dated 19/06/2017 it was reported that 28 CEAZs had not concluded the CEC members' appointment process. In the declaration dated 21/06/2017 it was reported that 21 CEAZs had not concluded the CEC members appointment process, due to the fact that the political parties that have the competencies to propose VC commissioners have not yet submitted the lists with the proposed names and the respective documentation to the CEAZs. To conclude, in the declaration dated 23/06/2017 it was reported that 16 CEAZs had not yet established the VCCs.

⁴² Paragraph 5: "The state administration employee has the right to function as an electoral commission member, in CEAZs, and CTs after having prior handed in a written notification to the direct superior and human resources on this intention and after having received the written permission by the direct supervisor. Working as a commission member shall not intervene in carrying out the functional duties as part of civil services".

V. VOTER REGISTRATION

The Albanian legislation provides for passive registration of the voters. The mechanism allows for extracts of electoral components of citizens from 18 to 100 years old to be pulled from the National Register of Civil Status. Accuracy of the data is enabled through two mechanisms: the audit technicians nominated by the CEC and the administrative-judicial correction, initiated by citizens.

A. Data about the process

The legal deadline for the publication of the final voter list for the Elections for the Assembly, initially decreed for 18 June 2017, was 8 May 2017. After the President decreed 25 June 2017 as the new election date, the amended ordinance on the procedures for the compilation of the voter list determined 24 May 2017 as the new deadline for the publication of the final list. This deadline did not comply with the legal provision for the publication of the final voter list, which has to be no later than 40 days prior to the election day, and in this case, it would have to be 16 May.

For the election of 25 June 2017, the list included 3,452,308 Albanian citizens, over 18 years old and with the right to vote, of whom 136,651 or 3.96 % were first time voters. The men-women ratio was 51% - 49%. From the list were removed 1,489 persons who had reached 100 years of age and 1,367 persons who had lost the right to vote as a result of the implementation of the decriminalization process.

With regard to the Voting Centers for the election of 25 June 2017, 21 of them were special VCs located in state buildings, with a total of 3,166 voters. From these, 19 were part of the penitentiary system⁴³, one was a residence for seniors and another one was a military facility.

The compilation of the final voter list has to be preceded by a 60-day process of written notification of voters⁴⁴ and a 5-month process of cyclic monthly publication of the extracts of the electoral components⁴⁵. These two processes serve to correct inaccuracies in the voter list based on the work done by the Civil Status Offices (CSO) under the supervision of the audit technicians selected by the CEC, as well as through the administrative and judicial complaints undertaken by the

⁴³ Of 23 Institutions for the Execution of Penal Sentences (IEPS) throughout the country, in four it was not established a special polling station due to the low number of voters, the minimum being 15, as provided for by the legal framework. The IEPSs in which no polling station was established are the IEPS of Krujë, the IEPS of Tropojë, the IEPS in the Prison Hospital of Tirana and the IEPS of Kavajë.

⁴⁴ "Electoral Code of the Republic of Albania", Article 52, Written notification of voters.

⁴⁵ "Electoral Code of the Republic of Albania", Article 51, Publication of the extract of electoral components.

voters themselves. The latter mechanism is an arrangement which helps the citizens who, after noticing inaccuracies in their electoral components, can request the Civil Status Office or the judicial bodies to make the correction.

B. Written notification of voters and verification of electoral components

For the Elections of 18 June, and later that of 25 June, the process of the written notification had to be carried out in the period between 4 January and 5 March 2017.

In this electoral process, for the first time after the amendment to the “*Election Code of the Republic of Albania*” of 2012, the Ministry of Internal Affairs issued a fund for the municipalities to carry out this process. It was officially announced that the fund allocated for this process was 13,869,660 ALL, and the funds were authorized for disbursement on 16 February 2017⁴⁶.

In addition to the unnecessary delay for the disbursement of the fund, lack of commitment by Local Government Units for the implementation of the law, took the process off the legal track. From communication with some municipalities, it is understood that the fund for the written notification was disbursed during the period 16 to 23 February 2017 and the written notification of voters started in March, whereas some other municipalities reported that the notification process continued until May. It should be noted that for this electoral process, unlike the two previous ones, the lack of commitment for compliance with the law was associated with a financial cost, for which no official information was issued, neither on the results of the process, nor how the funds were managed.

From official communications, no citizen used the judicial mechanism to request correction of electoral components.

⁴⁶ With regard to this process, based on official communication with the General Directorate of the Civil Status (GDCS), this institution has no data on the progress of the process of the written notification or other data collected from the compulsory reporting to be made by the Mayors, as the Electoral Code requires.

VI. REGISTRATION OF ELECTORAL SUBJECTS

A. Until the Agreement of 18 May 2017

Until the Agreement of 18 May 2017, 46 electoral subjects registered at the Central Election Commission, with 15 electoral subjects submitting candidates' lists, none of which was from the opposition political parties. No electoral coalition was registered⁴⁷. The deadline for the submission of the candidates' list of the electoral subjects and registration of the electoral coalitions was an issue that stirred a lot of debate.

In light of the high political conflict, the possibility that the opposition parties might not participate in the electoral process, and in the context of discussions within the ruling coalition, the Socialist Party (SP) and the Socialist Movement for Integration (SMI) sent a request to the Central Election Commission to postpone the legal deadline for the registration of the electoral subjects. This request was devoid of any legal ground, but the CEC considered it in its session of 20 April 2017. After discussing the matter, the CEC did not take a decision on it.

The provision of the procedure timelines in the *“Electoral Code of the Republic of Albania”* is problematic in many cases, due to the literary formulation, which leaves room for interpretation. One issue that was associated with strong political debates, was regarding the deadline for the submission of the candidates' lists of the electoral subjects, if it was 28 or 29 May 2017, with 18 June still being set as Election Day and the electoral subjects of the political majority having submitted their candidates' list on 29 May.

There was a complaint about this matter submitted to the Electoral College by two electoral subjects, but the College decided to stop the proceedings, as the parties withdrew. This came as a result of the Political Agreement of 18 May, which determined 25 June as the election date, thus leading to a new calculation of the deadlines.

B. After reaching the agreement of 18 May 2017

In absence of legal coherence, after the legal deadlines for the registration of the electoral subjects were re-assigned, only two parties submitted the request for registration. They were registered as electoral subjects by the Central Election Commission, on 26 May 2017.

The legal framework referred to by the Central Election Commission, in both cases, was problematic. The legal situation in which the legislator put the CEC, due to political will, was totally deficient and non-institutional.

⁴⁷ The legal deadline is 70 days prior to the election date for the registration of the electoral subjects, 60 days prior to the election date for the registration of the electoral coalition, and 50 days prior to the election date for the submission of the candidates' list of the electoral subjects.

However, the legal references in both above-mentioned cases, particularly Article 3 paragraph 3 of the Law 44/2015 “Code of Administrative Procedures”, which is a provision dealing with the definition of the term “discretion of public body”, adds an additional element to the current frame of unlawful precedents.

Based on the political agreement, the deadline for the submission of the candidates’ lists of the electoral subjects was re-assigned on 26 May 2017. The Democratic Party (DP) submitted the list beyond the deadline, and with a lot of inaccuracies. The Central Election Commission noticed the inaccuracies, and, in its meeting of 28 May 2017, decided to grant the Democratic Party 24 hours to complete the list and required documentation. The list was still incomplete on 29 May, and thus the CEC decided to grant the PD 24 more hours. The complete required documentation was submitted by the PD electoral subject by the meeting of 30 May, with the exception of compliance with mandatory gender quota in five electoral constituencies, for which the CEC applied respective legal sanctions.

As a result, the process was held with the participation of 18 electoral subjects, represented by 2,666 candidates, of whom 1,073 were women and 1,593 were men.

Among the candidates of the five electoral subjects who won seats in the Assembly (Socialist Party, Democratic Party, Socialist Movement for Integration, Socialdemocratic Party), the age-group 18-30 years old was the second most represented in the Assembly, with 26.5% of the seats⁴⁸. The Socialist Party was the electoral subject with the oldest age of the candidates, with an average age of 44 years, whereas the electoral subject with the youngest age was the Socialist Movement for Integration, with average age of candidates at 39 years old.

With regard to the place of birth of the candidates of the five electoral subjects in question, it may be noted that the largest number of them had as a birthplace the geographical zone of the Tirana area, at 17.4% of the total, and the lowest number had as a birthplace the geographical zone that belongs to the district of Lezhë, at 2.8% of the total⁴⁹.

⁴⁸ Among the five electoral subjects that won seats in the Assembly (SP, DP, SMI, PJIU, DSP) the representation of the age groups was as follows: 26,5% of the candidates were the age group 18-30 years old; 20,77% of the candidates were the age group 31-40 years old; 25,99% of the candidates were the age group 41-50 years old; 20,39% of the candidates were the age group 51-60 years old; 5,1% of the candidates were the age group 61-70 years old and 1,28 % of the candidates were the age group over 71 years old.

⁴⁹ Considering the birthplace of the candidates of the 5 electoral subjects which became parliamentary parties (SP, DP, SMI, PJIU, DSP), the most represented geographical zones (districts) were as follows: Tirana with 17,27%; Fieri with 12,86%; Elbasan with 10,85%; Durrës with 10,18%; Kukës with 3,62%; Shkodër with 9,51%; Vlora with 8,51%; Berati with 6,43%; Dibër with 5,89%; Gjirokastër with 5,63%; Korçë with 6,43% and Lezhë with 2,82%.

VII. ELECTORAL CAMPAIGN

The electoral campaign, or the electoral period as it is referred to by the Electoral Code, provides for the development of such campaigns by the electoral subjects starting 30 days prior to Election Day until 24 hours prior to it. This provision covers not only the regulation of the electoral campaign, but also other aspects, such as the financial activity of the electoral subjects, and aspects relating to public administration.

The electoral campaign for the elections of 25 June was to be conducted between 26 May and 23 June 2017. This electoral campaign was the first one, since the adoption of the Constitution of the Republic of Albania in 1998, in which electoral subjects competed alone and no pre-electoral coalitions were formed.

This electoral campaign contained and was threatened by features that were encountered even in earlier campaigns, but it also introduced new precedents.

A. Problems from tradition in the electoral processes

1) *The early electoral campaign*

Historically, electoral processes have been preceded by an early start of campaigning. This phenomenon is abetted by the lack of legal definition of what the electoral campaign is and what an early start of the campaign is, apart from a logical-legal assumption.

These electoral campaigns, from one electoral process to the next, have witnessed earlier and earlier starts. Hence, from a limited period of challenging and debating electoral alternatives, the campaign is transformed into a several months-long institutional paralyses due to political tension.

The institutional boycott and the protest which the opposition started on 18 February, served, among others, as an earlier start of the electoral campaign. Although the protest did not have as its object an electoral offer, the fact that it was close to the election date and the demands related to the electoral process, together with its alternatives and demands, it served as a start for the electoral campaign. During this pre-electoral protest, the participants delivered messages using hate speech, which contributed to the creation of an insecure institutional climate. However, further through the electoral campaign, the aggressive tones of the electoral messages faded away.

The earlier start of the electoral campaign had the parallel running of activities of the ruling majority, mainly the Socialist Party. The activity of this electoral subject and its representatives in the government, with the slogan "*For the Albania we want*", which later became its electoral slogan, started in early April.

Through the course of these pre-electoral activities, institutional or not, with the participation of the Prime Minister or the members of the government, there was a continuous delivery of electoral messages, particularly through these actors, who also covered important positions as electoral coordinators.

Engagement of representatives of local government units in the campaign of the Socialist Party was observed. In line with electoral messages delivered in previous electoral processes, these representatives, in their public statements connected the normal work of the local government with the support from the government, and made open electoral calls to support the latter.

The non-compliance of the SP with the provisions for the conduct of electoral campaigns was obvious even through the period of the electoral silence, during which there were messages delivered by the representatives of this electoral subject through telephone messages with electoral content and motivation⁵⁰.

2) Lack of electoral platforms and discussion on electoral offers

Although it started several months prior to the legal provisions, the campaign for the election of 25 June 2017 lacked a serious debate over electoral offers.

This lack of electoral offers was reflected also in the formal lack of publication of genuine policy documents for the presentation of electoral platforms by most electoral subjects⁵¹. Even the main electoral subjects, which pretended to be the future ruling force, either presented declamatory documents or paid no attention to serious electoral arguments.

The lack of arguments was accompanied with protagonist of the political leaders, who allowed no space for the presentation of the candidates.

The main candidates remained in the shadow, behind the electoral logos and the high conflict of the political leadership. This phenomenon contributes to further the gap between parliamentary representatives with their constituents.

From the reports of the State Police during the official period of the electoral campaign were held 1,141 electoral rallies by 14 electoral subjects⁵². According to the reports of the State Police, the electoral zone with the highest number of electoral activities was Tirana, with 194 activities, and the one with the least electoral activities was Fier, with 51 activities. With regard to the electoral subjects, the Socialist Party (SP) held 517 rallies, the Democratic Party (DP) held 357 rallies, the Socialist Movement for

⁵⁰ The most flagrant of these actions was that in the municipality of Tirana, that the Mayor gave out invitations with electoral content.

⁵¹ On 20 June 2017, CDO sent an official request to all the political subjects participating in the election for a copy of their electoral platform. There was no official reply from the 18 subjects.

⁵² Law No. 8773, dated 23/04/2001, "On rallies", Article 5, Notification to the State Police, (...) "1. In case of rallies in public squares or passages, its organizer or director shall have to send written notification to the chief of the police station, no later than three days prior to the rally."

Integration (SMI) held 182 rallies, and the Party for Justice, Integration and Unity (PJIU) held 47 rallies⁵³.

Another recurrent feature in this campaign was the encouragement to boycott the electoral process, or to cast a white ballot vote. Some non-parliamentary political forces, with low electoral profiles, called on the citizens to boycott the electoral process. This stance for boycott was justified as a form of protest against an electoral process without real alternatives and against the political establishment.

This spirit of boycott, although it was not a politically directed action, was noticed in an unprecedented case in the Qark of Elbasan at the Voting Center No. 2640 in the village Grabovë. No voters showed up at this polling station, and even the commissioners themselves did not vote. This boycott behavior was announced as a manifestation of the local community regarding the political offers presented by the political establishment.

B. New precedents of the electoral campaign

The amendments to the Law “*On Political Parties*” adopted in the extraordinary session of the Assembly of 22 May 2017, largely constrained the use of electoral promotion materials at urban level and prohibited paid political advertising in media outlets, television and radio channels. As a consequence, these constraints and prohibitions contributed to an electoral campaign that was visually not saturated with political advertising in comparison to previous electoral processes.

Contrary to this image, the reporting of the long-term observers revealed that there was a displacement of the electoral campaigns. The campaign, following also a trend projected from earlier campaigns, was decentralized, at base level and local organization. The organization of the electoral campaign was noticed as a decentralized organization in the pattern of door-to-door electoral meetings, thus avoiding the tradition of massive rallies.

Based on the reporting from the municipalities⁵⁴, to the extent that there

⁵³ The total number of rallies reported by the State Police reveals that the following were held: in the District Tiranë SP – 78 rallies, DP – 78 rallies, SMI – 22 rallies, PJIU – 7 rallies; in the District Durrës SP – 30 rallies, DP – 19 rallies, SMI – 5 rallies, PJIU – 2 rallies; in the District Shkodër SP – 39 rallies, DP – 20 rallies, SMI – 5 rallies, PJIU – 2 rallies; in the District Vlorë SP – 9 rallies, DP – 3 rallies, SMI – 5 rallies, PJIU – 1 rally; in the District Gjirokastër SP – 43 rallies, DP – 23 rallies, SMI – 20 rallies, PJIU – 0 rallies; in the District Elbasan SP – 86 rallies, DP – 46 rallies, SMI – 33 rallies, PJIU – 15 rallies; in the District Fier SP – 27 rallies, DP – 14 rallies, SMI – 5 rallies, PJIU – 3 rallies; in the District Korçë SP – 41 rallies, DP – 19 rallies, SMI – 3 rallies, PJIU – 3 rallies; in the District Dibër SP – 31 rallies, DP – 24 rallies, SMI – 22 rallies, PJIU – 13 rallies; in the District Berat SP – 47 rallies, DP – 14 rallies, SMI – 22 rallies, PJIU – 1 rally; in the District Kukës SP – 48 rallies, DP – 56 rallies, SMI – 33 rallies, PJIU – 0 rallies and in the District Lezhë SP – 38 rallies, DP – 41 rallies, SMI – 7 rallies and PJIU – 0 rallies.

⁵⁴ Instruction of the Central Election Commission No. 1, dated 31/05/2017 “On the use of propaganda materials and the places for their display during the electoral campaign”, Article 2, (...) “The electoral subject is obliged to send written notification about the address of the electoral offices to the Mayor within 5 days from the date that this ordinance takes effect. No later than 5 days from the day of the reception of the information, the municipality administration carries out the verification of the location of the electoral offices and the compliance with the provisions of this ordinance for the display of the propaganda materials”.

was such communication, electoral subjects registered at least 854 electoral offices as private facilities to direct and to organize the electoral promotion.

The municipality with the largest number of electoral offices was Tirana, with 197 registered offices, and the municipality with the smallest number of registered offices was Lushnjë, with one registered office⁵⁵. These are the minimum data, because, in most cases, the electoral subjects did not register the electoral offices with the municipalities.

As for the number of offices for electoral subjects, among those which became parliamentary parties, the subject with the largest number of offices was the Socialist Party, with 465 offices, followed by the Socialist Movement for Integration, with 159 offices, the Democratic Party, with 117 offices, the Party for Justice, Integration and Unity, with 86 offices and the Social Democratic Party, with 1 office⁵⁶.

The large number of these temporary setups, the decentralized structuring at base level of the electoral campaign, in the circumstances of the lack of electoral offers, cast doubts on the objectives of the work of these electoral offices. These local units serving the electoral subjects were observed as organizational units, hinting at directing and controlling of the votes.

Although there was no pre-electoral coalition in this electoral process, throughout the campaign there was a notably tacit understanding between the Democratic Party and the Socialist Party, against other electoral subjects. The targets became mainly the Socialist Movement for Integration and the Party for Justice, Integration and Unity, which were accused as profiteers from earlier coalitions, as well as abusers of the public administration in the interests of their own parties. To such accusations, it was mainly the Socialist Movement for Integration which replied with counter-accusations against the Socialist Party for criminal connections or for connections with narco-trafficking.

The approach of the political groups had its influence on the management of the electoral process and the overall situation of the electoral process at local level.

The tacit political agreement also fostered agreement in the functioning of the election administration commissions, with the agreement of the SP-DP members, which determined the functioning and the operation of the electoral commissions outside of the spirit of political balance provided for by the electoral law, in some sort of unison among the two, but closed to the observers or third parties, particularly with regard to the problems that were encountered.

⁵⁵ Based on the official replies from 46 municipalities, it resulted as follows: the Qark of Berat had 59 electoral offices; the Qark of Dibër 70 electoral offices; the Qark of Durrës 67 electoral offices; the Qark of Elbasan 38 electoral offices; the Qark of Fier 38 electoral offices; The Qark of Gjirokastrë 72 electoral offices; the Qark of Korçë 142 electoral offices; the Qark of Kukës 50 electoral offices; the Qark of Lezhë 67 electoral offices; the Qark of Vlorë 9 electoral offices and the Qark of Shkodër 30 electoral offices.

⁵⁶ Whereas, other parties were: The Social Democracy Party with 2 offices, the New Democratic Spirit with 2 offices, the Republican Party with 19 offices, the Christian Democrat Party with 2 offices, the Demo-Christian Union Party with 1 office, The Demo-Christian Alliance Party with 1 office, The Party of People's Alliance for Justice with 1 office and the Party Ethnic Greek Minority for the Future with 1 office.

