

LEGAL AND INSTITUTIONAL BEHAVIOR OF THE INSTITUTIONS AND OTHER STAKEHOLDERS INVOLVED IN THE ELECTORAL PROCESS OF 30 JUNE 2019

MONITORING REPORT

NOVEMBER 2018 – FEBRUARY 2020

TIRANA, JUNE 2020



KOALICIONI PËR REFORMA, INTEGRIM DHE INSTITUCIONE TË KONSOLIDUARA
COALITION FOR REFORMS, INTEGRATION AND CONSOLIDATED INSTITUTIONS

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INSTITUTIONAL AND LEGAL BEHAVIOR OF THE INSTITUTIONS AND OTHER STAKEHOLDERS INVOLVED IN THE ELECTORAL PROCESS OF 30 JUNE 2019 *

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The Albanian version is the only official document.*

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COALITION FOR REFORMS, INTEGRATION AND CONSOLIDATED INSTITUTIONS

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I. EXECUTIVE SUMMARY

The political context that preceded June 30, 2019

The June 30, 2019 process for local government came after a radical escalation of the political debate. A political debate that culminated with the resignation en bloc of parliamentary seats by the Democratic Party and the Socialist Movement for Integration. A further step of this political boycott was the boycott of the opposition forces against the local government election process itself. This decision turned the election process into an effectively mono partisan and fictitious one.

This context was further aggravated by the institutional intervention of the President of the Republic, who decreed a second date for the holding of the election process. An attempt argued by the President as an opportunity to inspire political dialogue, but which was considered an unconstitutional act by the Socialist Party, the leader of the executive branch. This approach was followed by the election administration, which did not recognize the President's decree. This case has already been appealed to the Constitutional Court, which has not yet ruled.

Monitoring an unusual election experience

An electoral process set in the described context constituted a dilemma from the point of view of monitoring by local observers. This dilemma lay between the general consideration that any electoral process deserves attention and that the observation itself constituted a legitimacy of this electoral process.

KRIIK through its action and this document tried to shift its commitment beyond this dilemma. In the KRIIK's consideration, the June 30 process was assessed as a "laboratory experience" to assess institutional behavior and the entire law enforcement mechanism in Albania.

In this approach, the document itself does not constitute an ordinary Report on an ordinary election process.

The methodology followed goes beyond the regularity of monitoring the electoral process, as an attempt to measure the institutional capacity for an electoral process with integrity.

The document reflects the KRIIK's commitment to follow the "audit" approach of the entire "red thread" of the electoral process.

The conclusion of a 30-year experience

The process of June 30, 2019 brought back in time the mandate of the new local government with the full affiliation of the Socialist Party. This is a legitimate process¹, but for which it is not possible to assess how the expression of free and democratic will was realized. This is because, among other things, it really turned out to be a process almost entirely without competition, thus de facto constituting a political appointment of local government.

Following the monitoring carried out for about a decade, in the consideration of KRIIK, this **electoral process marked the end of a behavior continuum of the local political class and electoral institutions.**

¹ The decision-making of the Constitutional Court of the Republic of Albania remains to be seen.

Two major criticisms of Albanian democracy in the state-building effort have been in relation to how much democratic rotation improves governance and second, how independent institutions are of political pressure.

First, what was considered a democracy with autocratic periodicity with this electoral process took full effect.

Second, as the findings of this report argue, it took a full look at how law enforcing institutions are extensions and essentially instruments of the Party.

Main institutional precedents

The 2008 Electoral Code, not only by KRIIK and other local organizations, but also by international observation missions, has been assessed at its core as acceptable and in line with international standards. However, for a decade now, this Code has been consistently worn with voluntary misreading and partisan or unprofessional institutional behavior.

The shortcomings of this Code in its regulations have been used in the political interest of the day, and its non-implementation has been carried out in close bi-partisan arrangements. This is a situation that has been deliberately carried out continuously through the non-addressing of problems in the electoral reform processes, always choosing to carry out cosmetic corrections or by completely failing these initiated reform processes.

In the wake of other negative precedents set during previous election processes, the first damage to the June 30 election experience was the **definitive dissolution of the entire relevant legal framework, responsible institutions, and electoral tradition under the 2008 Electoral Code.**

In the multitude of process problems are listed as the most flagrant:

- *The registration of electoral subjects was carried out in many cases outside the legal deadline, with irregular and illegal documentation.*
- *The selection of accounting experts was irregular by definition.*
- *The activity of the Central Election Commission suffered from a lack of transparency.*
- *The process of self-declaration of the criminal status of the candidates carried irregularities.*
- *Delays in the distribution of election materials in the Voting Centers were noted.*
- *Operation of the Zonal Election Commissions in their entirety was discretionary.*
- *The process of written notification of voters was conducted after generation of the final voters list.*
- *The issues raised by the auditors 'reports on the state of the Voters' List based on the Civil Registry were not taken into account by the CEC.*
- *The State Police remained passive in cases of obstruction of voting in the Voting Centers.*
- *Cases of non-return of pre-election funds by electoral subjects were identified and which were not penalized.*
- *Cases of irregular use of election funds were identified.*
- *Cases of submission of financial reports out of time were identified.*

Most importantly, with this "electoral process", **the mechanism of political counterbalancing, practically bipartisan², in the electoral process was undone.** Mechanism imposed so far by the political establishment as the only alternative to the normal course of an electoral process, even though again

2 Failure to fill the vacancies of membership of the Central Election Commission.

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from this establishment these electoral processes have been anathematized as undemocratic. This is a very problematic and criticized mechanism, as it removes third political or civil actors from the administration, complaint or institutional investment in order to improve the integrity of the electoral process.

Political precedent

Paradoxically, it is assessed that the **30 June process carried yet another bipartisan “agreement”**. This “agreement” amputated the only left safety for electoral processes to be democratic, political counterbalance. After the political process was monopolized for decades by bi-partisan management and: certification: of results, with the newly established standard the process was this time totally unilateral.

If until that point the bi-partisan agreements were criticized as non-inclusive, non-transparent, anti-institutional, and anti-legal, with **this precedent even the bi-partisan agreement was avoided as a necessity**.

With the 30 June process, on Albanian society was imposed the avoidance of all democratic aspirations vis-à-vis the risk of the crisis that is becoming deeper. In the context of a society without defense mechanisms, like civil society or strong institutions, the bi-partisan agreement will be the most desirable solutions in front of crisis in the horizon. **In this context, Albanian democracy finds itself in an existential moment.**

The Constitutional mechanism of the Republic of Albania, at its core, seems to be lacking life because after 30 June **the mechanical electoral rotation is being geared toward a purely authoritarian mechanism, with a “double ticket” of local and central governance**. the state building project of a liberal constitutional democracy is thus reduced to an electoral dueling in which “the winner takes all”. This situation leads to the downfall of all principles of a constitutional democracy, such as checks and balances, decision-making transparency, accountability, rule of law, and others.

Local governance and citizens

The constitutional relationship between local and central governance, in continuity has been denaturalized. An example of this denaturalization is the involvement of both powers in the other’s electoral processes, by determining the stances of the mayors and involving them in accordance with the respective political parties.

After June 30 this overlap of the two powers was emphasized even more, by turning local governance into a mere extension of the central one. Efforts to strengthen local governance over the years and to bring it closer to the citizen and away from political debate, as the latest Territorial-Administrative reform or others, have now been nullified.

The verticalization of power without the presence of the opposition in the context of lack of law enforcement and institutional behavior posits a very high risk for the local governance. It remains in the will of the elected officials of local governance to ensure transparency and inclusion in local decision-making. On the other hand, vis-à-vis this power verticalization and an opposition engaged in a conflict at the major scale, the everyday problems of the citizens at the micro level risk remaining mute and without political support.

II. INTRODUCTION

In pursuing its mission in an attempt to strengthen the integrity of election processes, the Coalition for Reform, Integration and Consolidated Institutions (KRIIK Albania) has continuously followed almost all institutional, legal processes and political issues, since the end of the observations of 2017 parliamentary election that are directly or indirectly linked to the electoral process, including the attempted electoral reform, to which we remain committed, but also to other important processes, especially the deep political crisis that the country has been undergoing for more than a year. KRIIK's views on these developments have been made public through public statements or stances.

KRIIK began monitoring of 2019 Local Elections process in its entirety since the announcement of the date of the election by the President of the Republic on November 5, 2018.

This Monitoring Report summarizes the observation conducted throughout the time period until February 2020 and follows the publication, before election day, of three³ statements on the political and institutional developments that preceded and affected elections, as well as the publication, after election day of a fourth Document⁴, titled Public Stance, through which were provided considerations at the political level on the electoral process.

In addition to the ongoing follow-up of the contextual political and institutional elements, the observation of the technical elements of the process focused on the conduct and decision-making of the Central Election Commission and the Electoral College, on the conduct and implementation of the law by the CEC administration, Zonal Election Administration Commissions, institutions and other stakeholders involved and in the overall monitoring of the preparation and publication of voter lists.

KRIIK deployed 90 long-term observers⁵, one for each election administration zone, and did not deploy short-term observers at polling stations on election day.

Observing the technical elements of the process and documenting administrative steps complements the framework for monitoring the institutional and political situation, enabling a clearer view and a more accurate assessment of the lawfulness and institutional behavior throughout this process, in all its elements and in relationship with all stakeholders involved.

In the context of an unprecedented political crisis and a state of emergency, given the new precedents created by partisan, biased political behavior and the illegal decision-making of the CEC to register electoral subjects and candidates, in addition to negative precedents, based on previous electoral processes, KRIIK, after publishing two statements referring to two unlawful decisions, **decided to resize the projected plan for publishing the findings during the course of this observation.**

3 - "Today's visit of the US Deputy Assistant Secretary of State, a major moment for the proper and visionary resolution of the democratic future of the country", *Statement*, April 4, 2019.

- "Preserving the impartiality and integrity of the Central Election Commission, vital to the functioning of a democratic and legal state" *Statement*, May 6, 2019.

- "The candidate registration process is raising questions about the integrity of the next election process", *Statement*, May 17, 2019.

4 - "June 30th as a failure of the political class and a threat to democracy", *Public Stance*, August 23, 2019. The full statements can be found in Annex no. 1 – Public statements of KRIIK during the electoral process, or at the KRIIK website: www.kriik.al

5 - Observers began their concrete engagement in the week before Election Day and closed it after the completion of the respective CEAZ activity. In the meantime, some of them have continuously offered their voluntary commitment since the announcement of the election date months ago.

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The previous practice of frequent publications or of conducting direct contacts, while monitoring the progress of the electoral process aimed at promoting, supporting or even warning institutional actors to fulfill their legal obligations, was considered inappropriate and without value in the context of a growing political and institutional radicalization.

Thus, KRIIK decided to reduce the series of publications with the findings from the monitoring as well as considerations of public appearances in the media, either on or after election day, by abandoning the standard monitoring scheme of a regular election process.

In this way KRIIK limited the publication of its findings to only two Documents.

- **The first document** was made public on August 23, 2019, shortly after the mandate and constitution of 61 new municipal councils and take office of 60 new mayors. This document (Public Stance) entitled “*June 30 as Political Class Failure and Threat to Democracy*”, gathered KRIIK’s political consideration of the political developments and institutional and legal behavior evidenced throughout the June 30 process and based on also on the practices and dynamics of the institutional and law-making practices of the Electoral Code since its adoption in December 2008.

Through the Public Stance, KRIIK assessed the 30 June Local Elections process, stating, among others:

The process of 30 June, considered as “Elections” or “Voting”, has led to the new local government receiving the mandate, even though it is impossible to consider it as an electoral process that has highlighted the expression of the free and democratic will. This because, among others, it was marked by a unilateral political administration, several legal violations, as well as it was a process almost totally lacking competition, thus making the local government, de facto, politically nominated.

- **The second document** is this Final Observation Report which, among other elements includes in full the electoral campaign financing component of the electoral subjects participating in the process of June 30.

Unlike the monitoring done to the other constituent elements of an electoral process, the process of financing, controlling and auditing election campaigns is rarely monitored and enjoys a low level of attention and often under political overwhelming agreement of the issues it may contain.

The deadlines set for concluding the declaration, audit and control process exceed by about six months the date of publication of the election results as well as the monitoring reports accredited by key bodies such as the OSCE / ODIHR, again overshadowing the issues, that this process may contain.

The process of financing the election campaigns, as well as party finance, in general, is an essential component that can potentially nullify the electoral outcome itself, depending on the gravity of the problems encountered and the violations committed.

Given the CEC’s approval in April 2019 of some additional procedural elements to increase the transparency of the financing of political parties’ election campaigns, which is one of the main objectives of the organization’s own monitoring work, KRIIK decided to extend the monitoring period until the statutory deadline for submission of financial audit reports is met and the CEC expressed its opinion on this aspect of the campaign. .

The financing of electoral campaigns as well as all the activity of political parties is an essential issue not only for the fulfillment of international standards in relation to an electoral process, but, on a ground of high level of corruption and organized crime, its proper treatment becomes vital to curbing the danger of capture of power and state itself.

The publication of the Report and the findings in particular for this component is also an aid to the CEC itself in the process of checking and verifying the reports made, as required by law, a process that should have been concluded by 26 January 2020. Even considering the potential of the administration to refer to the legal provision that calculates the deadline with the deadline for submitting the campaign audit reports (instead of monitoring reports, as the law cites), the deadline again goes until 26 February.

On the other hand, extending the monitoring period and publishing the findings of this report enables a fairer reading of the issues presented. This is because it enables to be included in this period, inter-alia, in particular the publication of October 11, 2018 of the Venice Opinion on the Presidential decree repealing his previous decree setting June 30 as the election date, and European Council of 18 October 2019 on whether or not to open Albania's accession negotiations to the European Union, moments that were expected to carry strong political burdens, in the still unresolved and aggravated political crisis in the country.

KRIIK deems that the findings of this Final Observation Report, to KRIIK's consideration, deserve to receive due proper mature attention from political class and decision-making institutions, without any additional doses of the current political debate.

Considering and reading objectively the situation brought forth by the Report on the institutional behavior and law enforcement by involved institutions and stakeholders, as well serious consideration of the raised issues are an immediate need.

The proper and direct addressal through a genuine, in depth and multidimensional electoral reform, after the political agreement reached on major lines, is a vital necessity for the state formation process and the future of democracy in the country.

The report also presents a series of recommendations aimed at addressing the situation and improving the integrity of elections in the country⁶.

In relation to the above, KRIIK had planned to present the findings of this Report, that covers a relatively long period, **from 5 November 2018 to 28 February 2020**, on the second week of March, which coincided with the deadline for the Political Council to publish the politically agreed package for the Electoral Reform.

In the context of the start of the COVID-19 pandemic and the declaration of a natural disaster, the **publication of this report is ongoing until the end of June 2020**, while the period covered by the monitoring remains unchanged.

The publication of the findings of this Report also coincides with the submission to the Special Parliamentary Commission for Electoral Reform of the package of amendments pursuant to the political agreement of June 5, 2020, which, according to the latest commitment of the Political Council will be submitted to the Assembly of Albania on June 30, 2020.

⁶ KRIIK remains committed to continue the advocacy with decision makers and the political forces of these or other necessary recommendations depending on the situations that may arise. Meanwhile, KRIIK has presented in continuity its previous recommendations and others emerged during this monitoring process to the Ad Hoc Parliamentary Committee for the Electoral Reform, as well as to the main political stakeholders.

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The agreement of the Political Council and the finalization of this first draft paves the way for the discussion at the technical level already in the Parliamentary Commission as well as the discussion of other remaining issues to be addressed to the Political Council.

In this observation action, KRIIK collaborated with 9 local election observation organizations, which provided their resources in assistance of the Monitoring Action as well as their activists as long-term observers:

“Selenicë Civil Forum”; “Center for Youth Movement for Democracy” - Pukë; “Kukës Women’s and Social Counseling Center”- Kukës; “Counseling Center for People with Disabilities”- Shkodër; “Vlora Youth Center” (VRC) - Vlorë; Center “All Together for Roma Integration” (TIRC); “Civil Society Development Center” (CSDC) - Durrës; “Civil Society Development Center” (CSDC) - Korçë; Association “For the Protection of the Rights of Rural and Urban Women” - Berat.

KRIIK finds the opportunity to heartily thank the Embassy of Switzerland in Albania for the support.

III. POLITICAL AND INSTITUTIONAL CONTEXT

The June 30, 2019, Local Government Elections were held in an extremely polarized and conflicted political climate, which was significantly reflected in the activity of the country’s institutions causing even institutional conflict between them.⁷

Through unprecedented action in nearly 30 years of Albanian democracy, during which have been registered occasional cases of temporary boycott of parliamentary work by opposition forces, on 21 February 2019 most of the deputies elected from the Democratic Party (DP) lists and the Socialist Movement for Integration (SMI) submitted their MP mandate to the Albanian Parliament.

In the wake of this movement, these two political forces, along with other non-parliamentary parties now dubbed the “united opposition”, organized ten national protests in Tirana, as well as a number of local protests, some of which saw episodes of violence, attempts to forcibly enter institutions and acts of vandalism against them, as well as physical clashes between police and protesters. Smaller protests were also organized locally during the campaign period for the June 30th Elections, especially during the electoral activities in which participated the Prime Minister Mr. Rama.

Since the start of these protests, the opposition has demanded the resignation of the government and Prime Minister Rama, as well as the creation of a transitional government to organize early parliamentary elections in the country. The basic arguments used by them relate to vote buying and pressure on voters by the current majority in the election, the government’s links to organized crime, corruption and impunity, and the country’s difficult economic situation.

⁷ The most obvious conflict is that between the Presidency and the Albanian Parliament. After the President signed Decree no. 11199 dated June 10, 2019, repealing the Decree setting the date for local elections on June 30, 2019, the Assembly adopted a resolution whereby it considered the Decree of the President unconstitutional and subsequently set up a parliamentary inquiry committee on the constitutionality of the President’s actions.

The action of the extra parliamentary opposition and its supporters continued at the local and central level, further escalating, especially after all deadlines for the involvement of the opposition in the electoral process expired.

Attempts to negotiate a resolution of the crisis between the parties were sporadic and not serious, with the parties, inter alia, not giving up the preconditions that were imposed on the adversary while the situation was still blocked and in a major deadlock.

In this tense climate, the refusal of the opposition parties to register as electoral subjects in the race and then the abandonment of the process, led to the unilateral administration of the process, as the entire administration pyramid is expected to be based on political balancing position-opposition, or more precisely the Socialist Party - Democratic Party.

On the other hand, the 2019 Local Elections constituted a very important process for Albania's democracy and the rule of law as the country embarked on deep radical reforms.

The Justice Reform in implementation had provided a series of results and consequences, including dismissal from the judiciary, voluntarily or by removal, of a considerable number of judges and prosecutors.

Consequently, Albania was entering an electoral process with a non-functioning Constitutional Court and High Court and a General Prosecutor temporarily replaced by an Interim Prosecutor for more than a year and a half⁸. This election process was also expected to have a significant impact on the future of the European integration of the country, as on 18 October 2019 the European Council would decide whether to open accession negotiations with Albania.

Despite an electoral reform process launched since October 2017, the country entered the June 30 electoral process with an unchanged Electoral Code. However, as has been acknowledged in previous electoral processes by domestic and international observers, the legal framework in place in Albania enables the conduct and development of a standard electoral process.

Only three weeks before election day, the June 30 electoral process marked another unprecedented institutional and constitutional deadlock, especially after the President of the Republic on June 10, 2019 issued a Decree⁹ repealing the Decree of November 5, 2018, which declared June 30 as the date for holding local elections. The majority, on its part, said they did not recognize the Decree of June 10. The Parliament of Albania set up a parliamentary inquiry committee to investigate the legality of the Decree, while also seeking the Venice Commission's opinion on the matter, in the absence of the Constitutional Court which has the right to express the non-constitutionality of legal acts.

The Central Election Commission (CEC) continued preparations for the June 30 elections by ignoring the Decree of the President, but without taking a formal

8 The new Attorney General elected by the full term of seven years was elected on December 5, 2019.

9 Decree no. 11199, dated June 10, 2019, of the President of the Republic of Albania, "On the repeal of Decree no. 10928, dated 05.11.2018 of the President of the Republic "On the Election Date for Local Government Bodies." The decision to promulgate the Decree was announced on June 8, 2019, just hours before the 10th United Opposition national protest had begun, which had stated that it would radicalize its stance on this latest protest. President of the Republic "in, facts, and information provided in the capacity of the Head of State that, on June 8, a destabilizing conflict with consequences for the life and health of citizens, public safety and constitutional order in the country could be provoked", as well as "convinced is more important than any legal term, as the Head of State and adhering to the oath to serve preservation at all costs of stability, social peace and national unity" stated that had "decided to rescind Decree no.10928, dated 05.11.2018 on the Holding of Elections for Local Government Bodies on June 30, 2019".

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decision in this regard, although the issue was raised by the Chairman of the Commission, on June 10.

On June 13, the Albanian Parliament adopted a Resolution encouraging the Central Election Commission and other institutions to continue preparations for the already launched electoral process, which was used as an argument by four of the five CEC members to continue the electoral process and to regard the Presidential Decree of 10 June as an absolutely invalid act¹⁰.

Meanwhile, on June 27, the President signed Decree no. 11211¹¹, by which he set October 13 as the date of Local Elections¹².

This Decree and this date were ignored by the majority, while it received neither official recognition nor support from the extra-parliamentary opposition.

In a relatively tense situation, especially in the municipalities run by mayors elected by the PD and SMI, during the period July-August 2019, 61 new Municipal Councils convened to emerge from the Electoral Process of June 30, 2019, and 60 new Mayors took the oath of office.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The holding of elections is mainly regulated by the Electoral Code¹³, adopted in 2008 and amended twice in succession, most recently in 2015¹⁴. The Electoral Code describes the electoral system, regulates election administration, registration of electoral subjects and candidates, voter registration, election campaigning, media coverage of the campaign, funding of electoral subjects, announcement of results, and the process of complaints and appeals. Other laws that regulate certain aspects or affect the conduct of elections are the Constitution; Law on Political Parties; Law on Guaranteeing the Integrity of Persons Elected, Appointed, or Exercising Public Functions, known as the Law on Decriminalization; Law on Audiovisual Media; Criminal Code, Offenses affecting free elections and democratic system of elections; Code of Administrative Procedure, which regulates the administrative activity of the CEC, etc. The primary legal framework is complemented by the instructions and decisions of the Central Election Commission and the decisions of the Electoral College at the Tirana Court of Appeal.

The Constitutional Court, in its decision of 7 May 2013, has excluded itself from examining electoral matters, relinquishing its obligation to ensure due process and constitutional rights, a move criticized by domestic observers (KRIIK /CDO) and of those international (ODIHR¹⁵), and which is recommended for its return to fulfill the function that are recognized by Constitution of the Republic.

10 See Decision 836, dated 13.06.2019 of the Central Election Commission "On the consideration of the request of the National Unity Party for the de-registration from the elections for the local government bodies dated June 30, 2019".

11 Decree no. 11211, dated June 27, 2019, of the President of the Republic of Albania, "On the Election Date for Local Government Bodies."

12 Decree 11211, dated 27 June 2017 is not published in the Official Journal.

13 Electoral Code of the Republic of Albania, approved by Law no. 10019, dated 29.12.2008 and amended by Law no. 74/2012, dated 19.07.2012 and Law no. 31/2015, dated 02.04.2015.

14 Law no. 74/2012, dated 19.07.2012 and Law no. 31/2015, dated 02.04.2015.

15 Final Report, OSCE / ODIHR Mission for observation of Parliamentary Elections of June 23, 2013. Recommendation 25; "The Constitutional Court should not inappropriately reject jurisdiction to review the decisions of the Electoral College and the decisions of parliament for violating the constitutional guarantees of due process of law; the law should provide for expedited deadlines for the submission and adjudication of claims related to elections to the Constitutional Court. "

The June 30, 2019 elections were held with an unchanged Electoral Code from 2015, despite some unsuccessful attempts to reform it into two successive Electoral Reform processes, the second still ongoing. In KRIIK judgment, efforts to amend the electoral legal framework have consistently suffered from the unwillingness of the political class to address the problems identified by addressing them thoroughly and fundamentally, as well as the lack of transparency and meaningful inclusion of interested and expert actors, especially local ones.

The political class should continue without delay the process for a deep, structured Electoral Reform of the electoral legal framework, a process that should be based on the principles of full transparency and ensure a real inclusion of interested actors and the one with expertise, either local or international.

IV.1. Election date promulgation and institutional impasse that followed

According to the Constitution of the Republic of Albania, the President of the Republic sets the date of elections for the local government bodies¹⁶. The President exercised this power on November 5, 2018, setting the date for the 2019 Local Government Elections on June 30, by Decree no. 10928¹⁷. As the political tension in the country increased on June 8, 2019, when it became clear that there could be no last-minute political agreement between the majority and the opposition to resolve the political stalemate and enable participation of major opposition parties in the election, as well as other circumstances¹⁸ related to the possible radicalization of the situation during the 10th national united opposition protest, on the same day, just hours before its launch, the President publicly announced that had decided to repeal the decree that set June 30 as election date. Two days later, on Monday, June 10, 2019, the President of the Republic personally promulgated Decree no. 11199¹⁹, by which it repealed Decree no. 10928 on setting the Election Date, through a press conference listing all the reasons and arguments for this step.

This Decree of the President of the Republic placed the electoral process in a constitutional and institutional stalemate. The President of the Republic and the opposition consider the Decree of June 10 as binding on the institutions tasked with administering the electoral process and that this Decree can only be appealed to the Constitutional Court, which is currently non-functional and, based on this argument, consider the elections of 30 June unlawful. Meanwhile, for the government and the parliamentary majority, the Decree of 10 June is null and should be considered non-existent, a position also expressed in the Parliament Resolution of 13 June.²⁰, whereas the Constitution does not recognize the right of the President of the Republic to revoke the Decree on the conduct of elections.