VIII. CAMPAIGN FINANCE

A. Financial transparency

Regulation of finances of electoral campaigns and political subjects, as two closely related issues, remains deficient in the legal framework, failing to provide an effective institutional mechanism.

The primary problem of this mechanism, in addition to non-compliance with legal provisions such as constraints and prohibitions, is the failure to guarantee transparency.

Lack of transparency on the incomes and the expenditure of electoral subjects and political subjects raises a serious concern, in principle, about the level to which these subjects may be beholden to private unlawful interests.

In order to promote the spirit of transparency toward the voters, CDO called on all the electoral subjects and candidates to disclose, prior to Election Day, their incomes and expenditures relating to the organization of the campaign, as well as the self-declaration of the financial status by the candidates⁵⁷. This is not provisioned by law, but it would help to inform citizens prior to voting about the financial integrity of the electoral subjects and the candidates.

This public call saw no reaction on the part of any of the electoral subjects or the candidates, despite their commitments and pledges for transparency.

B. The audit mechanism

The legal mechanism provides for the audit of the financial activity of the electoral subjects by accounting experts selected by the Central Election Commission. The experts for the audit of the financial activity during the electoral campaign for the election of 25 June, were selected in the session of the CEC of 31 July 2017. These experts are expected to check the truthfulness and the comprehensiveness of the financial documents of the electoral subjects for the organization of the electoral campaign.

For the first time in this process, with the amendment to the Law “*On political parties*” on the eve of the electoral campaign for the election of 25 June 2017, there were provisions, among others, for a new legal mechanism to supervise the financial activity of the electoral subjects. Pursuant to these provisions, a staff of 24 financial experts, selected by the Central Election Commission by casting lots, were tasked with monitoring the electoral activities of the electoral subjects, and to estimate the financial costs therefrom.

⁵⁷ The Coalition of Domestic Observers, Public Stance “Vote the Transparency! The transparency for the financial state and sources of the candidates and the finances of the electoral campaign, as the core to the shaping of the Integrity of the Electoral Process, of the Elected and of the Political Parties”, of 21/06/2017.

These financial experts shall compile the final supervision report within four months of the day of their assignment, which, for this electoral process, shall be no later than 26 November 2017. Based on the experience so far, among the most expensive electoral items in the (lawful) expenditure of the electoral subjects were mainly: ¹electoral activities (meetings, rallies), ²electoral offices, ³payments to the commission members and observers, and ⁴media promotion (paid commercials). These four items of expenditure should be of primary importance in the work of the accounting experts selected for the audit and the evaluation of the costs of the electoral campaign⁵⁸.

IX. MEDIA

The role of the media, in all its forms, prior to and throughout the course of the electoral campaign, is determinant to the result of the electoral processes. Media, as a massive communication tool, is gaining a solid social position thanks to technological developments, and serves to provide the promotion space for political alternatives. However, it can also be transformed into a tool for the distortion of the public opinion. The distortion force public opinion through the media, throughout the world, has been shown to be capable of overturning the electoral results.

A. Amendments and deficiencies of the legal framework

The amendment to the law “*On the audio-visual media in the Republic of Albania*” adopted in the extraordinary session of 22 May 2017, determined the prohibition of paid political advertising in media outlets during the electoral period. This legal provision was largely challenged by the main media outlets, which even threatened that they would not abide by it.

However, the legal framework still fails to regulate political advertising, paid or not, hidden or direct, beyond the electoral period.

Also because of the early start of the electoral campaigns, the media outlets are widely used to deliver electoral messages which are not regulated by the law. The legal framework does not even provide for a definition of what may be considered “hidden political advertising”, which is widely misused by the media outlets during the non-electoral period⁵⁹.

⁵⁸ However, apart from these four above-mentioned items, the financial activity of the electoral subject has a large set of costs. These involve a financial cost, but they do not necessarily carry a direct financial transaction. These are carried out to serve the interests of the electoral campaigns of the political parties, but they are not necessarily carried out by the political parties. These are the instances that refer to the volunteering or the services free of charge, as well as the electoral campaign by a third or a “shadow” party. While there is a law to address the volunteering – the Law “On the volunteering”, whose implementation has been abandoned, there is no legal regulation for the cases of the “shadow” electoral campaign.

⁵⁹ As for political advertising beyond the electoral period, the Audio-visual Media Authority released a public

The main form of misuse of this regulatory deficiency has been through audio-visual materials prepared by political parties or institutions for broadcast in the news programs of media outlets.

These prepared materials, although informative in nature, in a hidden form, and sometimes even in a straightforward way, deliver electoral messages.

Another form widely used by the news TV channels is the live broadcasts of the activities of the electoral subjects. This is TV time dedicated for direct electoral effect, which, among others, involves financial costs, and is thus a circumvention of the latest legal amendments.

On the other hand, the latest legal amendments did not address paid political advertising in written and online media (social networks or portals), within or beyond the electoral period. This form of political advertisements was widely used during the electoral campaign, mainly in online media.

B. The reports of the Media Monitoring Board

The Media Monitoring Board is a temporary structure of seven members selected respectively by the seven members of the Central Election Commission, and it is established under the authority of the Audio-visual Media Authority (AMA). The goal of this structure is to monitor the compliance of media outlets with the electoral legal framework regarding broadcast time. This Board has the responsibility to submit to the Central Election Commission daily reports about TV time on media outlets regarding the balance of media coverage of the electoral campaign. Based on these daily reports, upon proposal of the Board or by initiative of the CEC members, decisions can be taken to sanction cases of non-compliance with the legal provisions regarding TV time coverage.

In the tradition of earlier experience of electoral processes, and in this process too, CEC behavior was lenient in the face of breaches to the legal provisions regarding airtime coverage.

In absolute violation of the regulatory framework, neither was the institutional reaction daily, nor were there any measures taken to punish the violations. In the meetings where the Board's weekly reports were discussed⁶⁰, regarding the non-compliance with the balance required for TV time coverage, the decisions were only to request to media outlets compensation for the imbalance of airtime.

stance about two cases in this electoral process. Through its statements on 15 February 2017 and 10 May 2017, it called for the prohibition of the advertisements on media providers, which announced the organization of the protests held by the Democratic Party on 18 February and 13 May 2017, for which AMA deemed that such content could be allowed only in the period of the electoral campaign. This action was just in its essence for its prohibition of the political advertising beyond the electoral framework, but such stance should have to be even stronger and to address the many cases of hidden political advertisements beyond the electoral framework.

⁶⁰ The sessions of the Central Election Commission which examined the reports of the Media Monitoring Board (MMB), were held on 5, 12, 19, 22 and 30 June 2017. It should be noted that, for the second consecutive general election process, the reports of the MMB are jointly agreed by all the members.

Pursuant to the Electoral Code, the sanctioning to compensate for the balance of airtime may be applied to the Public Television only, whereas, for private TV providers, the measures to be applied are fines, or, in case of repeated counts, the suspension of broadcasts for 48 hours⁶¹. Furthermore, it appears that the logic applied by the Central Election Commission runs contrary to the spirit of the Electoral Code. This institution had a longer span approach: weekly or four-week basis for the airtime of each subject⁶².

Failure to provide the systematic processing of daily reports of the MMB, or their being in an easily understandable format for the public, should also be noted.

From the observation of the accumulated time from the daily monitoring reports during the electoral period, from 26 May 2017 to 23 June 2017, in the news broadcasts of the four national media outlets, SP received 2,724 minutes of coverage, DP 2,476 minutes, SMI 1,465 minutes and PJIU 267 minutes⁶³.

The TV time coverage reflects non-compliance with the time balance on the news broadcasts “1 for 2” between parliamentary parties that hold less than 20% of the seats in parliament with those who hold more than 20% of the seats⁶⁴.

Based on the observation of the accumulated time from the daily monitoring reports during the electoral period from 26 May to 23 June 2017, from live broadcasts of the four most important media outlets and most important news TV channels, SP received 6,375 minutes of coverage, DP 4,429 minutes, SMI 2,016 minutes, and PJIU 383 minutes⁶⁵.

⁶¹ With regard to the reports issued by the Media Monitoring Board, it can be noticed that despite the observation of the inequalities and the non-compliance with the balanced time among the electoral subjects in the reports submitted to the CEC, there was no administrative measure taken for the media which had breached the Electoral Code provisions, regarding the media coverage of the electoral campaign.

⁶² This is non-compliant with the legal provisions that the sanctions be applied at daily level, because, as it can be noticed in the nature of the above-mentioned sanctions, the suspension of the broadcasting, and the fact that the MMB reporting must be on daily, the Electoral Code highlights in particular the maintenance of the equity in TV and radio broadcast through each day of the electoral campaign.

⁶³ During the period 26/05/2017 until 23/06/2017, The Socialist Party among others, has received the following time in the news broadcasts on: TVSH (State TV Channel)- 147.47, Top Channel - 283.13, Klan Tv - 323.22, Vision Plus - 303.89, News 24 - 282.35, Ora News - 298.25, Report Tv - 401.42 and Top News - 684.59. During the period 26/05/2017 until 23/06/2017, the Democratic Party among others, has received the following time in the news broadcasts on: TVSH (State TV Channel)- 166.04, Top Channel - 253.08, Klan Tv - 218.8, Vizion Plus - 298.68, News 24 - 219.35, Ora News - 280.52, Report Tv - 525.88, Top News - 513.51. During the period 26/05/2017 until 23/06/2017, the Party Socialist Movement for Integration among others, has received the following time in the news broadcasts on: TVSH (State TV Channel)- 97.14, Top Channel - 125.75, Klan Tv - 162.26, Vizion Plus - 150.25, News 24 - 185.88, Ora News - 197.25, Report Tv - 257.97, Top News - 288.45. During the period 26/05/2017 until 23/06/2017, the Party for Justice, Integration and Unity, among others, has received the following time in the news broadcasts on: TVSH (State TV Channel)- 63.07, Top Channel - 12.37, Klan Tv - 5.13, Vizion Plus - 2.45, News 24 - 60.06, Ora News - 35.48, Report Tv - 38.79 and Top News - 33.52.

⁶⁴ “Electoral Code of the Republic of Albania”, Article 81, News broadcasts of the Public Radio and Television, (...) “1. During the political airtime of news broadcasts, the Public Radio and Television must apply an equal time ratio to all parliamentary parties that in the last elections to the Assembly, won up to 20 per cent of the seats in the Assembly. The parties that won more than 20 per cent of the seats in the Assembly are entitled to airtime that is allocated equally among them. Each of these parties is entitled double the amount of airtime of a party that has won up to 20 per cent of the seats in the Assembly.”

⁶⁵ During the period 26/05/2017 until 23/06/2017, the Socialist Party, among others, has received the following time in the live broadcasts on: TVSH (State TV Channel) - 37, Top Channel - 4, Klan Tv - 0, Vizion Plus - 4, News 24 - 1'254, Ora News - 1'954, Report Tv - 1'665.92, Top News - 1'460. During the period 26/05/2017 until 23/06/2017, Democratic Party among others, has received the following time in the live broadcasts on: TVSH (State TV Channel) - 0, Top Channel - 0, Klan Tv - 0, Vizion Plus - 0, News 24 - 1'068, Ora News - 1422, Report Tv - 930, Top News - 1'009. During the period 26/05/2017 until 23/06/2017, the Socialist Movement for

Regarding the special programs broadcasts on eight media outlets, of which four are national TV channels and four are news TV channels, from the observation of the accumulative time from the daily monitoring reports during the electoral period from 26 May to 23 June 2017, SP received 68 minutes of coverage, DP 2,918 minutes, SMI 117 minutes, and PJIU 210 minutes⁶⁶.

The TV time allotted to electoral subjects with live coverage of their electoral activities, as well as the special programs dedicated to them, firstly raises the question of whether these are political advertising.

Further, regarding the TV time coverage dedicated to them, there are also questions raised about the financial costs and their attitude regarding the prohibition of the paid political advertisings.

Even otherwise, if such TV time is considered to have been granted free of charge and not as political advertising, the "Election Code of the Republic of Albania" provides that "*Private radio and television shall not allocate airtime to political subjects for their electoral campaign*"⁶⁷.

C. The use of "cassettes" and the critical role of the media

The problem of the use by media outlets of audio-visual materials prepared by the electoral subjects, continued to be an issue of concern in this electoral campaign.

Pursuant to the CEC decision of 2013, media outlets are obliged, through the electoral campaign, to broadcast audio-visual materials (the so-called "cassettes") prepared by the electoral subjects, concerning their electoral activities. In this process, with regard to this issue, there were two important reactions. The Ombudsman and the Director General of the Albanian Radio Television contested and rejected the earlier regulatory provision made by the CEC⁶⁸.

Integration among others, has received the following time in the live broadcasts on: TVSH (State TV Channel) - 0, Top Channel - 0, Klan Tv - 0, Vizion Plus - 0, News 24 - 507, Ora News - 514, Report Tv - 412, Top News - 583. During the period 26/05/2017 until 23/06/2017, the Party for Justice, Integration and Unity, among others, has received the following time in the live broadcasts on: TVSH (State TV Channel)- 0, Top Channel - 0, Klan Tv - 0, Vizion Plus - 0, News 24 - 178, Ora News - 9, Report Tv - 196 and Top News - 0.

⁶⁶ *During the period 26/05/2017 until 23/06/2017, the Socialist Party of Albania, among others, has received the following time in the special programs on: TVSH (State TV Channel) - 2, Top Channel - 3, Klan Tv - 0, Vizion Plus - 0, News 24 - 49, Ora News - 8, Report Tv - 6, Top News - 0. During the period 26/05/2017 until 23/06/2017, the Democratic Party of Albania, among others, has received the following time in the special programs on: TVSH (State TV Channel) - 0, Top Channel - 3, Klan Tv - 0, Vizion Plus - 0, News 24 - 296, Ora News - 419, Report Tv - 940, Top News - 1'260. During the period 26/05/2017 until 23/06/2017, the Socialist Movement for Integration among others, has received the following time in the special programs on: TVSH (State TV Channel)- 0, Top Channel - 0, Klan Tv - 0, Vizion Plus - 0, News 24 - 23, Ora News - 30, Report Tv - 61, Top News - 0. During the period 26/05/2017 until 23/06/2017, the Party for Justice, Integration and Unity, among others, has received the following time in the special programs on: TVSH (State TV Channel) - 0, Top Channel - 0, Klan Tv - 0, Vizion Plus - 0, News 24 - 85, Ora News - 0, Report Tv - 99 and Top News - 26.*

⁶⁷ *"Electoral Code of the Republic of Albania", Article 84, Electoral campaign on private radio and television stations, (...) "1. Private radios and televisions cover the electoral campaign only during normal and special news editions. Private radios and televisions shall not allocate airtime to political subjects for their electoral campaign. Electoral campaign information prepared and transmitted during the news editions based on the materials made available by the electoral subjects should be clearly identifiable in compliance with the CEC instructions."*

⁶⁸ *In his recommendation to the Chairman of the Central Election Commission on 04/05/2017, the Ombudsman argued about the formal invalidity and the anti-constitutional content of the decision taken*

The media, considered as the fourth estate in society, plays a powerful public role, and, in electoral periods, should stand as an unbiased actor, even critical to the electoral promises and platforms. In addition to reviews and evaluations by experts in various fields, the news programs, other programs and debates should serve as means to shape the public opinion with a critical sentiment toward the electoral platforms.

In this campaign, in line with earlier campaigns, it was observed that media had a strong focus on the advertisement of the campaign, rather than on its objective and unbiased coverage.

The media outlets served more as a delivery medium, but not as one to offer criticism of the electoral campaign, which, among other things, lacked electoral platforms.

by the Central Election Commission, that provides for this regulatory arrangement. As a consequence, the Ombudsman requested from the Central Election Commission "to initiate and to finalize, as soon as possible, the administrative procedure to observe and to evaluate the absolute invalidity of the CEC decision, No. 503 dated 3.06.2013". Further, in his letter dated 23/05/2017, the Director General of the Albanian Radio Television addressed this matter to the four largest parliamentary political parties. In this public communication, he declared that the Albanian Radio Television would not accept to broadcast during the electoral period, the audio-visual materials pre-prepared by the electoral subjects, because there would be coverage by this institution's reporters themselves.

X. THE COMPLAINTS PROCESS

The legal framework for complaints on electoral matters is regulated in accordance with the administrative and judicial complaints mechanisms. The administrative complaints mechanism consists of two instances, the first instance being the Commissions for Electoral Administration Zones, which was comprised of 90 units during this process, and the second instance being the Central Election Commission. On the other hand, judicial complaints are the scope of the Electoral College bodies' activities in the Tirana Court of Appeal. The results of this electoral process witnessed a low number of complaints, both at the administrative and judicial levels, during the pre- and post-election periods.

There were no complaints at the Central Election Commission before Election Day, and there were only five complaints after Election Day, from four different electoral subjects⁶⁹. On the other hand, in 2017 the Electoral College⁷⁰ not only focused on issues related to the electoral process of 25 June 2017. Out of 10 decisions of by this judicial body during this year, two were related to the so-called decriminalization process, and one to the vacancies in the Municipal Council of Tirana. The other seven decisions were related to the electoral process and applied to the pre-election period.

A. Complaints process before Election Day

The key elements that characterized lawsuits at the Electoral College before Election Day were mainly related to the situation of the institutional boycott and the risk of an election boycott by electoral subjects, namely the Democratic Party and the Republican Party. After the Political Agreement on 18 May, this boycott was followed by the postponement of the election date, as well as the registration of some electoral subjects exceeding the legal deadline.

1) Contestations on the legal deadline for the registration of electoral subjects

The Popular Alliance Party (PPA) and the Environmental Agrarian Party (EAP) filed their respective complaints at the Electoral College regarding

⁶⁹ One of them was withdrawn; the other one had an administrative object; and the three others' object was the votes recounting and reassessment in the regions of Tirana and Berat. In the cases of the three lawsuits with the object of votes' recounting and reassessment in some voting centers for the two regions, claims were accepted by the Central Election Commission.

⁷⁰ With the decree of the Election Day by the President of the Republic of Albania, on 09.12.2016, the High Council of Justice drew lots for the election of 8 members of the Electoral College. Two of the members elected to be part of the Electoral College body were members of the High Council of Justice. One of the members of the High Council of Justice, Mr. Sokol Çomo, elected by the Assembly of the Republic of Albania, raised two concerns related to lots on 09.12.2016. The member in question, after requiring the approval of a procedure for the progress of the members election, which was not approved, raised questions on the procedure of the judges vetting for taking part in the lots, if they complied with the law, and on the protocol of the lots mechanism that was drawn in the premises of the High Council of Justice. Based on this, it should be emphasized that no official stance of the institution was announced and there was no reaction on the authenticity of the allegations, or the potential situation of the conflict of interest.

the procedure that was followed to approve multi-name lists of a series of subjects. In the complaints it was argued that the electoral subjects had filed their multi-name lists on 29 April 2017, an alleged violation of the 50-day deadline stipulated by the Electoral Code, which, according to the plaintiffs, determined the final deadline to be on 28 April 2017.

The Electoral College could not comment on the grounds of the case, due to the fact that both plaintiffs withdrew their lawsuits and the case was dismissed⁷¹.

A concerning element was noted in the case of the lawsuit filed by the Popular Alliance Party regarding the Electoral College body selected for judging the case. Unlike the Environmental Agrarian Party, which withdrew before the beginning of the proceedings, the Popular Alliance Party withdrew during the proceedings in the session of 22 May 2017. During the discussions on this session, the Electoral College body informally implied that it was in the party's best interest to withdraw⁷².