The institution of the Presidency publicly explained the act, and in addition to

16 [Constitution of the Republic of Albania](#) Article 92, point gj "The President also exercises these powers: set the date of the elections for the Assembly, local government bodies and the conduct of referendums;

17 [Decree no. 10928](#), dated 05.11.2018 of the President of the Republic "On the Election Date for the Local Government Bodies."

18 See footnote no. 3, at "III. Political and Institutional Context".

19 [Decree no. 11199](#), dated June 10, 2019, of the President of the Republic of Albania, "On the repeal of Decree no. 10928, dated 05.11.2018 of the President of the Republic "On setting the Election Date for Local Government Bodies."

20 [Resolution "On the act of the President of the Republic for the repeal of Decree no. 10928 "For setting the election date for local government organs"](#), dated 13.06.2019, of the Assembly of Albania.

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other arguments, cited in support of this act the President's precedents of 2011 and 2017, when Presidents Moisiu and Nishani respectively issued similar decrees postponing the election date. Meanwhile, the counter-argument brought by the majority was that in both these cases, the postponement of the election date was carried out following a political agreement between the majority and the opposition, and only after the Albanian Parliament had made the relevant legal amendments permitting such an act. Also, the legal argument brought by the majority is that in the case of June 30, the postponement of the election date was not possible since, according to the Electoral Code, June 30 is the last date for holding the elections²¹ and holding them in the next election period, which starts on September 15²² would allow staying in office of those local elected officials whose mandate of 4 years was terminated.

A group of 55 deputies of the Assembly called on 17 June to initiate proceedings for dismissal of the President and²³ therefor the Parliament set up a Special Parliamentary Committee of Inquiry²⁴ to investigate the legality of the actions of the President with the announcement of 10 June 2019 Decree. This Inquiry Committee continues to be in office and has not reached any conclusions yet, although the Venice Commission Opinion²⁵, requested by the Albanian Parliament on this matter has been made public on 11 October 2019.

IV.2. Electoral System

Mayors and members of city councils are elected by direct voting by eligible citizens residing in the territory of the respective municipality. The mayor is elected directly and nominally by the electorate under a majoritarian system (who ranks first wins), while the members of the municipal councils are elected according to a regional proportional system based on closed multi-name lists, submitted by political parties registered to participate in elections in advance, or as candidates supported by groups of voters. The constituencies, for elections of local government bodies, coincide with the territory of the respective municipality.

Elections are held in a single round, while the legal framework does not require any minimum turnout for the elections to be considered valid. The absence of a second round, combined with low turnout in the June 30, 2019 elections, raises the question of the level of legitimacy of the mayors as a whole, and in particular of some municipalities, which have been elected by a low turnout of voters in the respective constituencies²⁶.

21 Electoral Code of the Republic of Albania, Article 8 "The general elections to the Assembly or for the units of local government shall be held at the same time throughout the territory of the country within the period from March 15 to June 30 or from September 15 to November 30. An exception to this rule are cases provided for in paragraphs 3, 4, 5 and 6 of Article 9 of this Code".

22 Ibid.

23 Parliament of Albania, Request for Dismissal of the President of the Republic from a Group of Deputies.

24 See Commission website on the Albanian Parliament website.

25 "...Furthermore, local elections do not have the same constitutional status as parliamentary elections. The experts say that even if the Assembly were to establish the seriousness of the violations, this need not necessarily lead to impeachment, considering the power of the Plenary Session of the Assembly to consider other constitutional goals, such as maintaining checks and balances and stability in the country. If the Assembly were to decide in favor of impeachment, it would be finally up to the Constitutional Court, which is currently not functioning, to confirm whether the President's decisions amount to "serious" violations that would justify his impeachment ..." Press Release of Council of Europe on Opinion of the Venice Commission date 11.10.2019.

26 For example, in Shkodra Municipality the winning candidate received the support of 10% of the registered voters, in the Municipality of Kavajë the winning candidate received the support of 11.7% of the registered voters, in the Municipality of Kamëz the winning candidate received the support of 10.1% of the registered voters..

Voters vote on different ballots for the mayoral candidate and for the electoral subjects who have nominated candidates for the municipal council. The candidate who receives the highest number of votes is elected mayor, while the seats for the municipal council are divided according to a proportional system, according to the method of the highest averages²⁷. Political parties that receive less than 3% of the vote in a municipality or coalitions that receive less than 5% are not included in the distribution of seats.

Within the philosophy of building a local government as close as possible to the citizen, and especially after the administrative-territorial reform, there is a need to increase the legitimacy and strength of the mayor as the first citizen of the community regardless of the party logo that proposed or supported them. In this sense, it is necessary to include in the Electoral Code the election of the mayor according to the two-round majority system.

IV.2.1. Mandate distribution mechanism for the municipal council

The mechanism of distribution of seats to municipal councils is identical to that of deputies in parliamentary elections. This is considered by KRIIK to be inconsistent with the aspirations of the 2014 Territorial Administrative Reform, one of the main goals of which was to bring local government closer to citizens and strengthen local democracy. Despite the major changes brought about by this reform, the mechanism of local decision makers' election was not amended, which constitutes an incoherent approach to the purpose of the Reform.

In addition to the above, the mandate allocation mechanism itself contains at least two problems in reflecting the will of the voters, problems that have been previously analyzed by KRIIK in relation to parliamentary elections. The first problem concerns the lost votes of voters who vote for an electoral subject that does not exceed the legal threshold²⁸ and the second problem concerns the disadvantage of electoral subjects going into separate elections against those who enter as part of pre-election coalitions.²⁹ This is because a party running on its own must pass the 3% legal threshold to get its first mandate, while for parties running as part of pre-election coalitions the minimum legal threshold is automatically eliminated if the respective coalition exceeds the threshold. In this way, any new alternative or party with a low number of votes will be more motivated to form pre-election coalitions with parties that have a high number of votes to increase the chances of being represented. The current system disadvantages and discourages new parties that choose to participate in elections not included in pre-election coalitions.

27 The seats among pre-election coalitions are distributed by the D'Hondt formula, while among political parties within the coalitions by the Sainte-Lagué formula.

28 Specifically, in the June 30 elections, the number of votes lost (the votes lost were calculated as the total of valid votes for a given electoral subject in those municipalities where that subject received 0 seats) was 3.8%. This situation becomes even more worrying if it is considered that there are municipalities in which this figure is up to 10%, as in Has and Këlcyrë.

29 Specifically: In the June 30 elections, parties that participated in pre-election coalitions received 95.18% of the votes and 96.79% of seats in the municipal councils, electoral subjects not involved in pre-election coalitions received 4.56% of the vote and 3.09% of the seats, and independent candidates received 0.26% of the vote and 0.12% of the seats.

Meanwhile, if the percentage of votes lost (see note no. 24 above) for parties that ran as part of pre-election coalitions it is only 2.8% (20,369 / 725,186), for parties that ran out of coalitions the percentage of votes lost was 20.6% (7,144 / 34,696).

The cost of a mandate (the cost of a mandate is calculated as the number of votes against the mandates won for a given electoral subject or constituency) per councilor is significantly higher for parties running separately than those running as part of pre-election coalitions. The average cost of a mandate in the June 30 elections was 470.6 votes per seat (761,848 valid votes / 1,619 seats nationwide). For parties running as part of pre-election coalitions, the average cost of a mandate is 462.79 votes per seat, well below the national average. Meanwhile, for parties outside the pre-election coalition it is 639.9 votes per seat, significantly higher.

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Meanwhile, the closed-list system for municipal councils, coupled with the lack of internal democracy in Albanian political parties, has led to the centralization of the electoral system in the hands of political party leadership, which further undermines internal democracy and consequently, the emergence of different currents of thought within them. All of the above factors have led to a situation where political parties, especially those with a higher number of supporters, have monopolized the political scene, narrowing the alternatives of voters to few “big” parties’ alternatives as well as names predetermined by party leadership.

The mechanism of distribution of mandates or even the electoral system itself should be reviewed in integral, combined with amendments to the Law on Political Parties and how electoral process are administrated, or others, with the aim of strengthening and guaranteeing real representation of citizens, system and the promotion of new political forces or alternatives, the guarantee of equality in the race and the strengthening of the internal democracy of political parties.

Establishing a minimum turnout in the case of local elections, so that they could be considered valid, would increase the legitimacy of local elected officials, but would also serve as additional security to avoid electoral processes in the country where real pluralism is lacking.

IV.3. Electoral infrastructure

Support infrastructure in electoral processes, including the determination of the locations of Zonal Election Administration Commissions, polling stations, or Ballot Counties, coupled with the relevant requirements and criteria for these locations is set up ad hoc for each electoral process, based on an electoral process. a mechanism that defines criteria, timelines, and interaction between several central and local institutions. The sheer volume of preparations to build such a facility through the interplay of a number of institutions has been consistently considered by KRIIK to be a poor management of resources and energy.

In the process of Local Government Elections of June 30, following the Presidential Decree of June 10, this issue was even more pronounced, due to the lack of co-operation and the request of municipalities led by representatives of the non-parliamentary opposition to release the premises, that were under the administration of local government, in which the CEAZs or VCCs operated. Failure to cooperate also prompted attacks on a number of CEAZs, with consequences leading to the destruction of election materials and ballots³⁰. This tense situation has put the election administration under considerable stress and difficulty, due to the need to change the location of the CEAZs or BCCs to the last moment, even on Election Day.³¹ On the other hand, these changes may have caused voters to be confused about the location of polling stations, as it is unlikely that second-level commissions would have been able to timely and effectively notify citizens of new polling stations in such a tight time-frame, especially for those changed on election day.

It is recommended that legislation should provide permanent location of facilities where administration organs perform their election administration activities, locations that can be updated continuously by the administration of the Central Election Commission, according to field opportunities. This approach would increase the operability of the CEC administration in providing the commission with the necessary infrastructure and services in a timely manner, or even conducting physical control of the premises where these bodies will function.

30 CEAZ no. 6 Vau i Dejës Municipality, CEAZ no. 2 Municipality of Shkodra.

31 In the only meeting held by the Central Election Commission on June 30, only one decision was taken to change the location of eight voting centers, six in the Municipality of Shkodra (EAC no. 3) and 2 in Berat Municipality. Decision no. 937, dated 30.06.2019 of the Central Election Commission “On granting authorization to change the locations of some VCs, for Local Government Elections, dated June 30, 2019.”

IV.4. Preparation of Voter List

Voter registration in Albania is passive; voter lists are generated based on the National Civil Registry, not seeking commitment of voters to register. An exception to this are voters over 100 years old on Election Day, who are eliminated from the Voters List and included only on the basis of the latter's own request. This differentiated treatment of voters beyond an age threshold is considered to constitute negative age discrimination.

The process for ensuring accuracy of the Final Voter List is divided into three steps: 1. cyclic publication (every 30 days) of the preliminary voter lists; 2. written notification of voters on the number and address of the respective voting center; and 3. administrative and judicial correction of preliminary lists.

Beyond the above steps, after the publication of the List Final Voters 40 days before election day, voters that appear to have inaccuracies in their electoral components that are not registered on the voter list of the area of their residence polling, or do not appear on the voter lists of the municipality where they reside, have the opportunity to vote by judicial decision by submitting a claim to the district court by Friday, 24 hours before the election date.

IV.5. Bylaws of the Central Election Commission

According to the Electoral Code, the Central Election Commission (CEC) can issue decisions and instructions based on and for the implementation of the law.³² After the adoption of the Electoral Code of 2008, the Central Election Commission has approved at least 49 normative-laws or normative acts changes.³³ One issue worth noting is the adoption, in some cases, of guiding acts as decisions. Some of them were adopted at a time when the CEC body operated with a limited number of members.³⁴ KRIIK observes that has not yet been any attempt by the CEC to correct this, although this concern was previously raised. Also, problematic remains the non-publication of nine of these acts, eight of which are still in force, in the Official Journal. Moreover, five of them explicitly link the entry into force with the publication in the Official Journal, thus raising questions about their legal applicability. Also, links to the accompanying materials are missing for five normative acts published on the CEC Web site.

IV.6. Electoral justice

Electoral Justice includes both the complaints and appeals process of electoral subjects, as well as violation of the right to elect, including the review of electoral corruption and violating the will of the electors. This system, therefore, includes not only institutions dealing with electoral matters but also other institutions, such as ordinary courts or investigative institutions such as the Prosecutor's Office.

³² The normative acts adopted by this body have effect on the whole territory of the country, have effect on all of them and formally "enter into force after their publication in the Official Journal, unless circumstances dictate their immediate entry into force, while the other acts enter into force immediately" (point 5, article 23 of the Electoral Code).

³³ 11 are formally adopted as decisions, 6 guidelines are currently repealed, and 11 guidelines are currently amended.

³⁴ Due to the political stalemate, the CEC body functioned and made decisions with only four members out of the five needed to approve normative acts (during the 2013 and 2019 election processes).

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Chapter X of the Criminal Code³⁵ deals with offenses that violate the freedom and integrity of electoral processes. The amendments made to this act over the years have increased the number of criminal offenses affecting the elections. The most recent amendments to the Criminal Code regarding criminal offenses affecting elections were made on May 22, 2017, following the May 18, 2017 agreement between the leader of the Democratic Party, Mr. Lulzim Basha and the Prime Minister Edi Rama, an agreement on the basis of which the Democratic Party registered and participated in the 2017 Parliamentary Elections, which had been boycotted until then. Amendments to the Criminal Code in May 2017 turned many criminal misdemeanor offenses to criminal offenses, aggravating and sanctions for them.

But the effectiveness of the aggravation of these measures has not been assessed at any time, and the violators of electoral processes in the vast majority have not been convicted. Denunciation procedures, in particular, are considered a major problem. The lack of an effective procedure coupled with the culture of impunity has built into the public perception the culture of impunity, which is increasingly demanding extraordinary venture to change.

The legal framework should provide for an effective, currently non-existent, investigation mechanism and an effective reporting procedure for phenomena that undermine the freedom and integrity of electoral processes.

IV.6.2. Complaints and appeals system

The system of election complaints and appeals based on administrative adjudication, which includes Zonal Electoral Administration Commissions and the Central Election Commission and the judicial trial, conducted by the Electoral College, which is a judicial body set up specifically for electoral complaints and operates at Tirana District Court of Appeal. In the judgment of KRIIK, this mechanism has been de-factored from one electoral process to another because of the precedents created. Local elections on June 30 were the latest time for de-factoring of the complaints and appeals mechanism.

Regarding this mechanism, in the light of the concerns raised earlier, there are three issues identified as the strongest by KRIIK: 1. The lack of precedent principle, which has emerged in decision-making incoherence, especially in judicial adjudication; 2. overlapping of powers and roles in the relations of the Central Election Commission, the Electoral College and the Constitutional Court; and 3. failure to specify the rights and legal instruments of the parties to address this mechanism.

The legal framework is unclear what are the objects, subjects or circumstances legitimized to address this court, as well as the limits and duties of the decision-making of this court in relation to the electoral process. The process of the 2017 parliamentary elections set the precedent, while the June 30, 2019 local elections process further reinforced, in particular, the first element, the inability of actors who are not electoral subjects in a given process to complain of because they are considered to have no direct interest in the electoral process. This also applies to

35 Criminal Code of the Republic of Albania, Law no. 7895, date 27.1.1995 (amended by Laws no. 8175, date 23.12.1996; no. 8204, date 10.4.1997; no. 8279, date 15.1.1998; no. 8733, date 24.1.2001; no. 9017, date 6.3.2003; no. 9030, date 13.3.2003; no. 9086, date 19.6.2003; no. 9188, date 12.2.2004; no. 9275, date 16.9.2004; no. 9686, date 26.2.2007; no. 9859, date 21.1.2008; no. 10 023, date 27.11.2008; no. 23/2012, date 1.3.2012; no. 144, date 2.5.2013; no. 98, date 31.7.2014; no. 176/2014, date 18.12.2014; no. 135/2015, date 5.12.2015; no. 82/2016, date 25.7.2016; no. 36/2017, date 30.3.2017; no. 89/2017, date 22.5.2017; and by the decisions of the Constitutional Court: no. 13, date 29.5.1997; no. 46, date 28.8.1997; no. 58, date 5.12.1997; no. 65, date 10.12.1999; no. 11, date 2.4.2008; no. 19, date 1.6.2011; no. 47, date 26.7.2012 and no. 9, date 26.2.2016).

actors who are electoral subjects but who cannot complain about issues that they have no direct interest in. This judgment is defective and sees the law so narrowly. An electoral process is a process that affects the cornerstone of a democracy and as such every citizen of the country has a direct interest in it, and the interests of all citizens are affected by injustice in the process. Especially an electoral subject (political force) cannot be delegitimized in one of its fundamental missions and elements, investment and interest in a fair, equitable and free electoral process that must be offered to citizens.

It is necessary to define and allow the electoral subjects to have rights in the appeals process referring to the decision making of the electoral administration or even to the elements that affect the integrity of the electoral process beyond the direct interest of these entities. Even this right should extend to civic and political groups that are not part of the electoral process.

IV.7. Electoral contestants' finances

The finances of electoral subjects during election campaigns and those of political parties during the annual period are controlled through a mechanism that provides for both self-declaration of electoral subjects / political parties and their independent control, which is performed by licensed audits, contracted by the Central Election Commission. This mechanism theoretically strives to ensure only the accuracy of financial records held by political parties and other electoral subjects, but virtually fails to guarantee a realistic record of the revenues and expenditures incurred. The legal framework for the financial activity of the electoral subjects, besides the non-implementation of the law, also suffers from the failure to provide real legal instruments, to not fully address or minimally address important issues.

These include the lack of adjustments to third party spending or so-called "shadow campaigns", the extremely narrow circle of donor conflict of interest, or the legal non-definition of basic concepts such as election offices, party branches, political volunteering or early campaigning. With the amendments made to the Law on Political Parties at the extraordinary session of the Assembly on May 22, 2017, the control mechanism was enriched with a new instrument. The legal changes provided that, in order to assess the costs of election campaigns, the CEC appoints financial experts to monitor the subjects' electoral activity.

It is also to be appreciated the will of the CEC, which within the limits and scope allowed by current legislation, in April 2019³⁶ adopted the other three by-laws, which consisted in laying down specific rules for filing, publishing, auditing and verifying financial reports, reviewing and administering them, as well as sanctions for failing to comply with legal criteria by political entities. However, shortcomings are still noted in the improvements made. The regulatory framework imposes obligations on electoral subjects, while details are referenced by political parties, creating inequalities in the treatment of other electoral subjects (electoral nominees, mayoral candidates) as well as uncertainty in the self-declaration process and their audit.

The experience of the parliamentary elections of 25 June 2017 and the local elections of 30 June 2019 showed that this mechanism, despite the improvements made, remains completely non-functional and fails to guarantee full transparency on the matter.

36 [Instruction no. 1](#) dated 11.04.2019 "On the procedure of control and verification of funding and spending of political parties and electoral campaign"; [Decision 152](#) dated 11.04.2019 "On the approval of the standardized formats of the audit report of funds received and spent by political parties during the calendar year, for the election campaign and the election campaign monitoring report"; [Decision 153](#) dated 11.04.2019 "For some additions and changes to [Instruction no.1](#), dated 31.05.2017 "The use of propaganda materials and locations for their display during the election campaign".

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For the electoral process of June 30, the CEC decided that financial experts who would monitor the election campaign expenses of the electoral subjects would also audit the expenses of the same electoral subjects. In the judgment of KRIIK, this action taken by the CEC, based on the argument that thereby simplifying the activity of financial experts, is unjustified and unlawful.

The law defines not unintentionally two different time periods when selecting and appointing financial experts and accounting experts (or financial auditors), respectively before the start of the election campaign and after the publication of the election results. On the other hand, this decision-making risk lowering the transparency as it gives the possibility of overcoming the discrepancies in the declared reports. Campaign monitoring and campaign spending audit reports for the 2017 election included inconsistencies and contradictions³⁷ in presenting the figures.

Performing different reporting by different financial experts enables double checking and allows cross-checking of data.

Contracting the same expert to perform both processes, especially in the absence of other mechanisms to allow for transparency or additional controls, removed the double check that the law previously guaranteed, thus reducing transparency.

KRIIK deems that this decision did not aim to ease the workload of the experts, but the position of the political parties; specifically covering up shortcomings that might be identified by the cross check of three reports, the party report, the financial expert report and the audit report.

On the other hand, merging the two functions within the same individual automatically increases the pressure to reduce issues that might be found.

IV.8. Reform of the electoral legal framework

The ongoing problems of the electoral process and the failure of the 2016, 2017 and 2018 electoral reform process make it vital to amend the electoral legal framework.

In its experience so far, Albania suffers from the inability to develop a genuine legal framework reform process. An amendment process that needs to be integral to the topics it covers, comprehensive in the actors involved and transparent in the discussion process.

In all the reform processes initiated or attempted after the 2013 parliamentary elections, it has been required as a necessity, first of all, to reach an agreed political-institutional vision out of a broad dialogue process, which will serve as a map of legal amendments, then developing the process of consulting with various actors on the necessary technicalities.

37 If we refer to the final data of the 2017 election campaign costing for the 5 parliamentary parties, it turns out that the total expenditure declared in the financial audit report is different from the total expenditure declared in the financial monitoring report for 4 entities out of the five that received seats in the Albanian parliament. Specifically, the total expenditure of the Socialist Party's election campaign according to the financial audit report is ALL 100,884,855, while according to the financial monitoring report it is ALL 114,483,155; the total expenditure of the Democratic Party's election campaign according to the financial audit report is ALL 97,218,466, while according to the financial monitoring report is ALL 96,716,436; the total expenditure of the election campaign of the Socialist Movement for Integration Party according to the financial audit report is 71,826,809 ALL, while the expert who carried out the financial monitoring states that the monitoring of the financial documentation and the expense reports prepared by the electoral subject SMI does not have full transparency in the reporting of expenses incurred in electoral offices and electoral activities, and consequently in their sources of funding.

It is this approach that continues to be presented as the major shortcoming of the reform processes, which in any case has resulted in nullifying the possibility for healthy amendments and for keeping the integrity of electoral processes.

A closed, non-transparent process, in the total absence of a defining procedure of the rules of the game on which the reform process operates and develops, led and started within the available time limits, often developed in extremely polarized situations or self-determined cyclical crisis has become a practice of the behavior of the two main political forces, which in this way and in this context, imposes the giving of confidence to the citizens to overcome the next crisis and to complete the improvement of the legal framework in order to organize a process guaranteeing their will.

The experience so far, especially in the last two electoral processes, has already consumed the trust given to the political will in relation to the administration of the electoral process.

This common will of the main political forces, once decisive for the acceptance and consequently "certification" of the process and the result by de-legitimizing institutional decision-making, managed to later become the administrative will of the electoral process in implementation of the May 2017 political agreement.

From the creation of this precedent in the electoral process of 2017, where the mutual and necessary political will position-opposition was self-sufficient and imposed as sufficient to administer and certify an electoral process, with the process carried out on June 30, 2019, already this it is enough for the will to carry out these processes in a totally one-sided way, only by the next majority.

V. ELECTION ADMINISTRATION

V.1. Central Election Commission

V.1.1. Central Election Commission Body

The Central Election Commission (CEC) is a permanent collegial body that, in addition to administering the elections, exercises other functions such as: approves the boundaries of election administration zones, proposes the number of seats for each constituency, takes care of second and third level election commissions, oversees the finances of electoral subjects, etc.³⁸

The Commission's body relies on its activity by a permanent administration whose members have the status of civil servants, while additional staff are employed during electoral processes to a number that the CEC deems necessary.

CEC members are elected by the Parliament with the proposal of the political parties of the parliamentary majority and minority, according to a formula and procedure that guarantees political balance of the body, for a six-year term.

The chairperson is elected by the Assembly based on open competition from non-political candidates for a four-year term³⁹.

38 [Electoral Code of the Republic of Albania](#), Article 21 "CEC Competences".

39 [Electoral Code of the Republic of Albania](#), Article 14 "Election of CEC members" and Article 15 "Election of CEC

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The political agreement of May 18, 2017, one month before the parliamentary elections of June 25, 2017, decided to swap seats between the CEC Chair elected by non-political candidacy (at least according to the spirit and procedure of the law) with one of the members of the CEC nominated by the second opposition party.

This decision-making severely violated the institutional and legal spirit and practice and ultimately undermined the CEC Body's aspiration for independence under the 2012 electoral reform.

On October 11, 2018, the mandate of four members of the⁴⁰ CEC body expired

Two of the members whose terms of office expired were elected on the proposal of the Democratic Party (DP), one on the proposal of the Socialist Movement for Integration (SMI) and one on the proposal of the Socialist Party (SP). The latter exercised the right to nominate two other names for the position of member in the CEC body. Two members were therefore appointed⁴¹ one of whom, Mr. Bledar Skënderi, was re-elected. The Democratic Party has not yet exercised this right, in addition to its political stance⁴².

The Democratic Party's failure to nominate candidates for CEC members led to a situation where the June 30 Local Government Elections were administered by an incomplete body, but consisting of only five members⁴³, including the Chairman, a continuing situation even currently.

Chair".

40 CEC Members whose mandate has ended: Mr. Bledar Skënderi, Ms. Vera Shtjefni, Mr. Hysen Osmanaj and Mr. Gëzim Veleshnja.

41 Parliament of Albania by Decision no. 111/2018, dated 01.11.2018 elected as a member of the CEC, Ms. Rezarta Bitri and by Decision n. 112/2018, dated 01.11.2018 elected as a member of the CEC Mr. Bledar Skënderi.

42 In public statements subsequently made by DP leaders, the reason for the refusal was made clear as the SP had unfairly exploited the right to nominate the two CEC members, making the "de facto" SP 4 members proposed by it in the Commission. This attitude has also come about as a result of the majority's stance on not completing the investigation of criminal records involving senior government officials in electoral corruption, referring to the local by-elections in Debar on 11.09.2016 and the general parliamentary elections. of 25.06.2017, cases that are still under investigation by the prosecution body.

KRIIK points out that since the amendments to the electoral law on the composition and how CEC members are elected in the 2012 electoral reform, it has been noted that in applying these legal provisions the two major parties, the SP and DP, have had different approaches . - The Democratic Party has generally stayed in line with the CEC's political balance by supporting the composition of the CEC as a simultaneous reflection with the configuration of position-opposition political parties in Parliament. (It is noted that on 15.04.2013, the Assembly replaced the CEC member Mr. Ilirjan Muho nominated in October 2012 by the SMI, at the time as the second parliamentary party of the ruling majority, with Mr. Klement Zguri nominated by the Republican Party as the second party in the ruling majority, given that two months before the June 23, 2013 election, on April 1, 2013, the SMI exit from the ruling coalition and aligned itself with the Socialist Party in opposition for the June 23, 2013 election race. However, the PD legitimized the dismissal of Mr. Ilirjan Muho as a candidate approved in violation of the law, since he had a disciplinary proceeding against him in 2003, which made his candidacy ineligible for CEC membership. *"after noon the Democrats changed the scope of their request, shifting from the principle of balancing the CEC, to the disciplinary proceeding that Muho, according to them, received while acting as a judge in 2003 and, as such, is impeded by the code. to exercise his duties as a member of the CEC"*

- Meanwhile the Socialist Party has generally stayed in the spirit of functioning of a CEC with independent members referring to the nomination of the opposition-positioned political forces at the first moment of the CEC's construction (in October 2012), full term of office of the CEC member elected regardless of the position of the political force he proposed, as well as his replacement with candidates proposed according to the position-opposition configuration of the political parties at the end of the member's mandate of the CEC.

43 -The Chairman of the CEC, Mr. Klement Zguri, has been elected by decision No. 78/2017 on 22.05.2017 of the Assembly of Albania, for the remainder of the term of office of the former Chairman Mr. Denar Biba. His mandate ends on 03.11.2020.

- The Deputy Chairman of the CEC, Mr. Denar Biba, has been elected a member of the CEC by decision No. 79/2017 dated 22.05.2017 of the Parliament of Albania, as a proposal of the Republican Party, with an additional mandate, replacing Mr. Klement Zguri. His remaining mandate ends on 29.01.2021. Subsequently, on 02.06.2017, Mr. Biba has been elected deputy chairman of the CEC by decision No. 354 of the Central Election Commission.

- Mr. Bledar Skënderi has been elected as member of the Central Election Commission by decision 112/2018 of the Parliament of Albania, following the proposal by the Socialist Party of Albania. His mandate ends on 30/10/2024.

- Ms. Rezarta Bitri has been elected as member of the Central Election Commission by decision no. 111/2018 of the Parliament of Albania, following the proposal by the Socialist Party of Albania. Her mandate ends on 30.10.2024.

- Ms. Edlira Jorgaqi was elected as member of Central Election Commission by decision no. 103/2015 of the Parliament of Albania, following the proposal by the Socialist Party of Albania. Her mandate ends on 04.12.2021.

V.1.1.1. The position of the CEC troop regarding the Presidential Decree of June 10, 2019 repealing the Decree setting June 30 as the date of local elections.

Following the promulgation of the Decree by the President of the Republic on the morning of June 10⁴⁴, through a press conference repealing the decree setting June 30 as the date of local elections and officially sending it to the Central Election Commission, two members of the Commission, respectively the Vice President Mr. Biba and member Mr. Skënderi, called a CEC meeting that same day⁴⁵.

In his opening speech, the CEC Chairperson Mr. Zguri announced the decree's official arrival at the Central Election Commission stating that he had found it difficult⁴⁶ to implement the request contained in the decree.

He set forward his position, stating that the preparatory process for the elections on June 30 had to be interrupted, as the Presidential decree had already annulled the election date.

After the announcement of his position, the CEC Chairman left the meeting.

The other four members⁴⁷ of the Central Election Commission declared a contrary

44 Decree no. 11199, dated June 10, 2019, of the President of the Republic of Albania, "On the repeal of Decree no. 10928, dated 05.11.2018 of the President of the Republic "On setting the Election Date for Local Government Bodies:". The decree was announced by the President of the Republic himself through a Press Conference beginning at 8:00 am.

45 The meeting was announced on Monday, June 10, at around 10:57 am via an official email from the CEC press office announcing that it would be held at noon, while no information was available on the agenda anticipated for consideration. Shortly before the meeting began, the CEC spokeswoman announced that the meeting had been postponed to 2 pm. At about 12:10pm this announcement was officially made via the WhatsApp app as well, but again no agenda item was anticipated to be addressed at that meeting.

46 Head of the CEC, Mr. Klement Zguri: "... I think that the CEC, myself, but also my colleagues I believe, must obey a decree. We did the same thing when the decree came out to set the election date, the same should be done now. I do not want to judge the powers of the President; I am not a Constitutional Court. ... To me The President's decree is binding, and I must respect his will. Meanwhile, I am also in front of another difficulty ... My request to send this decree to the electoral subjects is rejected. ... Observance of laws and hierarchy should be the one that guide us. ... In this sense I do not find it appropriate that I can calmly chair this meeting of the Central Election Commission. In this great uncertainty that has engulfed our country, I have to get up and maybe my colleagues can continue the meeting." Citation from the video registration of the meeting, dated 10.06.2019, 14.08.45 - 14.16.17.

47 Central Election Commission meeting on June 10, 2019:

- Deputy Chairperson, Mr. Denar Biba: "... This second decree, that repeals the November decree to hold elections on 30 June, is an absolutely invalid administrative act, in the sense of Article 108 of the Code of Administrative Procedures In practice, today's decree goes against the principle of lawfulness, provided in Article 4 of the Code of Administrative Procedures ... he has the discretion to establish one date within the electoral period, but not to go beyond this period or, even worse, not p[romulgate an election date at all ... According to Article 1 of the Constitution, governance is based on a system of free, equal, general and periodic elections, thus every four years, while according to Article 109 the representative and executive bodies of local governance are elected every four years. Repealing the decree that established June 30 as the date for local elections is an open and flagrant violation of the above mentioned Constitutional and legal provisions, leaving Albania without an election date and, in practice, without an electoral process. For this reason, in fulfillment of Article 110 of the Code of Administrative Procedure, the absolutely invalid administrative act does not bring any juridical effect, regardless of the fact if it has been noted as such, it is considered not to exist. Any public or private entity encountering this act does not obey its rules and does not take it into account in its activity. In fulfillment of what I said above, the colleagues will of course have their say, I deem that the CEC has the obligation to continue with the organization of the June 30 elections" ... citation from the video recording of the meeting, time 14:16:24 - 14:22:49.

- Member Ms. Rezarta Bitri: "... and if today we have an act which is null, does not produce any legal effect, does not have a juridical effect, our decision making must of course be oriented towards preserving the seriousness of our job, preserving the legality of our decision-making ... No constitutional or legal provision does expressly provide the President with the capacity to annul or postpone election day. ... I am totally and clearly convinced that from a juridical point of view this act is null, without any effect, and as such does not prevent us from continue the administration of the electoral process". Citation from the video registration of the meeting, time 4:24:20 - 14:31:06.

- Member, Mr. Bledar Skënderi: "...I also strongly agree with the colleagues and consider the President's decree a null act, ... we should continue to guarantee the holding of these elections on 30 June". Citation from the video registration of the meeting, time 14:31:13 - 14:33:31.

- Member, MS. Edlira Jorgaqi: "...the act/decre to annul the election date issued at this time is absolutely invalid, it being clearly illegal, because the relevant body in this instance has exercised a capacity that the law does not recognize to it expressively. ... We are in the conditions of an absolutely invalid administrative act. ... As per the above, the CEC must continue its work towards June 30 elections, continuing with the review and adoption of acts, ...". Citation from the video registration of the meeting, time 14:33:33 - 14:38:17.

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position with the Chairman regarding the Presidential Decree, considering the latter as an absolutely invalid administrative act, which could therefore not be considered by the CEC. Therefore, had to continue its work to prepare the electoral process for the elections.

Notwithstanding the debates and discussions held by the CEC members regarding the Presidential Decree, no formal decision was taken at this meeting and no decision was taken by the Commission on whether to enact the Legislation, its implementation or not. and then decide on the continuation of the electoral process based on a written act.

All subsequent Central Election Commission meetings concerning the preparation of the electoral process were called by other members of the body.⁴⁸

The CEC chairman did not attend only a subsequent meeting on June 12 convened by CEC members, but attended other subsequent meetings, always publicly stating that he would not vote in favor for any administrative act relating to the electoral process dated June 30, 2019, except for decisions on the accreditation of observers or journalists, for which he stated that he would always vote in favor, on the grounds that the process should be monitored by more organisms in order to increase its transparency.

The Decree of the President of the Republic no. 11199 dated June 10, 2019, which repealed the Decree setting June 30 as the date of local elections, was published in the Official Journal dated June 11, 2019.⁴⁹

This argument was again used by the CEC Chairman to bring to the attention of other members of the Committee the legality of the decree of the President of the Republic.

V.1.1.2. The position of the CEC body regarding the decree of the President of the Republic dated June 27, 2019 for the appointment of October 13 as the date of the local elections

On June 27, 2019, the President of the Republic adopted Decree no. 11211, announcing October 13, 2019 as the new date of local elections.⁵⁰

The position and line of reasoning of the CEC body remained the same with respect to this Decree.

In their submissions the four members of the CEC⁵¹ stated that the CEC should

48 Pursuant to Article 22, paragraph 1 of Electoral Code "CEC meetings are convened by the Chairman or at least two CEC members."

49 Official Journal of the Republic of Albania no. 84 dated June 11, 2019.

50 President of the Republic, Decree no. 11211 date 27.06.2019 "On setting the election date for local government organs"

51 Meeting of the CEC of 27 June 2019:

- Member Ms. Rezarta Bitri: "... What is the most important is that today we have a court ruling ... today we only have one obligation, obey a court ruling that is final, and as such I believe there is no need for further deliberations". Citation from the video registration of the meeting, time 18:17:52 - 18:19:49.

- Member, Ms. Edlira Jorgaqi: "Specifically, we are in the conditions of executing a court ruling, which is obligatory. ... it is an undisputable duty of the CEC to obey the ruling of the Electoral College". Citation from the video registration of the meeting, time 18:19:55 - 18:20:49.

- Member Mr. Bledar Skënderi: "... Starting from nine months ago and to this date, the President of the Republic does not have any capacity to postpone, annul, repeal, establish a new date, does not have any capacity at all. ... Ballot papers have been distributed to all CEAZs throughout Albania. Everything is ready. Citizens should go and vote on Sunday, ...". Citation from the video registration of the meeting, time 18:23:15 - 18:24:21.

- Deputy Chairperson, Mr. Denar Biba: "... What is happening in Albania is a big confrontation between rule and

continue the work of preparing the electoral process, a position already supported also⁵² in the resolution of the Albanian Parliament and in the decision of the Electoral College.⁵³

The latter, considering the appeal⁵⁴ of the National Unity Party, in which content is taken into consideration the decree of the President and argued that 30 June is a date lawful, while this right is granted to the Constitutional Court, while Electoral College has the subject-matter of its consideration.

The CEC⁵⁵ chairman, in the wake of his earlier stance on the implementation of the President's decrees by the CEC, he again called on other members to reflect on and accept the implementation of the new decree.

Decree no. 11211 of the President of the Republic for the designation of October 13 as the date for the holding of Local Elections has not yet been published in the Official Journal of the Republic of Albania, although the publication of the Decree of the President of the Republic is mandatory by law.⁵⁶

Three political entities⁵⁷ of the united opposition that publicly declared that they recognize the Decree of the President of the Republic, which sets October 13 as the date of local elections, on August 2, 2019, submitted to the CEC the request "On the commencement of the procedures for the local government elections dated 13.10.2019".

Following this request, the CEC chairman convened the CEC meeting on August 3, 2019 in the following order: "On the examination of the request submitted by the Republican Party of Albania, the Environmentalist Agrarian Party of Albania and the Socialist Movement for Integration Party" On the initiation of election procedures for local government bodies dated 13.10.2019.

At the date and time announced for this meeting, only the chairman was present, while the other four members of the CEC were absent, who, although notified, declared, through the CEC Secretary General, "that they were on ordinary leave. In the absence of a quorum, the CEC Chairman closed the meeting without comment.

bargain. We either stand to the laws and the state of rights, ...(), or will return to pre-state situation, in which disagreements are solved through bargain, ... June 30 is a very important day for Albanians. They will not go to vote because of course they will have the best candidates, in fact, in some municipalities unfortunately there will only one candidate. They will go there to show that they are for the Constitution, the law, to observe the law, the rule of law and not political bargains". Citation from the video registration of the meeting, time 18:31:06 – 18:34:57.

52 Assembly Resolution

53 Electoral College, Decision no. 12 dated 24.06.2019.

54 National Unity Party (NUP), with the letter No. 11331 Prot., Dated 13.06.2019, submitted to the CEC the request "Withdrawal from the Elections for Local Government Bodies, dated June 30, 2019 and the removal of the name. from the ballots of the National Unity Party". The request was considered and rejected by the CEC at its meeting held on 13.06.2019 by decision no. 836 of the CEC. NUP appealed this decision of the CEC on 14.06.2019 to the Electoral College.

55 Chairperson of the CEC, Mr. Klement Zguri: "This is an absurd situation. ... Since the court ruling is being mentioned. What was the object? An election contestant wanted to get removed from the ballot paper. This was the request of the contestant and this was discussed in the College. ... This decree has been issued two hours ago. Which court received and discussed this? ... It is the voters, the Albanian citizens that must vote in peace, in clarity, without these tensions ... that do not come from them, but due to such a big political conflict between the parties. ... I will call upon the colleagues for them to maybe reflect again on their expressed stance to accept the Decree of the President as such". Citation from the video registration of the meeting, time 18:24:26 – 18:31:04.

56 Law no. 78/2014, dated 10.7.2014 "On the organization and functioning of the Official Publications Center", Chapter III "Publication in the Official Journal and in the Bulletin of Official Notices", Article 6 "Official Journal", point 2 letter b "In the Official Journal are published: b) decrees of the President of the Republic of Albania;

57 The Republican Party of Albania (PRSH), the Environmentalist Agrarian Party of Albania (EAP) and the Socialist Movement for Integration (SMI).

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None of these three electoral subjects did not avail themselves of the right granted by law to address the Electoral College for lack of decision by CEC. In subsequent meetings, this request was no longer brought to the attention of the CEC.

V.1.2. Central Election Commission decision making

After the promulgation of the election date by the President of the Republic, on November 5, 2018⁵⁸, CEC started working on the preparation of the next election process with the approval of the action plan.

Regarding the administration of this process, the CEC held 81 meetings and approved 914 decisions⁵⁹, of which three decisions to change guidelines⁶⁰ and one instruction⁶¹.

In addition to preparing and administering the election process, from February to May 2019, the CEC has continued in parallel with the procedures for filling the vacancies created in the Albanian Parliament due to the submission of mandates by PD and SMI deputies, such as also, the verification, in the framework of the decriminalization law, for some candidates who had to replace the vacancies created in the municipal councils.

Voting on routine administrative decisions was 5-0⁶², while on issues of registration of candidates and lists for members of municipal councils, registration of commissioners proposed by PD and LSI in the CEAZ voting was divided into blocks in 4 by one, where the latter belonged to the chairman of the CEC.

V.1.2.1. The ceremonialism of the meetings and the conduct of the body

It is generally concluded that the meetings sessions have respected the ceremonialism and the participation of the five members of the troupe has been complete in almost all the meetings. However, it has often been observed that the body lacks collegiality and mutual dialogue between members.

The behavior between the members of the troupe and the language used, especially between the chairman and the deputy chairman and especially after the debate on the Decree of the President of 10 June, was often inappropriate and apart of the correct institutional discussions.

58 Decree no. 10928, dated 05.11.2018 of the President of the Republic "On setting the Election Date for Local Government Bodies".

59 From the total of 1106 decisions taken during the period from the decree of the election date until the announcement of the final result, 195 decisions have been unrelated to the June 30 election process. Specifically, 12 decisions for verification of substitute candidates in the municipal councils, 133 decisions for declaring non-election as a deputy in the assembly and 46 decisions for granting the mandate of the deputy in the Assembly of Albania.

60 Decision no. 22 dated 01.02.2019 of the CEC: "For some additions and changes in the Instruction no. 2, dated 29.01.2013 "On setting the rules for the submission and verification of the candidacy documentation and the deadlines for the publication of the lists of candidates".

Decision no. 127 dated 04.04.2019 of the CEC: "For some additions and changes in the Instruction no. 4, dated 19.02.2013 "For the procedures of selection and training of citizens who can be appointed mainly by the CEC for the completion of the vacancy created in the CEAZ and the VCC".

Decision no. 153 dated 11.04.2019 of the CEC: "For some additions and changes in the Instruction no. 1, dated 31.05.2017 "For the use of propaganda materials and locations for their display during the election campaign".

61 Instruction no. 1 dated 11.04.2019 "For the procedure of control and verification of financing and expenditures of political parties and the election campaign".

62 Until June 10, 2019, after which, the Chairman of the CEC voted against all acts, except those related to the accreditation of observers or journalists.

Overall, the CEC's behavior continued to reflect the divide between the body and the administration.

During the meetings it was clearly evidenced that CEC members, in most cases, were informed there with the meeting materials and it seemed that no prior consultation or discussion had taken place between the chains of the institution in addressing the issues and problems encountered.

In some cases, there has even been an intimidating and unethical behavior towards senior administration officials, as they presented issues to the body to be dealt with according to the scheduled agenda.

This ways of behavior and treatment in relation to issues and administration, as stated in previous electoral processes, is incorrect and not at all in fulfillment of the responsibilities assumed, in the spirit and letter of the law and the oath taken before the representatives of the people.

The CEC body is the body that directs, organizes and bears responsibility for the entire organization and development of the process, having at its disposal the entire administration of the CEC.

The commitment of the body is foreseen in full time to ensure the organic functioning of the institution as a whole in all links, to follow and face together all the challenges and problems encountered.

The CEC body is not foreseen by the legislator as a separate body, with partial commitment, which is informed of the problems of the institution only when its formal decision-making is necessary. Or in this decision-making, it should be sufficient only in the presentation made by the administration or even limited only to the alternatives that the latter proposes during the meetings, on the contrary.

The time available for consideration of issues and reflection on decision-making, only during the meeting session is completely insufficient to debate and discuss the opinions for the proper coping of the issues and the good management of the whole electoral process.

The law and the parliament delegated this high responsibility to the members of this body, and not to the civil servants of the administration.

V.1.2.2. Observed problems

The Electoral Code stipulates that CEC members must be impartial in their decisions and judgments, but, as in previous electoral processes, the behavior and attitudes of members of the body continued to reflect political bias, in accordance with the public attitudes of the political forces from which they are proposed.

In fact, it can be said that in this process were identified unprecedented behaviors of the members of the troupe, being perceived significantly unilaterally, a behavior observed especially in the four members of the troupe, except the Chairman of the CEC.

Below, in the judgment of the KRIIK, are some of the most problematic decision-making of the CEC, as extra-legal decision-making or in violation of the law that the CEC has undertaken.

Decisions are presented in the chronological order of their occurrence and are presented briefly, as they are dealt with extensively in the respective sessions according to the categorization of the issue:

a) Giving the mandate of the deputy not by qualified majority

In the decision-making process of the CEC for the replacement and giving the mandate of the deputy of the Assembly of Albania, the next candidate in the

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multi-name list of the subject PD and SMI, in addition to the vacancy announced by the Assembly of Albania, it was noted that for 16 of them the obligation to adopt a majority decision of five “pro” votes was not respected. The mandate for these 16 deputies was given by a simple vote with only 4 “in favor” votes. See for more session V.1.6. Filling vacancies in the Parliament, after leaving the mandates by DP and SMI deputies

b) Registration of the party “Democratic Conviction” as an electoral subject

On April 27, 2019, the CEC in flagrant violation of the law took the decision to register the subject “Democratic Conviction Party”.

This decision of the CEC, in addition to being in clear violation of the deadline set by the Electoral Code, was also contrary to the legal practice followed by it in the 2013 Parliamentary Elections, in the Local Elections 2015, with the practice and decision-making of the Electoral College of 2013, as well as contrary to its own position expressed in the Press Release dated January 4, 2019.

It is emphasized that this decision-making marked for the first time in the history of extra-legal decisions of the CEC, a decision-making in a block, in silence and without any discussion or provision of an argument.

See for more session VII.1. Registration of political parties

c) Registration of candidates with a certificate from the Assembly

The CEC registered 25 candidates supported by the respective political parties based on the certificate issued by the Albanian Parliament that the representative deputies of these supporting parties held the mandate of the deputy for at least the last 6 months, according to the provisions of the Electoral Code.

This certificate issued by the Albanian Parliament was untrue because the CEC itself was the institution that gave the mandate to these deputies only a few days ago.

See for more session: VII.2.1. Registration of candidates with a certificate from the Assembly

d) Imbalance of CEAZ membership according to the majority-minority configuration of the parliament

In its decision to reject the request of the Democratic Party and the Socialist Movement for Integration to appoint members of the CEAZs, the CEC conducted a formal reading allowed by Electoral Code to recognize the electoral subject’s attribute to propose CEAZ memberships.

On the other hand, given that the Electoral Code recognizes the parliamentary forces that in counterbalance build and ensure the electoral process, the CEC did not invite parliamentary electoral subjects to propose the missing membership of CEAZs for those areas where there was a candidacy, taking in review and amend the decision no. 18 dated 01.02.2019, thus marking a double standard behavior.

See for more session: V.2.1.1. Rejection of PD and SMI lists for CEAZ members and secretaries

e) Establishment of Media Monitoring Board

MMB, in addition to being set up by the CEC on May 28, in extreme violation of the legal deadline, but regarding the procedure followed for the establishment of this body, there is an illegal behavior of CEC members, as well as the administration of CEC.

It turns out that none of the four names proposed by the four CEC members, with the exception of the Chairman, appeared as a candidate proposed by any civil society organization operating in the field of media, while the four members of the body officially declare the opposite, so as well as senior CEC administration officials. See for more session: V.1.7.3. Establishment of Media Monitoring Board

f) Contracting the same financial expert for two different monitoring functions

CEC, despite the fact that the law defines two different time periods when financial experts and accounting experts (or financial auditors) are selected and appointed, decided that the financial expert who would monitor the election campaign expenses of an electoral subject would also conduct the expenses audit for same subject.

The contracting of the same expert to carry out both processes, especially in the absence of other mechanisms to make transparency or additional controls, removed the double scrutiny that the law previously guaranteed by reducing transparency of campaign finances.

See for more session: IV.7. Electoral contestants' finances

g) Non-action of the CEC on the alleged alarming violations in the management of the NCR

CEC, after being informed by the report of one of the technical auditors that the administration and processing of the database of the National Civil Registry (NCR) was done not in accordance with the technical and administrative requirements of the legislation in force, only forwarded it. the report of the auditors in the General Directorate of Civil Register, without requesting explanations from the responsible institutions on the concerns raised, as the Electoral Code requires.

This position, in a situation where informing the public about the progress of the process of drafting and correcting the lists was non-existent, further compromises the role of the CEC.

See for more session VIII.2. Problems identified by technical auditors

h) Alienation of the CEC decision-making without reconsidering the case

The CEC, in addition to accepting the applications for accreditation of observers outside the legal deadline, on June 21, 2019 decided by unanimous vote to reject such a request, as the requesting organization did not meet the legal criteria.

This rejection decision, contrary to what was decided in the meeting session, was reflected as approved in the announcement of the meeting that the CEC distributes to the media, as well as in the decision published on the official website.

See for more session: XIV. OBSERVERS

V.1.3. Transparency of Central Election Commission

CEC meetings are open to the media and the public and are broadcast in real time on the institution's website. Announcements regarding the convening of meetings, the agenda and the decision-making taken are published on the website and distributed by e-mail to the media and other stakeholders (local or foreign bodies, political parties, etc.).

In addition to the improvement in some respects regarding the transparency of the CEC's activity, there is still room for further improvement and for a more complete commitment and will of the CEC for the fulfillment of legal obligations provided in function of and for the realization of a maximum transparency.

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The June 30 elections highlighted issues that have been identified before, while were noted some other experiences that damaged the CEC's image and marked steps backwards regarding the transparency that needs to be provided.

V.1.3.1. Publication of preliminary meeting materials

The CEC regulation stipulates that for each meeting convened together with the notice of the meeting, its preliminary materials must be published on the website.⁶³

This legal obligation has not been respected in any case.

For the meetings held until May 2019, there was a partial publication of them on the website, while from the second half of May 2019 onwards, until the end of the period covered by this report, these materials are not published for any meeting.

Preliminary meeting materials are made available to representatives of political parties and foreign observers on a regular basis.

Meanwhile, this does not happen to local observers, nor to those "accredited" to this institution.

These materials were made available to KRIIK observers in part and after repeated verbal requests for each meeting.

V.1.3.2. Publication of decisions

The Electoral Code stipulates that CEC decisions must be published on the institution's website within 24 hours after they were reached.⁶⁴

In most cases, the publication of decisions was made a few days after this deadline, while it is estimated that only about 20% of decisions were published within the legal deadline.

It is noted that 32 decisions taken during the election process appear to have been published on the official website on October 14, 2019, at least three months later.

Of concern is the non-publication of 46 other decisions taken during this process.

Even more disturbing is the fact that in the sequential numerical order of ordering decisions on the website, there are evidence of overstepping and leaving blank numbers⁶⁵.

These numbers do not coincide with any decision of the CEC even after the a priori counting of 46 still unpublished decisions, or even after the approximation of the ordinal number achieved in the last decision with the total of decisions taken during the meetings followed in each session or published through press releases distributed by the CEC itself.

In this regard, strong questions arise as to how and why the CEC administration has left vacancies in counting CEC decisions.