The decision-making of the Electoral College on these cases, although seemingly minor cases such as exceeding a 24-hour deadline, would be valuable and set an important precedent. The arguments of the Electoral College at any case would be a precedent for the assessment following one of the most controversial topics in the electoral processes administration, such as meeting the procedural deadlines. The encouragement to withdraw, in an informal manner, by the Electoral College body as advice to the plaintiff, reflected the will of this body not to "intervene" in issues of high-level political discussions.

Due to the Political Agreement, it was necessary to reverse the decisions of the Central Election Commission on the registration of the Democratic Party and the Republican Party regarding the third complaint filed by the Youth Force Party (YFP). The plaintiff alleged that these acts were conducted in violation of the deadline stipulated by the Electoral Code. In its decision-making, the Electoral College body argued the lack of the active legitimacy of the Youth Force Party as a subject that did not have legal interest to put the College into motion on this issue. According to the Electoral College, the Youth Force Party did not have the right to file a lawsuit on this specific case and, as a consequence, its lawsuit was rejected⁷³.

⁷¹ In both cases lawsuits were dropped as a result of the Political Agreement on May, and the postponing of the election date by President's Decree, which implied the recalculation of the 50-day deadline as regards the new election date.

⁷² One of the members of the judicial body verbally communicated with the representative of the subject, with no audio recording, and the latter withdrew.

⁷³ The Electoral College did not examine the content of the lawsuit in this case, in other words whether or not there was a violation of the claim filing and approval of registration as an electoral subject of the Democratic Party and the Republican Party exceeding the deadline by the CEC. The plaintiff was considered illegitimate based on the jurisprudence of the High Court and the Constitutional Court, which implied that the subject which puts the court into motion (generally) shall have a specific personal interest on the case that is set forth. As a result of this legal argument, the Electoral College body argued that the Youth Force Party had filed a lawsuit while not having an interest on the matter.

With respect to the decision of the Electoral College, it is argued that the fact that the Youth Force Party ran in the elections was a good indicator of its specific interest, because as a candidate in this electoral process it was damaged by the inclusion of other parties exceeding the deadline. If we take into consideration the reasoning that the electoral subjects do not have a specific interest in filing such a lawsuit, we come to the conclusion that no one can bring a complaint related to the CEC decision-making on these grounds.

Lastly, part of this case category was the lawsuit filed by Mr. Dragua Ceka against the CEC decision, which rejected his request to register as a candidate proposed by the voters due to exceeding the deadline. The candidate argued that his request was valid due to the resetting of the deadline for electoral subjects' registration beyond the deadline. The Electoral College reaffirmed that the candidate registration documentation was submitted after the determined legal deadline. In the perspective of this body, the new deadline applied only to those political parties that were part of the political agreement, thus the lawsuit was rejected.

As a result, what was noted in the decision-making of the Electoral College was the stance of the judicial body attempting not to touch the status quo of the political administration of the electoral process. This was particularly noticeable in the stance of the Electoral College in the case of the Popular Alliance Party lawsuit and in its decision-making for the Youth Force Party lawsuit.

2) Determination of parliamentary and non-parliamentary electoral subjects

“The Electoral Code of the Republic of Albania” excludes the electoral subjects and coalitions of electoral subjects that hold a parliamentary seat from the obligation of submitting the support signatures lists for the registration of the candidates' multi-name lists. The legal regulation is still unclear regarding the definition of the “mandate possession during the last 6 months” due to the fact that the deadline to be taken into account is not determined⁷⁴.

Concerning this issue, the political party Equal List (LIBRA) addressed the Electoral College on 7 April 2017. The political subject, registered as an electoral subject, addressed the Central Election Commission to confirm that condition fulfilment for parliamentary mandate possession during the last six months was proven, but the CEC did not take any decision. The subject then filed a lawsuit at the Electoral College, with the object of obliging the CEC to make a decision on the case and confirm that condition fulfilment for parliamentary mandate possession was proven.

⁷⁴ Aiming at regulating this disposition, the Central Election Commission compiled a draft instruction, which however did not win the qualified majority of the votes to be approved during the 16.02.2017 session.

In the decision-making on 14 April 2017, the Electoral College body approved the complaint and determined the obligation of the Central Election Commission to consider the claim. Even though the Electoral College decision execution was considered by the CEC during the 20 April 2017 session, at the end of the meeting no decision was made.

3) Contestations on the assignment of the third and fourth member of the vote counting team

Regarding this process⁷⁵, this problem has been set forth through the complaint of the Socialist Movement for Integration. This subject filed a lawsuit over the CEC decision that included it along with the Party for Justice, Integration and Unity in the governing parliamentary parties and they had to draw lots to elect the third member of the vote counting team. The Electoral College argued that PJIU did not participate in the pre-election coalition with the party into power, not even during the last elections. For that reason, it was decided to change the decision of the CEC, by assigning only SMI as the subject that had the right to propose the third member of vote counting team. The two other electoral subjects, namely PJIU and RP, according to the Electoral College, had to draw lots for the fourth member, as parties of the opposition.

Regarding the case in question, the Electoral College examined the case with consideration to the 2009 precedent, but not the 2015 reasoning on the manner of assigning the members of the vote counting teams. These precedents essentially differ on the reference of the governing majority assessment. In the first case, the reference is the pre-election coalition, and in the other case the reference is the post-election coalition⁷⁶.

4) Replacement of the appointed CEAZ members and secretaries

The subject Mr. Piro Çelohoxhaj filed a lawsuit at the Electoral College in the capacity of the CEAZs former secretary, replaced by the CEC (after DP became an electoral subject). The subject opposed the decision of this body and demanded respective compensation. The College came to the conclusion that the nature of the lawsuit is part of the civil jurisdiction (in the context of work relations) and, as such, could not be examined by it. It is worth mentioning that there are irregularities in the CEC decision-making in this specific case, as well as all other replacements of CEAZs secretaries and members. Based on the Electoral Code, replacement cannot be carried out within 30 days of Election Day, whereas the CEC decided on 31 May.

⁷⁵ The determination of the parliamentary parties that elect the third and fourth members of the vote counting teams was the focus of the Electoral College decision-making in the 2009 and 2015 electoral processes.

⁷⁶ Regarding the case at issue, taking into account the pre-election coalitions, the Electoral College judged that the RP was not part of the governing pre-election coalition. Thus, as parliamentary parties with more than two members of parliament, they had the right to participate in the lots for assigning the fourth member of the BCTs. However, the electoral subject that had the right to elect the third member of the BCTs was the Socialist Movement for Integration.

B. Complaints process after Election Day

Recounting of ballots for some Voting Centers in the Qark of Tirana was the most important complaint practice in the Central Election Commission for this electoral process. Due to the complaint of the electoral subjects, namely the Socialist Party and mainly the Party for Justice, Integration and Unity, the Central Election Commission recounted ballots for 62 Voting Centers. These two electoral subjects in this process were interested in the opportunity of passing a mandate of about 40 votes in this Qark, after the declaration of the final result, from the Socialist Party to the Party for Justice, Integration and Unity.

The recounting and reassessment carried out by the Central Electoral Commission witnessed a high number of recounted votes in the voting centers, comparable to the process for the election of the Mayor of Tirana of May 2011, as well as in the Qark of Kukës during the parliamentary elections on 23 June 2013.

Even after the recounting process during the electoral process on 25 June 2017, just like in the majority of the previous recounting and reassessment practices, there was no “overturning” of results. In addition to an inconsistency of results in the majority of the voting centers, being that in a few cases the inconsistency levels were relatively high, generally the essence of the results was not undermined.

What is of great concern and keeps raising doubts about the counting process is that, in the abovementioned recounting processes, the final results are not identical to the previous ones, but cases of change can be identified with a level beyond the reasonable doubt of a human mistake.

Following the changeable results, it is fair to raise questions regarding the totality of results and mainly the potential damage to electoral subjects which are not part of the election administration process.

XI. INSTITUTIONS INVOLVED IN THE PROCESS AND DENUNCIATIONS

In addition to the existing institutional structures for the investigation or supervision of the state executive structures, civic commitment is also very useful in denouncing. Regardless of the capacities or the high expertise of the responsible institutions, civic commitment remains the best way to address corruptive manifestations in public administration.

A. The institutions involved in the process

Pursuant to the Political Agreement of 18 May 2017, the inter-ministerial Task-Force body was set up to supervise the use of the public administration resources in the electoral campaign⁷⁷.

In the framework of the inter-institutional action, this body was charged with the supervision of the process and included: The General Prosecutor, Central Election Commission, the General Police Directorate, Local Government Units (LGU), etc. The activity of this body was regulated by the Decision of the Council of Ministers No. 473, dated 1 June 2017, which revoked the earlier Order issued by the Prime Minister, No. 65, dated 12 May 2017.

The said body held five meetings in the period of less than a month of its operation, and the Coalition of the Domestic Observers had observer's status in the meetings.

1) The activity of the Task-Force

The positive element of this body was the effort for inter-institutional action to address the problems of electoral campaigns. Such interaction seems to be missing throughout the institutional functioning in the country. However, in the spirit of the legal framework, it is provisioned that the supervision and the direction of the electoral processes must be carried out by the Central Election Commission⁷⁸. Actually, this institution has traditionally tried to stand aside, so as to maintain as formal a stance of process administration as possible.

The timing of its creation and the time span of its operation provided, right from the start, made for an inefficient functioning of the Task-Force

⁷⁷ The Task-Force was directed by the Deputy Prime Minister and was made up of 10 members: the Minister of Internal Affairs, the Minister of Defense, the Minister of Education and Sport, the Minister of Justice, the State Minister for Relations with the Parliament, the State Minister for Local Affairs, the Secretary General of the Council of Ministers, the Director of the Public Administration, the Director General of State Police and the Director for the Prevention and the Administration of Money Laundering at the Ministry of Finance. In the Task Force meetings, were also invited the representatives of four institutions: The Commissioner for Supervision of Civil Service, the Ombudsman, the Prosecutor General and the Central Election Commission. This body was established on 05/06/2017 and held its sessions on 05/06/2017, 16/06/2017, 20/06/2017, 23/06/2017 and 25/06/2017.

⁷⁸ "Electoral Code of the Republic of Albania", Article 21, the CEC powers, provides for these powers: (...) "1. Issues decisions and instructions with the general legal applicability throughout the entire territory of the Republic of Albania, based on the law and for the purpose of implementing it, within its sphere of jurisdiction. 2. Makes decisions to unify electoral practices. 3. Directs and supervises collegially, through each of its members or structures, the pre-electoral and electoral processes. (...) 26. Performs other duties that arise from this Code, or from other laws and that, according to this Code, are not performed by lower level commissions."

Group in the face of the problems to be addressed. Further, the lack of logistical capacities, the lack of a legal framework detailed in its legal mechanisms, and the lack of cooperation of the public administration with this body were additional elements that accompanied its activity, that remained short of real outputs with regard to the successful running of the electoral process.

The non-cooperative spirit with the Task-Force was manifested firstly in its meetings, where the representatives of the Central Election Commission, the General Prosecution and the Ministers assigned by the Majority failed to attend⁷⁹.

Furthermore, this non-cooperative spirit, uncompliant with the law, was witnessed in the relationship of the public administration with the “technical” Ministers. One such instance was with the local government units, where, out of the 61 LGU’s, only 38 responded to the requests from the Task Force. One of the LGU’s which failed to respond was the largest municipality in the country, that of Tirana, which did not fulfill its responsibility to provide information to the Task Force.

Even this body itself showed lack of transparency on its work. In addition, due to the context of the political skirmishes or low trust of the citizens, the activity of the Task Force highlighted to the public a general environment of intimidation vis-a-vis the public administration.

At the end of its activity at the closing of the electoral process, the Task-Force Group published on 17 August 2017, a summarized document on its performance.

The large document, titled “*Summary Material*” was accompanied with eight large annexes, which contained the systematized reporting of the institutions themselves and the official communication that the Task Force had had with them. This is a behavior worthy of praise as a positive institutional model and one that provides for the required transparency.

What draws attention is the necessity for institutional and rigorous pursuit of the findings in this reporting. This is an obligation for responsible institutions with regard to addressing the observed breaches, and to take into account the amending of the legal framework on the whole.

2) Other involved institutions

Since the establishment of the Ombudsman, as provided for by the Constitution of the Republic of Albania, the preparations for the electoral process of 25 June have seen the most active role of the head of this institution. In the preparations of the electoral process, the Ombudsman has delivered a set of recommendations to the responsible institutions, in view of the rule of law and the proper functioning of the process.

Through six recommendations, the Ombudsman, appealed to the heads of the involved institutions to observe the rule of law and to ensure a proper electoral process.

The main issue addressed in these recommendations relates to the

⁷⁹ The effort of the Task Force to sign a Memorandum of Understanding for the coordination of the work was never achieved, on the argument of the impossibility of the Prosecutor General to be physically present.

prohibition to use the public administration at central and local level.

Among the sectors most affected with regard to the use of resources in the electoral staff is the high school teaching staff. This is also due to the fact that the involvement of this category also brings in the students who have reached the age to vote, as well as those below that age. The latter makes this breach even worse, because in addition to using the public administration resources, it involves minors, which constitutes a threat to the democratic values that the education institutions should maintain and carry.

With regard to this electoral process, the Minister of Education and Sport, Mrs. Lindita Nikolla sent an order to the Regional Education Departments prohibiting the use the education institutions for political ends.

This was a valuable act, as affirmation of institutional commitment, but it did not bring about any legal effect.

The Supreme State Audit is one of the most important institutions regarding the supervision of the rule of law and mainly of the proper rule-based use of the public funds.

Due to the political impact and the risk of the misuse of the said reports and of the findings by this institution, particularly during the electoral campaign, the head of the institution prohibited the publication of the decisions taken by the head of this institution on the audits conducted by the Supreme State Audit for the period from 23 May to 27 June.

B. Denunciations of vote influence

The greatest concern about the citizens' reporting of the breaches that affect the electoral process, is linked to the level of trust of the citizens in institutions and law enforcement.

A drastic decline was noticed in the trust of the citizens in the public institutions, and in particular, in the investigating and judicial bodies. The loss of trust comes from the weak performance, the inefficiency or the level of the involvement of these bodies under pressure in a systematic corruptive system.

As for the proper running of the electoral process and the electoral campaign, the legal instruments available to the citizens for reporting the corruptive features and the abuse may be categorized in two manners: executive mechanisms and alternative forms.

The mechanisms established as alternative forms or to the instruments created for the very purpose of the reporting by the citizens of the unlawful manifestations were inefficient. Further to the low levels of citizen trust, this inefficiency may be related to the weak transparency and the lack of the legal procedural provisions for the reporting. In any case, the performance and activity of the mechanisms established for the purpose were not transparent, while no legal arrangements for legal proceeding of the reporting was offered.

1) Alternative denunciation mechanisms

In order to assist citizens to report forms of corruption, alternative structures were established during the last parliamentary legislature, among which the webpage “Stop Corruption”⁸⁰ and the mobile phone application “The Digital Police Station”⁸¹. Both these alternative forms employ technology to make it easier for the citizens to report in the simplest way. These permanent platforms have been deployed for a long time, but there was no public reminder of this additional form of reporting during the electoral process.

With regard to this electoral process, there were two attempts to provide instruments to citizens to report corruptive practices. Both were specifically established to serve the proper running of the electoral campaign and only for the period of the electoral process.

The main problem with their functioning was the delay in rendering them efficient and their lack of transparency.

The Central Election Commission prepared and published an application for mobile phones “Vote 2017”. This application, further to the purpose of being an instrument for reporting corruptive cases, also aimed at informing the citizens about the voting centers, where the citizens were assigned to cast their vote. This institution also established the telephone line to assist the citizens to report abuse cases.

According to the official report, there were 18,540 downloads by telephone users and 22 cases of reporting abusive cases that affected vote integrity and freedom, of which 19 were submitted on Election Day. Whereas, on the telephone line established for the purpose, the official reports confirmed that in the period from 25 to 28 June were reported 240 cases.

None of these reported cases was sent to the Prosecution, and the CEC explained that the reported cases were incomplete⁸².

Further to the Decision of the Council of Ministers to address the use of the public administration in the electoral campaign, several institutions took measures that should be appreciated. These institutions assigned officials to receive reported cases and their contacts were on their official website⁸³.

Among the alternative opportunities of reporting for this electoral process were the telephone lines and the officials assigned for the specific purpose of receiving the reported cases of corruption or direction of the vote, which were established by the majority of ministries.

⁸⁰ As for the website, there were eight reporting cases relating to the electoral campaign, of which, three were taken to the Prosecution.

⁸¹ In the application “Digital Police Station”, throughout March 2017 there were no reports about cases of corruptive actions against vote freedom or integrity. Throughout June 2017 there were 21 cases of reports for such cases. From official communication with the General Directorate of Police, they have informed that after the relevant verifications, none of the cases was forwarded to the Prosecution because they were not correct or there were no elements of a criminal offence.

⁸² The insufficient public information on this application as well as the insufficient advice on the content of the reporting, the lack of guarantees for the protection of anonymity, and the publication delay of this application, caused the low level and ineffective use of the application. This was then reflected on the low number of the application users, fewer than 1000 persons and no cases of reporting made during the electoral campaign.

⁸³ “The summarized material” published by the Task-Force Group, on 17/10/2017, page 44, (...) “The contact persons to the Task – Force were assigned by 14 (fourteen) ministries and only 5 (five) institutions under their authority. The contact person’s names numbers for the reporting of breaches of the legal provisions relating to the elections, were published by 15 (fifteen) ministries and only 11 (eleven) institutions under their authority. However, each ministry reported that their contact person’s name/email/telephone number were functional”

It is observed that there was a low number of reported cases and the number of cases forwarded to the prosecution was even lower.

The Ministry of Internal Affairs is an exception, with 484 cases reported for penal offences related to the electoral processes⁸⁴.

2) The executive investigation mechanisms

The customary and specialized law-enforcement and investigation institutions are the State Police and the State Prosecution. In the media, there was a large number of cases reported for penal offences that relate to the electoral process, incidents because, and as a consequence, of the electoral campaign, or accusations of unlawful behavior.

With regard to these situations, the said specialized institutions demonstrated a lack of transparency and failed to disclose information publicly. This passive behavior is also related to the strong political atmosphere in the said institutions, which failed to contribute to addressing problems or encouraging citizens' trust in these institutions.

Based on official communications with the Prosecution at the Court of Justice in districts, there was a low number of procedural materials submitted for penal offences that threaten the freedom and the integrity of the election⁸⁵.

The number of penal proceedings that were initiated by the responsible structures for said offences was even smaller, almost inexistent. The most involved Prosecution Offices in this electoral process were that of Tirana, with 18 cases of investigation of procedural materials, and that of Elbasan, with 15 cases of investigation of procedural materials⁸⁶. Among the least involved Prosecution Offices was that of Përmet, with no cases of investigation.