63 Regulation "On the organization and functioning of the Central Election Commission" Article 19, point 2 "In any case, together with the notice of the meeting, on the CEC website on the Internet, the collection materials are published."

64 Electoral Code of the Republic of Albania, Article 24 "CEC decision-making" point 3 "Each CEC decision shall be transcribed in final form within 24 hours after it has been reached. No fewer than two original copies of the decision, or, as the case may be, of the CEC instruction, shall be retained in the CEC archive."

65 Numbers 123; 124; 752; 753; 754; 755; 848; 938; 952; 958; etc.

V.1.3.3. *Real-time visual transmission of CEC meetings and their ongoing accessibility*

CEC meetings are broadcast on real time on the institution's website using the YouTube channel service, which offers, among other things, the video archiving service with free access to the public.

This practice, followed by the Central Election Commission for real-time broadcasting of meetings, as well as for archiving videos of meetings, has been assessed as very positive in the last election process.

The CEC has used two different YouTube channels for this purpose. From June 2017 to May 6, 2019, CEC meetings were broadcast on real time on the CEC website and were easily accessible, at any time, on the YouTube channel called "KQZ CEC".⁶⁶

Meanwhile, from May 7, 2019, CEC meetings began to be broadcast on a YouTube channel which was previously used by this institution (opened in 2016), called the "Tirana Central Election Commission".⁶⁷

With the commissioning of this new channel, the current practice of transparency offered has changed.

The meeting that is broadcast is accessible only "live" during its development, and sometimes until the moment of the start of a new meeting. After that, the video material of the new meeting replaces the previous one, which is hidden or made impossible to be accessed by the public.

The impossibility of accessing a certain meeting at a later time, undermined all the previous positive practice of having available to the general public, but also to the members of the CEC, the administration or other interested actors, of a video archive of all the decision-making of the CEC, the behavior of the members, the articulation, interpretation and attitude held in relation to various issues and problems, etc.⁶⁸

Failure to allow public access to the video archive, in KRIIK's consideration, appears to be a deliberate move to limit transparency and public access.

Furthermore, it is noted that this practice was established immediately after KRIIK published a Declaration⁶⁹, on 6 May 2019, criticizing the CEC's stance on the registration of the Democratic Obedience Party as an electoral subject in violation of the law.

In the Statement, for the effect of free verification by the public of the brought evidence, references were made to the video recording of the meeting of April 27, 2019, for the conduct of the CEC, lack of coherence and inaccuracies in the information that the CEC administration offered to the body of Commissioners.

Immediately after the publication of the Declaration, in the archive of the YouTube channel "CEC/ CEC" it was found that there were no more recorded videos of the

66 See [KQZ CEC channel](#). Currently, 113 meetings are stored on this channel, the first broadcast on June 14, 2017 and the last on April 11, 2019.

67 See [the channel Komisioni Qendror i Zgjedhjeve Tiranë](#).

68 Clicking on previously broadcast videos leads to videos that are private, i.e. accessible only by the administrator of the CEC channel on YouTube (see, for example, [the video of the CEC meeting on April 27, 2019](#)). Switching to private videos in the YouTube platform is a parameter that can be freely changed by users and not a platform restriction. Moreover, as mentioned above, the CEC has previously had the practice of keeping a public archive, freely accessible to the public and at any time. Moreover, this archive is accessible to the public at the time of publication of this report.

69 KRIIK, [Statement](#) of 6 May 2019 "Maintaining the impartiality and integrity of the Central Election Commission is vital for the functioning of a democratic and legal state". See footnote no. 7 and no. 11 on citations from the CEC video archive

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meetings of 27.04.2019, as well as of the dates 16.04.2019, 18.04.2019, 23.04.2019 and 25.04.2019, leaving as the last video that of the meeting dated 11.04.2019. After that, the entire live broadcast of the upcoming meetings was transferred to the other YouTube channel “Tirana Central Election Commission”.

The practice of restricting access to the public in the video archive of the Central Election Commission is in open conflict with the spirit of transparency that this institution must show.

The CEC is encouraged and should make public all videos in the YouTube channel archive, as well as allow free access by the general public in order to increase transparency on: the progress of the process, the methods of administration and provision of the central administration institution, the decision-making process of the CEC, the legal, institutional and professional behavior of the CEC body and its administration.

It is emphasized that video archives, or even audio files, etc., are a sanctioned right for information of any citizen, who can freely request them, simply through a written request. From this point of view, the opening of this archive is a required standard and should be manifested in other aspects of the decision-making of the CEC and other subordinate bodies, without being required to be invested by actors with official requirements.

Only such a transparent approach respects and encourages the trust of the citizens in this important institution, and consequently in the skills and the way of organizing the process of voting administration and the will of the citizens.

V.1.3.4. Use of information technology to increase transparency

In this election, the Central Election Commission recorded a lower performance compared to the previous elections, regarding the use of what is called the Integral System for Election Information Management, an integrated IT platform launched in 2011 and improved during each election process that took place, enabling more transparency and information for the public, but also more facilities for the management of the whole process for the CEC administration itself.

In these elections, a new version of the smart phone application “Voto 2017” was not published, which was a welcome innovation in the 2017 elections, as in addition to enabling citizens to find the voting center on the smart phone, it also enabled real-time denunciations from telephone, as well as educating voters and tracking results in real time.

Also, the interactive online map for polling stations, as happened in the case of the 2017 Parliamentary Elections⁷⁰, was not made available to citizens this election process.

V.1.3.5. Access to materials published on the website

A considerable part of the materials published on the CEC website, such as the reports of financial experts on the finances of political parties and the campaign, the monitoring reports of the campaign, or even the election results are made available to the public in the formats that are difficult to process by machines automatically (e.g. pictures of the documents converted to “pdf” format).

This makes it very difficult for these data to be processed independently for comparative monitoring, study, or even for processing and preparing easier and more understandable information by the general public.

⁷⁰ The interactive map with the 2017 polling stations is still accessible online but has not been updated with data.

It is encouraged publishing of as much data as possible about the electoral process in open format⁷¹, while it is emphasized that this process does not require any additional costs or human resources from the institution.

Such a thing would significantly increase transparency not only on the progress of the electoral process, but also on the very activity of the administration of this institution.

V.1.3.6. Transmission of results

The process of presenting and transmitting preliminary results in real time is a positive practice started in 2009, by civil society actors and the CEC itself,⁷² which was then used during each election process.

As experience has shown, the proper implementation of this process not only informs in real time, the dynamics of the movement of preliminary results that come directly from the counting process, but can also be considered a safety valve to curb or minimize the impact of illegal wills to the normal course of the process, facilitating quite a bit the whole process of counting and announcing the results, from tension and political pressure.

At the beginning of the voting day on June 30, 2019, it was announced by the CEC spokesperson that the test site which would broadcast the preliminary results was in testing during the day and would be ready at the beginning of the counting process.

This site became active at the beginning of the counting process⁷³, but on Monday, a day after the election, the publication had problems, disconnecting for several hours.

It is concluded that the experience gained in the use of information technology for the management of this publication process during the previous elections, in this process was not used properly leaving much to be desired over the level of transparency provided.

The manner of administration of this process marked a negative development in the experience created as well as reduction of the transparency of the institution. This behavior left its mark and provoked speculative opinions in the general public, prompting a distrustful attitude of citizens towards the administration of the process.

V.1.3.7. Discordances in the publication of turnout and election results

The discrepancy between the figures on voter turnout on election day was a problem that provoked numerous public reactions and accusations from the opposition that the Central Election Commission was fictitiously manipulating election turnout data.

⁷¹ Data: text, csv, etc.

⁷² For the first time, the CEC, in the Parliamentary Elections of June 28, 2009, started and implemented the application of real-time announcement of the preliminary results from the vote counting process. In the same elections, was successfully implemented the project "Direct Election Results", a cooperation of ECA / KRIIK (Election to Conduct Agency (ECA) and the organization KRIIK Albania), supported by USAID, which was again based on receiving and broadcasting in real time the results from the vote counting teams and the CEAZ. The positive experience marked and the welcome of this innovation by the general public and by the political and institutional actors themselves, influenced the significant improvement of the use of this methodology by the CEC in the next electoral process, of the Local Elections of May 8, 2011.

⁷³ The "test" website presented some graphics on election day, while the voting process was still ongoing, prompting speculation from some media that the election result was manipulated and predetermined. This situation showed at least negligence and lack of professionalism on the part of the CEC staff regarding a very sensitive issue for public opinion, especially in the context of where these elections were taking place.

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This discrepancy, according to the CEC, came as a result of obtaining information through phone calls, difficulties encountered and inaccuracies in the issuance of figures by the CECs and CEAZs⁷⁴.

The calculation of voter turnout, according to the CEC, was based on the data that the VCC had forwarded to the data center at the CEC.

Meanwhile, referring to the reports of KRIIK observers in the CEAZ, in a significant part were the latter that reported voter turnout figures.

In the previous electoral processes, the CEC has published several times during the election day the percentage of participation in certain scheduled hours, based on the communication with the Commissions of Election Administration Zones.

On June 30, 2019, the CEC made two statements during the voting process regarding participation⁷⁵ and a third statement three hours after the end of the voting process.⁷⁶

According to the statements made, all the figures on the participation of voters published in these statements were obtained by telephone from the VCs and not through the electronic system of the CEC, after disclosing the results of the Voting Centers by the CEAZs. as was done in previous elections⁷⁷.

At the meeting of the Central Election Commission on July 4, 2019, which was the first meeting held after the completion of the voting and counting process, the CEC body discussed the situation created due to the controversial percentage of participation in voting.

The CEC chairman, after presenting the situation through concrete figures⁷⁸, proposed that there be an administrative investigation, in order to have a clearer picture of everything that had happened.

He also proposed that all the minutes of the Voting Centers be collected at the CEC.

This request was not approved by the rest of the CEC troupe⁷⁹, even though in

74 Central Election Commission, [Statement](#) of July 1st, 2019 and [Press Release, Clarification for Public Opinion](#), dated July 6th, 2019.

75 [CEC statement, June 30, 2019, at 11.00](#): "So far the turnout is: 12%. This is a preliminary data, which varies based on the information that the Voting Centers have forwarded to the data center in the CEC". Meanwhile, the participation according to the [Statement of June 30, at 16.00](#) was declared to be 15.5%.

76 [CEC Statement of June 30, at 16.00](#): "According to data reported by the Voting Centers in the Central Election Commission, turnout is 21.6%."

77 [Statement of the Chairman of the Central Election Commission Klement Zguri dated July 1, 2019](#): "Last election reporting was done by polling stations in the electronic system and the data was not transmitted by telephone as it happened this year. This increases the inaccuracy regarding the accuracy of the transmitted figures."

78 Meeting of the CEC dated July 4, 2019, the Chairman Mr. Klement Zguri declares: "In order to support my proposal that the CEC should launch an administrative investigation, mainly I start from some facts that have created the problem in question. We have the statement of 11.00 of the CEC, the turnout is 12%. Meanwhile, I have the tables on the CEC website, at 11.00, the turnout is 6.19%, almost half. Meanwhile, in the figures of the statement of 13.00, the percentage is 11.65% (it has not yet reached the figure in the reaction that the CEC made at 11.00). Meanwhile, the statement of the CEC spokesperson, at 22.00, 3 hours after the end of the process, says 21.6%. Surprisingly, they tell me that we have two pieces of information here, one according to Ana (Director of the Electoral Commission Directorate) and the other according to the DTI (Information Technology Directorate), never heard such story before. The result according to Ana 21.83% according to DTI 24.12%. We are at the same hour when we had the 21.6% statement. Currently we are talking about 24.12%. When I who are here am unclear, think about how unclear the public is."

79 CEC meeting, July 4, 2019, Deputy. Chairman Mr. Denar Biba states: "Unlike all other times, this time the focus was on participation and not the result. All of this is part of a theater with a clear goal of delegitimizing these elections. The results are consistently said to be preliminary. In the 2017 elections at 20.00, when the voting centers were closed, the result declared by the CEC was one million one hundred and seventy thousand, while the final list declared one million six hundred and some thousand. So, a difference of almost 500,000. That did not make those elections worthless. I am in favor of the investigation starting at the beginning of this year, in 2018, when the IT director of this institution left and remained vacant for a long time and we do not know why this place was not filled. From the moment the director who left said that the 2017 software program is not suitable for local elections, but for national elections. So, a new program was needed. Some problems are of CEC itself, some are not of CEC, to put it bluntly. Let the investigation be done and let everything come out, I am in favor of it."

CEC member, Mr. Bledar Skënderi states: "I wanted to mention a few figures for the public's attention. In the 2017 elections, the information provided by the CEC for only 46.55% of VCs participation was 45.17%. After the overall election result was approved, the average percentage turned out to be 47.83%. So, 2.66% margin of error. In this election we received preliminary information, 21.6% we got it on election day. Today, the percentage nationwide is 22.9%, or 1.3% more than the information we stated on June

principle everyone agreed to conduct an administrative investigation, in order to further clarify the situation.

In the entirety of the case, even today it remains unclear how the CEC administration collected, processed and published the data on participation in the elections.

The internal regulation of this institution does not contain specific provisions regarding this issue, while based on the CEC Instruction on the functioning of the Voting Center⁸⁰, the CEC secretary has the duty to notify the CEAZ every three hours regarding voting participation up to that point.

Another discrepancy that is evident between the official publications on the website of the Central Election Commission, is related to the figures published in two different tables that present the results of the election process of June 30, 2019.

The summary table of results⁸¹ has a difference of 70 votes in terms of the number of valid votes for municipal councils, compared to the other table that presents the valid votes for each political party in each municipality⁸².

The comparison shows the difference in the results presented for 21 of the 36 political parties that had submitted lists for municipal councils.⁸³

The Central Election Commission should pay maximum attention to transparency at all stages of the electoral process, in order to promote and strengthen the trust of the public and all political forces in the proper administration of the electoral process.

In addition to the full and timely fulfillment of current legal obligations, additional mechanisms must be adopted to guarantee further increase in transparency, such as: providing open data, opening to the public the video archive of CEC meetings, publication of video recordings from counting tables, immediate publication of decisions of the second and third level zonal commissions, etc.

Real-time video streaming of the counting process (including CEAZ facilities and counting tables), or even the voting process, should also be considered.

Except for the latter, all the above-mentioned processes are already carried out as services contracted by the CEC, with public funds, only that they remain difficult information to be accessed by stakeholders, while remaining closed to citizens and the general public.

V.1.4. Changing the name of the Social Democratic Party leader on the ballot

On May 31, 2019, the electoral subject of the Social Democratic Party of Albania (PSD) submitted to the Central Election Commission a request to change the name of the party chairman on the ballot for the June 30 elections. The request was based on the resignation of Social Democratic Party leader Mr. Skender Gjinushi on 15 May and the decision of the party council taken on 31.05.2019 for the appointment of Mr. Engjëll Bejtja as interim chairman⁸⁴ until the PSD congress is held.

30th. So, two times less margin of error than two years ago".

CEC member, Ms. Rezarta Bitri states: "I am absolutely in favor of an administrative investigation, but I would like to have a more complete picture of how it will be carried out and where it will be based."

CEC member Ms. Edlira Jorgaqi states: "Regarding the investigation, the legal basis where you support it, the concrete violation, the norm of the law that has been violated, where it will be specifically investigated, must be presented concretely. Everything needs concrete, not an investigation in the air and we are blocking the process."

80 [Instruction no. 2/2015](#) of the CEC, dated 04.03.2015 "On the manner of establishment, organization and functioning of the polling station" Article 12, point 4, letter I: "The secretary of the VCC ... notifies the CEAZ every three hours after the opening of voting, about the number of voters who have voted so far."

81 Central Election Commission, [Local Elections 2019 - Summary Table](#).

82 Central Election Commission, Local Elections 2019 - [Data on valid votes for councils nationwide](#).

83 Annex no. 9 - Differences in official tables published by the CEC on number of valid votes for the municipal councils.

84 According to preliminary materials of the meeting dated 06.06.2019, shows that:

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At the CEC meeting on 06.06.2019, this request of the electoral subject was rejected only by the CEC President Mr. Zguri arguing that the law does not allow such a thing, even the CEC in similar cases rejected any subsequent changes after the registration of electoral subjects, such as. applications for resignation of candidates after they were registered as such.

In the meantime, according to the Vice President Mr. Biba and the member Ms. Bitri, this situation was different compared to previous cases and as there were no specific legal prohibitions on this issue and since ballots had not yet been printed, the change could be made. The request was approved by four votes in favor, with the CEC chairman voting against.

The Electoral Code stipulates that the registration of political parties as electoral subjects is based on a certificate issued by the court of the Tirana Judicial District⁸⁵, a certificate that contains the name of the party chairman. The request of the Social Democratic Party to change the name of the Party President was filed with the Tirana Judicial District Court on June 3, 2019, and the court⁸⁶ decided to accept the request on June 6, on the same date in which was held the CEC meeting⁸⁷.

In the CEC decision to accept the PSD request it is quoted that "... at the time of the approval of the contents of the ballot paper, the factual and legal situation of the Social Democratic Party has changed; Engels Bejtja, since Mr. Skënder Gjinushi has resigned⁸⁸."

This reasoning is incorrect, given that the new Chairman of the Party could be considered Mr. Bejtja only after the decision of the Court of Tirana had become final and the Court's confirmation regarding the legal status of the PSD determined the name of the newly elected President, a certificate which at best could only be issued after passing of 15 days, therefore, on June 22, always if this court decision were not appealed to the Court of Appeal.

The stance of the four CEC members appeared to be in violation of the law, previous CEC practice and under political influence. This decision of the CEC appears to have been taken to preclude the public opinion being criticized by

- Mr. Skender Gjinushi, with a letter dated 15.05.2019 with no. 1998 Prot of the Social Democratic Party, addressing its National Steering Council states that: "... I have the honor and obligation to let you know, my decision of today, dated 15.05.2019, to resign irrevocably from the post of the Chairman of the Social Democratic Party, due to my candidacy, on 24.05.2019, at the Assembly of Academy of Sciences, for the function of President of that Academy. ..."

- Mr. Gezim Musabelliu, Secretary General of PSD, on behalf of the National Steering Council with letter no. 2001 protocol of the PSD dated 31.05.2019, registered with the CEC under No. 5031 prot, dated 31.05.2019, asks the CEC to replace the name of Mr. S. Gjinushi with the name of the person designated Mr. Engjëll Bejtja. The request states that: "... We would like to inform you that on 15.05.2019 Mr. Skender Gjinushi has given irrevocable resignation from the post of Party Chairman, therefore, the Council under the Charter Party, has entrusted with the task until the development the Electoral Congress Vice / President Mr. Engjëll Bejtja. ..."

⁸⁵ The Electoral Code of the Republic of Albania, Article 64, point 2, letter a "For being registered as an electoral subject for any kind of elections, a political party shall submit to the CEC:
a) an attestation proving that the party is registered with the District Court of Tirana;"

⁸⁶ According to the affidavit No. 1613/1 Prot dated 06.06.2019 of the Court of the Tirana Judicial District issued by the Chancellor of this Court it results that:

- The decision of the PSD National Steering Council to replace the party leader holds Nr. 2003 Prot dated 31.05.2019, namely a protocol number subsequent to that of filing a request with the CEC.
- This confirmation at the end bears the note "This decision is not final".

⁸⁷ In the official announcement on the CEC website on the agenda for the June 6 meeting at 6 pm, the issue of changing the name of the PSD chairman does not appear. It also does not appear in the official e-mail sent by the CEC press office, although it is of 4:40 pm and announces the 18:00 meeting. The same, in a notice distributed by the WhatsApp application only 25 minutes before the meeting. Only at the second announcement launched via the WhatsApp app at 6.10 pm this issue is on the agenda.

⁸⁸ Decision no. 827, dated 06.06.2019 of the Central Election Commission.

the voices critical of the fact that Mr. S. Gjinushi was elected President of the Academy of Sciences (ASA) on May 24, 2019⁸⁹, while formally appearing as the Social Democratic Party leader not only on the ballot on June 30, but also in the final election results that were then announced on July 27, 2019. This illegal situation should not feed critics, who already demanded the President of the Republic to not decree⁹⁰ Mr. Gjinushi as President of the Academy of Sciences, precisely for this incompatibility.

V.1.5. Decriminalization process

The Central Election Commission has a key role in protecting and ensuring the democratic functioning of the Assembly and local government bodies from the influence or participation in the policy-making and / or decision-making of persons elected or running for deputies or local government bodies, who have been convicted or subjected to security measures, or have been convicted by a final decision for committing crimes, as provided by Law no. 138/2015 "On guaranteeing the integrity of the persons elected and/or appointed to, or exercising public functions"⁹¹ (the so-called decriminalization law), and Decision no. 17/2016 of Parliament of Albania⁹².

This process began to be carried out by the CEC, in terms of its scope of action, immediately after the law was passed on all elected members of the Assembly and local government bodies and then on all candidates for deputies registered in parliamentary elections of 2017. The June 30 election process marks the first time this law has been applied to candidates registered in a general election process for local government bodies.

V.1.5.1 The progress of the decriminalization process until 30 June 2019

The activity of the Central Election Commission, during 2018 until the promulgation of the election date by the President of the Republic was focused mainly on the functions deriving from the Law "On ensuring the integrity of the persons elected, appointed or exercising public functions". As a result of the CEC decision-making was announced the early termination of the mandate for two deputies of the Albanian Parliament, Mr. Gledion Rehovica⁹³ and Mr. Aqif Rakipi⁹⁴.

89 Chairman of the PSD Mr. Gjinushi has long been a member of the Academy of Sciences of Albania (ASH) and was the only candidate to be elected as its Chairman. While referring to the ASA law and regulation, membership of the ASA is not permitted if you are a member of a political force. The Academy of Sciences has been in the public debate for more than a year now about the way it functions and how it is organized and about the new law already unilaterally adopted by the Socialist majority. The much-discussed elections for the President of ASA were announced on 26.02.2019 and were held on 24.05.2019. In these elections Mr. Skender Gjinushi, as the only candidate, though he was still formally nominated as Chairman of the Social Democratic Party of Albania.

90 Decree no. 11223, dated 12.07.2019, of the President of the Republic of Albania "On the refusal of the appointment of Academician Skender Gjinushi as President of the Academy of Sciences"

91 Law no. 138/2015, "On guaranteeing the integrity of the persons elected and/or appointed to, or exercising public functions", Article 10 "The actions of the competent authorities when verifying the conditions of prohibition".

92 Decision no. 17/2016 of the Assembly of Albania, "For determining the detailed rules on the application of the prohibitions foreseen in the law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions", Chapter V "Execution of verification procedures".

93 Decision no. 3, dated 05.01.2018 of the Central Election Commission "To review the outcome of the verification of the General Prosecutor's Office for public official Mr. Gledion Rehovica, acting member of Parliament of the Republic of Albania, pursuant to Law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions".

94 Decision no. 4, dated 05.01.2018 of the Central Election Commission "To review the outcome of the verification of the General Prosecutor's Office for public official Mr. Aqif Rakipi, acting member of Parliament of the Republic of Albania, pursuant to Law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions".

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For these two decisions, only shortened decisions regarding these two issues have been published on the CEC official website to date. Both former MPs appealed the CEC's decision to the Tirana First Instance Administrative Court, which, at the conclusion of the trials, upheld the decisions of the Central Election Commission.

Also, during the period January 2018 to May 2019, the CEC verified the self-declaration form for 94 candidates of multi-name lists from 40 Municipal Councils if there were data falling within the scope of prohibition under the provisions of decriminalization law no.138/2015. Through 28 decisions taken, the CEC authorized the relevant Municipal Councils to continue the procedures for granting the mandate of the candidate to fill the vacancies created.

*V.1.5.2. Progress of the candidate verification process
in view of the June 30th elections*

In order to better reconcile the work and interaction with the General Prosecutor's Office, especially regarding the verification of the candidate data in the function of the decriminalization law, on March 12, 2019 the Central Election Commission signed a memorandum of cooperation with this institution.

In pursuance of the procedures for verifying the self-declaration of candidates for local government organs, the CEC worked closely and generally efficiently with the Civil Registry Office and the Judicial Registry Office, despite the tight deadlines and the relatively large number of candidates. candidates submitted for registration.

As a result of this verification process, the request to run for mayor was rejected for one candidate⁹⁵ as well as 11 candidates for members of municipal councils, who were nominated by 10 political entities⁹⁶.

The vetting process also yielded results during the decision-making process at the Electoral College regarding the distribution of mandates to municipal council members. The Electoral College refused to give mandate to two winning candidates⁹⁷ because of their inclusion in the field of prohibition of candidacy due to decriminalization.

It should be emphasized that one of the decisions of the Electoral College, namely that of Mr. Ramadan Baho relates to a conviction that the candidate had stated in the self-declaration form⁹⁸ filed with the CEC.

95 Mr. Dhionisios Alfred Petro Beleri, candidate for mayor in Himarë.

96 Communist Party, Christian Democratic Party, Democratic Conviction Party, Time of Albania Party, Albanian Democratic Reform Party, Socialist Party of Albania, Green Party, Albanian Future Party, Democratic Alliance Party and Moderate Socialist Party.

97 Electoral College, Decision no. 19 dated 22.07.2019. Regarding the distribution of seats for the Ura Vajgurore Municipality Council, Berat District, it is stated that: "The first candidate on the list of the Social Democratic Party of Albania, Mr. Ramadan Baho has pleaded guilty to a final verdict for the criminal offense of fraud provided for in Article 143/2 as of the CC. The offense "Fraud" provided for in Article 143, paragraph 2 CC and the punishment of imprisonment of 4 (four) years is included, in the field of prohibition of exercising the function provided for in Article 2, point 1, letter "c" of Law no. 138/2015. This citizen is included within the prohibition period set forth in Article 4 of Law No. 138/2015 "On guaranteeing the integrity of persons who are elected, appointed or hold public office".

Electoral College, Decision no. 66 dated 27.06.2019. regarding the distribution of mandates to the Has Municipality Council, Kukës Region, it is stated that: "... as the conditions for the prohibition of non-candidacy are verified after the ballot papers are printed and before the results are announced, according to law no. 138/2015 "On Guaranteeing the Integrity of Persons Elected, Appointed, or Exercising Public Functions", Article 10, Point 1, letter c / iv, The Electoral College announces as winner the following candidate in the multi-name list in accordance with the gender quota, and declares the fact of non-candidacy and non-election for the candidate Mr. Jahir Ismail Cahani. The Electoral College announces the winner by the multi-name list of the Democratic Alliance of Albania, candidate for member of the Has City Council, with serial number 02. "

98 Self-declaration form of Mr. Ramadan Baho.

It is unclear how the CEC administration, for the list of the Social Democratic Party, whose first candidate is Mr. Baho, he stated that “none of them has not declared the data that has to do with the prohibition provisions in the law no. 138/2015” thereafter stating that “by verifying data only on self-declaration forms for persons listed in multi-name lists, their data do not constitute a condition for non-registration as a candidate for municipal council, according to law no. 138/2015”⁹⁹.

This raises questions about the care and seriousness exercised by the CEC administration, which has a legal obligation to carefully verify any self-declaration form and addressing the crimes declared, if any, and if they enter the realm of prohibition by decriminalization law.

V.1.5.2.1. Submission and publication of self-declaration forms

Upon CEC Instruction¹⁰⁰ and Decision no. 17/2016 of the Parliament of Albania¹⁰¹, Self-declaration forms are submitted to the Central Election Commission by the political entity proposing candidates for mayors or members of city councils.

According to the CEC instruction, the self-declaration form must be clearly filled out by computer and signed on each sheet by the candidate. Fulfillment of this statutory obligation on how to fill out the form ensures that any possible errors in writing or reading are avoided, as well as removing the possibility to add or correct data later. This ensures that the verification process based on incorrect data is not initiated, and therefore does not result in incorrect conclusions.

The monitoring showed that, in violation of this legal obligation, 15 of the candidates¹⁰² for Mayors have submitted handwritten self-declaration forms to the CEC.

Regarding the completion of the self-declaration forms of candidates for members of the Municipal Councils, which are submitted to the CEC by the electoral subjects that propose them, from a non-systematic review, it results that 32 political parties¹⁰³

99 Decision no. 597, 827, dated 06.06.2019 of the Central Election Commission “On the verification of declarations in the self-declaration form of candidates for multi-name lists for City Councils, pursuant to Law no. 138/2015 “On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions, for Local Government Elections dated June 30, 2019”. (serial number 45 in Annex 1 of the decision).

100 Instruction no. 2 dated 29.01.2013 “For setting the rules for filing and verification of the candidacy documentation and deadlines for the publication of lists of candidates”, amended by Decision no.44 dated 17.02.2017 “For some additions and changes to Instruction no. 2, dated 29.01.2013 “For setting the rules for filing and verification of the candidacy documentation and deadlines for the publication of lists of candidates” and Decision no.22 dated 01.02.2019 “For some additions and changes to Instruction no. 2, dated 29.01.2013 “For setting the rules for filing and verification of the candidacy documentation and deadlines for the publication of lists of candidates” of CEC.

101 Decision no. 17/2016 “For determining the detailed rules on the application of the prohibitions contained in the law no. 138/2015, “On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions”.”.

102 - Socialist Party candidate (ASHE Coalition) Ms. Majlinda Bufi, Municipality of Roskovec; - Communist Party candidate Mr. Jashar Elezi, Belsh Municipality; - Majlindes of the Democratic Conviction Party: Mr. Edison Hasanaj, Tropojë Municipality; Mr. Arben Pohumi, Municipality of Shijak; Mr. Bledar Sinella, Kavajë Municipality; Mr. Edmond Piroli, Kurbin Municipality; Mr. Fatjon Feka, Kolonjë Municipality; Mr. Gëzim Malka, Tepelenë Municipality; Mr. Ilir Balla, Bulqiza Municipality; Mr. Marildo Hodaj, Selenicë Municipality; Mr. Pjerin Spathari, Malësi e Madhe Municipality; Mr. Robert Brahaj, Mallakastër Municipality; Mr. Salvador Kaçaj, Lezhë Municipality; Ms. Valbona Mezini, Vlorë Municipality; Mr. Ylber Gjeta, Kamëz Municipality.

103 National Arbnor Alliance Party, Ardian Gjoka, candidate for Tirana Municipality Council; Albanian Democratic Alliance Party, Donika Qafa, candidate for Tirana Municipality Council; Christian Democratic Alliance Party of Albania, Erald Gjoka, candidate for Tirana Municipality Council; Red and Black Alliance Party, Frederik Ruço, candidate for Tirana Municipality Council; Party Alliance for European Equality and Justice, Bashkim Hasa, candidate for Librazhd Municipality Council; Party Alliance for Democracy and Solidarity, Ridvan Hajdini, candidate for Himarë Municipality Council; Albanian Future Party, Klaudja Traja, candidate for Durrës Municipality Council; National Front Party, Violeta Marku, candidate for Tirana Municipality Council; Liberal Democrat Union Party, Mario Goga, candidate for Tirana Municipality Council; Democratic Conviction Party, Fabian Topollari, candidate for Tirana Municipality Council; New European Democracy Party, Isa Toskaj, candidate for Pukë Municipality Council; Social Democracy Party, Enver Manoku, candidate for Devoll Municipality Council; Democratic Party for Integration and Prosperity, Arbër Cakaj, candidate for Tropojë Municipality Council; New Democratic Spirit Party, Andi Seferi, candidate for Tirana Municipality Council; Green Party, Keida Ushtelenca, candidate for Tirana Municipality Council; Albanian Democratic Reform Party, Bardhyl Karabrahimi, candidate for Tirana Municipality Council; Denied Rights Party, Rilina Vata, candidate for Tirana

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have submitted to the CEC at least one completed form in handwriting.

Meanwhile, regarding the remaining 4 parties (out of the 36 that participated in the elections), it turns out that the self-declaration forms for the candidates for two of them¹⁰⁴ are not accessible on the CEC website, while those of the other two parties¹⁰⁵ turn out to be correctly filled out with a computer, though in some of the forms, the second part of them has been handwritten.

All candidates' self-declaration forms for local government bodies are published on the CEC website¹⁰⁶.

However, as of the time of publication of this report, the self-declaration forms of the candidates of the Party Alliance of Macedonians for European Integration as members of the Municipal Council in Pustec and of the candidates of the Albanian National Reconciliation Party for members of the Municipal Council in Kukës, were inaccessible, although the CEC administration has been aware of this issue for months.

V.1.5.2.2. The decriminalization process after the elections of June 30

The process of verification and authorization of the Municipal Councils for replacement of vacancies in their composition, continued even after the establishment of the new municipal councils after the election process of 30 June 2019. In 5 meetings held after the announcement of the election' final results, the CEC, after verifications, reviewed and approved 4 draft decisions through which it authorized 43 municipal councils to replace their 103 members whose seats were notified at CEC as vacancies. It is worth mentioning that in just six months from the establishment of municipal councils, these changes were made in about 70% of municipal councils.

In relation to the decriminalization law and the adequacy of the new mayors elected figures, the Democratic Party has denounced 6 mayors during this period,¹⁰⁷ accusing them that they cannot perform public functions as included in the scope of the prohibition law.

The denunciations were accompanied by alleged facts and referred to the Prosecutor General's Office for in-depth investigations.

The latter has formally requested from the CEC copies of the self-declaration forms for all the mayors charged and, so far, has announced the completion of investigations for only one of them, the mayor of Vora Municipality.

Municipality Council; G99 party, Odeta Shehi, candidate for Tirana Municipality Council; National Conservative Party Albania, Arben Bocj, candidate for Pukë Municipality Council; Communist Party of Albania, Liri Elezi, candidate for Belsh Municipality Council; Christian Democratic Party, Gerold Doce, candidate for Tirana Municipality Council; Albanian Workers' Movement Party, Tahir Tahiraj, candidate for Tropojë Municipality Council; Greek Ethnic Minority Party for the Future, Jorgo Kosta, candidate for Finiq Municipality Council; Time of Albania Party, Klajdi Terpollari, candidate for Tirana Municipality Council; Party for Freedom Democracy and Ethics, Nazlie Domj, candidate for the Kukës Municipality Council; Party for the Protection of Immigrant Rights, Arbesa Duraku, candidate for the Kukës Municipality Council; Party for the Protection of Workers' Rights, Syria Xhako, candidate for the Këlcyrë Municipality Council; Social Democratic Party of Albania, Maksi Vlashi, candidate for Himarë Municipality Council; The Moderate Socialist Party, Lorenc Peti, candidate for Tirana Municipality Council; Socialist Party of Albania, Albina Nanaj, candidate for Tirana Municipality Council; Albanian Social Workers' Party, Themistokli Prifti, candidate for Himarë Municipality Council; National Unity Party, Edmond Gjinari, candidate for Himarë Municipality Council.

104 Party Alliance of Macedonians for European Integration, the multi-name list of candidates for the Pustec Municipality Council and Albanian National Reconciliation Party the multi-name list of candidates for the Kukës Municipality Council.

105 Party People with Disabilities, the multi-name list of candidates for the Pogradec Municipality Council; Albanian Immigration Party, the multi-name list of candidates for the Këlcyrë Municipality Council.

106 Download decriminalization forms.

107 Shkodra Municipality, Vora Municipality, Mat Municipality, Vau Dejës Municipality, Mallakastër Municipality and Librazhd Municipality.

V.1.5.2.2.1. Candidate for Mayor of Shkodra

Following the announcement of the final result of the elections, the Democratic Party made public the information regarding the prohibition of running under the decriminalization law, for the elected Mayor of Shkodra, Mr. Valdrin Pjetri. According to these data, Mr. Peter figures “sentenced to prison in Italy for drug trafficking” as such he is “forbidden by the decriminalization law to exercise public office”¹⁰⁸.

In the self-declaration form¹⁰⁹ to the Central Election Commission, it turns out that the facts alleged by the Democratic Party were not stated. On the other hand, even after the verification carried out by the CEC, based on data obtained from the General Directorate of Prisons, Mr. Peter does not appear to be forbidden to run for office.

In the CEC decision¹¹⁰, unlike the practice followed in similar decision-making, there is no mention of whether a request was submitted and then whether a response was received from the Civil Registry Office.

Following the publication of the above allegations, the date August 15, 2019, before carrying out the oath and officially receive the mandate of the mayor, Mr. Pjetri withdrew from taking office.

Following the situation, the Prefect of Shkodra sent an official letter to the President of the Republic informing him about the constitution of the Shkodra City Council, the election of its Mayor, and the resignation of Mr. Pjetri from the mayor’s mandate and consequently the creation of the vacant seat of the Mayor of Shkodra¹¹¹.

The legislation provides for the President of the Republic to promulgate the election date within 48 hours of the date of notification. This situation highlighted once again the political and institutional stalemate as well as the institutional clashes in the context of which the June 30 process took place, as did the entire¹¹² legal and institutional mechanism envisaged for resolving the situation when there is a Mayor vacancy.

Currently the Municipality of Shkodra continues to be run by the Mayor elected in 2015, Ms. Voltana Ademi, who will hold office until the next mayor is sworn in¹¹³.

108 [Statement of the Democratic Party](#), dated 13 August 2019 “Valdrin Peter sentenced to prison in Italy for drug trafficking is prohibited by the decriminalization law from exercising public office”.

109 [Self-declaration form of Mr. Valdrin Pjetri](#).

110 [Decision no. 354](#), dated 15.05.2019 of the Central Election Commission, “For the registration of the candidate for mayor of Shkodra proposed by the coalition “Alliance for European Albania” Mr. Valdrin Luigj Pjetri Elections for local government bodies of 2019”.

111 Letter No. 4 / 62 prot, dt. 21.08.2019 of the Prefect of Shkodra District Mr. Çesk Millja with the subject “Notice on the constitution of the Shkodra Municipal Council”. See letter published in newspapers “Shqiptarja.com”: <https://shqiptarja.com/uploads/ckeditor/5d5ed5d25f4d3meta.jpg>.

112 The prefect, who recognizes the June 30th due process, notifies the President of the Republic to initiate his promulgation of the date of the partial elections in the Municipality of Shkodra. The President, who does not recognize that process, had already decreed October 13, 2019 as the date for local general elections, while this decree was not published in the Official Journal of the Republic of Albania.

113 [Law no. 139/2015, dated 17.12.2015 “On local self-government”](#), Article 60 “The mandate of the mayor “ Point “ 4. The exercise of the mayor’s mandate begins at the moment when he takes the oath and ends when the next mayor takes the oath. “

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V.1.5.2.2.2. Vora Mayor

Self-declaration form¹¹⁴ of Vora Municipality Mayor Mr. Agim Kajmaku was verified by the CEC before his registration as a candidate for Mayor of Vora.

The verification showed that Mr. Kajmaku had not stated any data to include him in the field of prohibition of candidacy, based on the response of the Court Registry Office in which he resulted unconvicted. While at the time of the decision of the Civil Registry Office had not yet replied to CEC's request.

Under these conditions, the CEC decided¹¹⁵ authorization of CEAZ no. 26 in Vora Municipality to complete the registration of the candidate proposed by the Coalition Alliance for European Albania.

After taking office from Mayor Kajmaku, the Democratic Party made several allegations¹¹⁶ who included him in the area of prohibition of duty due to the decriminalization law. Democratic Party was also addressed an official letter¹¹⁷ to the Prosecutor General's Office requesting an in-depth investigation of the case. Mr. Kajmaku reacted publicly¹¹⁸ denying any charges brought against him.

Following the investigation, the Prosecutor General's Office sent an official letter¹¹⁹ to the Democratic Party announcing the conclusion of the investigation¹²⁰ for the mayor of Vora.

According to the verifications it turned out that Mr. Kajmaku has committed the offense of "Circulation of Counterfeit Coins" in the Greek State, an offense not covered by the prohibition of candidacy under Article 2 of Law 138/2015 of decriminalization.

But on the other hand it turns out that Mr. Kajmaku made false statements, as in the self-declaration form he answered "no" to any questions of the section on his judicial status, declaring neither the initiation of criminal proceedings nor his arrest in flagrante by the Greek state police, while, according to the Prosecution, he was fully aware of these facts. The aforementioned constitutes a reason for his dismissal from the position of public official¹²¹.

The General Prosecutor's Office addressed a formal letter to the Central Election Commission making the results of this investigation available, as it is the CEC that must decide whether or not the mandate of the mayor of Vora should be terminated.

¹¹⁴ [Self-declaration form of Mr. Agim Kajmaku](#)

¹¹⁵ [Decision no. 470](#), dated 17.05.2019 of the Central Election Commission, "On the verification of statements in the self-declaration form of the candidate for mayor of Vora, Mr. Agim Kajmaku pursuant to Law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions"".

¹¹⁶ [Statement of the Democratic Party](#) dated 27.08.2019 published on the DP official website: "The PD publishes the new document from the TIMS system. Jorgo Toto, arrested in Greece in 2003 and still wanted today, is Agim Kajmaku of Vora Municipality. "

¹¹⁷ [Request no. 125 Prot. Dated 20.08.2019](#), subject "Request for verification of the purity of the image of citizen Agim Kajmaku alias Jorgo Toto ", published on the portal "Realstory".

¹¹⁸ [Reaction of Mr. Agim Kajmaku](#) dated 22 August 2019 published in the website of the national television "TopChannel": "Yes, I changed the name! Yes, I applied the law and declared it everywhere and anytime! No, I was never convicted!"

¹¹⁹ Letter no. 2193/69 Prot dated 28.10.2019, Subject "Sending decision on approval of verification results".

¹²⁰ "... The verifications carried out by us shows that citizen Agim Kajmaku and Jorgo Toto is the same person. This fact is confirmed by typological traces and is confirmed by the person himself in the self-declaration form. It is found that the declarant Agim Kajmaku (Jorgo Toto), is included in the definitions of point 3 letter ç, Chapter III of the Decision 17/2016 of the Parliament of Albania. ..."

¹²¹ Law 138/2015 dated 17.12.2015 "On Guaranteeing the Integrity of the Elected Persons Appointed or Exercising Public Functions "and Decision 17/2016 of 04.03.2016 of the Parliament of Albania" On the Determination of Detailed Rules on the Implementation of the Prohibitions Provided by Law 138/2015", Chapter III, point 3 letter ç: "Reflection of false, incomplete and inaccurate data will result in immediate and at any time exclusion from candidacy / election / appointment or public office."

The Central Election Commission considered the case at a meeting on November 1, 2019, where it unanimously voted to invalidate its mandate and consequently its early termination for the Mayor of Vora Municipality, Mr. Agim Kajmaku.

Following the CEC decision on the early termination of mandate of Mr. Kajmaku, The Prosecutor's Office of the Tirana Judicial District declared him wanted after investigating him as a suspect for the commission of criminal offenses "falsification of forms" Article 190 of the Criminal Code related to his false statements in the self-declaration form, as well as for offenses. criminal "abuse of office" Article 248 of the Criminal Code and "Performing his function after his termination" Article 249 of the Criminal Code¹²². Mr. Kajmaku continues to be wanted and the lawsuit against him continues in absentia¹²³.

Even for the Municipality of Vora, there is no date yet for the holding of elections, as the mechanism foreseen for the holding of partial elections in cases when the term of office of the Mayor is terminated is stalled, while the Municipality of Vora is run by its deputy mayor.

It is not even known when the Partial Local¹²⁴ Elections in Vora could take place, which would enable the community of this municipality to be run by an elected individual, as the Constitution of the country foresees, and not by an appointed individual as it is now.

V.1.5.2.2.3. Mayor of Vau Dejës

Self-declaration form¹²⁵ of the candidate for Mayor of Vau i Dejës Mr. Mark Babani doesn't any stated data to include him in the field of prohibition of candidacy.

After completing the verification process, the Central Election Commission decided¹²⁶ on authorization of CEAZ no. 6 in Vau i Dejës Municipality to complete the registration of the candidate proposed by the Coalition Alliance for European Albania.

On September 10, 2019, the Democratic Party requested the Prosecutor's Office¹²⁷ verification of the mayor of Vau i Dejës, providing all available information after allegedly hiding bans, convictions and deportations from Italy and northern Macedonia.

So far, there is no public statement by the Prosecutor General on this issue.

122 These actions refer to decisions taken by Mr. Kajmaku on the last day of his duty to dismiss the two deputy mayors of Vora Ms. Laureta Omeri and Mr. Hekuran Brahimi and appointing Mr. Gentian Picari, as his Cabinet Director. According to the prosecution, this decision was protocolled with the faction as it was done on October 31, 2019, while according to them, "it shows that all the factions in this protocol were added the following day as these orders were not yet issued", i.e. the day when his mandate has been terminated by the CEC. For more see the article published in "Panorama Newspaper": <http://www.panorama.com.al/ps-rimerr-bashkine-vore-gjykata-prish-pucin-e-agim-kajmakut-u-pezuulla/>.

123 The Prosecutor's Office of the Tirana Judicial District closed the investigation on January 20, 2020, taking as defendant Mr. Kajmaku. The Tirana District Court proceeded the materials in charge for Agim Kajmaku as well as to three of his former subordinates. For more see the article published on the A2CNN website: <https://a2news.com/2020/02/18/kalon-per-gjykim-ceshtja-ndaj-agim-kajmakut-3-akuza-te-ngritura-ndaj-tij/>.

124 The decree of the partial elections in Vora is related to the June 30th Local Elections, the legality and legitimacy of which is expected to be decided by the Constitutional Court, as the President of the Republic in a clash with the country's Parliament does not recognize this process. On the other hand, the Constitutional Court is itself in a stalemate, as it continues to be incomplete in its membership in order to be able to review and make decisions. Not only that, but it does not have a specific date yet and it is not known when at least the required 6-member quorum will be filled which will enable it to make its decisions while at the time of publishing this report the Constitutional Court has only 4 members.

125 Self-declaration form of Mr. Mark Babani

126 Decision no. 446, dated 16.05.2019 of the Central Election Commission, "On verification of statements in the self-declaration form of candidate for mayor of Vau Dejës, Mr. Mark Babani pursuant to Law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions".

127 Statement of Democratic Party published on its official website dated 10.10.2019 "PD requires verification for Mark Babani as well. "He is detained / sentenced / deported from Italy and Northern Macedonia. He has hidden three other identities".

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V.1.5.2.2.4. Mayor of Mat

The candidate for mayor of Mat, Mr. Agron Malaj, was registered as such by CEAZ no. 16 covering this municipality, after verification and authorization with the relevant decision¹²⁸ by the Central Election Commission.

In the self-declaration form¹²⁹ submitted to the CEC Mr. Malaj has declared a sentence from the Mat Judicial District Court¹³⁰.

After the verification, the CEC found that the declared data did not constitute a condition for its non-registration as a candidate with reference to the provisions of law 138/2015.

On January 16, 2020, the Democratic Party through a public statement¹³¹ announced that had officially requested the General Prosecutor's Office to verify the past of Mr. Malaj, acting mayor of Mat, because, according to it, he is in conditions of prohibition to run for public office, precisely because of the criminal offense declared in the self-declaration form¹³², and not because of any other hidden sentence.

From the examination of the case, it is ascertained that the CEC in the verification of the case was satisfied only with a superficial reading whether the enumeration of the paragraph in the content of article 278, on the basis of which the decision of the Mat District Court was taken, coincides or not with enumeration of the paragraphs of this article that are foreseen in article 2, point 1 / a of law no. 138/2015 of decriminalization.

As a result, not noticing the compliance of the article numbers, the CEC has decided to allow the candidacy for Mr. Agron Malaj.

Article 2 of Law 138/2015 on decriminalization stipulates that the legislator prohibits the candidacy of persons who have committed acts that constitute a criminal offense according to the provisions of a number of articles, including the criminal offenses provided in Article 278, first, fifth and sixth paragraph".

The content of the fifth paragraph of Article 278, at the time of approval and entry into force of Law 138/2015, is consistent with the content of Article 278/2 under the Criminal Code of 1999, on the basis of which was sentenced Mr. Malaj.

On the other hand, the law 138/2015, approved on 17.12.2015 entered into force on 07.01.2016.

Meanwhile, the amendments to Article 278 of the Criminal Code, which added two paragraphs, leading the fifth paragraph to discussion in the seventh, were approved by Parliament on 05.12.2015 but entered into force on 30.01.2016.

So as is easily evidenced, Mr. Malaj was convicted of committing an act that is foreseen and included in the scope of prohibition of law 138/2015 at the moment of its approval and entry into force.

128 [Decision no. 366, dated 15.05.2019](#) of the Central Election Commission, "On the verification of statements in the self-declaration form of the candidate for mayor of Mat, Mr. Agron Rufat Malaj pursuant to Law no. 138/2015," On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions".

129 [Self-declaration form of Mr. Agron Malaj](#).

130 Decision no. 57 dated 7.10.1999, for illegal possession of weapons provided by Article 278/2 of the Criminal Code. According to this decision, Mr. Malaj was sentenced to 10 months in prison.

131 [Statement by the Secretary General of the Democratic Party Mr. Gazment Bardhi, published on the official website of the Democratic Party](#).

132 [Letter to the General Prosecutor's Office no. 6 dated 16.01.2020, published on the official website of the Democratic Party](#).

Subsequent amendments to the reference to the article do not invalidate act by Mr. Malaj, an offense which is defined as part of the offenses provided in letter a, of point 1 of article 2 "Prohibition of candidacy and to be elected to a high public office" of law 138/2015.

In these circumstances, in the trial of KRIIK, his mandate must follow the provision made by the provision of Article 4 "*Period of prohibition of candidacy, election or exercise of a function elected or appointed*", point 1 of law 138/2015 which provides that "*For persons provided for in letter*" a "; point 1, article 2, of this law, the ban on running, election or exercise of mandate lasts throughout their life."

There is still no public statement from the General Prosecutor's Office regarding this case.

V.1.5.2.2.5. Mayor of Mallakastër

In the self-declaration form¹³³ of the candidate for mayor of Mallakastër, Mr. Ismailaj, no information has been provided about his proceedings, trials or convictions.

Even after the preliminary verification by the CEC, Mr. Ismailaj turned out to be non-convicted by the Albanian courts, which is reflected in its decision-making for the authorization of CEAZ no. 61 Municipality of Mallakastër for the registration of the candidate proposed by the Coalition Alliance for European Albania.

On January 10, 2020, the Democratic Party in a public statement¹³⁴, announced that the Mayor of Mallakastër is convicted in the Greek state and as a result he is prohibited from exercising public functions due to his involvement in the sphere of decriminalization law.

The Mayor of Mallakastër, in a public reaction after the denunciations of the Democratic Party, emphasized that he has lived as an economic emigrant in the Greek state, but he is not aware of any decision of the courts of that country for him¹³⁵.

There is still no public statement from the General Prosecutor's Office on this issue

V.1.5.2.2.6. Mayor of Librazhd

In the self-declaration form¹³⁶ of the candidate for mayor of Librazhd Mr. Gurra, no information has been provided by him on proceedings, trials or convictions.

Even after the preliminary verification by the CEC, Mr. Gurra turns out to be unconvicted by the Albanian courts, which is reflected in its decision-making¹³⁷ for authorization of CEAZ no. Librazhd Municipality for his registration as a candidate for mayor of this municipality.

¹³³ [Self-Declaration form Mr. Qerim Ismailaj.](#)

¹³⁴ [Statement by the Secretary General of the Democratic Party Mr. Gazment Bardhi.](#)

¹³⁵ [Reaction of Mr. Ismailaj dated 10.01.2020](#) (Top-channel.tv)

¹³⁶ [Self-declaration form Mr. Kastriot Gurra.](#)

¹³⁷ [Decision no. 476](#) dated 17.05.2019 "“For the verification of the declarations in the self-declaration form of the candidate for mayor Librazhd Municipality, pursuant to law no. 138/2015,” On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions””.