⁸⁴ "The summarized Materia", Task-Force, page 121, (...) "The Ministry of Internal Affairs, received 484 cases reported by the citizens, about the penal offences in the electoral sphere, of which: a) Abuse of police authority, 30 cases; b) Unlawful obtaining and use of identity documents, 34 cases; c) impeding the voters, 17 cases; d) Threatening or violating the voter, 70 cases; e) Use of public function for political or electoral activity, 18 cases; f) active and passive corruption in election, 315 cases. The Ministry of Internal Affairs forwarded these cases to the State Police, and the latter filed only 69 cases with the prosecution, without giving information about the verification or the procedures done for the rest of the cases"

⁸⁵ Based on its official communication, the CDO received information about the electoral process of 25 June 2017 as follows: the Prosecution of the Fier District Court of Justice received 4 procedural materials and it started 2 proceedings for offences that threaten the integrity and the freedom of the election; the Prosecution of the Kukës District Court of Justice received 3 procedural materials; the Prosecution of the Pogradec District Court of Justice received no procedural materials and there was one case of starting the penal proceeding; the Prosecution of the Kavajë District Court of Justice received 3 procedural materials and it started 2 proceedings; the Prosecution of the Berat District Court of Justice received 2 procedural materials it started 2 proceedings; the Prosecution of the Lezhë District Court of Justice received 6 procedural materials and it started no proceedings; the Prosecution of the Dibër District Court of Justice received 6 procedural materials and it started 2 penal proceedings; the Prosecution of the Elbasan District Court of Justice received 15 procedural materials, and it started 8 penal proceedings and there was one case filed with the court; the Prosecution of the Tiranë District Court of Justice received 18 procedural materials and it started 17 penal proceedings; the Prosecution of the Burrel District Court of Justice received 2 procedural materials and it started on penal proceeding; the Prosecution of the Lushnjë District Court of Justice received 8 procedural materials and it started 2 penal proceedings, and the Prosecution of the Përmet District Court of Justice received no procedural material and no penal proceeding was started.

⁸⁶ In Chapter X of the "Penal Code of the Republic of Albania", Articles 325-332, provide for 10 criminal offences which threaten the freedom and the integrity of free elections: Impeding electoral subjects; Falsifying documents and election results; Intentional damage to the electoral materials; Violating voting secrecy; Voting more than once or without being identified; Remuneration and promises; Coercion for participation in political activity; Threatening or violating the voter; Inhibition of the voter; Abandonment of the duty by the members of electoral commissions; Violation of the election rights; Abuse of military authority

The same low figures are reflected and reported by the State Police.

According to the General Police Directorate, there were four cases of vote buying reported and identified up to 20 June, which were forwarded to the Prosecution. Then, on 25 June, the General Police Directorate reported that it had identified 14 cases of penal offences that threaten the integrity and freedom of the electoral process⁸⁷.

On 25 June 2017, the police reported that 18 of the 25 cases identified by the State Police, were forwarded to the Prosecution and, of 10 cases of reported vote buying, there were two cases of arrest on the spot and the rest were forwarded to the Prosecution⁸⁸.

C. Findings from the monitoring of the local government

The political framing of the local government as an extension of central government remains an ongoing problematic, during the electoral campaign as well as during their normal institutional activity. This framing has been carrying forward the conflict of the party leaderships at local level, thus causing institutional jamming in the cases when the political governance at central level was incompatible with that of the local level.

Such approach in the electoral campaigns has had different manifestations, ranging from the political accusations exchanged among the central and local government representatives, to the use of the public-administrative capacities to serve the electoral subject that controls the management of the local government. This is traditional behavior, which threatens not only the electoral processes, but the whole several-year-long endeavor to decentralize local governance.

1) The decision-making of Municipality Councils

In this electoral process, this problem was observed in many local government units. Further to the political commitment behavior of the administrative structures, there were decisions that raised strong questions about their lawfulness, and may lead to forms of directing the vote. This was one of the problems observed by and reported by the Task Force Group.

To the extent that it was possible to access decisions of the Municipality Councils for the period January - February 2017⁸⁹, there are findings that

⁸⁷ "The summarized material" published by the Task-Force Group, on 17/08/2017, page 113, (...) "In the report of 21 June 2017, the Ministry of Internal Affairs, according to the General Directorate of State Police, has reported 6 cases of buying votes during the electoral campaign. The Ministry of Internal Affairs has acknowledged that 'there has been an involvement of massive suspicious sources of vote buying to the benefit of the political subjects or persons relating to these subjects. Further, the Director General of Police has reported 3 (three) cases identified and reported, of State Police officials using money to support electoral subjects, caught in the action and reported to the Prosecution."

⁸⁸ The Director General of State Police, in its reporting to the Task Force Group on 26.06.2017, by its letter No. 679/4 pointed out 25 penal offences relating to the electoral process, involving 27 persons in total for whom the penal proceedings started, and 7 of them were arrested, 10 were investigated without being under security measures, and search warrants were issued for 10 of them. With regard to these penal offences, Mr. Çako reported 10 cases of buying votes, which is provided as 'Active corruption in election' Article 328 of the Penal Code.

⁸⁹ The Albanian legal framework on local government provides for the publication of the decisions of the Municipality Councils on the respective official website. The legal regulation, disrespected by many local

raise suspicions. There are local government units, which, during this pre-electoral period, were taking decisions for the current month period, with great difference in the number of persons receiving social assistance benefits which is allocated to the families with very low incomes, visually impaired people, para-tetraplegic persons, disabled persons, etc.

From the formal observation, further to the difference in numbers which are not justified and lead to arithmetical-logical suspicions, there resulted local government units which, in the six-month period preceding the election, witnessed a progressive manifold increase in the number of persons included in the category of those receiving social assistance benefits⁹⁰, there was a several-times increase in the number of the specific category, and then later, there is reversing of the trend to the earlier situation⁹¹, or, there is an increase of less than 50 percent in the number of persons for specific categories for social benefits⁹².

2) Law enforcement for electoral subjects

In this electoral process, the local government units were also responsible for two issues related to the proper functioning of the electoral process. Pursuant to the law on local government, these institutions shall authorize the use of public space for electoral rallies, at the respective fees, or lease facilities or buildings which they own, for the designated payment, for electoral meetings. Further, with the new legal amendments, the electoral subjects would have had to register their electoral offices with the local government units.

Based on official communications with local government units, to the extent that replies were provided, it can be seen that there are local government units which totally ignore the rule of law. In the face of the large number of rallies reported by the State police, for the most part, electoral subjects did not receive authorization by the local government units and did not pay the local fees for using public spaces.

There are many cases when the electoral subjects, even parliamentary ones, did not register electoral offices with the local government units.

In addition to the damage to public finances and rule of law, these instances reflect the apparent disrespect to the rule of law, and institutional lenience to them, irrespective of the party distinctions.

government units, of which, there are some which have not yet established their official website. Some of them did not even reply to the requests sent by the Coalition of Domestic Observers; only 31 of them replied. Even when they replied, the information remained incomplete, partial and non-systematic.

⁹⁰ In the municipality of Peqin, it is observed that, in the edge period January - June 2017, the number of the persons to receive social assistance benefits was as follows: the number of the paraplegic persons from 13 to 75, the number of the disabled persons was from 248 to 651, the number of the persons with partial disabilities was from 118 to 566, the number of the visually impaired persons was from 36 to 135. In the Municipality of Durrës, it was observed that, in the edge period January - June 2017, the number of the families to receive social assistance benefits was from 83 to 406. In the Municipality of Vlorë, it was observed that, in the edge period January - June 2017, the number of the families to receive social assistance benefits was from 15 to 114.

⁹¹ In the municipality of Poliçan, it was observed that, the number of the families with low incomes and receive social assistance benefits in January was 176, in April, it was 329 and in June, it was 162.

⁹² In the municipality of Cërrik, in the edge period January - June 2017, the number of the families with low incomes and receive social assistance benefits was from 768 to 896.

XII. THE PARTICIPATION OF SOCIAL GROUPS IN THE ELECTORAL PROCESS

Inclusiveness is not simply a great value, but also a necessity for a healthy democratic governance

The effort for even greater inclusion of the various social groups, such as ethnic minorities or marginalized groups, requires special attention in the electoral contest and alternatives presented to citizens during the electoral process, as well as actual steps to be taken to provide for facilities and convenient inclusion of these groups in the process.

CDO deems that the constraints to the active right to voting, such as for the persons aged over 100 who have to submit a request to vote, or the persons affected by the decriminalization process, constitute threatening social precedents.

These precedents, which constrain the democratic will of the citizens, reveal traits of a legal arrangement with suppressive tendencies. The latter brings forward the threat for further legal constraints in the future, and also encourages the habit of lenience in the face of threats to citizens' franchise. This runs contrary to the major guarantees of the universal documents, which maximally affirm the absolute value of each individual's vote.

A. Marginalized social groups

On the voter's list for the election of 25 June 2017, based on the data provided by the heads of the Local Government Units to the Central Election Commission, there were 11,509 blind voters and 10,587 voters with disabilities (para- and tetraplegics).

Throughout the country, voters with disabilities were to vote in 1,524 different voting centers, whereas the blind voters were to vote in 2,022 different voting centers.

Of these voting centers, only 128 declared that they had ramps for these special circumstances, 255 declared that they did not have any, and 1,141 of them did not provide any information whether they had any ramps in their voting center.

The lack of identification documents, as an obstacle to voting, remained an issue not properly addressed in this electoral process.

From correspondence with the Ministry of Internal Affairs on 18 July 2017, the latter provided information that it had issued 3,415,821 identity cards and 3,149,408 biometric passports for a total number of 3,452,308 voters. These figures reveal the fact that there is a large number of citizens who lack the identity papers, but it can be hardly estimated how many other people lack the identification documents and how many of them don't possess an ID because they cannot afford to pay for it.

In this electoral process, the lack of identification documents was noticed among the persons who were serving their penal sentences in

correctional institutions. Based on data from the Task-Force Group, there were 900 persons who lacked identity cards, or their documents had been administered by the prosecution as part of the penal files⁹³.

B. The participation of women in the electoral process

The participation of women in preparation of the electoral processes, throughout the electoral campaigns and, more importantly, in political representation, remains a universal challenge.

In the Albanian democratic tradition, it may be noted that there is a nominal increase in the number of participating women, but it remains insufficient, being just an increase in numbers, which does not necessarily contribute to their political empowerment.

The Coalition of Domestic Observers has attached special importance to the issue of the empowerment and the representation of the women in the electoral processes and political life in the country, as well as to the issue of their representation in the structure and the composition of the observers all through our network.

For the Elections for the Assembly of Albania 2017, 34.99% of CDO observers at all levels were women⁹⁴.

As for the participation of women in the institutions responsible for the management of the electoral process, it results as follows: among the eight members of the Electoral College, only one is a woman; in the Central Election Commission, two of the seven members are women; in the Commissions of Election Administration Zones, 224 of the 720 members were women; in the Media Monitoring Board, none of the seven members were women, and in the Regional Electoral Offices, six of the 28 members were women.

On the candidates' list of the 18 electoral subjects, 1,088 of 2,666 (40.8%) were women.

In the instances of non-compliance with the provision for the balanced gender quotas, the Central Election Commission applied sanctions such as a fine of 1,000,000 ALL for the Socialist Party, a fine of 1,000,000 ALL for the Socialist Movement for Integration, and a fine of 5,000,000 ALL for the Democratic Party⁹⁵.

⁹³ Based on the communication with the chiefs of the correctional institutions, we have received information that about 10 percent of the persons who were serving their sentence lack of the identity card, because they either do not have the ID card or it was administered as part of their penal file.

⁹⁴ At the level of the district coordinator, there were 58.33% women, and at the level of long-term observer at the municipality, there were 44.26% women.

⁹⁵ With regard to the compliance with the provision for the gender balance quotas, that 30 percent of the candidates list of the electoral subjects for each electoral zone have to be women, there was non-compliance in seven cases. Such cases were observed for the candidates' list of the Socialist Party in the Qark of Berat, for the candidates' list of the Socialist Movement for Integration in the Qark of Tirana and for the candidates' list of the Democratic Party for the qarks of Fier, Gjirokastër, Berat, Kukës and Elbasan.

As for the lower levels of electoral administration, women were more represented in the second level of electoral management (the commissions of electoral administration zones) compared to the third level of electoral management (the voting center commissions). In total, the membership of the zone commissions had 224 women, 31.11% of the total number of 720 members⁹⁶.

The electoral subject with the highest number of women in the CEAZs' membership⁹⁷ was the Democratic Party, with 50.37%; the Socialist Party had 47.41%; the Republican Party had 17.78%; and the Socialist Movement for Integration had 12.22%. As for the participation of women in leading posts of the CEAZ, the Democratic Party had 12 women as head of the CEAZ (26.67%) and the Socialist Party had 11 (24.44%). At the level of the deputy head and secretary of the CEAZ, the SP had a larger number of women compared to the DP, respectively 22.22% vs. 17.78% for the position of deputy head and 35.56% vs. 17.78% secretaries.

In the voting center commissions, based on findings from the statistical based observation, women members were about 22.7%. Most of the voting centers, 35.82% of them, had one woman member, followed by two women members and zero women members in the commission (respectively 22.64% and 21.14%). In 11.44% of the voting center commissions, there were the women members, and in less than approximately 9% there were four, five or six women members⁹⁸.

The urban areas had a better representation of women in the voting centers compared to the rural areas. On average, in the urban areas there were two women members, whereas in the rural areas there was, on average, one woman member in the voting center commission.

⁹⁶ Within the CEAZ, the members without any leading functions were 35.33% women. As for the leading functions, chairperson and deputy chair, the women's share went down to 25.56% for chairpersons and to 20% for deputy chairs and to 26.67% for the CEAZ secretaries.

⁹⁷ Source: the CEC website.

⁹⁸ For the exact estimated figure of the percentage of the women representation and the respective margin of error, please refer to the report appendix.

XIII. PARTISAN, DOMESTIC AND INTERNATIONAL OBSERVERS

At global level, the monitoring of the electoral process by domestic and international subjects is more than just a right, as it constitutes a guarantee for the electoral processes.

The presence of observers serves to monitor the electoral process and also helps to build the citizens' trust in the integrity of these processes.

In addition to the presence of foreign observers, the presence of domestic observers presents an added value, which goes beyond the electoral process proper. These actors are co-habitants with the continuity of the electoral processes and assist the consolidation of the democratic processes beyond the electoral framework.

As such, these should receive special attention, and their status as observers should be respected, particularly in view of the guarantees for maximum transparency of the process.

The legal electoral framework, together with the rights assigned to the observers, defines the procedures for their accreditation. The foreign and domestic non-partisan observers are accredited by the Central Election Commission, whereas the electoral subjects' observers are accredited by the Commissions of Election Administration Zones.

A. Observers accredited by the Central Election Commission

For the electoral process of 25 June 2017, the Central Election Commission accredited 5,335 non-partisan observers and media representatives.

There were 912 long-term observers, of whom, 864 were accredited on behalf of eight domestic non-profit organizations and 48 were accredited on behalf of three international organizations, of which two were non-government organizations, and one was a diplomatic representation in the country.

Of the 3,351 accredited short-term observers, 2,863 were accredited on behalf of seven domestic non-profit organization and 488 were accredited on behalf of 28 international organizations.

In addition, were accredited 326 translators/interpreters and 746 media representatives, of whom 725 were from the domestic media and 21 from the foreign media.

Compared to the two most recent electoral processes, that of 2017 witnessed, in total, a relatively smaller number of non-partisan observers. The local election of 2015, had 5,185 accredited observers, of whom, 4,252 were domestic observers⁹⁹ and 933 were international observers¹⁰⁰.

⁹⁹ Of whom 1,487 long-term observers, 2,082 short-term observers 683 observers from the media.

¹⁰⁰ Of whom 88 long-term observers, 638 short-term observers and 207 translators/interpreters.

Whereas, the parliamentary elections of 2013 were monitored by 9,174 observers, of whom 8,541 were domestic observers¹⁰¹ and 633 were international observers¹⁰².

B. Observers accredited by the Commissions of Election Administration Zones

The party-affiliated short-term observers in the second and third level electoral management commissions, are accredited by the Commissions of Election Administration Zones.

In this electoral process, due to the absence of any electoral coalitions in the electoral race, and as provided for by the law, each location of the Commissions of Election Administration Zones and each Voting Center could have up to 18 accredited party-affiliated observers, in addition to the non-party observers. Whereas, at each Ballot Counting Center (BCC), the number of party observers could be as high as 90; there were 18 electoral subjects, and each of them is entitled to assign one observer at each vote counting table of the BCC.

In addition, there is the number of the possible non-party observers at each electoral commission, which leads to a huge number of observers. Further, based on the reporting of the observers, during the 2017 electoral process, there were no instances of the presence of senior party leaders to cause a threat to the process.

The efforts made by CDO observers to collect information about the number of the political observers accredited by the CEAZs, failed to result in the creation of a dataset, because such information was not provided by the CEAZs.

This total lack of transparency, coupled with the possible problems in the process, and the large presence of the party-affiliated observers, may result in other electoral processes with greater likelihoods of political conflict, serious obstruction and graver consequences.

¹⁰¹ Of whom 2,433 long-term observers, 5,312 short-term observers and 796 media representatives.

¹⁰² Of whom 128 long-term observers and 505 short-term observers, and 212 translators/interpreters.

XIV. ELECTION DAY AND VOTE COUNTING

The voting and the ballot counting processes comprise two of the most formal and administrative moments in the electoral processes of any country. These processes should have been the same in the case of Albania, but due to the tradition of fraud and the manipulative efforts in the country they have turned into processes that require many formalities. On the other hand, these formalities, which would have to guarantee security, may be object of blocking or tense situations. These situations are created not only from the political-oriented will, but due to the human eventualities as well.

A. Data on the process

1,613,789 citizens¹⁰³ or 46.75% of the registered voters voted in the parliamentary election of 25 June, 714,991 or 44.31% of whom were women¹⁰⁴.

The electoral constituency with the highest percentage of the voters was the Qark of Dibër, where the participation was 56.13% and the one with the lowest number of participants was the Qark of Vlorë, where the participation was 35.96%. The total number of ballots found in the ballot boxes was 1,614,038, of which 31,841 (1.97%) votes were declared invalid and 5,871 ballots were spoilt on Election Day.

The ballot counting process marked a positive precedent in this electoral process, ending within 48 hours¹⁰⁵. Of 18 electoral subjects that participated in elections, only 5 five of them became parliamentary parties.

The Socialist Party of Albania received 764,750 votes (48.34%) and 74 seats in the parliament, Democratic Party received 456,413 votes (28.85%) and 43 seats, Socialist Movement for Integration received 225,901 votes (14.28%) and 19 seats, the Social Democratic Party received 14,993 votes (0.95%) and one seat, and Party for Justice, Integration and Unity received 76,069 votes (4.81%) and three seats.

Meanwhile, 13 electoral subjects failed to pass the threshold of votes to receive a parliamentary mandate. They received in total 44,024 votes (2.77%) at the national level¹⁰⁶.

¹⁰³ Voting process was scheduled to open at 7:00 and close at 19:00, but due to the Eid al-Fitr celebrated by the Muslim community, the Central Election Commission decided to postpone the electoral process by an hour.

¹⁰⁴ All the figures in this paragraph and the following are based on the documents made available by CEC. The number of women who have voted is higher because in these results are missing the data on women voting from 316 voting centers.

¹⁰⁵ In EAZ No. 42, the Municipality of Kavajë, the counting continued for longer because of the counting of ballots for partial election for the mayor of Kavajë, which were held on the same day with the parliamentary elections.

¹⁰⁶ Christian Democrat Party of Albania received 2421 votes (0.15%); Challenge for Albania Party received 3546 votes (0.22%); Republican Party received 3225 votes (0.2%); Albanian Demo-Christian Union Party received 924 votes (0.06%); Demo-Christian Alliance Party received 767 votes (0.056%); Democratic Alliance Party received 547 votes (0.03%); New Democratic Spirit Party received 5146 votes (0.33%); Social Democracy Party received 2 473 votes (0.16%); Arbëror National Alliance Party received 351 votes (0.02%); Ethnic Greek Minority for the Future Party received 2287 votes (0.14%); Communist Party of Albania received 1 026 votes (0.06 %); People Alliance for Justice Party received 1505 votes (0.10%) and the Equal List Party received 19806 votes (1.25%).

B. Findings on Election Day according to the SBO

In the parliamentary elections of 25 June 2017, the Coalition of Domestic Observers applied a statistical-based observation methodology, which has been successfully used in more than 40 countries to date, for the assessment of the process during the elections day.