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In contrast to the above-mentioned cases, which have been denounced and made public by the Democratic Party, the denunciation for the involvement of Mr. Gurra in the sphere of banning candidacy due to the law of decriminalization, was made by the Civic Movement Sopot, through a report¹³⁸ sent to General Prosecutor Office.

There is still no public statement from this institution about the allegations.

V.1.6. Filling vacancies in the Parliament, after leaving the mandates by DP and SMI deputies

Following the submission of mandates by the political forces the Democratic Party (DP) and the Socialist Movement for Integration Party (SMI) and the announcement of the Central Election Commission at the Albanian Parliament for the creation of these vacancies, CEC initiated the necessary procedures for replacing the vacancies. This process started on March 4, 2019 and ended on May 30, 2019.

A total of 39 seats were replaced¹³⁹ of the remaining 57 such vacancies in the Assembly, while 133 individuals included in the candidate lists for MPs in the 2017 parliamentary elections refused to take office in the Assembly, failing to respond to the CEC's request to submit a self-declaration form or notifying the latter of their decision not to accept the mandate.

As a result of this process, the Albanian Parliament currently has 122 MPs¹⁴⁰ out of the 140 provided by the Constitution, as the lists of MPs submitted by the political parties for the 2017 Parliamentary Elections were exhausted.

As a result, beyond the fact that this makes the Assembly's legitimacy currently disputed, as the Constitution states that the Assembly consists of 140 deputies¹⁴¹, this situation also raises a major problem of representation. Referring to the figures of the 2017 voter lists and the number of seats in the Assembly, the 18 absent MPs currently represent approximately 440,000 Albanian voters¹⁴².

Also, problematic and incorrect was the procedure of replacement of deputies by the Parliament of Albania and the inactive and incorrect role played by the CEC in the development of this process.

The Albanian Constitution stipulates that the deputy represents the people and is not bound by any binding mandate¹⁴³. In the case of renunciation of the mandate, in the exercise of his right recognized by the Constitution¹⁴⁴, according to the Electoral Code¹⁴⁵, the deputy must make this statement in person before

138 Charges addressed to the General Prosecutor's Office by the Sopot Civic Movement. *"In 2008 he was under investigation by the Prosecutor's Office of the Elbasan Judicial District for criminal proceedings no. 944, criminal offense 'Forgery of stamps or forms, provided by Article 190 of the Criminal Code, Article 188 of the Criminal Procedure Code.'"*

139 23 seats from the DP list and 16 seats from the SMI list.

140 List of deputies of the Albanian Parliament by region.

141 Constitution of the Republic of Albania, Article 65, paragraph 1, *"The Assembly shall consist of 140 Members of Parliament, elected by a proportional system with multi-member constituencies."*

142 If we divide the number of voters in the list in the 2017 Albanian Parliament elections by the number of MPs (3,452,324 / 140) it turns out that each MP represents approximately 24,600 voters. So, the 18 absent MPs represent more than 440,000 voters.

143 Constitution of the Republic of Albania Article 70, paragraph 1.

144 Constitution of the Republic of Albania Article 71, paragraph 2, letter b. *"2. The term of office of a Member of Parliament shall expire or be invalid, as the case may be: (b) when he resigns."*

145 Electoral Code of the Republic of Albania Article 164 *"Termination of office and replacement of vacancy", Paragraph*

the relevant Parliamentary Committee, a procedure which was neither followed nor applied in accordance with these provisions for the replacement of deputies. The Assembly following this procedure is also evidenced in the non-compliance with the Rules of Procedure of the Assembly of the Republic of Albania, namely Article 13 "Council on Regulation, Mandates and Immunities", which specifically entrusts this Council with the task of examining all matters of concern. validity of the mandate of the deputy according to Article 70 of the Constitution.

The Central Election Commission, on the other hand, took an indifferent stance to this incorrect procedure for submitting mandates, followed by the Albanian Parliament.

Also, in this CEC decision-making process for replacing and granting the mandate of the Member of Parliament of Albania, the subsequent candidate in the multi-name list of the DP and SMI subject, in addition to the vacancy announced by the Albanian Parliament, it was noted that for 16 of them¹⁴⁶ was not respected the obligation for their approval by a qualified majority of five votes.

Article 24 of the Electoral Code recognizes the award of seats under Articles 162 and 163 when no less than 5 CEC members vote in favor. Meanwhile, Article 164 provides for the conditions for termination of the mandate gained under Articles 162 and 163¹⁴⁷, as well as the replacement of vacancy by CEC decision, which automatically implies repeating the procedure for determining the nominal mandates for each political party, on the basis of the order of the candidates on the list submitted by it to the CEC.

V.1.7. Adoption and implementation of the Action Plan

The Orientation Action Plan is adopted with the aim of establishing a roadmap on which to base the CEC's activity in organizing elections, as well as defining the actions that this institution should take with reference to the obligations set out in the provisions of the Electoral Code. For the elections of June 30, 2019, the Orientation Action Plan was adopted on November 19, 2018¹⁴⁸.

In contrast to previous elections¹⁴⁹, Orientation Action Plan for these elections has been more detailed in the tasks, as it consists of 82 items. Regarding its implementation, there is an overrun of legal deadlines for some decision-making¹⁵⁰ (see below). It turned out that this plan was observed in 58% of it.

"1. The mandate of a deputy acquired under Articles 162 and 163 of this Code is interrupted only for the reasons set out in Article 71 of the Constitution. Individual or collective prior agreements or declarations of termination do not constitute grounds for termination of the mandate. In the case of letters "a" and "b" of point 2 of Article 71 of the Constitution, the deputy publicly declares before the relevant Parliamentary Committee the refusal to take the oath or resignation. In this case, the Assembly shall, no later than 30 days, notify the CEC of the vacancy created."

146 15 Democratic Party mandates with decisions: no. 45 dt. 11.03.2019; no. 61 and 62 dt. 12.03.2019; no. 90 dt. 27.03.2019; no. 125 dt. 04.04.2019; no. 136 and 137 dt. 09.04.2019; no. 185, 186 and 187 dt. 23.04.2019; no.254 dt. 08.05.2019; no. 305 and 306 dt. 14.05.2019; no. 341 dt. 15.05.2019; no. 437 dt. 16.05.2019; and 1 mandate of the SMI by decision no. 86, dt. 20.03.2019.

147 Electoral Code of the Republic of Albania Article 163 "Allocation of seats within the coalition", point "5. Immediately after the completion of the procedures for the allocation of seats for each political party, pursuant to this Article, the CEC shall determine the nominal mandates for each political party, based on the order of the candidates on the list, filed under paragraph 4 of Article 67 of this Code, in descending order, starting from number one." As well as item "7. The distribution of seats under Article 162 and this Article for each constituency shall be approved by decision. The decision is issued for each constituency separately. The decision may be appealed to the Electoral College, in accordance with the procedures of Part XI of this Code, by the entities provided for in point 1 of Article 124, including candidates of the multi-name list."

148 Decision no. 33, dated 19.11.2018 of the Central Election Commission "On the approval of the orientation plan of the CEC action plan for the elections of the local government, dated June 30, 2019."

149 The Orientation Action Plan for 2017 Parliamentary Election consisted of 58 items.

150 Some of the decisions that exceeded legal limits are: Appointment of Technical Auditors, Establishment of

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V.1.7.1. Appointment of Technical Auditors

According to the Electoral Code¹⁵¹, the Central Election Commission shall be appointed no later than 30 days after enactment of the election date, i.e. not later than December 4, 2018, two technical auditors to oversee the process of preparation of voter lists.

Their appointment¹⁵² took place outside the legal deadline¹⁵³, namely on December 17 and 26, 2018.¹⁵⁴

V.1.7.2. Establishment of Regional Election Offices

Regional Electoral Offices (REOs) are set up to establish better and more efficient coordination and communication between the Central Election Commission and lower level election commissions, electoral subjects and local government bodies, in order to better administer the electoral process. They have a completely supportive function to the work of the CEC administration.

The Central Election Commission established Regional Election Offices with decision no. 9 dated January 15, 2019¹⁵⁵. Their activity is regulated by the instruction no. 1 dated 20.02.2009 of the Central Election Commission.¹⁵⁶ The number of staff employed in these offices during this election process was 28.

V.1.7.3. Establishment of Media Monitoring Board

The coverage of the election campaign by the audiovisual operators is monitored by the Media Monitoring Board (MMB), which is a temporary body set up by the CEC for each election. The MMB consists of 7 members respectively selected from each of the members of the Central Election Commission and exercises its activity with the Audio-Visual Media Authority (AMA).

MMB is tasked with monitoring the observance of the legal framework for the election campaign on public and private radio and television. The Board shall submit to the CEC daily reports of TV airtime according to coverage of electoral subjects transmitted by media service operators.

According to the provisions of the Electoral Code¹⁵⁷, The CEC had to set up the Media Monitoring Board 40 days before the start of the election campaign, i.e.

a Media Monitoring Board, Distribution of Election Campaign Funds to Election Participating Parties, etc.

151 [The Electoral Code of the Republic of Albania](#), Article 61, paragraph 2 "The CEC shall, no later than 30 days after the election decree, appoint two technical auditors by decision to verify the operations of the NCSR database. The right to nominate each technical audit is respectively of the CEC Chairman and Deputy Chairman, after consulting with representatives of the largest majority and major minority party in the CEC."

152 Mr. Zamir Hoxha was nominated by the CEC Chairman. Lorenc Bako was nominated by the deputy chairman of the CEC.

153 Vice President Biba justified the delay in proposing the auditor's name by him, with the fact that it was difficult to find someone who met the criteria set by law against the amount of remuneration offered for the task.

154 [Decision no. 35](#), dated 17.12.2018 of the Central Election Commission "On the appointment of the auditor for the supervision of the compilation of the voter list, for the elections to local government bodies dated 30 June 2019" and [Decision no. 38](#), dated 26.12.2018 of the CEC "On the appointment of the Technical Audit for the Supervision of Drafting the Voter List for the Elections for Local Government Bodies dated June 30, 2019".

155 [Decision no. 9](#) dated 01.15.2019 of the CEC "On the establishment of the Regional Electoral Offices, determining the number of their staff and location, for elections to local government bodies, of June 30, 2019."

156 [Instruction no. 01](#), dated 20.02.2009 of the CEC "On the organization and functioning of the Regional Election Offices".

157 [Electoral Code of Republic of Albania](#), Article 85, item 1 "The CEC, 40 days before the starting of the electoral campaign, shall establish a Media Monitoring Board, which has the duty to monitor the implementation of the provisions of this Code on the electoral campaign by public and private radio and television broadcasters. The Media Monitoring Board exercises its activity in the entire electoral territory. I

before April 20, 2019. Note that in this process there was no announcement or public call by the CEC directed at non-profit organizations operating in the media sector, to anticipate or to seek their fulfillment of the responsibilities set by law.

MMB was established by the CEC in extreme violation of the legal deadline dated May 28, just three days before the start of election campaign¹⁵⁸. The first meeting of the MMB was conducted in the AMA premises, on May 29, 2019.

Regarding the procedure followed by the CEC for the establishment of this body, an illegal behavior of CEC members and the administration of this institution is evidenced.

According to the provisions of the law, organizations operating in the field of media are notified by the CEC to nominate not less than 3 candidates for members of the MMB, nominations which must be submitted to the CEC no later than 50 days from the start of the election campaign, i.e. no later than April 10, 2019. Out of the total number of nominees proposed, each CEC member elects one of the candidates as a member of the MMB and submits them to the CEC no later than April 15, 2019. Following this procedure, a decision is taken to set up the BMB no later than April 20, 2019.

Referring to decision no. 694 of the CEC, it turns out that the five members elected as members of the Media Monitoring Board are proposals of a single organization¹⁵⁹. In the submission part of the decision, it is stated that all five CEC members support the candidates proposed by the organization "Center for Open Information" and therefore submitted to the CEC Secretary General on May 27, 2019, the requests for their proposal as members of the MMB. It is also stated at the end of the submission that "The CEC, from the verification of the documentation, finds that the persons nominated for membership in the MMB meet the criteria¹⁶⁰ set out in article 85/1, letter c, of the amended Electoral Code".

Referring to the preliminary materials of the meeting ¹⁶¹ dated May 28, 2019 and the official response¹⁶² of the CEC to the request of KRIIK to have copies of the documentation submitted to the CEC by the non-profit organizations operating in the media field, it turns out that the fulfillment of the eligibility criteria as set out in Article 85/1, letter c, of the amended Electoral Code, as presented in the report of the CEC Legal Department and subsequently in the reasoning part of the decision, is not true.

None of the four names¹⁶³ proposed by the four CEC members Mr. Biba, Ms. Jorgaqi, Ms. Bitri and Ms. Skenderi do not appear as a candidate proposed by the organization "Center for Open Information", although in the official requests

158 Decision no. 694, dated 28.05.2019 of the CEC "On the Establishment of the Media Monitoring Board for Monitoring the Election Campaign on Public and Private Radio and Television broadcasters".

159 Organization "Center for Open Information".

160 Electoral Code of the Republic of Albania, Article 85/1, item "c) within 30 days from the request of the CEC, each of these non-for-profit organizations proposes no fewer than three candidates for board members. The proposed candidates shall be journalists, analysts or media researchers, by profession or experience;"

161 In the preliminary materials there is only one letter submitted by the "Open Information Center", where three journalists are proposed as candidates, only one of whom, Mr. Artan Cena, was elected a member of the MMB after the proposal by the CEC chairman K. Zguri.

162 The Central Election Commission, Letter to the subject: "Return Response", with no. 14462/1 Prot, dated 18.10.2019.

163 Mr. Dardan Malaj proposed by Vice / Chairman Denar Biba; Mr. Ylli Pata proposed by the member Ms. Edlira Jorgaqi; Ms. Maklen Misha proposed by the member Ms. Rezarta Bitri and Ms. Bledar Lumani proposed by the member Mr. Bledar Skënderi.

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addressed to the Secretary General of the CEC, the above members state that their proposed candidates have been selected from the nominal list proposed by the cited organization. Even in this request, members of the CEC body state that their selection was made after consulting the nominal list of proposals for MMB members deposited with the CEC by nonprofits and that their proposal complies with the provisions of Article 85 / 1 of the Electoral Code of the Republic of Albania, as amended.

On the other hand, it appears that the four journalists selected as members of the MMB do not appear in the list of 13 names proposed as candidates of the four organizations that have submitted lists to the CEC.

Also, it results unclear how the organization "Center for open information" was notified and responded to the request from the CEC, although in extreme excess of the legal timeline, as this organization does not appear in the list of non-profit organizations officially contacted by the CEC.

V.2. Commissions of Electoral Administration Zones (CEAZ)

V.2.1. Constitution of CEAZs and supporting infrastructure

Commissions of Electoral Administration Zones are the second level commissions that administer the electoral process at the local level. These commissions are temporary and are provided for by the law with genuine political composition according to the parliamentary configuration of the political parties of the majority and the minority. The Electoral Code provides for their composition by seven members with the right to vote and one secretary¹⁶⁴ without the right to vote.

On February 1, 2019¹⁶⁵, CEC approved political parties which have the right to nominate members for the Commissions of Electoral Administration Zones. The deadline for submitting proposals to CEAZ members by political parties was March 18, 2019.

Only the Socialist Party exercised the right to send the names of the commissioners within the legal deadline, so the CEC announced the public call for applications.¹⁶⁶ by civil society to fill vacancies in these commissions.

After administering all applications and implementing the procedures, the CEC constituted 90 CEAZs at the meeting of April 9, 2019. According to the announcement from the CEC¹⁶⁷, the training of the body of these commissions was carried out on 8 and 9 May 2019.

The CEAZs administered the electoral process in the second level consisting of 4 members with the right to vote and one secretary.

Of these 5 individuals, four were representatives of the Socialist Party (SP) and one was a representative of civil society.

¹⁶⁴ Electoral Code of the Republic of Albania, Article 29 "Composition of the CEAZ".

¹⁶⁵ Decision no. 18, dated 01.02.2019 of Central Election Commission "On defining political parties to nominate CEAZ members in elections to local government bodies dated 06.30.2019 ". According to this Decision: 3 members are nominated by the SP; 2 members are nominated by DP; 1 member is nominated by the SMI; while the seventh member of the CEAZs will be nominated by the SP in the CEAZs with even numbers and by the DP in the CEAZs with odd numbers. The secretary is nominated by the party that nominates the deputy chairman of the CEAZ.

¹⁶⁶ Central Election Commission, Notice for Open Positions, "On the appointment procedures Mainly by the CEC of the members and secretaries of the CEAZs, dated 19 March 2019.

¹⁶⁷ Central Election Commission, Press Release, "Statement on the training of CEAZ commissioners", dated 7 May 2019.

In the double-digit CEAZs, the SP nominated the chairman and three members, while the secretary was appointed mainly by civil society candidates. In the odd-numbered CEAZs, the SP had appointed a deputy chairman, two members and a secretary, while another member was nominated mainly by civil society candidates. As a result, in all 90 CEAZs, the SP owned, in addition to the majority, the management of these commissions.

Even in these elections, as in previous elections, there was a high number of replacements of CEAZ commissioners, although the Socialist Party was the only one without a political opponent in administering the EAZs.

Specifically, during the entire period of operation of the CEAZ, a total of 134 commissioners were replaced, or 18.6% of the entire body, of which 26 secretaries, 5 deputy chairmen and 102 members.¹⁶⁸

Of the 134 commissioners replaced in total, 104 were Socialist Party representatives while 30 were mostly appointed commissioners.

V.2.1.1. Rejection of PD and SMI lists for CEAZ members and secretaries

The Democratic Party (PD) and the Socialist Movement for Integration (SMI) Party, although not registered as electoral subjects for the June 30 elections, submitted their proposals to the CEC on May 22, 2019 for members of the Commissions for Electoral Administration Zones.

The DP and the SMI did not submit to the CEC the lists of candidates for members of the CEAZs within the legal deadline of March 18, as provided by the Electoral Code. But on the other hand, in accordance with the Electoral Code¹⁶⁹ and pursuant to decision no. 18 of the CEC dated 01.02.2019, it was recognized their right to deposit them within a second period of time, no later than 30 days from the day of the elections, i.e. until 31 May 2019.

After reviewing the meeting of May 23, 2019, the CEC decided that "The Democratic Party and the Socialist Movement for Integration Party by not registering in the elections of June 30, 2019 do not meet the legal criteria to be an electoral subject in the electoral process of 30 June 2019 Elections and consequently cannot nominate members for the CEAZ (and respectively for the VCC and BCT) at this stage of the electoral process¹⁷⁰".

The decision was appealed by the DP and the SMI in the Electoral College, which with decision no. 10 dated 06.06.2019¹⁷¹ decided to uphold the decision of the Central Election Commission, on the grounds that the plaintiffs do not enjoy active legitimacy to appeal to the Electoral College, in interpretation of Article 145 of the Electoral Code, according to which this right belongs to electoral subjects.

168 See Annex no. 2 – Dismissals and nominations of members of the Commissions of Election Administration Zones.

169 Electoral Code of the Republic of Albania, Article 29, point 5, paragraph 2 "The members appointed stay in office until the appointment of members proposed by political parties, in accordance with this article The replacement shall take place no later than 30 days from the election date."

170 Decision no. 657 date 23.05.2019 of CEC "For review of the request for appointment of members and secretaries of CEAZs proposed by the Democratic Party of Albania and CEAZ members proposed by the Socialist Movement for Integration, for the elections for local government bodies of June 30, 2019".

171 Decision No. 10, dated 06.06.2019 of the Electoral College "For the purposes of Article 145 of the Electoral Code, political parties are entitled to apply to the Electoral College by opposing the decision-making of the Central Election Commission only in cases when their application for registration as an electoral subject has been rejected. In the case at trial the political parties, the plaintiffs, the Democratic Party and the Socialist Movement for Integration, have not applied to register as electoral subjects, although all deadlines provided for in the Electoral Code to be registered as such have expired. Consequently, in the concrete conditions and circumstances, the political subjects, plaintiffs in the trial, do not enjoy the active legitimacy to oppose the activity of the defendant, the CEC, by complaining to the Electoral College".

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The decision of the CEC to reject the request of PD and LSI to nominate commissioners, was a decision with a one-sided and incomplete approach to legal treatment, according to the letter and spirit of the Electoral Code for the construction of politically balanced electoral administrations, according to the parliamentary political configuration.

The Electoral Code provides for the constitution of the CEAZs on the principle of political counterbalancing of parliamentary forces. Thus, the Code provides for the constitution of seven members with three members from the parliamentary majority and three members from the parliamentary minority. While the seventh member in half of the CEAZs is proposed by the main party of the parliamentary majority and in the other half by the main party of the parliamentary minority.

In this definition, the Code is evasive in the legal reference “parliamentary majority and minority”, which in the local legal context can receive different readings¹⁷².

This definition used is distorted and transformed at the second moment that the Code regulates the progress of CEAZs. The Electoral Code, when regulating the procedure of dismissal-replacement of the membership of CEAZs, uses the term “electoral subject”.¹⁷³

This change of terminology, although very wrong in terms of legislative technique and as indicated eventually in 2019 elections, reflects the prerogative on which the progress of the electoral process is built.

The Electoral Code makes it clear that the main parliamentary forces are necessarily included as electoral subjects and thus carry the attribute of administering the electoral process.

In this regard, the CEC in its controversial decision-making on the constitution of the CEAZs, has conducted a formal reading that the Electoral Code allows, recognizing to the electoral subject the attribute to propose the membership of the CEAZs.

But, on the other hand, referring to its spirit, it is judged that in fact the Electoral Code recognizes the parliamentary forces that in counterbalance build and ensure the electoral process.

As a result, the reading of the Electoral Code conducted by the CEC again showed a behavior with two standards, as this institution did not invite parliamentary electoral subjects to propose the missing membership of CEAZs for those areas where there was a candidacy race, considering and amending its own decision no. 18 dated 01.02.2019.

The administration of the electoral process at the second level, and then at the third level, by a single political force highlighted more than any other electoral process the shortcomings of the current electoral administration system, accepted to date thanks to its basis in bi-political partisanship.

172 The February decision of the Central Election Commission was also based on this evasive element of the law. In Decision no. 18, dated 01.02.2019, the CEC recognized the proposal of the three members of the parliamentary majority only to the Socialist Party. This is because the CEC considered the SP the only party of the parliamentary majority. While recognized the proposal of the three members of the parliamentary minority by the DP and the SMI, respectively, considering the PSD, the fifth parliamentary party, as a fourth force of the parliamentary minority.

173 Electoral Code of the Republic of Albania, Article 32 “Discharge and release from duty of members and of a secretary of a CEAZ”, “2. The members and the secretary of the CEAZ shall be released from duty by a CEC decision when they: a) have a close relationship by marriage, or family relations, to the fourth degree, with any of the candidates running in that zone; b) have employment relations with any of the candidates included in the multi name list of a party or a coalition running in that zone; c) no longer meet the criteria of being a voter; d) no longer have their domicile in the electoral zone; e) the electoral subject that has proposed them requests their substitution.

3. The member and the secretary of the CEAZ shall be released/discharged from duty by the CEC, upon its own initiative or upon the proposal of the electoral subjects, only for the reasons provided for in this article. In any case, the request for release or discharge from duty should also contain the arguments and facts concerning the alleged violation. In the case provided for in letter “d” of point 2 of this article, this rule shall not be applicable, and the request shall be accepted in any case”.

This process “blown up” the mechanism of political counterbalancing, marked the precedent of totalitarian unilateral administration, and highlighted the necessity of building them by administrators independent of political forces.

Following the previous positions on the issue of the electoral process administration body, it is strongly recommended to establish a professional body of election commissioners, in several steps starting, first, with the establishment of commissions for administration of election zones with professional individuals and without no connection to political forces.

This management scheme necessarily requires that it be accompanied by safeguards and secure mechanism to ensure that these individuals are not punished for their actions or omissions during the election process, while encouraging and supporting only the exemplary implementation of the requirements of the law, in respect of the spirit of the constitution not to violate in any case the will of the citizens.

V.2.1.2. Determination of Ballot Counting Centers venues

The determination of the Ballot Counting Centers (BCC) venues for each Electoral Administration Zone (EAZ) is carried out by a decision of the CEC, following the proposals sent to this institution by the Prefects of each Region.

The CEC determined the addresses of the ballot counting centers in accordance with the deadlines and legal procedures provided.

Using as legal justification the Decree of President no. 11199 dated 10 June 2019¹⁷⁴, by which the President of the Republic repealed the decree setting the date of the elections on June 30, some municipalities (whose mayors were elected under the banner of PD or LSI) demanded the release of the premises under their jurisdiction, which had already been determined by a decision of the Central Election Commission as Ballot Counting Centers.

After these demands and the extremely busy political situation, the prefects asked the CEC to change the addresses of some BCCs.

With the decision of the Central Election Commission, it was decided to change the location for 14 Ballot Counting Centers¹⁷⁵. Decisions regarding the change of BCC addresses were taken by the CEC from 22 June to 28 June 2019.

Although the Electoral Code does not provide explicit time limits for changing the location of BCCs¹⁷⁶, it sets a deadline, at least 10 days before election day that the BCC premises must be made available to the respective CEAZ¹⁷⁷.

¹⁷⁴ [Decree No. 11199](#), dated 10 June 2019 of the President of the Republic “On the abrogation of Decree no. 10928, dated 05.11.2018 of the President of the Republic “On setting the Election Date for Local Government Bodies.”.

¹⁷⁵ Change of Ballot Counting Center for EAZ no. 44 Municipality of Peqin; Change of Ballot Counting Center for EAZ no. 4 Municipality of Shkodra.; Change of Ballot Counting Center for EAZ no. 5 Municipality of Shkodra.; Change of Ballot Counting Center for EAZ no. 6 Municipality of Municipality of Vau Dejës; Change of Ballot Counting Center for EAZ no. 2 Municipality of Shkodra.; Change of Ballot Counting Center for EAZ no. 3 Municipality of Shkodra.; Change of Ballot Counting Center for EAZ no. 53 Municipality of Përrenjas; Change of Ballot Counting Center for EAZ no. 9 Municipality of Tropojë; Change of Ballot Counting Center for EAZ no. 42 Municipality of Kavajë; Change of Ballot Counting Center for EAZ no. 16 Municipality of Mat; Change of Ballot Counting Center for EAZ no. 67 Municipality of Pogradec; Change of Ballot Counting Center for EAZ no. 85 Municipality of Selenicë; Change of Ballot Counting Center for EAZ no. 87 Municipality of Delvinë; Change of Ballot Counting Center for EAZ no. 11 Municipality of Kukës.

¹⁷⁶ Articles 93 and 94 of [Electoral Code](#), designate only time of the BCC location determining that is no later than 40 days before election day.

¹⁷⁷ [Electoral Code of the Republic of Albania](#), Article 94 “Location and preparation of the Ballot Counting Centers”, Point 1, paragraph 2 “The Ballot Counting Centers are placed at the disposal of the CEAZs no later than 10 days prior to the election date. The CEAZ, no later than 5 days before the election date, invites the electoral subjects and VCC members to get to know the Ballot Counting Centre”.

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The law also provides for the establishment of CEAZ, VC and BCC headquarters, as far as possible in public places. As a practice, in previous election processes, CEAZs and BCCs have been placed in public places.

Following the aforementioned changes, in the circumstances of an unusual situation, some BCCs¹⁷⁸ were placed in private premises.

V.2.2. Activity of Commissions for Administration of Electoral Zones

Based on the unilateral establishment of commissions with SP members, the uselessness of monitoring the decision-making process and the timely limitation of the observation period, a methodology was constructed to monitor the activity of the Commissions for Administration of Electoral Zones (CEAZ) now and then, focusing on their behavior and decision-making, using, mainly, as a source of information the CEAZ commissioners themselves.

KRIIK engaged ninety long-term observers who followed with priority the work of CEAZs in the two days leading up to election day¹⁷⁹, election day and throughout the counting process, until the counting and compilation of summary tables of results for the electoral area/ relevant municipality was completed.

In addition to direct monitoring of the conduct of these commissions during these days, it was intended to collect and publish all decisions taken¹⁸⁰ by CEAZs throughout the period of their functioning for the Local Government Elections of 30 June 2019.

It was found that in many cases CEAZ commissioners were not cooperative or willing to provide information to observers, especially regarding the issuance of copies of CEAZ decision-making, which is a clearly defined right in the Electoral Code¹⁸¹ and in the CEC guidelines.

For the most part, this lack of cooperation was justified by the high volume of work, or by the absence of the CEAZ secretary at the time of the observers' visits.

Some CEAZs stated that they did not immediately have the required information available or provided approximate information, which was re-considered for the low reliability presented. Such information is the number of meetings held by the CEAZ, the number of decisions taken by it¹⁸², the number of commissioners or members of women's counting groups, the number of commissioners of trained polling stations, the number of untrained commissioners, the number of polling stations that have had various problems during election day, etc.¹⁸³.

178 Ballot Counting Center for EAZ No. 6, Municipality of Vau Dejës, was assigned to the building "Dodani"; Ballot Counting Center for EAZ No. 11, Municipality of Kukës, was assigned at premises of "Bufë Verandë" former Hotel Drini; Ballot Counting Center for EAZ No. 9, Municipality of Tropojë, was assigned at premises of "Euro Bushi" property of Mr. Bekim Hajdarmataj; Ballot Counting Center for EAZ No. 17, Municipality of Klos, was set earlier in a private facility.

179 Friday, June 28 and Saturday, June 29, 2019.

180 In the aim of KRIIK, transparency as the key word of an electoral process, it is important to characterize especially the second level of electoral administration, i.e. CEAZ, due to many specifics in functionality and competencies. In the 2017 election process, such an initiative was unsuccessful, although the CEC's own intervention was frequently requested, and it was formally and directly contacted in writing and through long-term observers attached to them. What was evident in most of the CEAZs was the hermetic will agreed by all CEAZ members of all political parties not to make transparency over their decisions, in open violation of the law.

181 Electoral Code of the Republic of Albania, Article 34 "Duties of the CEAZ secretary", "The secretary of the CEAZ performs the following duties: e) registers the decisions of the CEAZ in the official records and forwards them immediately to the interested subjects; ë) gives certified copies of CEAZ decisions or of the minutes of its meetings to the electoral subjects or to third persons, free of charge and within 24 hours from the submission of their request;

182 The number of decisions taken, reported by CEAZ members, varies from 7 to about 280.

183 In a number of CEAZs the information provided to observers regarding this point differs from the time or

In some CEAZs decisions were made only in part and in some no decision was made. In some cases, the reason given by the commissioners for not making decisions was the lack of time, in others, they allowed the observers to look at the decisions, but did not agree to provide them with copies and neither to photograph them. In some extreme cases, commissioners have even stated that observers do not have the right to see CEAZ decisions, as only the CEC has this right.

The reasons for not making available decisions and the behavior of the commissioners towards the rights of observers was different in different CEAZs, which raises questions not only about the knowledge of the legal framework or even their training, but also on reasons for showing a negative will to provide copies of their decisions or even detailed information on them, even after they have been informed that this is a clear obligation imposed on them by law.

This incomplete and incoherent understanding of the legislation regarding the rights of observers is ascertained several times by KRIIK, also in relation to other phases of the electoral process (such as the phase of taking over the election materials, during which, often, local or even international observers are not allowed to enter the premises of the BCC, in flagrant violation of the Electoral Code).

On the other hand, this approach is in line with the position of the Central Election Commission itself, which does not pro-actively place the preliminary materials of the meetings at the disposal of local non-political observers but places them only at the disposal of international observers and representatives of political parties.

V.2.2.1. Ballot Counting Teams

The vote counting process was conducted in 90 Voter Counting Centers by 864 Ballot Counting Teams (BCT).

According to the CEC decision¹⁸⁴, the vote counting teams consisted of 4 members, two members proposed by the Socialist Party and two members selected by the CEAZ by lot, by members appointed mainly by the VCCs in the respective EAZ.

Electoral Code¹⁸⁵ sets the deadline of 10 days before the election day, i.e. June 20, 2019, for the establishment of BCTs, while the decision of the CEC for their establishment is dated June 25, 2019.

From the observation made, it is reported that the constitution of BCTs was carried out beyond the legal deadline in any CEAZ, and in some cases even on Sunday. As a result of this situation, their training was delayed, even in some CEAZs just minutes before the counting process began.

This has been a problem present in the previous elections, but it became even more evident in these elections, as the members of the BCTs appointed in these elections, or at least two of them, did not have previous experience in this function, as they were not representatives of political parties.

commissioner questioned. In other cases, the reported number of decisions taken is unreliable, as it is very low, relative to the number of decisions a CEAZ must make during a normal process.

184 [Decision no. 865](#), dated 25.06.2019 of the Central Election Commission, "On the establishment of Voter Counting Teams for the elections of Local Government Bodies dated 30 June 2019".

185 [Electoral Code of the Republic of Albania](#), Article 95, point 1 "For the purpose of counting the votes at the EAZ level, Counting Teams are established 10 days prior to the election date by a decision of the CEAZ".

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V.2.2.2. Voting Centers Commission

The voting process was organized at 5,416 Voting Centers (VC)¹⁸⁶, of which 19 were special VCs¹⁸⁷, 334 VCs located in private premises by decision of the Central Election Commission and 5,063 VC in public premises.

Compared to the 2017 elections¹⁸⁸, there were a higher number of polling stations in these elections.

Voting Centers Commissions (VCC) should have been constituted by June 10, 2019¹⁸⁹. The composition of the KVCs reflects that of the CEAZ, in whose jurisdiction they operate.

Referring to the situation created regarding the composition of election administration commissions, at all levels, the CEC through public announcements called for expression of interest by citizens who were willing to exercise the duty of member of the VCC.

After administering all the applications, the CEC started on June 12, 2019 the decision-making regarding the approval of the multi-name lists of the citizens who could mainly be appointed members of the VCC¹⁹⁰ for a part of the municipalities and continued such a procedure until June 29, 2019¹⁹¹.

As stated above, it is evident that the legal deadline provided for the constitution of the Voting Centers Commissions by the respective CEAZs was not respected.

Voting Centers Commissions consisted of 4 members, 3 representatives of the Socialist Party and one representative of the civil society.

Appointments in time limits, lack of previous experience as commissioners, but also lack of training, were elements that negatively affected the work of Voting Centers Commissions.

Training of VCC members took place during the last week of the election campaign. From the observation made, it was noticed that the participation in them was low, due to the delayed appointment of VCC members.

Regarding the determination of the location of the Voting Centers, the law stipulates that in the last 40 days before the election day, their change cannot be made, except due to force majeure and with the authorization of the CEC.

However, even during this election process, the change of VC addresses has been quite frequent, and extended until election day.

In total, the location of 286 VCs was changed, changes made during the period from 3 to 30 June 2019.¹⁹²

186 The CEC website has 5,402 VCs, contrary to what appears in the final publication of the CEC.

187 VC 06371 Officers House; VC 07481 IEVP Shënkoll; VC 09382 Burrel Prison; VC 14222 IECD Durrës; VC 1680 IEVP Home for the Elderly; VC 1690 IEVP "Ali Demi"; VC 1967 Prison 302; VC 19671 Prison 313; VC 22732 IEVP Peqin; VC 2391 IEVP Elbasan; VC 25651 Kosovo Prison; VC 3433 Parangoi Dyshtnik; VC 43831 Education Class Prison Bëncë; VC 4451 Vlorë Detention Center; VC 4678 Sarandë Detention Center; VC 22241 Prison Rrogozhinë; VC 30793 Prison Patos; VC 37071 Prison Drenovë; VC 12921 Fushë Krujë, Block no. 1.

188 Election Day of June 25, 2017 was administered by 5,362 Voting Centers Commissions, of which 4,952 were located in public places, 389 in private premises and 21 VC were located in the premises of special institutions.

189 *Electoral Code of the Republic of Albania*, Article 36, Composition of the VCC, (...) "2. In any case, the members and secretary are appointed no later than 20 days prior to the election date.

190 *Decision no. 831*, dated 12.06.2019 "For the approval of name list of citizens who can be mainly appointed members of the VCC for the elections of the local government bodies dated 30.06.2019" of the Central Election Commission.

191 *Decision no. 928*, dated 29.06.2019 "For the approval of name list of citizens who can be mainly appointed members of the VCC for the elections of the local government bodies dated 30.06.2019" of the Central Election Commission.

192 See Annex no. 3 - Table of changes of polling station venues

The distribution of election materials in a large number of VCs was delayed even after the end of the legal deadline.

The most problematic were the VCs in the Shkodra region, as the Municipality of Shkodra had closed all facilities under its competence, previously defined as polling stations.

The whole process of distributing election materials in the Municipality of Shkodra and Vau i Dejës was carried out in the late hours of the night of June 29 and with the intervention of the police forces.

VI. OTHER INSTITUTIONS INVOLVED IN THE ELECTORAL PROCESS

In addition to the election administration, a number of other institutions are involved in the preparation of the election process, with various tasks and roles.

During the process of institutional observation and communication with these institutions, there was mainly a lack of reaction on their part and a lack of transparency.

This is because a large part of them have either incompletely responded to the requests made, or have not responded at all, in complete violation of the Law on Public Information, as well as the Decision of the Council of Ministers which further reinforces and gives a “privileged position” in obtaining information to organizations that observe elections and are accredited by the CEC.

VI.1. Commissioner for Civil Service Oversight and Task Force set up by the Council of Ministers to monitor the use of administration and state resources in the campaign

On April 25, 2019, the Commissioner for Civil Service Oversight (KMSHC) sent a letter of orientation to state administration institutions on how to organize the process of monitoring the behavior of civil servants during the election campaign. Pursuant to this letter and the relevant legislation¹⁹³ each institution had the obligation to set up a Working Group for Monitoring the Conduct of Civil Servants during the Election Campaign, to approve the Regulation of this working group, and to report the findings to the Commissioner for Civil Service Oversight.

In addition to setting up monitoring groups in institutions and reporting to the Commissioner for Civil Service Oversight, the Council of Ministers approved on May 10, 2019 the Decision “On Supervising the Use of Public Administration Resources in the Election Campaign”¹⁹⁴, referring to which a Task-Force was set up in order to coordinate the monitoring process.

The task Force was headed by Deputy Prime Minister was composed of 6 ministers and the heads of 4 institutions¹⁹⁵.

193 Law no. 152/2013 dated 30.05.2013 (amended) “On the civil servant”, Law no. 9131 dated 09.03.2003 “On the rules of ethics in public administration”, Law no. 90/2012 dated 27.02.2012 “For the Organization and functioning of the state administration”, etc..

194 Decision no. 283 dated 10.05.2019 “On taking measures and monitoring the activity, behavior or use of human, financial and logistical resources of the state administration, during the election process for the local elections for 2019”.

195 For the coordination of the monitoring process, according to Decision 283 dated 10.05.2019, Task Force was established, which was headed by the Deputy Prime Minister and consisted of: The Minister of Interior; The Minister of Defense; Minister of Finance and Economy; The Minister of Education, Sports and Youth; The Minister

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The monitoring set out in this decision included not only the use of state resources in the election campaign, but also the conduct and direct or indirect involvement of civil servants.

The Task Force's activity, although it should be transparent and inclusive, was not as such.

From secondary information available to KRIIK¹⁹⁶, there are data for a meeting held by the Task Force, on June 19, 2019, which is quoted as being the second meeting, while according to the DCM for its establishment, it should to meet regularly, but not less than once a week.¹⁹⁷

Also, from the verbal communication with the Central Election Commission, the observers of KRIIK were confirmed that this institution has never been called to the meetings of the task force.

Until the publication of this report, the Task Force has not issued a public report regarding its activity, while there is no official response from it on the request made by KRIIK for the number of meetings and a copy of their minutes.

KRIIK addressed an official request, on July 31, 2019, to all ministries and institutions involved in the Task Force as well as other ministries of the Albanian Government (17 institutions in total)¹⁹⁸, requesting copies of the documentation¹⁹⁹ that should have been issued by them following the implementation of the Decision of the Council of Ministers or the Order of the Commissioner for the Supervision of the Civil Service.

Ten of these institutions have responded²⁰⁰, while seven have not yet, despite exceeding any legal deadline, and in open violation of the Law on the Right to Information.

From the review of the documentation sent in response by the institutions that responded, it is concluded that some of them are incomplete, as they only sent the order to set up the monitoring group and ignored the rest of the requests²⁰¹.

of Justice; Minister of State for Relations with Parliament; Secretary General of the Council of Ministers; Director of the Department of Public Administration; Director General of the State Police; Director of Prevention of Money Laundering, at the Ministry of Finance and Economy.

In the meetings of the Task Force are invited to participate: Commissioner for Civil Service Oversight; The Ombudsman; a representative from the General Prosecutor's Office; a representative from the Central Election Commission.

196 The information is quoted by a memo sent to the Minister of Justice, Ms. Etilda Gjonaj, on July 8, 2019 by the Monitoring Group set up at the Ministry of Justice, a memo which is included in the official response to KRIIK by the Ministry of Justice. This reference is the only one found by KRIIK in relation to meetings held by the Task Force. According to the memo, the meeting of June 19, 2019 is the second meeting of the Task Force, but there is no information on when the first meeting was held. Also, in the report of the Ministry of Agriculture, sent to KRIIK in response to the request for information, a meeting conducted by the Task Force is quoted, but without quoting the date on which it was carried out, while the available report itself is undated.

197 Decision no. 283 dated 10.05.2019 "On taking measures and monitoring the activity, behavior or use of human, financial and logistical resources of the state administration, during the election process for the local elections for 2019", point 24.

198 Ministry of Finance, Ministry of Defense, Ministry of Education, Ministry of Justice, Ministry of Parliamentary Relations, Ministry of Interior, Ministry of Culture, Ministry of Tourism, Ministry of Health, Ministry of Infrastructure, Ministry of Agriculture, Ministry of Foreign Affairs, Council of Ministers, the Directorate for the Prevention of Money Laundering, the State Police, the Directorate of Public Administration and the General Prosecutor's Office.

199 Copy of the report / s submitted by the relevant institution to the Task Force, copy of the internal reports of the institution, Copy of the Order for setting up the monitoring / inspection group, Name list of the officials of the institution included in this group.

200 The Ministry of Finance, the Ministry of Defense, the Ministry of Justice, the Ministry of Culture, the Ministry of Tourism, the Ministry of Health, the Ministry of Infrastructure, the Ministry of Agriculture, the State Police, the Directorate of Public Administration.

201 - The Ministry of Tourism and Environment and the Ministry of Infrastructure have only sent orders to set up a working group to monitor the behavior of civil servants during the election campaign and the regulation of this working group, but not the reports of the working group; - The Ministry of Health has sent copies of the order for the establishment of the monitoring group and its regulation as well as the list of presentations by the employees of the Ministry, but not the report sent to the Commissioner for Supervision of the Civil Service.

Additional reports and information submitted result in content with different levels of detail.

It is noted that the reports do not have a defined structure, but use different reporting formats, despite the fact that they are all in compliance with the same legal provisions.

It is ascertained that in none of the sent reports are there any violations of the rules and no measures taken against any employee are reported.

Task Force activity to monitor the use of administration and state resources in the election campaign, a positive experience launched in 2017, but hindered in its institutional effects, brought back to the 2019 election process, but still left ineffective, seems to be a strong mechanism to which politics and power are afraid.

The need arises for its model to be improved and regulated in a solid way, so that it can guarantee real and efficient functionality, as well as ensure full transparency to the public.

VI.2. Ministry of Interior

The Ministry of Interior is one of the institutions that has a very important role in the electoral process. Not only in the framework of guaranteeing public safety and the overall progress of the process, but also in the process of drafting and correcting voter lists.

One day after the decree of the election date by the President of the Republic, the Deputy Minister of Interior issued the relevant Instruction²⁰² for the compilation of voter lists.

Based on this instruction, all civil register offices in cooperation with the Mayors, undertook for more than six months a process of verification and clarification of lists, a process which closes with the drafting of the final list of voters 40 days before election day, therefor on May 21, 2019.

The Ministry of Interior and the General Directorate of Civil Register (DPGJC), unlike previous election processes, did not publish any official data on the progress of the process, except for the announcement, made on May 25, 2019 on the Ministry's website, on publication of the final voter list.²⁰³

Even regarding this publication, it remains unclear whether the final list of voters was published on the date of notification, i.e. four days later than the deadline provided by law, or the list was published on time and the announcement on the Ministry's website was made with four day delay²⁰⁴.

A very important moment in the whole electoral process is the written notification of the citizens, a notice which contains "the polling station, its location and address, as well as the ordinal number of the voter in the voter list of his polling station". The voter or a member of his family must sign the notice.

The Legal Framework instructs the Minister of Interior to distribute the necessary financial fund to the Municipalities for the realization of this process, and even instructs that through the drafted Instruction, the Mayor reports on the fulfillment of this obligation.²⁰⁵

202 [Instruction no. 295/1](#) dated 6.11.2018 "On the procedures for drafting voter lists for elections for local government bodies dated 30 June 2019", Official Gazette no. 169/2018.

203 Ministry of Interior: [The Final Voter List for the June 30 local elections is published](#).

204 Technical audit reports contracted by the Central Election Commission cite that the final voter list has been published within the legal deadlines.

205 Article 52 "Written notification of voters", point 4.

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Even in this process, as in previous processes, it turned out that the Minister of Interior did not fully meet the requirements of the Electoral Code.

- The approved instruction does not provide for any reporting mechanism on this process.

- Also, the approved notification models did not contain a defined space where the citizen can confirm (by signing) the receipt of the written notification, as required by the Electoral Code.

- Also in terms of funds distributed for the implementation of the process of written notification of voters, a part of the municipalities that have responded to the request of KRIIK, report on the delivery of the fund in mid-February, while the period provided by the Code Electoral to make the announcement was from 4 December 2018 to 2 February 2019.

The situation becomes even more worrying when it is proven that the written notification process has been decided after the generation of the final list of voters, i.e. after May 21, 2019, in open contradiction with the entire mechanism provided for this process of correction and notification by the Code. election.

This fact was announced to KRIIK by some municipalities in the official communication, but it was also officially evidenced in the communication that one of the technical auditors had with the General Directorate of Civil Register (DPGJC)²⁰⁶, where the latter has given this misguided orientation.

Pursuant to the provisions of the so-called Decriminalization Law²⁰⁷ and Instruction of the Minister of Interior no. 225, dated 11.05.2016, DPGJC in cooperation with the General Directorate of Prisons, must identify and remove from the list of voters citizens who cannot exercise the right to vote due to committing specific criminal offenses provided for.

Also related to this process, based on the reports of the two technical auditors contracted by the Central Election Commission, there was a lack of coordination between the institutions.

In conclusion, KRIIK highlights the disturbing fact that the Ministry of Interior and the DPGJC have not returned any response to the two official letters sent, requesting information regarding the progress of the process of correcting and publishing voter lists.

Also, this Ministry did not respond to the request regarding the implementation of tasks arising from the Decision of the Council of Ministers to monitor the activity of institutions in the campaign, despite exceeding any legal deadline under the Law on the Right to Information.²⁰⁸

This deep lack of transparency, either in relation to the proper pro-active institutional behavior, or in relation to the non-disclosure of any information, in violation of the law on information and special DCM, raises a lot of questions about the whole progress of the process carried out by General Directorate of Civil Register and Ministry of Interior.

²⁰⁶ In *The report of the auditor Zamir Hoxha "On the verification of actions in the database of the National Registry of Civil Status"*, it is reflected that in response to an official email sent on May 30, 2019, requesting information on the postal notice of citizens by local units and their reports if any, DPGJC states that with the generation of the final voter list, DPGJC, took measures to generate voter notice for each administrative unit / municipality.

²⁰⁷ *Law no. 138/2015 dated 17.12.2015 "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions"*

²⁰⁸ The letters were sent on June 11, 2019 and July 29, 2019.

VI.3. Prefectures

Pursuant to the legal framework²⁰⁹ and in fulfillment of the tasks assigned to the electoral process, the prefects propose facilities at the county level, which will serve as Ballot Counting Centers (BCC).

This process was carried out in accordance with the law by the Prefects, who made their proposals to the Central Election Commission.

After the Decree of President no. 11199 dated 10 June 2019, by which the President of the Republic repealed the decree setting the date of the elections on June 30, some municipalities (whose mayors were elected under the banner of PD or LSI) demanded the release of the premises under their jurisdiction, which had already been determined by a decision of the Central Election Commission as Ballot Counting Centers.

This situation created a stalemate in the progress of the process. Following this, seven prefects²¹⁰ formally asked the Central Election Commission to designate other premises as ballot counting centers.

VI.4. Municipalities

Municipalities, as Local Government Units, are involved in the electoral process through the publication of voter lists, written notification of voters, as well as the determination of polling stations in appropriate environments according to legal criteria within the respective territory.

Regarding the publication of extracts of voter lists, from the partial and non-systematic monitoring of this process by KRIIK observers, it resulted that some municipalities²¹¹ had problems with the timely publication of any extract of electoral components.

The written notification of the voters for the elections of June 30, 2019, was a process which had to be carried out by the teams set by Municipality in the period from December 4, 2018 to February 2, 2019.

Out of 61 municipalities, only 30 responded to the official request of KRIIK regarding the progress of this process²¹², in open contradiction with the Law on the Right to Information.

Referring to the information provided by some municipalities²¹³, in response to the letter of KRIIK, it is evidenced that there is no recognition of the legal framework regarding the process of written notification of voters, as they have stated that this process is carried out after generating the final list of voters.

209 [Law no. 107/2016](#) "For the District Prefect".

210 Prefect of Kukës Region, Prefect of Vlorë Region, Prefect of Elbasan Region, Prefect of Shkodra Region, Prefect of Korçë Region, Prefect of Dibër Region and Prefect of Tirana Region.

211 Elbasan Municipality, Librazhd Municipality, Peqin Municipality, Malësi e Madhe Municipality, Shkodër Municipality, Durrës Municipality, Korçë Municipality, Selenicë Municipality, etc.

212 Berat Municipality, Kuçovë Municipality, Skrapar Municipality, Poliçan Municipality, Dibër Municipality, Mat Municipality, Bulqizë Municipality, Durrës Municipality, Shijak Municipality, Elbasan Municipality, Cërrik Municipality, Belsh Municipality, Patos Municipality, Roskovec Municipality, Lushnjë Municipality, Mallakastër Municipality, Gjirokastër Municipality, Libohovë Municipality, Përmet Municipality, Këlcyrë Municipality, Dropull Municipality, Korçë Municipality, Maliq Municipality, Devoll Municipality, Pustec Municipality, Kukës Municipality, Kurbin Municipality, Pukë Municipality, Konispol Municipality, Delvinë Municipality.

213 Bulqiza Municipality, Berat Municipality, Cërrik Municipality, Dibër Municipality, Konispol Municipality, Libohovë Municipality, Lushnjë Municipality, Poliçan Municipality.

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VI.5. Courts

The candidate announced as the winner of the election process for Mayor, by the Central Election Commission (CEC) or the Commissions of Electoral Administration Zones (CEAZ), pursuant to the Law "On Local Self-Government" requires the Judicial District Court to rule on the legality of the given mandate.

At the end of the June 30, 2019 elections, the mandates of the Mayors were verified by 22 Courts of the Judicial District in the country. The process of verification of mandates by the Courts started on 11.07.2019 and ended on 31.07.2019. As a result of this process, it was noticed that the District Courts expressed three different types of decisions regarding the same object.