CDO was the first Albanian organization to apply it at the national level in the parliamentary elections of 2013. It applied it for the second time during the parliamentary election of 25 June 2017.

CDO randomly selected a sample of 541 voting centers to observe during the Election Day. Based on this sample, the findings can be generalized for the whole country with a margin of error of up to 4.69% and with a confidence level of 95%. The calculation of the real margin of error is different for every question, depending on the proportionality of the answers for each option (*for the margin of error for each question, please refer to the Appendix*).

Each voting center was observed by two observers working in seven-hour shifts each. The first shift observers were present in the voting centers at 06:00 observing the procedures for the preparation and opening of the voting centers, as well as the voting process during the first part of the day, until 13:00. The second shift observers observed the voting process during the second part of the day, starting from 13:00 until their closing, as well as the procedures for the closing of the voting centers and the delivery of the electoral materials and ballot boxes to the counting centers. The following results are based on data collected from 524 voting centers¹⁰⁷.

The observers reported to the Operational Center in four moments during the day¹⁰⁸ through phone calls made to the Operational Center, which engaged 80 operators; or through the use of a smartphone application, which was an innovation for domestic election organizations, not just in Albania.

1) Considerations on findings

Physical and verbal violence, inside or in the vicinity of voting centers or Ballot Counting centers, is a phenomenon of the electoral tradition in Albania, which was present even in the last process. These conflict situations

¹⁰⁷ During the Election Day, the CDO observers systematically covered (throughout the Election Day, since the opening of the voting center to the delivery of material to the Ballot Counting centers) 532 voting centers. In nine voting centers, observers did not manage to reliably cover the process in all its elements. To this end, the data collected by these observers were not included in the final data analysis. In order to maintain the proportion of voting centers among different regions, in line with the original sample, which reflected the real proportion of the number of voting centers at regional level for the total voting centers at country level, the data collected from 8 other voting centers, in the overrepresented regions, were excluded from the final analysis. The eight voting centers, whose data were excluded from the final analysis, were randomly selected. So, the final sample of voting centers reflected the weight of each region in the total number of VC at country level.

¹⁰⁸ Findings related to the procedures for the opening of the voting centers in the morning, voting progress during the first part of the day until midday, voting progress during the second part of the day after the closing of the voting process, as well as procedures for the closing of the voting centers after the delivery of electoral materials to the Ballot Counting centers.

or claims of cases of intimidation or vote orientation are fostered by the political rhetoric during the electoral process, as well the whole political conflict situation during the legislative sessions. The political rhetoric of accusations is entirely based on the lack of an effective addressing of the problems by the responsible institutions.

In general, Election Day was calm, with sporadic violations of the formal procedures of the process, which did not negatively and substantially affect the electoral process.

The presence of unauthorized persons within the voting centers is a phenomenon that was still present in a considerable number of voting centers.

Family voting and vote photographing were phenomena that were noticed in a relatively high number of Voting Centers. What was more concerning was the tolerance shown by the Voting Centers commissioners to these phenomena, especially to vote photographing. Regarding the latter, in most of the cases of vote photographing, the commissioners did not inform the State Police, even though they identified the voters who photographed their votes.

Although not a massive phenomenon, electoral propaganda or attempts from the political parties' militants during Election Day to influence the will of voters, inside or near the polling stations, were also concerning.

The difficulty or impossibility of access at many voting centers for the voters with disabilities to exercise their right to vote remained an unaddressed phenomenon even in these elections. The voting center commissioners did not pay attention to the implementation of the legal provisions related to assisting these persons, or other persons who asked for assistance during the voting process. Another phenomenon noticed during the Election Day was the violation of the obligation by the voter assisting another voter to fill in the respective declaration, and in a few cases, one person assisted more than one voter.

These phenomena highlighted the need for a more professional training of the voting center commissioners, more proactive awareness-raising and education campaigns for voters which specifically target different demographic groups.

More proactive measures should also be taken related to guaranteeing a quiet situation and influence-free for the voters during the voting day, not just within the voting centers, but near them as well.

2) Opening procedures

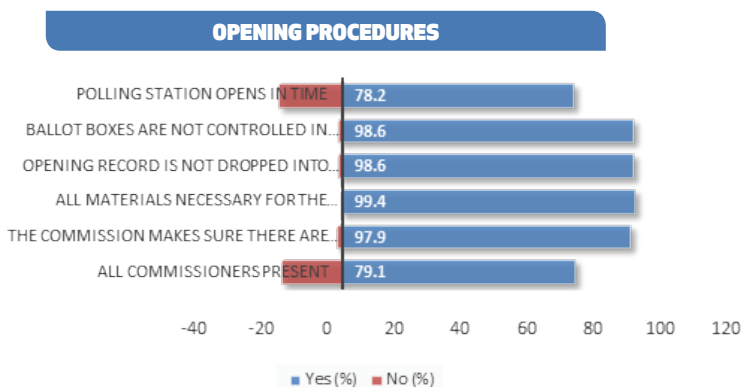
The standard procedures during the process of opening the Voting Centers (VC) were followed properly in most of the Voting Centers, while the non-observance of these procedures was noted in a very small number of voting centers¹⁰⁹.

¹⁰⁹ In 1.35% of the voting centers, the commissioners did not keep before the beginning of the voting process the "Report on Voting Center Opening" with the security codes the box was sealed in the voting center. These procedural

In a significant improvement from previous processes, only 0.58% of the Voting Centers lacked the necessary materials for the voting process.

Nearly 22% of the Voting Centers did not open on time, 18% of them opened with a delay of half an hour, and nearly 4% of them opened with a delay of one hour¹¹⁰. Meanwhile, in nearly 46% of the voting centers which open late, voters were noticed waiting in line to vote in the moment that VC opened.

In 2.14% of the Voting Centers, the commissioners did not take measures to remove the propaganda materials in the vicinity of the Voting Centers¹¹¹. This figure was significantly lower compared to previous elections. The main cause for that is the legal obligation set in these elections related to the limitation of propaganda materials near the electoral offices of the political parties.



The procedures for the opening of the Voting Centers were considered by CDO observers as “Very good” in 65.88% of the Voting Centers, as “Good” in 32.55% of them, and as “Problematic” in 1.37%¹¹².

3) Voting procedures

During the voting process, just as in the moment of the opening of the Voting Centers, the majority of commissioners should be present for the process to continue. Compared to the moment of the opening of the Voting Centers, the number of the Voting Centers that operated with the full

violations have resulted due to the neglect or as a result of not knowing the legal framework.

¹¹⁰ The voting centers should be open for the voters starting from 07:00. An issue highlighted in other elections was the absence of commissioners in the voting centers, especially in the moment they open. The voting center can open only if the majority of commissioners, at least four members, are present in the moment of opening. In 79.08% of the voting centers, all the commissioners were present in their opening, in 20.02% of them some commissioners were absent, out of which 12.55% of them opened with the presence of 6 commissioners, 5.38% with 5 commissioners and 2.99% of them with 4 commissioners. None of the Voting Centers opened in the absence of the Head or Secretary of the Voting Center Commission.

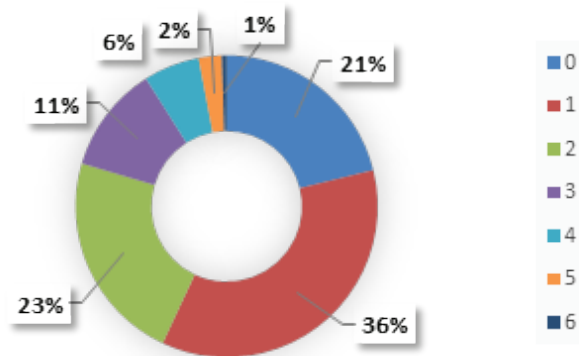
¹¹¹ The Voting Center Commission is responsible to remove the propaganda materials that can be found in the surrounding environment of the Voting Center in a perimeter of 150 meters.

¹¹² Only in one Voting Center, the observer considered the opening procedures as very concerning.

membership of the commissioners increased with almost six percentage points. In 85.96% of the Voting Centers, the commissions operated with seven members¹¹³.

Under the framework of observing the gender equality policies, the inclusion of women at third level was a concern even in that electoral process. In 21.14% of the commissions there were no women commissioners; in 35.82% of them there was only one woman, in 22.64% of them there were two women and in 11.44% of them there were three women. While in less than 9% of the Commissions of third level, the majority of commission members were women. In total, nearly 22.7% of the commissioners in the voting centers were women.

PERCENTAGE OF VCS ACCORDING TO THE NUMBER OF WOMEN COMMISSIONERS



The presence of unauthorized persons within the voting centers continued to be a persistent phenomenon in a relatively high number of VCs. The number of VCs where the presence of unauthorized persons was noted at least once was at 7.25%¹¹⁴.

CDO observers noted that in 12.07% of the VCs, the location of the voting booth did not allow all the commissioners and observers to have a clear picture of the actions the voter performed behind it¹¹⁵.

While in 1.72% of cases, the CDO observers noted that the location of the voting booth did not guarantee vote secrecy.

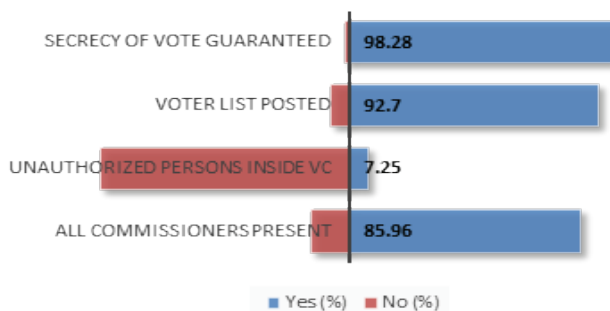
Another concern related to the voting center infrastructure and organization was the non-display of the voter list in 7.3% of the voting centers.

¹¹³ The number of Voting Centers which operated with less than seven commission members decreased during the voting process in all the categories, where 8.27% of them operated with six members, 4.42% with five members and 1.35% with four members. There was no case of commissions operating with less than 4 members.

¹¹⁴ In 15 of the noticed cases, the unauthorized persons within the VC were identified as representatives of the political parties, and in 16 cases the observers did not identify what they represented.

¹¹⁵ The screen behind which mark their ballot, the voting booth, must be placed in a position that it can be seen from all the commission members and observers, in order to see what actions, the voter is performing behind it. This is important to avoid the vote photographing or other ways of manipulating the electoral result.

PRESENT PERSONS IN VC AND VCS INFRASTRUCTURE



The formal procedures of the voting process were followed properly in the majority of voting centers, and in a small number of VCs they were not fully observed¹¹⁶.

The violations noted in a considerable number of voting centers were related to the use of mobile phones within the VC premises in 8.97% of VCs, or holding the mobile phone in their hands in the voting booth in 8.4% of them.

Other noted procedural violations were related to the non-observance of procedures by the voters who asked for assistance during the voting process¹¹⁷. A procedural violation noticed in a relatively high number of cases was the non-filling of the respective declaration from the persons assisting voters who need assistance in 6.3% of VCs, while in 2.29% of them, persons assisting more than one voter were noticed, and in 3.05% of them the VC commissioners themselves assisted voters.

A concerning phenomenon remained the family or group voting. The attempts for family or group voting were noticed in almost $\frac{1}{4}$ of the voting centers, or in 22.52% of them¹¹⁸.

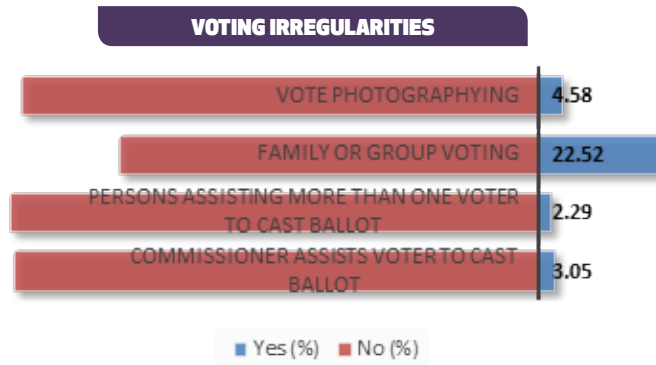
Another concerning issue was the vote photographing from voters¹¹⁹. In 4.58% of the voting centers, observers have noticed at least a case of voters who have photographed their vote. In half of the voting centers where this was observed, the VC commissioners noticed it, and in general, they took notes of the voters' personal data, but only in two VCs the Commission informed the police bodies.

¹¹⁶ For instance: allowing voters to vote without checking if electoral ink is earlier applied in their finger (1.53% of VCs) or without showing a valid identification document (1.15% of VCs); non-application of electoral ink in the voters' finger before they cast their vote (1.91% of VCs) or attempts of voters to vote outside the voting booth (2.29% of VCs).

¹¹⁷ This is a right entitled to the voters, but limited to three circumstances. The person assisting a voter should be a voter of this voting center, a person can assist only one voter and at the moment the assistance is required, both the assisted voter and the assisting voter fill in a declaration and their personal data are recorded. In every case, it is prohibited that the voting center commission members assist voters to vote.

¹¹⁸ More concerning is the fact that commissioners did not stop the family voting in nearly 37% of the voting centers where this phenomenon was present.

¹¹⁹ If the voting center commission members notice that the voter photographs his/her vote, they must stop the voter cast his/her vote in the box, record the voter's personal data and inform the Police about the case.



Some cases of interference or exerting pressure on voters or the voting center commissioners, as well as attempts to affect the voters' will or to make electoral propaganda, were noticed during Election Day, near or within the voting centers.

In 2.49% of the voting centers, at least one case of persons interfering in the voting center commission work was noted, and in 1.91% of them some persons exerted pressure on commissioners. In most of the cases, the persons who interfered with the commission's work or exerted pressure on a commissioner were representatives of political parties, and in a few cases, they were state officials.

Cases of electoral propaganda or attempts to affect the voters' will were noticed within voting centers in 3.44% of cases, and near voting centers in 4.77% of cases.

In a limited number of cases, pressure was exerted on voters within the voting center premises in 1.34% of VCs, and near the voting center premises in 2.64% of VCs. Again, the persons who exerted pressure on voters were mostly political party militants, and in a few cases, they were state officials.

CDO observers also assessed the lack of infrastructure that would enable people with disabilities to exercise the right to vote independently. The voting center infrastructure made impossible their access and independent voting of people with physical disabilities in 22.41% of the voting centers, and difficult in 37.93% of the voting centers. Only 39.66% of the voting centers were considered as accessible for people with physical disabilities.

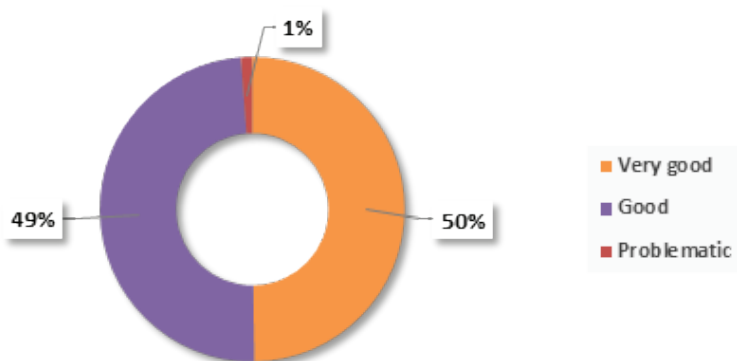
Meanwhile, only 48.06% of the voting centers were equipped with ballots in Braille, which enabled the independent voting of voters with visual impairment.

OVERALL SITUATION OF THE VOTING PROCESS



The CDO observers assessed the voting process as a whole at the end of the observation with reference to four dimensions¹²⁰. The general voting climate was considered as “Very good” by 49.8% of the observers, and as “Good” by 49% of them¹²¹. The implementation of the voting procedures from the commissioners was considered as “Very good” by 54.99% of the observers, and as “Good” by 41.96% of them¹²². Understanding of voting regulations by the voters was considered as “Very good” by 22.35% of the observers and as “Good” by 65.49% of them¹²³. While the qualification of the voting center commissioners was considered as “Very good” by 41.02% of the observers, and as “Good” by 56.33% of them¹²⁴.

GENERAL VOTING CLIMATE



¹²⁰ (1) General voting climate; (2) Implementation of procedures by the voting centers commissioners; (3) Understanding of voting regulations by the voters, and (4) Qualification of voting center commission members. The assessment is carried out based on the following scales: “very good”, “good”, “problematic” and “very problematic”. The dominant assessment scales for these four dimensions are “very good” and “good”, and the assessments “problematic” and “very problematic” are in small percentage.

¹²¹ In 1.2% of the voting centers, the general voting climate is assessed as “problematic” and in none of the VCs was the assessment “very problematic”.

¹²² In 3.05% of the voting centers, the implementation of the procedures by the commissioners is assessed as “problematic” and in none of the VCs was the assessment “very problematic”.

¹²³ In 12.16% of the voting centers, the understanding of the voting regulations by the voters is assessed as “problematic” and in three voting centers it is assessed as “very problematic”.

¹²⁴ In 2.65% of the voting centers, the qualification of commissioners is assessed as “problematic” and in 2 voting centers it is assessed as “very problematic”.

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4) Closing of voting centers

The postponement of the closing of the voting by one hour from the Central Election Commission, and the inconsistent way the voting center commissioners were informed of this postponement in particular, created confusion and the closing of VCs in different hours. According to the Electoral Code, the voting centers should have been closed at 19:00.

CDO observers noticed that 3.1% of VCs were closed before the legal deadline, 17.9% of voting centers were closed after the legal deadline (19:00), 6.8% of them were closed between 19:00 and 19:30 hours, 45.44% of them were closed between 19:30 and 20:00 hours, and 26.8% of VCs were closed at 20:00, in accordance with the CEC decision made on the Election Day.

After the postponement of the voting deadline by the Central Election Commission, in 13.81% of the voting centers, voters were present after 19:00. But, this postponement and the inconsistent way the voting center commissioners were informed, led to disagreements related to the closing of the voting centers. Specifically, in 5.5% of the voting centers, they were closed without an agreement of all the commissioners¹²⁵.

In general, the procedures for the closing of voting centers and administration of electoral materials were followed properly, with the exception of a small number of VCs. The procedural violations were generally related to neglect in counting unused ballots (1.5% of VCs), spoilt ballots (2 voting centers) or signatures in the voter list (0.8% of VCs).

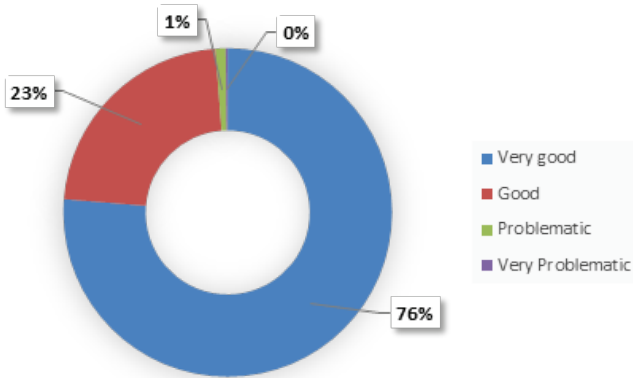
In 1.5% of the voting centers, not all the commissioners agreed with the counting result and in 0.97% of them, not all the results or decisions made by the voting center commissions were reflected in the report of the voting center closing.

Delivery of electoral materials to the Ballot Counting centers was followed properly in all voting centers, but small delays of the car transporting the materials were identified in some of the VCs.

At the end of the observation process, the CDO observers assessed the process progress in general. In 76.3% of the voting centers, the observers assessed the voting center closing as "Very good", in 22.5% of them as "Good" and in 1% of them as "Problematic". Only in one voting center, the closing procedures were assessed by the observer as "Very problematic".

¹²⁵ In a considerable number of voting centers, the commissioners have informed the CDO observers that they had received no official notification for the postponement of the voting schedule.

ASSESSMENT OF CLOSING PROCEDURES



C. Voting in penitentiary institutions

The legal framework stipulates the establishment of voting centers in special settings, which are mostly Institutions of Execution for Penal Sentences (IEPS), as well as prisons and detention centers.

These institutions, which have been regularly criticized for their conditions, have a considerable number of voters. These institutions have been continuously accused for massive mechanisms of politically directing the prisoners' votes, as well as political abuse of criminal opponents that carry out sentences there.

For the elections of 25 June 2017, 21 voting centers were established in special settings, out of which 19 were in penitentiary institutions and two in other residencies (one in an elderly home and one in a military facility). The number of voters in these voting centers was 3,166.

This electoral process marked for the first time the restriction of the right to active vote for voters affected by the legislation on decriminalization.

Due to the set-up of the voting centers beyond the legal deadline, "inherited" problems pursuant to the Law "On Civil Status" and the lack of transparency for the implementation of the legislation on decriminalization, the lists of voters in penitentiary institutions were questioned.

In the 23 Institutions of Execution for Criminal Decisions of the country, some days before Election Day, there were 5,600 persons carrying out sentences, of whom 1,367 were affected by the legislation on decriminalization. Due to the number of voters under the legal limit, Voting Centers¹²⁶ were set up only in 19 IEPSs, to provide 3,046 voters the chance to vote.

Based on the observers' reports¹²⁷, the voting process in 10 VCs started in

¹²⁶ Detention Vlora, Prison Bëç, Prison Berat, Prison Durrës, Prison Saranda, Prison Shënkoll, Prison Kukës, Prison Fushë-Krujë, Prison Patos, Prison Elbasan, Prison Drenova, Prison Tirana, Prison 313, Prison Pragozhinë, Prison Tirana, Prison Ali Demi, Prison Burrel, Prison Kukës.

¹²⁷ Following the voting progress in the voting centers set up in penitentiary institutions, entire monitoring was performed for the first time in the election of 25 June. The voting process in these centers, whose findings are not part of the findings concluded by VBS/SBO, was attended by 22 long-term observers divided in 14-hours or 7-hours shifts depending on voting centers.

FINAL MONITORING REPORT

accordance with the schedule, and in eight VCs, the voting closed at 19:00, in compliance with the Electoral Code. The voting progress in these voting centers was followed by 13 observers of other subjects, representatives of political parties or other entities.

1,838 persons (60.34%) voted in these centers, of whom 309 used a court decision, in absence of being included in the voter list. Meanwhile, 108 persons were not allowed to vote, because 107 of them did not have the identity card, and one of them could not find his name in the list of voters.

Based on the observation made by the observers, it was found that the voting process within the voting centers was quiet and normal. During Election Day, no forms of intimidation or vote orientation to the persons carrying out sentences in these institutions were identified.

However, the above-mentioned statement is questionable, because of the impossibility of making a more complete and preliminary observation before Election Day in these institutions.

D. Ballot Counting

1) Intake of electoral materials

Intake of electoral materials was implemented in compliance with the regulations of the Electoral Code in all the Ballot Counting Centers (BCC), but it was followed by a series of problems related to logistics and infrastructure. The identified problems were as follows: space insufficiency for the receipt of the electoral materials in 5.5% of BCCs, high number of persons present during the process of materials delivery in 8.5% of BCCs, as well as long queues in 42% of BCCs.

In 5.5% of BCCs there was at least one case of a box declared irregular.

The procedures of the Electoral Code for the intake and maintenance of irregular boxes were followed in all the BCCs.

2) Activity of Ballot Counting teams and the implementation of counting procedures

The elections of 25 June 2017 marked a positive precedent, since the Ballot Counting ended nearly 48 hours after the closing of the voting process¹²⁸. Although this process was the fastest of the seven electoral processes since 2005, still some interruptions of the counting process were noted in a considerable number of BCCs, and the recounting did not start at the specified time.

The counting process was fast, and, in general it was a quiet process without violating order¹²⁹. However, in 13.3% of BCCs, there was at least

¹²⁸ Since 2005, with the concentrated Ballot Counting in Albania, a major issue was the extension of counting. In the case of the local elections of 2011, in CEAZ No. 35 – Municipality of Tirana, the counting process was continued for six days.

¹²⁹ Only in three BCCs (BCC No. 44, 58 and 66), the observers noticed that the receipt by BCTs and the return of voting boxes after the counting was quietly performed.

one case of disagreement between the Ballot Counting Team (BCT) members related to the counting procedures or results. Only in one case were these disagreements settled with the consensus of the BCT members. In all the other cases, the CEAZ had to intervene to settle them.

In general, the procedure of objectively placing the ballots in front of the camera was observed properly. There was good operation of the supporting technology, except some sporadic cases¹³⁰. In three BCCs, there were power cuts and, as a result, supporting technology did not operate. The CEC instruction for the operation of supporting technology was applied in all these cases.

In 47.7% of BCCs, the observers assessed the evaluation procedure and Ballot Counting by BCT as “Very good” and in 52.3% of them as “Good”.

3) Activity of the Commissions of Electoral Administration Zones during the Ballot Counting

The members of the Commission of Electoral Administration Zones (CEAZ) responded in time to the requests of the Ballot Counting Teams, except CEAZ No. 87, where some delays were identified regarding the response of commissioners.

The interference of observers in the progress of Ballot Counting Teams work¹³¹ by commenting loudly, addressing to the BCT members or crossing the line and entering the area where ballots were being counted¹³² remains an issue in many CEAZs.

The identification of persons within the BCC was identified again as a problem, because a portion of them do not hold their accreditation in visible places. In almost all the BCCs, the observers reported gatherings of political party militants outside the BCCs, as well as added presence within the BCC, without holding the respective accreditation in a visible place.

In 11.1% of BCCs¹³³, in at least one case, the intervention of police forces was necessary to maintain the public order in BCCs and to take the unauthorized person(s) interfering in the work of the Ballot Counting team members outside the Ballot Counting center. Isolated incidents were noted in some BCCs however they have not negatively affected the counting process.

In 45.5% of BCCs, CDO observers assessed the fulfilment of the Electoral Code obligations by the CEAZ members and their qualification as “Very good”, in 54.3% of them as “Good”, and in 0.2% as “Problematic”.

¹³⁰ In BCCs No. 11 and 78, the observers reported that the ballot could not be clearly seen in all the monitors. In BCC No. 84, the observers reported that one of the screens was not properly installed and it was difficult to see clearly the ballots.

¹³¹ Pursuant to the electoral law, the observers, in no case, have the right to address to the Ballot Counting team members. Any communication between the observers and the counters should occur through the CEAZ.

¹³² In CEAZ No. 60, the head of the Socialist Party of Rroskovec was noticed trying to go to one of the Ballot Counting tables touching the ballots.

¹³³ In CEAZ No. 20, 34, 42, 56, 83, 47, 49 and 50, the police forces were called by a decision of CEAZ, and in CEAZ No. 5 and 11, the police forces were called by the head of CEAZ, but without a written decision of CEAZ.



XV. RECOMMENDATIONS

Improving the legal and institutional framework on the basis of electoral experiences with prudence and foresight is an approach that is lacking in the Albanian electoral tradition. In the country's democratic experience, electoral problems or shortcomings either have not been addressed or have become arguments for experiments not grounded in the country's context.

Having followed the general election processes and institutional developments closely related to electoral processes, specifically those noted in the 2017 electoral process, CDO has provided a list of recommendations for the future.

Recommendations are proposed in the spirit of cooperation and anticipated inclusive dialogue. A dialogue predicated on previous commitments and the Political Agreement could bring about a comprehensive regulatory reform regarding the conduct of the electoral processes.

With consideration to the political status quo, ideal solutions cannot be expected from reform of the legal framework. Such reform must be predicated on long-term political conditionality, including a commitment to future improvement.

Overall, the essence of reform must be to guarantee the major aspirations of vote equality as well as citizens' rights and freedoms.

Subsequently, the recommendations below, grouped, in two lists, primary and secondary, but are not grouped according to their order of importance.

Primary recommendations list issues that are essential objectives of a reform process, as described above requiring political commitment. Whereas secondary recommendations are legal alternatives, drawn from the expertise of CDO in addressing concrete identified issues, not being definitive.

A. Primary recommendations

- The formula for political representation, namely the allocation of parliamentary seats, should be revised to achieve a more balanced and democratic political representation while maintaining the principle of voter equality (one-man-one-vote).
- The electoral legal framework must be reformed in an in-depth, transparent and participatory manner, through inclusive dialogue and drawing on past electoral experiences.
- The electoral legal framework needs to be revised to strengthen the institutional independence of the Central Election Commission, and to abolish the behavior manifested thus far of a body that acts above the law.
- The role and functions of the Electoral College vis-a-vis the Central Election Commission and the Constitutional Court should be reviewed with respect to established precedents.

- The composition and regulations governing the Central Election Commission should be subject to legal reform to safeguard its independence from political interests.
- The transparency and audit procedures of the financial activity of electoral subjects should be comprehensively restructured to provide an effective mechanism.
- The functioning of the Zone Commissions as local institutions in the electoral administration should be regulated to establish transparency requirements.
- A first step toward removing the influence of political parties over the electoral process could be full de-politicization of election zone commissions.
- It is necessary to provide effective legal instruments and procedures for reporting and investigating cases of vote malfeasance.
- The unequivocal guarantee of transparency and respect for the rights of observers should receive immediate and specific attention under law, including provisions for sanctions against violators, as well as alternative means for obtaining information.
- The Task Force model, as a positive precedent and model of inter-institutional cooperation, should be taken into consideration for regulating the functioning of responsible institutions for electoral processes, but complete with detailed legal provisions that guarantees cooperation among institutions, as well as full transparency of operations.
- The report and findings of the Task Force for this electoral process must be addressed and followed rigorously by responsible and investigative institutions.

B. Secondary recommendations

- Given that every formula of political representation has shortcomings, in the Albanian context a formula that would preserve political pluralism and ensure openness to new political movements in opposition to the political establishment is needed.
- There is a need to review the legal status of political parties by modeling them more as public entities. This will facilitate public access to internal legislation, decision-making and finances of political parties.
- The support infrastructure for election administration needs to be a permanent structure under the Central Election Commission and not reconstituted for every electoral process.

- There is a need to redefine the organization and functions of the Central Election Commission administration, during and outside the electoral period, particularly those closely related to ensuring transparency.
- The possibility of return to the establishment of the Central Election Commission based on inter-institutional representation and enshrined in the Constitution would be deemed positive.
- The requirements for transparency and financial activity of political parties and electoral subjects should be enshrined in a specific legal act, with detailed definitions on the financial affairs of political parties, and providing a specific control mechanism on the financial activity of political parties.
- The use of transparent bank accounts by electoral subjects should be considered, as it would help ensure transparency of financial activity.
- It is considered necessary to establish provisions in legislation to address repeat voting, in case strong vote malfeasance is legally proven.
- The possibility to use voter lists in voter intimidation and control efforts makes it necessary to restrict their access by electoral subjects or other entities.
- Specific legal measures are needed to prevent electoral subjects from undertaking early campaigning.
- It is necessary to establish well-defined boundaries at the central and local government levels that limit activities with potential electoral influence.
- Inter-institutional cooperation, be it in the form of a task force or other models, is encouraged, as an efficient model in dealing with issues in controlling and making full transparency of the financial activity of electoral subjects.

XVI. LIST OF ABBREVIATIONS

AMA	Audio-visual Media Authority
PAJ	Party Popular Alliance for Justice
MMB	Media Monitoring Board
GDCS	General Directorate of Civil Status
NDS	New Democratic Spirit
BCT	Ballot Counting Team
IEPS	Institution of Execution of Penal Sentences
SSA	Supreme State Audit
VCC	Voting Center Commission
CEC	Central Election Commission
CDO	Coalition of Domestic Observers
EZ	Electoral College
CEAZ	Commission of Electoral Administration Zone
LIBRA	Party Equal List
SMI	Socialist Movement for Integration
GEMF	Party Greek Ethnic Minority for the Future
Mol	Ministry of Internal Affairs
LGU	Local Government Unit
ODIHR	Office for Democratic Institutions and Human Rights
ODK	Open Data Kit
EAP	Environmental Agrarian Party
ANA	Arbnor National Alliance Party
DA	Party Democratic Alliance
PDA	Party Demo-Christian Alliance
PPA	Party Popular Alliance
PACU	Party Albanian Demo-Christian Union
DP	Democratic Party
PJIU	Party Justice, Integration and Unity
SDP	Social Democracy Party
ACD	Albanian Christian-democrat Party
CPA	Communist Party of Albania
AGP	Action Guide Plan
RP	Republican Party
SP	Socialist Party
SDP	Socialdemocrat Party
VC	Voting Center
NRCS	National Register of Civil Status
SFIDA	Party Challenge for Albania
SBO	Statistical Based Observation
DCM	Decision of the Council of Ministers
BCC	Ballot Counting Center
EAZ	Electoral Administration Zone
CSO	Civil Status Office
REO	Regional Electoral Office

ANNEX

XVII. FINDINGS FROM THE STATISTICALLY BASED OBSERVATION

1. INTRODUCTION

For the observation and assessment of Election Day for the Elections for the Assembly of Albania of 25 June 2017, the Coalition of Domestic Observers has used a statistically based observation (SBO) methodology. SBO methodology has been used successfully in over 40 countries to date.

In Albania this methodology has been used on three occasions. CDO has been the first domestic organization to use it throughout the country in the Elections for the Assembly of Albania 2013, the last elections being the second in which it was used by CDO.

Statistically based observation is based on observation of a sample of randomly selected polling stations, which ensures that these polling stations will be representative of all polling stations at the national level and enables the findings of the observation to be generalized for the whole country, with a high level of confidence and within a margin of error.

2. OBSERVATION METHODOLOGY

a) Polling stations selection

CDO randomly selected a sample of 541 polling stations to be observed on Election Day. Based on this sample, findings could be generalized to the whole country within a margin of error of 4%, with a confidence level of 95%. The calculation of the actual margin of error varies for each question, depending on the proportion of answers for each of the alternatives (for the precise margin of error for each of the questions, refer to the tables below).

To ensure representative representation of the whole country and avoid over or under representation of electoral constituencies, polling stations were selected using a stratified random sampling method: within each electoral constituency (qark) a number of polling stations was randomly selected proportional to the weight of the qark vis-a-vis all polling stations nationwide¹³⁴.

b) Methods of observation and reporting

Polling stations were observed, mainly, by two stationary observers, in shifts of seven hours each. The observers of the first shift arrived at the polling stations at 06:00 AM and observed the procedures of preparation and opening of the centers, as well as the voting process throughout the

¹³⁴ The distribution of selected Polling stations by qarks was: Elbasan: 55; Berat: 31; Dibër, 26; Vlorë: 45; Korçë: 47; Fier: 60; Gjirokastrë: 24; Durrës: 46; Shkodër: 42; Kukës: 18; Tiranë: 121; Lezhë: 26.

first part of the day, until 01:00 PM. The observers of the second shift observed the voting process throughout the second part of the day, from 01:00 PM until their closure, as well as the closing procedures and sending of the materials and ballot boxes to the ballot counting centers.

All engaged observers signed the Statement of Engagement and Impartiality, which is a pledge to abide to the principles and values that the Coalition of Domestic Observers stands for. Observers were trained on the basic principles of election observation by citizens' groups, rights and obligations that derive from being an independent observer, main elements of the process during Elections Day, typical issues that observers could encounter during Elections Day, as well as methodology and methods to be used by observers to collect and transmit information to the CDO Operations Center.

The observers recorded their findings using a set of standardized forms:

- Form for the procedures of the opening of the polling station;
- Form for the voting procedures;
- Form for the procedures of closing of the polling stations;
- Form for incidents.

First shift observers arrived at the polling station at 06:00 AM and observed the process of preparations and opening of the polling stations. After the polling station opened, the observers completed the relevant form for the opening and transmitted the data to the Operations Center. At the conclusion of the first shift, at 01:00 PM, the observers completed the form for the voting procedures for the first part of the day and transmitted the data to the Operations Center. Second shift observers completed the form for the voting procedures for the second part of the day, from 01:00 PM until the closing of the polling station and transmitted the data to the Operations Center once the polling station was closed.

After the closing procedures ended and the election materials were sent to the ballot counting centers, the observers completed the form about the closing procedures and transmitted the data to the Operations Center. If case of witnessing incidents, the observers completed an incident form and transmitted the data to the Operations Center immediately.

Eighty data clerks worked at the Operations Center on Election Day, forty per shift. 36 of those collected and inputted data from stationary observers allocated in the random sample of polling stations while four were dedicated to collecting data on incidents or other special reports from mobile or CEAZ observers.

Observers used two methods of data transmission. The first, successfully used by CDO since 2007, was through placing a phone call to the Operations Center, where the data clerks of the Operations Center inputted the data into a cloud based system, built on the web platform of Ona Systems.

The second method, used for the first time in Albania in these elections, and an innovation at the global level for domestic election observation organizations, was through the Android smartphone application Open Data Kit. The application was used by observers to complete the observation forms directly on their smartphone and the data would automatically be uploaded to the cloud based system used by data clerks at the data collection center. Approximately 10% of the observers used this alternative method during Election Day.

The gathered data were integrated and analyzed by the team of analysts of CDO and Democracy International (DI).

c) Data presentation

During Election Day CDO observers covered systematically (throughout the whole Election day, from the opening to the sending of the election materials to the ballot counting centers) 532 polling stations. In nine polling stations, for different reasons, observers were not able to cover the whole process in a reliable way. Data from these observers were thus eliminated during the final data analysis.

To preserve the proportion of polling stations in different qarks, based on the original sample, which reflected the proportion of each qark in the overall population of polling stations, data from eight polling stations in the overrepresented qarks were eliminated in the final analysis. These polling stations were randomly selected. Thus, the final sample was weighted to reflect the weight of each qark in the population of polling stations. The below results are based on data gathered from 524 polling stations.

Below are presented the results for each of the variables observed by CDO observers during Election Day. Data that can be generalized for the whole country can be found in the tables throughout the text, accompanied by the relevant margin of error.

Besides these data, in the text can be also found data for situations or actions that depend on the primary questions, which received an answer only in the relevant polling stations in which the phenomenon has been noticed. These polling stations have not been randomly selected and data gathered by them cannot be generalized for the whole country.

The tables are composed of five elements: the relevant response option (column 1); observed value, which refers to the percentage of polling stations in which a phenomenon has been observed (column 2); margin of error, which refers to the margin of error above and below the reported percentage (column 3); lower and upper limit, which refer to the real percentage of the relevant phenomenon at the country level, with a 95% confidence interval (columns 4 and 5).

3. FINDINGS FROM THE STATISTICALLY BASED OBSERVATION

In total, in the below analysis are included 524 polling stations, proportionally distributed among the electoral constituencies of the country. In Table 1 is presented the distribution of polling stations per qark.

TABLE 1 – Distribution of polling station included in the analysis per qark

Qark	Number of polling stations	Proportion of polling stations
Berat	30	5.73%
Dibër	25	4.77%
Durrës	45	8.59%
Elbasan	53	10.11%
Fier	58	11.07%
Gjirokastrër	23	4.39%
Korçë	46	8.78%
Kukës	17	3.24%
Lezhë	25	4.77%
Shkodër	41	7.82%
Tiranë	117	22.33%
Vlore	44	8.40%
Total	524	100%

Findings are presented based on the timeline of the process on election day, based on which were also constructed the forms used by the observers.

In Section 2.1. is presented the findings from the opening procedures; in Section 2.2. findings from the voting procedures and in Section 2.3. findings from the closing procedures.

a. Opening procedures

a1) Opening time

Polling stations must open at 07:00 AM.

78.31% of the polling stations opened on time, 17.66% opened with delays up to half an hour and 3.26% opened with delays up to one hour. A very small number of polling stations (0.77%) opened with serious delays, up to one hour and a half after the official opening time.

In 44 of the polling stations that opened after 07:00 there were observers waiting to vote and in 51 there were no voters waiting. In 18 polling station the observers have not answered this question.

TABLE 2 – Opening time of the polling stations

	Observed value	Margin of error	Lower limit	Upper limit
A) polling station opened at 07:00	78.31%	3.54%	74.77%	81.85%
B) polling station opened between 07:00 and 07:30	17.66%	3.27%	14.38%	20.93%
C) polling station opened between 07:30 and 08:00	3.26%	1.53%	1.74%	4.79%
D) polling station opened between 08:00 and 08:30	0.77%	0.75%	0.02%	1.52%
E) polling station opened between 08:30 and 09:00	0.00%	0.00%	0.00%	0.00%
F) polling station did not open until 09:00	0.00%	0.00%	0.00%	0.00%

a2) Presence of commissioners during the opening

The number of commissioners per polling station is seven and the station can open only if at least four of them are present.

In 79.08% of the polling stations all commissioners were present during the opening. 12.55% opened in the presence of six commissioners, 5.38% in presence of five commissioners and 2.99% with the minimal number required by the law (4). No polling stations were opened in the presence of less than four commissioners.

No polling station was opened in absence of the Chair or secretary of the polling station. All absences were members of the PS. 32 of the commissioners that were not present during the opening represented the Democratic Party, 14 of the Socialist Party, 15 of the Socialist Movement for Integration and 15 of the Republican Party.

TABLE 3 - How many members of the Commission were present during the opening of the polling station?

	Observed value	Margin of error	Lower limit	Upper limit
7 members	79.08%	3.56%	75.53%	82.64%
6 members	12.55%	2.90%	9.65%	15.45%
5 members	5.38%	1.97%	3.41%	7.35%
4 members	2.99%	1.49%	1.50%	4.48%
3 members	0.00%	0.00%	0.00%	0.00%
2 members	0.00%	0.00%	0.00%	0.00%
1 members	0.00%	0.00%	0.00%	0.00%

a3) Organization and infrastructure of the polling stations

During the preparation of the polling stations members of the commission must arrange the furniture as to ensure free movement of voters and avoid chaos during the voting.

98.7% of the observers assessed that this condition was fulfilled.

TABLE 4 – Do you deem that the tables, chairs and secret booth were arranged as to ensure free movement of voters?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	98.70%	0.97%	97.73%	99.67%
B) No	1.30%	0.97%	0.33%	2.27%

Part of the opening procedures is also the removal of propaganda materials that might be found within the polling station and in its vicinity (in a radius of 150 meters).

In 1.93% of the polling stations the commissioners did not undertake measures to ensure the absence of propaganda materials in a radius of 150 meters.

TABLE 5– Did the polling station commission remove propaganda materials that might be inside the polling station?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	71.48%	3.88%	67.60%	75.37%
B) No	1.93%	1.18%	0.74%	3.11%
C) NA	26.59%	3.80%	22.79%	30.39%

TABLE 6 - Did the polling station commission remove propaganda materials that might be in a 150 meters radius from it?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	69.51%	3.98%	65.54%	73.49%
B) No	2.14%	1.25%	0.89%	3.38%
C) NA	28.35%	3.89%	24.46%	32.24%

a4) Fulfillment of standard procedures for the opening of polling station

Before the voting starts, the commissioners complete the records of the opening of the polling station.

In one polling station this has not been done.

TABLE 7 - Was the opening record completed?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	99.81%	0.38%	99.42%	100.19%
B) No	0.19%	0.38%	-0.19%	0.58%

The ballot box must be checked by the commissioners in their presence and of the observers before sealing it and opening the polling station.

In 1.35% of the polling stations this procedure was not fulfilled. In three of the polling stations in which the ballot box was not checked in presence of the commissioners and observers, CDO observers deemed that the procedure was eschewed because the commissioners did not know the procedures and in three it was deemed that this was a result of negligence.

TABLE 8 - Was the polling station checked in the presence of all members of the commission and observers?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	98.65%	0.99%	97.66%	99.64%
B) No	1.35%	0.99%	0.36%	2.34%

The polling station commission seals the ballot box with four security seals before the opening of the voting. The voting cannot start before sealing the box.

In all polling stations this procedure was fulfilled, in accordance with procedure.

TABLE 9 - Were the ballot boxes sealed with the security codes before the voting started?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	100%	0.00%	0.00%	100%
B) No	0.00%	0.00%	0.00%	0.00%

The security codes of the straps (security seals) with which the ballot box is sealed are written down in the Opening Record, which is then dropped into the ballot box before the start of the voting.

In 1.35% of the polling stations the opening record was not dropped into the ballot boxes. In two of the polling station where this was observed the observers deemed that the reason was negligence and in two they deemed it was lack of knowledge of the legal framework. In three polling stations the observers have not judged either it was negligence or lack of knowledge.

TABLE 10 – Was the opening record with security codes inserted into the ballot box before the start of the voting?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	98.65%	0.99%	97.66%	99.64%
B) No	1.35%	0.99%	0.36%	2.34%

a5) Materials needed for the voting

In 0.58% of the polling stations there was a lack of voting materials. In one case the ink for finger inking was missing and in one case it was the ink for the seals.

TABLE 11 – Was the polling station completed with all needed materials?

	Observed value	Margin of error	Lower limit	Upper limit
A) Yes	99.42%	0.66%	98.76%	100.08%
B) No	0.58%	0.66%	-0.08%	1.24%

a6) General assessment of the opening procedures

The observers have assessed the opening procedures as very good in 65.88% of the polling stations, as good in 32.55% and as problematic in 1.37%. In one polling station the observer has assessed the procedures as very problematic.

TABLE 12 – General assessment of the opening procedures

	Observed value	Margin of error	Lower limit	Upper limit
A) Very good	65.88%	4.11%	61.77%	70.00%
B) Good	32.55%	4.07%	28.48%	36.62%
C) Problematic	1.37%	1.01%	0.36%	2.38%
D) Very problematic	0.20%	0.38%	-0.19%	0.58%

b. Voting procedures**b1) Persons present at the polling station**

In 85.96% of the polling stations the commissions have operated with the full number of commissioners prescribed by law, seven members. 8.27% of the commissions operated with six members, 4.42% with five

members and 1.35% with the minimum number required for a correct procedure, four commissioners. No polling station has operated with less than four members.

TABLE 13 - Number of polling station members

	Observed value	Margin of error	Lower limit	Lower limit
3 members	0.00%	0.00%	0.00%	0.00%
4 members	1.35%	0.99%	0.36%	2.34%
5 members	4.42%	1.77%	2.66%	6.19%
6 members	8.27%	2.37%	5.90%	10.64%
7 members	85.96%	2.99%	82.98%	88.95%

In the frame of respect for gender equality policies, even in this electoral process inclusion of women in third level commissions was problematic. Most of the polling station commissions (35.82%) had only one woman commissioner, 22.64% had two women commissioners and 11.44% had three women commissioners.

In 8.96% of the polling stations the majority of the commissioners were women, of which 5.97% had four women commissioners, 2.59% had four women commissioners and two polling stations had six women commissioners. No polling station commission was composed of only women.

TABLE 14 - Number of women polling station commissioners

	Observed value	Margin of error	Lower limit	Lower limit
0 members	21.14%	3.99%	17.15%	25.14%
1 members	35.82%	4.69%	31.13%	40.51%
2 members	22.64%	4.09%	18.55%	26.73%
3 members	11.44%	3.11%	8.33%	14.55%
4 members	5.97%	2.32%	3.65%	8.29%
5 members	2.49%	1.52%	0.97%	4.01%
6 members	0.50%	0.69%	-0.19%	1.19%
7 members	0.00%	0.00%	0.00%	0.00%

The Electoral Code regulates the persons that can stay at the polling station during the voting. these are the commissioners and secretary of the polling station, voters that are going through the voting procedures, and accredited observers.



In 7.25% of the polling stations were observed, in at least one case, unauthorized persons inside the polling station. In none of the cases the unauthorized persons were law enforcement officers. In 15 of the cases the unauthorized persons were identified as representatives of a political party and in 24 cases the observers could not identify them.

TABLE 15 - Were there any unauthorized persons inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	7.25%	2.22%	5.03%	9.47%
B) No	92.75%	2.22%	90.53%	94.97%

b2) Organization and infrastructure of the polling station

The protective screen behind which the voters fill their ballot paper, the secrecy booth, must be arranged in such a position as to ensure that all members of the polling station commission and observers have a clear view of the voters' actions. The screen must also be set up in such a position that as to guarantee the secrecy of the vote. Thus, commissioners and observers must be able to see the actions of the voters, but not be able to see for whom s/he is voting.

In 87.93% of the polling stations, the observers assessed that the position of the secrecy booth did not enable a clear view of the actions of the voter. While in 1.72% of the polling stations they assessed that the position of the secrecy booth made possible the identification of the voters' choice in the ballot paper.

TABLE 16 - Was the secrecy booth positioned as to ensure a clear view for all commissioners and observers?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	87.93%	2.79%	85.14%	90.73%
B) No	12.07%	2.79%	9.27%	14.86%

TABLE 17 - Was the secrecy booth positioned as to ensure the secrecy of the vote?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	98.28%	1.11%	97.16%	99.39%
B) No	1.72%	1.11%	0.61%	2.84%

The ballot box must also be positioned in such a way as to enable a clear view of all commissioners and observers.

In 6.3% of the polling stations the observers assessed that the position of the ballot box did not enable a clear view of it.

TABLE 18 - Was the polling station positioned as to ensure clear view of it?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	93.70%	2.08%	91.62%	95.78%
B) No	6.30%	2.08%	4.22%	8.38%

The polling station commission must post the posters with instructions on the voting process in a visible and appropriate place inside the polling station

In 7.46% of the polling stations the posters with instructions were not posted

TABLE 19 - Were posters explaining the voting procedures posted?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	92.54%	2.25%	90.29%	94.79%
B) No	7.46%	2.25%	5.21%	9.71%

The legal framework provides that the voter list must be posted in a visible place outside the polling station.

In 7.29% of the polling stations the voter list was not posted in the vicinity of the polling station

TABLE 20 - Was the voter list posted?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	92.71%	2.23%	90.47%	94.94%
B) No	7.29%	2.23%	5.06%	9.53%

b3) Respect for voting procedures

Before the voter receives the ballot paper, it is stamped on the backside with the stamps of the polling station and that of the chairperson of the polling station. Only in one polling station the observer has noticed one case in which the ballot paper was not stamped with both stamps.

TABLE 21 – Did you notice any cases of the ballot paper not being stamped with the stamp of the Chairperson and that of the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.19%	0.37%	-0.18%	0.57%
B) No	99.81%	0.37%	99.43%	100.18%

At the moment the voters arrive at the polling station, a member of the commission checks their hands if they were previously inked with the special ink used before they vote.

In 1.53% of the polling station this procedure has not been fulfilled in at least one case. In total, this procedure was not fulfilled for 16 voters.

TABLE 22 – Were there any cases of voters being provided a ballot paper without being checked in both hands if they were inked before?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.53%	1.05%	0.48%	2.58%
B) No	98.47%	1.05%	97.42%	99.52%

When the voter enters the polling station, s/he is identified with his/her name to the relevant commissioner and presents a valid identification document.

In 1.15% of the polling stations was noticed at least one case in which the voters were allowed to cast the ballot without a valid identification document. In total this was observed for eight voters.

TABLE 23 – Were there any cases of voters being allowed to cast the ballot without presenting a valid ID (biometric passport or ID card)?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.15%	0.91%	0.23%	2.06%
B) No	98.85%	0.91%	97.94%	99.77%

Before being provided the ballot paper the voter must be inked with the special ink.

In 1.91% of the polling stations was observed at least one case of voters being allowed to cast the ballot without being inked. In total this was noticed by 18 observers.

TABLE 24 – Were there cases of observers being allowed to cast the ballot without being inked with the special ink?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.91%	1.17%	0.74%	3.08%
B) No	98.09%	1.17%	96.92%	99.26%

Every voter must sign besides his/her name in the voter registry, managed by the chairperson of the polling station commission.

In 6.68% of the polling stations was observed at least one case in which the voter did not sign his/herself in the voter registry. In total were observed 90 voters who did not sign themselves.

TABLE 25 – Were there any cases of someone else signing for a voter in the list?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	6.68%	2.14%	4.54%	8.82%
B) No	93.32%	2.14%	91.18%	95.46%

When at the polling station is presented a voter which's name is not included in the voter list of that polling station, but has a court decision allowing her/him to vote at that polling station, s/he has the right to vote there. The secretary of the polling station writes in the Special Registry the name, paternity, birthday, number of the court decision and number of ID of the voter.

In 5.53% of the polling stations was presented at least one voter that was not included in the voter list, with a court decision. In total 39 such voters were observed. Only for three of them the relevant remarks in the Special Registry were not made.

TABLE 26 – Was there any voter that wasn't included in the voter list and that came to vote with a court decision?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	5.53%	1.96%	3.58%	7.49%
B) No	94.47%	1.96%	92.51%	96.42%

Every voter must enter the secrecy booth to vote. If the voter fills the ballot paper outside the secrecy booth, the ballot paper is considered invalid and the chairperson of the polling station commission provides her/him with a new ballot paper. If the voter again votes outside the secrecy booth, the citizen is not allowed to vote and his/her name is recorded in the book of records of the polling station.

In 2.29% of the polling stations was observed at least one case of a voter who marked its ballot outside the secrecy booth. In total were observed 16 voters that marked their ballot outside of the secrecy booth.

TABLE 27 – Was there any case of a voter marking its ballot outside the secrecy booth?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.29%	1.28%	1.01%	3.57%
B) No	97.71%	1.28%	96.43%	98.99%

The use of mobile phones inside the polling station is forbidden, with the exception of the secretary of the polling station who is in charge of communications at the polling station.

In 8.97% of the polling stations was observed at least one voter who used the mobile phone inside the station. In total were observed 129 cases.

TABLE 28 – Did you observe voters using their mobile phone inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	8.97%	2.45%	6.52%	11.42%
B) No	91.03%	2.45%	88.58%	93.48%

The voter must not use or have in his/her hands a mobile phone inside the secrecy booth.

In 8.4% of the polling stations were observed voters that were allowed to hold a mobile phone in their hand. In total were observed 76 cases.

TABLE 29 – Did you observe voters holding the mobile phone in their hand inside the secrecy booth?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	8.40%	2.37%	6.02%	10.77%
B) No	91.60%	2.37%	89.23%	93.98%

Voters that, for physical reasons cannot mark the ballot paper can ask for the assistance of a family member whose name is included in the voter list of that polling station, or any other voter that is included in that list. Every person that assists a voter must fill a statement and her/his identity is recorded by the commissioners.

In 6.3% of the polling stations was observed at least one case of a person that assisted voters with disabilities to mark and/or cast the ballot.

TABLE 30 –Did you notice cases in which the person who assisted a voter with disabilities did not fill the relevant statement?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	6.30%	2.08%	4.22%	8.38%
B) No	93.70%	2.08%	91.62%	95.78%

Every person can only assist one voter, in case the other voter has requested for assistance and cannot vote by itself due to a physical disability.

In 2.29% of the polling stations was observed at least one case of a person assisting more than one voter. In total were observed 16 of such cases.

TABLE 31 –Did you observe cases of a person assisting multiple voters?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.29%	1.28%	1.01%	3.57%
B) No	97.71%	1.28%	96.43%	98.99%

The members of the polling station commission, under no circumstance, are allowed to assist voters.

In 3.05% of the polling station were observed members of the polling station commission assist a voter to mark and/or cast the ballot. In total were observed 35 cases.

TABLE 32 –Did you observe members of the polling station commission assisting voters with disabilities to mark or cast the ballot?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	3.05%	1.47%	1.58%	4.53%
B) No	96.95%	1.47%	95.47%	98.42%

Voters, under no circumstance, must be allowed to vote if they don't present a valid ID, refuse to be inked with the special ink, are not included in the voter list of that polling station, or have a court decision allowing them to vote in that polling station.

In 32.44% of the polling stations was observed at least one case of persons not being allowed to vote for legal reasons. In total were observed 218 persons who could not vote for these reasons. Of those, 94 were privy of a valid ID, 107 were not included in the voter list of the relevant polling station, four refused to be inked and 13 were not allowed for other reasons.

TABLE 33 –Were there voters who arrived at the polling station and were not allowed to vote?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	32.44%	4.01%	28.43%	36.45%
B) No	67.56%	4.01%	63.55%	71.57%

If during the voting the normal proceeding of the process is made impossible, due to extenuating circumstances, the polling station commission takes a decision to suspend the voting until the moment when the situation that has caused the voting to be suspended is solved.

In 4.4% of the polling stations the voting was suspended at least once during Election Day.

TABLE 34 –Was the voting suspended at any moment during the observation period?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	4.40%	1.76%	2.64%	6.15%
B) No	95.60%	1.76%	93.85%	97.36%

b4) Irregularities during the voting

The voter must be alone at the secrecy booth, except for cases when the voter requests for assistance.

In 22.52% of the polling stations was observed at least one case of attempts by the voters to enter the secrecy booth accompanied. In total were observed 617 cases of voters attempting this.

In 31 polling stations the commissioners stopped these voters from entering the secrecy booth in group, while in 51 polling stations they allowed them to do so.

TABLE 35 –Did you notice any cases of more than lone voter entering the secrecy booth?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	22.52%	3.58%	18.94%	26.10%
B) No	77.48%	3.58%	73.90%	81.06%

In 2.67% of the polling stations were observed previously inked voters attempting to vote. In total were observed 19 cases of voters attempting this. In three polling station the polling station commissioners allowed them to vote and in 11 they did not allow them. In three polling stations the names and other data of these persons were recorded at the book of records of the polling station, in three polling stations they were not recorded and

in eight polling stations the observers could not have information if the voter's name and data were recorded.

TABLE 36 - Were there any cases of voters previously marked attempting to vote??

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.67%	1.38%	1.29%	4.05%
B) No	97.33%	1.38%	94.95%	98.71%

In two polling stations there were voters who voted more than once. In total were observed two cases of such voters, one per polling station in which it was observed.

TABLE 37 - Did you notice cases of voters voting more than once?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.38%	0.53%	-0.15%	0.91%
B) No	99.62%	0.53%	99.09%	100.15%

In 6.87% of the polling stations was observed at least one case of voters that voted for other persons, who were present at the polling station. In total were observed 108 cases.

TABLE 38 - Did you observe cases of voters voting for another person who was present at the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	6.87%	2.17%	4.70%	9.04%
B) No	93.13%	2.17%	90.96%	95.30%

In two polling stations were observed cases of voters voting for other persons that were not present. In total were observed two cases, one in each of the polling stations in which it happened.

TABLE 39 - Did you observe cases of voting for persons that were not present?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.4%	0.5%	-0.1%	0.9%
B) No	99.6%	0.5%	99.1%	100.1%

If the commissioners of the polling station notice voters taking or attempting to take a picture of the ballot paper, they must prevent the voter from casting the ballot, declare the ballot paper invalid, take note of the name and data of the voter and notify the police.

In 4.58% of the polling stations the observers noticed at least one case of voters taking a picture of the ballot paper. In total were observed 28 cases of voters doing this. In 12 of the polling stations where this happened the commissioners noticed the voter taking the picture and of the 12 polling station in which the commissioners noticed the person taking a picture of the ballot paper, in nine the case was recorded by the commissioners, but only in two polling stations the commissioners called the police.

TABLE 40 - Did you notice any voter taking a picture of the ballot paper?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	4.58%	1.79%	2.79%	6.37%
B) No	95.42%	1.79%	93.63%	97.21%

The chairperson of the polling station can leave the polling station for short periods, but the stamp of the chairperson must not leave the polling station. In case s/he leaves the polling station, the chairperson gives the stamp to the other member of the same electoral subject to use it, until her/his return.

In 12.95% of the polling station the chairperson has left the polling station taking the stamp with her/him. In 68.92% of the polling stations the chairperson has left the stamp at the polling station when leaving and in 18.13% of the polling stations has not left the PS.

TABLE 41 - Did the chairperson pass the stamp of the polling station chairperson to the member of the commission from the same electoral subject when leaving the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	68.92%	4.05%	64.88%	72.97%
B) No	12.95%	2.94%	10.01%	15.89%
C) NA	18.13%	3.37%	14.76%	21.50%

b5) Overall situation in which the voting was conducted

In 14.31% of the polling stations the observers assessed that the normal voting process was disrupted. In 26 of the cases, the observers deemed that the reason was the high number of voters at the polling station and in 47 cases they deemed that the reason for the disorder was incapacity of the commissioners to manage the situation.

TABLE 42 - Were there any moments of disorder or chaos inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	14.31%	3.00%	11.31%	17.31%
B) No	85.69%	3.00%	82.69%	88.69%

In 1.91% of the polling station were observed propaganda materials inside the polling station. In six cases the materials were of the Socialist Party, in three cases of the Democratic Party, in two cases of the Socialist Movement for Integration and in one case of another party.

TABLE 43 - Did you notice propaganda materials inside the polling station at any moment during the voting?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.91%	1.17%	0.74%	3.08%
B) No	98.09%	1.17%	96.92%	99.26%

In 2.49% of the polling station was noticed at least one case of persons interfering with the work of the commissioners. In total were observed 13 cases, in nine of which the persons that interfered were representatives of political parties, in two cases public officials and in two cases the observers could not identify them. The representatives of the political parties that interfered with the work of the commission were in four cases of the Democratic Party, in three cases of the Socialist Party, and in two cases of the Socialist Movement for Integration.

TABLE 44 - Did you observe anyone interfering with the work of the polling station commission?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.49%	1.33%	1.15%	3.82%
B) No	97.51%	1.33%	96.18%	98.85%

Nobody, except the chairperson of the polling station commission has the right to lead the work of the commission.

In two polling stations the observers noticed unauthorized persons directing the work of the commission. In one of the cases it was a representative of the Socialist Movement for Integration and in the other it was a state official.

TABLE 45 - Did you notice unauthorized persons directing the work of the polling station commission?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.38%	0.53%	-0.15%	0.91%
B) No	99.62%	0.53%	99.09%	100.15%

In 1.91% of the polling stations were observed persons that exerted pressure on the members of the polling station commission. In seven of the cases were representatives of a political party (3 from the SP, 2 from the DP and 2 from the SMI). In one case it was a public official and two cases the observers could not identify the person.

TABLE 46 - Did you observe cases of persons exerting pressure on the members of the polling station commission?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.91%	1.17%	0.74%	3.09%
B) No	98.09%	1.17%	96.91%	99.26%

Electoral propaganda is forbidden on election day.

In 3.44% of the polling stations was observed electoral propaganda or attempts to influence the will of the voters inside the PS. In total were noticed 18 of such cases, in 15 of which the perpetrators were representatives of political parties, two were public officials and in one case it was not possible to identify the person. Six of the political parties' representatives that were campaigning inside the polling stations represented the Socialist Party, five the Socialist Movement for Integration and four the Democratic Party.

TABLE 47- Did you observe persons campaigning or attempting to influence the voters' will inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	3.44%	1.56%	1.88%	4.99%
B) No	96.56%	1.56%	95.01%	98.12%

In the vicinity of the polling stations was also observed campaigning or attempts to influence the voters' will. In total were observed 25 cases, in 22 of which the perpetrators represented political parties (10 from the Socialist party, six from the Socialist Movement for Integration and five from the Democratic Party), one was a public official and in two cases the observers could not identify the perpetrators.

TABLE 48 - Did you observe persons campaigning or attempting to influence the voters' will in the vicinity of the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	4.77%	1.83%	2.95%	6.60%
B) No	95.23%	1.83%	93.40%	97.05%

In 1.34% of the polling stations were observed persons that intimidated the voters inside the premises of the polling station. In total were observed eight such cases, in six of which the perpetrators represented political parties, in one case it was a public official and in one case it was not possible to identify her/him. The representatives of the political parties intimidating voters inside the polling station represented in three cases the Socialist Movement for Integration, in one case the Socialist party and in one case the Democratic Party.

TABLE 49 – Did you observe cases of persons that exerted pressure on voters inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.34%	0.98%	0.35%	2.32%
B) No	98.66%	0.98%	97.68%	99.65%

In 2.67% of the polling stations was observed at least one case of exerting pressure on voters in their vicinity. In total were observed 19 such episodes, in 16 of which the perpetrators were representatives of political parties (seven from the Socialist party, five from the Socialist Movement for Integration, three from the Democratic Party and in one case it was from other parties). In one case the person intimidating voters was a public official and in one case it was a law enforcement officer. In one case the observer was not able to identify the perpetrator.

TABLE 50 – Did you observe persons that exerted pressure on voters in the vicinity of the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.67%	1.38%	1.29%	4.05%
B) No	97.33%	1.38%	95.95%	98.71%

There should not be propaganda materials in the radius of 150 meters from the polling station during election day.

In 2.86% of the polling stations were observed propaganda materials in a distance of less than 150 meters from the polling station and in 97.14% there were no propaganda material within this distance.

TABLE 51 – Were there propaganda materials in the radius of 150 meters from the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	2.86%	1.43%	1.43%	4.29%
B) No	97.14%	1.43%	95.71%	98.57%

In no polling station were observed armed persons inside it. However, in the vicinity of two polling stations were seen armed persons that were not law enforcement officials.

TABLE 52 -Did you see armed persons inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.00%	0.00%	0.00%	0.00%
B) No	100%	0.00%	0.00%	0.00%

TABLE 53 -Did you see armed persons in the vicinity of the polling stations, except for law enforcement officials?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	0.38%	0.53%	-0.15%	0.91%
B) No	99.62%	0.53%	99.09%	100.15%

The observers reported that in the vicinity of 5.92% of the polling stations were seen unusual gatherings of the police.

TABLE 54 -Did you notice gathering of police in the vicinity of the polling stations?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	5.92%	2.02%	3.90%	7.94%
B) No	94.08%	2.02%	92.06%	96.10%

b6) Access for disabled persons in the voting process

Accessibility of the polling stations for voters with disabilities had three alternatives; "Yes", "Partially" and "No". Yes, referred to the cases when the disabled person was able to reach the polling station without any difficulties. If the disabled voter could reach the polling station with minimal assistance, the station was categorized as partially accessible and if the infrastructure of the building made the access of the disabled persons totally impossible, without the considerable assistance of other persons, it was categorized as inaccessible.

In 39.66% of the polling stations, the location was evaluated as accessible for the persons with physical disabilities, 37.93 % as partially accessible and 22.41% as inaccessible.

TABLE 55 - Whether the polling station had been arranged to provide favorable access and movement for the voters with physical disabilities?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	39.66%	4.20%	35.46%	43.85%
C) partly	37.93%	4.16%	33.77%	42.09%
B) No	22.41%	3.58%	18.84%	25.99%

In 65.33% of the polling stations there appeared at least one voter with physical disabilities. In total, the observers identified 540 voters with disabilities. Only in 15 polling stations, the polling stations commissioners had provided favorable arrangements in place, so that these voters could cast the vote on their own. In the rest of the polling stations, these persons cast the vote assisted by third persons.

TABLE 56 - Whether voters with physical disabilities appeared to cast the vote during the monitoring period

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	34.67%	4.08%	30.59%	38.76%
B) No	65.33%	4.08%	61.24%	69.41%

48.6% of the polling stations were supplied with ballot papers in *Braille* alphabet for the visually impaired voters. 51.4% of the polling stations lacked such ballot papers.

TABLE 57 - Was the Center supplied with Braille ballot papers for visually impaired voters

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	48.60%	4.41%	44.19%	53.01%
B) No	51.40%	4.41%	46.99%	55.81%

In 71% of the polling stations, there appeared at least one voter with visual impairment to cast the vote on the election date. In total, in all the polling stations, there appeared 469 visually impaired voters. In 14 polling stations, the visually impaired voters used the Braille ballot papers, whereas in the rest of the polling stations mentioned, these voters cast their vote assisted by a third person.

TABLE 58 - Did blind voters appear to vote during the monitoring time?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	28.79%	3.89%	24.90%	32.68%
B) No	71.21%	3.89%	67.32%	75.10%

In 11.6% of the polling stations, there appeared at least one voter with hearing impairment. In total, in all the polling stations, there appeared 131 voters with hearing impairment.

TABLE 59 - Did voters with hearing impairment appear to vote during the monitoring period?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	11.66%	2.75%	8.91%	14.41%
B) No	88.34%	2.75%	85.59%	91.09%

b7) General evaluation of the voting procedures

CDO observers have evaluated the voting process at the end of the monitoring period, with reference to four dimensions: (1) the general voting environment; (2) the implementation of the procedures by the commissioners of the polling stations; (3) the comprehension of the voting rules by the voters and (4) the qualification of the members of the polling station commissions. The evaluation was for the following levels: "Very good", "Good", "Problematic" and "Very problematic". In the four dimensions, there prevailed the evaluation "Very good" and "Good", and a very small percentage had the evaluation "Problematic" and "Very problematic".

Actually, the general voting environment was evaluated as "Very Good" by 49.8% of the observers and "Good" by 49% of them. In 1.2% of the polling stations, the general voting environment was evaluated as "Problematic" and none of the polling stations was evaluated "Very problematic".

TABLE 60 - The general voting environment

	Observed value	Margin of error	Lower limit	Lower limit
A) Very good	49.80%	4.39%	45.41%	54.19%
C) Good	49.00%	4.39%	44.61%	53.39%
B) Problematic	1.20%	0.96%	0.25%	2.16%
B) Very problematic	0.00%	0.00%	0.00%	0.00%

The implementation of the voting procedures by the commissioners was evaluated "Very Good" by 54.99% of the observers, "Good" by 41.96% of the observers, "Problematic" by 3.05% and none of the polling stations was evaluated "Very problematic".

TABLE 61 - The implementation of the procedures by the commissioners

	Observed value	Margin of error	Lower limit	Lower limit
A) Very good	54.99%	4.40%	50.59%	59.39%
C) Good	41.96%	4.37%	37.59%	46.32%
B) Problematic	3.05%	1.52%	1.53%	4.58%
B) Very problematic	0.00%	0.00%	0.00%	0.00%

The comprehension of the voting rules by the voters was evaluated “Very Good” by 22.35% of the observers, “Good” by 65.49% of them, “Problematic” by 12.16% of the observers and “Very problematic” in 3 polling stations.

TABLE 62 - The comprehension of the voting rules by the voters

	Observed value	Margin of error	Lower limit	Lower limit
A) Very good	22.35%	3.62%	18.74%	25.97%
C) Good	65.49%	4.13%	61.36%	69.62%
B) Problematic	12.16%	2.84%	9.32%	14.99%
B) Very problematic	0.59%	0.66%	-0.08%	1.25%

The qualification of the polling stations was evaluated “Very Good” by 41.02% of the observers, “Good” by 56.33% of them, “problematic” by 2.65% and “very problematic” in 2 polling stations.

TABLE 63 - The qualification of the commission members

	Observed value	Margin of error	Lower limit	Lower limit
A) Very good	41.02%	4.36%	36.67%	45.38%
C) Good	56.33%	4.39%	51.93%	60.72%
B) Problematic	2.65%	1.42%	1.23%	4.08%
B) Very problematic	0.41%	0.56%	-0.16%	0.97%

b8) The behavior to the observers

The observers accredited for the electoral processes are entitled to access to all aspects of the process, as provided for by the Albanian law.

It results that in 1.73% of the polling stations, the observers reported that they were deterred in their monitoring by the commissioners of polling stations and 98.27 of them encountered no obstacles.

TABLE 64 - Were you deterred in your monitoring?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.73%	1.12%	0.61%	2.85%
B) No	98.27%	1.12%	97.15%	99.39%

c. Closing of the polling stations

c1) The closing time of the polling stations

Pursuant to the Electoral Code, the polling stations have to be closed at 19:00. The postponement by one hour of the closing of the polling stations, ordered by the Central Election Commission, and in particular, the inconsistent announcement of this postponement to the commissioners, brought about confusion and the closing of the polling stations at different times.

It was noticed that in 3.1% of the polling stations, the voting was closed before 19:00 and in 17.9% of the polling stations, it was closed at the usual legal time, at 19:00. Whereas, in the rest of the polling stations, it was noticed that the voting was closed as follows: in 6.8% of the polling stations, it was closed between 19:00-19:30, in 45.44% of the polling stations, it was closed between 19:30-20:00 and in 26.8% of the polling stations, it was closed at 20:00.

In four of the polling stations, where the voting was closed prior to 19:00, it was noticed that about 15 voters could not cast their vote because the polling stations closed the voting earlier than the legal time. In 11.9% of the polling stations, there were voters after 19:00 who appeared to cast their vote.

TABLE 65 - The closing time of the polling stations

	Observed value	Margin of error	Lower limit	Lower limit
A) The center was closed before 19:00	3.11%	1.50%	1.61%	4.61%
B) The center was closed at 19:00	17.86%	3.31%	14.56%	21.17%
C) The center was closed between 19:00 and 19:30	6.80%	2.17%	4.62%	8.97%
D) The center was closed between 19:30 and 20:00	45.44%	4.30%	41.14%	49.74%
E) The center was closed at 20:00	26.80%	3.83%	22.97%	30.62%

The postponement of the voting time and the inconsistent announcement to the Commissions of the polling stations, even brought about disagreement among the commission members, on the closing of the voting process.

In 5.5% of the polling stations, the voting was closed without the consent of all the commission members.

TABLE 66 – Did all the Commission members agree on the closing of the voting?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	94.54%	1.97%	92.58%	96.51%
B) No	5.46%	1.97%	3.49%	7.42%

c2) Persons being present at the polling station at the time of the closing procedure

During the procedure of the closing of the polling station, the only persons allowed to be present are the commission members and the accredited individuals.

In 1.8% of the polling stations, during the closing procedure, it was noticed that there were persons inside the polling station who were not carrying the accreditation badge. In 8 cases, it was made known that such persons were representatives of the political forces, and in one case, the observer could not find out the political representation of the person who was present inside the polling station location.

TABLE 67 – Were there unauthorized persons inside the polling station?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	1.78%	1.15%	0.63%	2.94%
B) No	98.22%	1.15%	97.06%	99.37%

c3) The procedures for the administration of the voting materials

In few cases, the commissioners did not strictly adhere to the provisions for all the steps of the closing procedure of the polling station. In 0.78% of the polling stations, the sealing of the boxes of the electoral materials with the security code was not done under the supervision of all the commission members; in 0.8% of the polling stations, there was no counting of the signatures on the Voter List; in 1.5% of them, there was no counting of the unused ballot papers and in two polling stations there was no counting of the damaged ballot papers.

TABLE 68 – Were the boxes of the electoral materials sealed with the security code under the supervision of all the Commission members?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.22%	0.76%	98.47%	99.98%
B) No	0.78%	0.76%	0.02%	1.53%

TABLE 69 - Was there counting of all the signatures on the voter list?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.23%	0.75%	98.49%	99.98%
B) No	0.77%	0.75%	0.02%	1.51%

TABLE 70 - Was there counting of the unused ballot papers?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	98.46%	1.06%	97.41%	99.52%
B) No	1.54%	1.06%	0.48%	2.59%

TABLE 71 - Was there counting of the damaged ballot papers?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.62%	0.53%	99.08%	100.15%
B) No	0.38%	0.53%	-0.15%	0.92%

In 1.5% of the polling stations, not all the commission members agreed on the vote counting result. Whereas in 0.97% of the polling stations, not all the results and the decisions taken by the polling station Commission were reflected in *“the report on closing of the polling station”*.

TABLE 72 - Did all the commission members agree on the vote counting result?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	98.46%	1.06%	97.40%	99.52%
B) No	1.54%	1.06%	0.48%	2.60%

TABLE 73 - Were all the results and all the decisions taken, reflected in the closing report?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.03%	0.84%	98.19%	99.88%
B) No	0.97%	0.84%	0.12%	1.81%

The envelopes with the electoral materials were sealed in the presence of all the commission members in all the polling stations.

TABLE 74 - Were the envelopes with the respective materials closed and sealed in the presence of all the commission members?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	100.00%	0.00%	100.00%	100.00%
B) No	0.00%	0.00%	0.00%	0.00%

With regard to the availability of the copy of the “*Report on the closing of the polling station*” to the observers, it resulted that in 7.3% of the polling stations, not all the observed were given a copy of this report.

TABLE 75 - Did all the Commission members and all the observers get a copy of the Report on the Closing of the Voting?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	90.69%	2.53%	88.16%	93.23%
B) No	7.33%	2.27%	5.05%	9.60%

c4) The transport of the materials to the CEAZ

At 1 polling station, not all the electoral materials, as provided for by the Electoral Code, were put inside the box defined for the purpose. Actually, it was the Special Register of Voters that was not put inside the box.

TABLE 76 - Were all the materials as provided for by the Code, inserted in the box of the electoral materials?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.81%	0.38%	99.42%	100.19%
B) No	0.19%	0.38%	-0.19%	0.58%

In three polling stations, the commission did not put inside the box of the electoral materials, the report on the closing of the voting, which also included the ballot papers counting result and the counting of signatures.

TABLE 77 - Whether the report on the ballot papers counting result and on the signatures counting result, was put inside box of the electoral materials?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.42%	0.65%	98.76%	100.07%
B) No	0.58%	0.65%	-0.07%	1.24%

In 1.6% of the polling stations the police officer and the police van, which was assigned to transport the materials to the vote counting location, appeared late, whereas in one polling station, the materials were not accompanied to the vote counting location by all the responsible persons as provided for by the law.

TABLE 78 - Did the police officer and the police van for the transport of the materials appear in time?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	98.45%	1.07%	97.38%	99.51%
B) No	1.55%	1.07%	0.49%	2.62%

TABLE 79 - Were the materials accompanied towards the Vote Counting Location by the VC Chairperson, the VC Secretary and the police officer?

	Observed value	Margin of error	Lower limit	Lower limit
A) Yes	99.81%	0.38%	99.43%	100.18%
B) No	0.19%	0.38%	-0.18%	0.57%

c5) General overview of the closing procedures of the polling stations

At the end of the process monitoring, the observers evaluated the process in general.

In 76.3% of the polling stations, the observers evaluated the closing procedures as "Very good", in 22.5% as "Good" and in 1% as "Problematic". In one polling station, the closing procedures were evaluated as "Very problematic".

TABLE 80 - General overview of the closing procedures of the polling stations

	Observed value	Margin of error	Lower limit	Lower limit
A) Very good	76.30%	3.66%	72.64%	79.96%
B) Good	22.54%	3.60%	18.95%	26.14%
C) Problematic	0.96%	0.84%	0.12%	1.80%
D) Very problematic	0.19%	0.38%	-0.18%	0.57%

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