VI.5.1. Verification of the mandate of the elected mayor of Durrës by the Durrës Judicial District Court

Decision no. 11-2011-4127, dated 17.07.2019 of the Durrës Judicial District Court, decided to reject the request of the applicant Valbona Sako to confirm the mandate of the Mayor of Durrës, arguing that the Democratic Obedience Party was registered outside the legal deadlines by the Central Commission of Elections, as participants in the electoral process of June 30, 2019, an element which made some decisions of the Central Election Commission, absolutely invalid administrative acts.²¹⁴.

Although the enacting clause of the decision stated that the Court where the appeal could be made was the Durrës Court of Appeals, the electoral subject of the Socialist Party of Albania, decided to re-submit the same request, with the same object, again to the Durrës Judicial District Court.

Through another trial, for the same case but with another applicant, the Court decided to verify the mandate of the Mayor of Durrës.

In this case, the reasoning²¹⁵ used for the retrial was that, in the sense of the law, this was an issue that apart from the object had nothing to do with the previous trial, and moreover that the first decision issued by it has not yet taken final form.

VI.5.2. Verification of the mandate of the elected mayor of Vora by the Tirana Judicial District Court

Court

In the decision of July 15, 2019, the Court of the Tirana Judicial District, decided to declare subjective incompetence to review the request of the Mayor of Vora with the object of proving his mandate as Mayor of Vora, elected by the Alliance for European Albania Coalition. This court delegated its competence to the Administrative Court of First Instance in Tirana, while providing that an appeal against this decision could be lodged with the High Court.²¹⁶

214 Decision no. 11-2019-4127 dated 17.07.2019: ... based on article 9 of the law "On Political Parties", in article 64 of the Electoral Code of the Republic of Albania, in articles 108, 109 and 110 of the Code of Administrative Procedures, ascertains as absolutely invalid acts the following acts:

1- Decision no. 230, dated 27.04. 2019 of CEC, For the registration of the electoral subject "Democratic Conviction Party" for the Elections for Local Government Bodies dated 30.06.2019.

2- Decision no. 660, dated 27.05.2019 of CEC, On the approval of the content of the ballot paper for the candidates for Mayor of Durrës for the Elections for the bodies of Local Government dated 30.06.2019.

3- Decision no. 944, dated 05.07.2019 of CEC, For the issuance of the voting result for the election of the Mayor of Durrës, Durrës Region, in the local elections dated 30.06.2019".

215 Decision no. 11-2019-4197 dated 19.07.2019: Article 451 / of the Code of Civil Procedure, which regulates the principle of "adjudicated matter" and the jurisprudence of the High Court and the Constitutional Court on the adjudicated matter, the same case cannot be tried again by another court if they are met. at the same time the following conditions: - the case refers to the same parties; - the case has the same object of request; - the case has the same legal cause; - the court's decision on the case is final. It is enough not to complete one of these elements so that we are not in front of the "judged thing". In the case under review, it turns out that in addition to the object of request (confirmation of the mandate of Ms. Valbona Sako as Mayor of Durrës), none of the other elements are met".

216 Decision of Tirana Judicial District Court: The court based on articles 61/1 and 62 of the Code of Civil Procedure,

The Socialist Party followed the same path as with the mandate of the mayor of Durrës, by submitting a new request to the Tirana Judicial District Court, which reconsidered the verification of the mandate of the Mayor of Vora.²¹⁷

Both of these decisions were different from the decisions of other courts in the country, which decided to verify the mandates of elected mayors on June 30, 2019.

These three types of decisions taken, as well as other decisions of the Courts reviewed by the KRIIK, raise concerns about the different reading that the court does, often based on the contexts created, as well as the use of different legal bases.

VI.5.3. Requests to be included in the voter lists

Albanian citizens, who are not included in the final list of voters, have the right to apply to the court and with the decision of the latter to be able to vote at their Voting Center.

From the information forwarded by the Courts of the Judicial District, it results that in three courts²¹⁸ there were requests from citizens who were not on the final list of voters.

In 5 courts²¹⁹ here have been requests to vote by individuals who were serving sentences at the Institutions of Execution of Criminal Offenses (IECD). Relevant courts have ruled on all of these issues.

The above information does not include information from the five²²⁰ Courts, which refused to respond to the KRIIK's request for information on these issues.

VI.5.4. Judgment of the courts in relation to election-related criminal offenses

From the review of the information forwarded by the Courts of Judicial Districts, it results that the two courts²²¹ in the country have expressed their decisions regarding criminal offenses affecting free elections and the democratic electoral system, pursuant to the articles of the Criminal Code.²²²

It should be emphasized that criminal proceedings in these cases have been initiated by the Prosecution.

article 60 (1), of law no. 139/2015 "On local self-government", as well as article 72 of law no. 49/2012 "On the organization and The functioning of the Administrative Courts and the Trial of Administrative Disputes", as amended, decided: The announcement of the subject incompetence for the review of the case with no. 10727 act, dt. Registered on 11.07.2019, by applicant Agim Kajmaku".

217 KRIIK does not have a copy of this decision, as the Tirana court refused to make it available on the grounds that, referring to the law "On personal data protection", these decisions require the approval of the Commissioner for Personal Data Protection, justification of which is totally unfounded in the law.

218 Përmet Judicial District Court 4 requests; Vlorë Judicial District Court 2 requests and Tirana Judicial District Court 78 requests.

219 Gjirokastrë Judicial District Court 15 requests; Kukës Judicial District Court 8 requests; Krujë Judicial District Court 118 requests; Fier Judicial District Court 23 requests; Mat Judicial District Court 7 claims.

220 Sarandë Judicial District Court, Shkodra Judicial District Court, Kavajë Judicial District Court, Berat Judicial District Court and Pogradec Judicial District Court.

221 The Mat Judicial District Court which has assessed the measure of arrest for 10 citizens and the Kukës Judicial District Court which has assessed the measure of arrest for 15 citizens.

222 In Chapter X of "Criminal Code of the Republic of Albania", Article 325-332, defines 10 criminal offenses that violate the freedom and integrity of free elections: *Obstruction of electoral subjects; Falsification of election material and election results; Intentional damage to election material; Violation of the secrecy of the ballot; Voting more than once or without being identified; Giving rewards and promises; Obligation to participate in political activities; Threats or rape of election participants; Voter obstruction; Abandonment of duties by members of election commissions; Violation of the right to choose; Abuse of military authority.*

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VI.6. State Police

Due to the extremely tense political situation, accompanied by national and local protests organized or supported by the united opposition, the engagement of the State Police has been on the rise throughout the period, from February 2019 when the opposition protests began and so on²²³, especially on election day.

According to the General Directorate of State Police, 7,779 police forces were deployed on the ground during Election Day, and the entire state police force was on 100% readiness from Friday until the end of the counting process.

During the election campaign, due to protests organized by the opposition, there were damages to CEAZs in 14 cities²²⁴, while on election day 2 incidents were recorded, one in the city of Durres²²⁵ and another in Klos.²²⁶

Concerns are raised about the non-response of the police regarding the obstruction of the voting in some polling stations of EAZ no. 2.

From the monitoring made about the non-organization of the electoral process in 9 polling stations in EAZ no. 2, Shkodra Region and from the investigation made, as far as possible, evidenced the non-response and non-fulfillment of the duty of the State Police in Shkodra Region in making accountable of the perpetrators who hindered the development of the election process in these polling stations, depriving xxx citizens of the right to vote.

VI.7. Prosecution

The General Prosecutor's Office signed a memorandum of cooperation with the Central Election Commission on March 12, 2019, aiming at better cooperation and coordination of work between the two institutions.

In the framework of this memorandum, the General Prosecutor's Office issued Instruction no. 3 dated 21.06.2019²²⁷ *"On administrative and procedural measures in prosecutions with general jurisdiction in the period before and after the elections"*, which purpose includes not only verifying the integrity of candidates, but also increasing the effectiveness of investigations and prosecution of perpetrators. of criminal offenses affecting free elections and the democratic system.

As of June 29, the total number of cases registered for criminal offenses affecting free elections in the run-up to the June 30, 2019 local election campaign were 12 criminal proceedings with 75 people arrested / detained.²²⁸

223 During this period, 316 citizens were prosecuted, of which 79 were arrested, 92 are wanted and 145 others were released. Also, during the protests of these months, 60 police officers were injured.

224 Berat, Kavajë, Kamëz, Vora, Lezhë, Shkodra, Vau-Dejë, Mat, Klos, Bulqiza, Dibra, Tropojë, Pogradec, Devoll.

225 On June 30, 2019, a citizen entered the polling station armed. This person was arrested.

226 On June 30, in the town of Klos, near a polling station, there was a violent conflict between 5 people, who were declared wanted.

227 General Instruction no. 3, dated 21.06.2019 of the General Prosecutor *"On administrative and procedural measures in the prosecutor's offices with general jurisdiction in the period before and after the elections"*

228 Prosecution at the Judicial District Court in:

- The Prosecution at the Elbasan Judicial District Court has registered 2 proceedings with 7 persons arrested by the judicial police for the criminal offenses "Organization and participation in illegal gatherings and manifestations", "Obstruction of the circulation of means of transport" and "Obstruction of electoral subjects "; - As well as 1 person under investigation for the criminal offense "Public call for violent actions "; - The Prosecution at the Shkodra Judicial District Court has registered 3 proceedings with 21 persons arrested for the criminal offenses "Fierce destruction of property", "Intentional damage to election materials" and "Opposition of a police officer"; - The Prosecution at the Tropojë Judicial District Court has registered 1 criminal proceeding with 7

Meanwhile, during June 30, 2019, until the end of the voting process, the Prosecutions at the Judicial District Courts and the Prosecution at the Court of First Instance for Serious Crimes in Tirana, it turns out that the total number of cases registered for criminal offenses that affect the free elections in function of the local election campaign of 30 June 2019, there were 3 criminal proceedings with 2 persons arrested²²⁹.

Central Election Commission with decision no. 639 dated 22.05.2019²³⁰ referred to the Prosecutor's Office of the Tirana Judicial District, the case of Mr. Bledar Sinella²³¹ registered by CEAZ no. 42 The Municipality of Kavajë as a candidate for the elections for the local government bodies of June 30, 2019.

The Central Election Commission, at the request of Mr. Bledar Sinella, who claimed that he had not signed any statement, form or other documentation as part of his registration as a candidate, faced the possibility of committing a criminal offense, namely that of forging stamps or forms²³².

Not being the competent body to investigate the veracity of the submitted documentation, and specifically the form of self-declaration, the CEC decided to refer the case to the Prosecutor's Office of the Tirana Judicial District.

Despite this reference and although there was no statement from the Prosecution, the candidate in question remained involved as a candidate in the ballot for mayor of Kavajë.

persons arrested and 2 detained for the criminal offense "Intentional damage to election material", "Opposition of a public order police officer", "Organization and participation in illegal gatherings and demonstrations"; - The Prosecution at the Court of the Tirana Judicial District has registered 1 proceeding with 3 persons arrested for the criminal offense "Intentional damage to election material"; - The Prosecution at the Mat Judicial District Court has registered 1 criminal proceeding against 10 persons for committing criminal offenses "Intentional damage to election material", "Opposition of a public order police officer", "Organization and participation in rallies and illegal manifestation" and "Disruption of public order"; - The Prosecution at the Kavajë Judicial District Court has registered 1 criminal proceeding with 6 arrested persons and 2 in the investigation for the criminal offenses "Destruction of property" and "Organization and participation in illegal gatherings and manifestations"; - The Prosecution at the Pogradec Judicial District Court has registered 1 criminal proceeding with 2 persons arrested for the criminal offense "Obstruction of electoral subjects"; - The Prosecution at the Court of the Dibër Judicial District Court has registered 1 proceeding with 12 persons arrested for the criminal offense "Intentional damage to election material"; "Opposition of a public order police officer"; - The Prosecution at the Fier Judicial District Court has registered 1 criminal proceeding against 4 persons for the criminal offense "Intentional damage to election material".

229 - The Prosecution at the Durrës Judicial District Court has registered 1 criminal proceeding against 1 person arrested for committing the criminal offenses "Intentional damage to election material", "Threat or rape of election participants", as well as "Keeping without permission and production of weapons, explosives and ammunition"; - The Prosecution at the Court of the Tirana Judicial District has registered 1 criminal proceeding against 1 arrested person suspected of committing the criminal offense "Intentional damage to election material", remained attempted; - The Prosecution at the Mat Judicial District Court has registered 1 criminal proceeding without perpetrator for the criminal offense of "Destruction of property with explosives".

230 Decision no. 639 dated 22.05.2019 of CEC "On the review of the withdrawal request from the candidacy for mayor of Kavajë Mr. Bledar Sinella, for the elections for the local government bodies of 30 June 2019".

231 On 21.05.2019 in the Central Election Commission was registered the letter with no. 4088 prot., and the subject "Expression of will not run and notice of withdrawal from the candidacy". Mr. Bledar Sinella, referring to the request for withdrawal from the candidacy, among other things, claims that he has not submitted any document signed by him to the CEAZ no. 42 Kavajë nor in the Central Election Commission.

232 Criminal Code, article 190 (Amended by law no. 9188, dated 12.2.2004, article 6; added by law no. 9275, dated 16.9.2004, article 15; repealed by the decision of the Constitutional Court no. 47, dated 26.7.2012, the part that provides for a fine as the main punishment): "Falsifying or using stamps, seals or forged forms or presenting false circumstances to the latter, which are addressed to state bodies, is punishable by imprisonment from six months to four years. When this offense is committed in collaboration or more than once or has brought serious consequences, it is punishable by imprisonment from six months to five years. When forgery is committed by a person who has the task of drafting them, he is sentenced to three to seven years in prison".

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VII. REGISTRATION OF ELECTORAL SUBJECTS

An election subject is any political party or coalition of political parties, which are registered as such, according to the rules set by law in the Central Election Commission and nominate candidates.

Also, electoral subjects are candidates for mayor are candidates, as well as independent candidates, who are not supported by political parties, but by a group of voters, and are subject to registration procedures in the CEC or CEAZ, defined in the Electoral Code.

For the June 30, 2019 elections, 42 political parties were registered with the CEC, of which only 36²³³ appeared on the ballot (since the rest did not register any candidate or list of candidates). Of these political parties, 27 were grouped into two pre-election coalitions.²³⁴

Meanwhile, 16 independent candidates were registered and competed, of which 6 candidates for mayor and 10 candidates for council members. So, in total for these elections were registered and competed 52 electoral subjects.

VII.1. Registration of political parties

The Alliance for European Albania Coalition consisted of 21 political parties²³⁵ while the Hope for Change Coalition consisted of six political parties.²³⁶ Nine political parties²³⁷ competed independently outside the coalitions.

While six political parties²³⁸, despite registering at the beginning of the process in the CEC, did not send any candidate for competition, thus not becoming a competitive electoral subject, and consequently not even part of the ballot.

With regard to the registration of electoral subjects, the Electoral Code provides for criteria and deadlines, which in not every case were rigorously applied by the Central Election Commission.

233 Democratic Conviction Party; National Front Party; Liberal Democratic Union Party; Red and Black Alliance Party; Albania Hour Party; Albanian Emigration Party; Communist Party of Albania; Party for Persons with Disabilities; The Alliance for Equality and European Justice Party; National Albanian Alliance Party; Social Democracy Party; Christian Democratic Party; Albanian Workers' Movement Party; Albanian National Reconciliation Party; Green Party; Party G99; Albanian Democratic Reform Party; Albanian Christian Democratic Alliance Party; Albanian Social Working Party; Alliance for Democracy and Solidarity Party; Emigrant Rights Protection Party; Democratic Party for Integration and Prosperity; Albanian Democratic Alliance Party; Moderate Socialist Party; Albanian Future Party; National Unity Party, Social Democratic Party of Albania; Denied Rights Party; Socialist Party of Albania; Macedonian Alliance for European Integration Party; Albanian Workers' Rights Protection Party; Albania National Conservative Party; Freedom for Democracy and Ethics Party; Greek Ethnic Minority Party for the Future; New European Democracy Party; New Democratic Spirit Party.

234 Coalition "Alliance for European Albania" registered by the CEC with decision no. 251 dated 07.05.2019 and the Coalition "Hope for Change" registered by the CEC with decision no. 273 dated 10.05.2019.

235 The National Albanian Alliance Party, the Social Democratic Party, the Christian Democratic Party, the Albanian Labor Movement Party, the Albanian National Reconciliation Party, the Green Party, the G99 Party, the Albanian Democratic Reform Party, the Albanian Christian Democratic Alliance Party, the Albanian Social Workers' Party, the Alliance Party Democracy and Solidarity, the Party for the Protection of Immigrants' Rights, the Democratic Party for Integration and Prosperity, the Albanian Democratic Alliance Party, the Modern Socialist Party, the Albanian Future Party, the National Unity Party, the Social Democratic Party of Albania, the Denied Rights Party, The Socialist Party of Albania and the Alliance for Equality and European Justice Party.

236 The New European Democracy Party, the National Front Party, the Liberal Democratic Union Party, the Red and Black Alliance Party, the Hour of Albania Party and the Albanian Emigration Party.

237 New Democratic Spirit Party, the Communist Party of Albania, the Party for Persons with Disabilities, the Alliance Party of Macedonians for European Integration, the Party for the Protection of Workers' Rights of Albania, the National Conservative Party Albania, the Party for Freedom, Democracy and Ethics, The Greek Ethnic Minority Party for the Future and the Democratic Conviction Party.

238 The Albanian Democratic Union Party, the Solution Party, the Law and Justice Party, the Equal List Party, the New Albania Party and the People's Alliance Party.

A major concern in this election was the registration of the electoral subject Democratic Obedience in flagrant violation of the law.²³⁹

On April 27, 2019, the CEC took the decision to register this party as an electoral subject²⁴⁰.

This decision is in clear violation of the Electoral Code, which stipulates that political parties, in order to register as electoral subjects must submit "the certificate that the party is registered in Judicial District Court of Tirana."²⁴¹

Contrary to this provision, as quoted in the CEC Decision on the registration of the Democratic Conviction, the CEC registered this party based on a certificate from the Tirana Judicial District Court, stating that the Court "has decided to register as a legal entity of "Democratic Conviction Party" in the register of political parties.

The decision also states that this decision of the Court is not final.

Not only that, but in the case of registration of the subject "Democratic Obedience Party" the decision to register in the Court²⁴² was taken two days after the deadline for registration of electoral subjects, i.e. on April 25, 2019.

This decision of the CEC, in addition to being in clear violation of the deadline set by the Electoral Code, is also contrary to the legal practice followed by it in the 2013 Parliamentary Elections²⁴³ and Local Elections 2015²⁴⁴, as well as the practice and decision-making of the Electoral College of 2013²⁴⁵, for non-registration of the electoral subject, the decision of registration in the Court of which, within the deadline determined by the Electoral Code, has not yet become final.

Although the Chairman of the CEC, Mr. Zguri brought to the attention of the members this concern, the other four members of the CEC not only did not take into account the established practice, but in an unprecedented way did not hold any discussion or presentation of their position and "in the bloc" voted "For" the registration of the subject, against the vote "against" the Chairman of the CEC.

This attitude turned out to be contrary to the position of the CEC itself expressed in the Press Release²⁴⁶ dated January 4, 2019, where it was stated that due to criticism from international observation mission²⁴⁷, CEC would be determined this time to neither understand nor tolerate delays in applying for registration of electoral subjects.

239 On May 6, 2019, KRIIK published the statement "*Maintaining the impartiality and integrity of the Central Election Commission is vital for the functioning of a democratic and legal state.*", which also addressed this issue.

240 *Decision no. 230* dated 27.04.2019 of the CEC "On the registration as an electoral subject, the Party "Democratic Conviction" for the elections of the local government bodies of June 30, 2019".

241 *Electoral Code of the Republic of Albania*, Article 64 "Registration of political parties in elections" point 2, letter a "For being registered as an electoral subject for any kind of elections, a political

party shall submit to the CEC: a) an attestation proving that the party is registered with the District Court of Tirana;"

242 Registered with decision no. 513 dated 25.04.2019 of the Tirana Judicial District Court.

243 *Decision no. 241* dated 19.04.2013 of the Central Election Commission "On the registration as an electoral subject of the "Civil Party of Albania" for the elections of the Assembly of 23.06.2013" and *Decision No. 279* dated 03.05.2013 "For the review of the request of the Civil Party for the revision of the decision of the CEC no. 241, dated 19.04.2013 "241, dated 19.04.2013 "On non-registration as an electoral subject of the "Civil Party of Albania", for the elections of the Assembly of 23.06.2013".

244 *Decision no. 158* dated 16.04.2015 of CEC "For review of request of the "Shkodra Party 2015" for registration as an electoral subject in the elections for Local Government Bodies of the date 21.06.2015".

245 Electoral College of the Tirana Court of Appeals, Decision no. 3, dated 27.04.2013.

246 *Press Release* of CEC dated 04.01.2019: "The legal deadline for the registration of political parties for these elections ends on April 21, and for the registration of electoral coalitions in the CEC ends on May 1. Registration is done as always with the CEC. If the political parties do not respect the first deadline, they will not be able to participate in the June 30, 2019 elections. If they do not meet the second deadline, they cannot run as electoral coalitions. In the past, the CEC has been criticized by international monitoring missions for registering electoral subjects beyond legal deadlines, so it is particularly determined this time not to comprehend or tolerate delays in applying for registration. The CEC calls on political parties today to organize in time for the completion and submission of registration documentation".

247 The Final Report of the OSCE / ODIHR Election Observation Mission to the Assembly of 25 June 2017, "I. Summary", page no. 2: "Although inclusive on a large scale, the process of registering candidates ran counter to selective and non-selective application of the law and, in some cases, relied on political agreement rather than law."

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The registration of the Democratic Conviction as an electoral subject, in addition to being in complete contradiction with the law and the precedents set by the CEC itself, raised strong doubts about the political motives behind “this tolerance” by the Central Election Commission.

From the complete observation of this electoral process, with the experience of observing the previous processes, a completely incorrect behavior of the political parties in relation to the observance and implementation of the letter and spirit of the whole legal framework is observed, which is also encouraged by tolerance and impunity behavior in some cases, by the CEC in the first place, the latter directly influenced by the political will of the main political forces, from which the CEC body itself has been proposed.

From this point of view, negligence or tolerance regarding the non-compliance with formal and substantive elements throughout the electoral process has been observed, starting from the submission of self-declaration forms, incompleteness of the submitted CVs of the candidates, submission of candidate lists for members of the Municipal Councils, up to the financial reporting made by them.

Under this approach, from an observation made in the review of the acts of registration in the Tirana Judicial District Court, for the political parties participating in these elections, according to the statute and decision-making submitted to the court by the relevant party governing bodies and taking into account April 21 2019, the deadline for registration of parties in the CEC, as a deadline for calculating the legal mandate of representation, appears that:

- 9 political parties²⁴⁸ have their Chairmen within the valid term of their mandate of representation, according to the definitions in the relevant statute.

- 5 political parties²⁴⁹ are considered to have their Chairmen within the valid term of their representation mandate, although it does not result in a limited mandate over the years, expressly defined in the relevant statute (*in this case it is calculated as a valid term, the 7-year term as the longest term recorded in the entire list of parties*);

248 - Democratic Conviction Party, current chairman formalized after Tirana Judicial District Court's decision dated 25/04/2019.

- Albanian Democratic Reform Party, current chairman formalized after Tirana Judicial District Court's decision dated 15.03.2019.

- Party Persons with Disabilities, current chairman formalized after Tirana Judicial District Court's decision dated 27.06.2018.

- The Red and Black Alliance Party, the current chairperson formalized after Tirana Judicial District Court's decision dated 19.12.2017.

- Hour of Albania Party, actual chairman re-formalized after Tirana Judicial District Court's decision dated 23.11.2017.

- Party Alliance for Equality and European Justice, current chairman formalized after Tirana Judicial District Court's decision dated 20.09.2017.

- National Conservative Party of Albania, current chairman formalized after Tirana Judicial District Court's decision dated 20.02.2017.

- The Christian Democratic Party of Albania, actual chairman re-formalized after Tirana Judicial District Court's decision dated 14.01.2016.

- Albanian Labor Movement Party, current chairman formalized after Tirana Judicial District Court's decision dated 27.04.2015.

249 - G99 Party, current chairman formalized after Tirana Judicial District Court's decision dated 01.04.2016.

- New Democratic Spirit Party, current chairman formalized after Tirana Judicial District Court's decision dated 20.04.2015.

- The Socialist Party of Albania, the last submission to the Court is of 2013, but according to the published statute of the SP on the official website, which was changed in 2016, the mandate of the Chairman of the party is considered renewed when he / she is elected prime minister. But these changes do not appear to be reflected in the Court.

For more see *SP Statute, Article 40, point 5.*

- The Communist Party of Albania, the current chairman formalized after Tirana Judicial District Court's decision dated 17.12.2012.

- Democratic Alliance Party, the current chair made official after the decision of the District Court of Tirana, dated 22.05.2014.

- 9 political parties²⁵⁰ have their Chairmen outside their mandate of representation, as defined in the relevant statute.

- 13 political parties²⁵¹ are considered to have their Chairmen outside the validity period of their representation mandate, although it does not result in a limited mandate over the years, expressly defined in the relevant statute (*in this case the 7-year mandate is calculated as valid as the longest time period recorded in the entire submitted list of parties*);

It is emphasized that the Chairmen of Political Parties have the mandate to register and represent their political subject, when this representation mandate is within its validity period, according to the statute and decision-making filed in court by the relevant party governing bodies.

Consequently, in the case of a pro-active approach by CEC to ensure the integrity of the electoral process as well as the electoral offer submitted, 22 of the political parties (the last two groups) should not be allowed to register to participate in

250 -Democratic Party for Integration and Prosperity, current chairman formalized after Tirana Judicial District Court's decision dated 01.04.2015, despite the fact that the party's statute explicitly stipulates that the term of office of the party chairman is 2 years;

- The Party of Denied Rights, current chairman formalized after Tirana Judicial District Court's decision dated 10.04.2013, despite the fact that the party's statute explicitly stipulates that the term of office of the party chairman is 3 years;

- Moderate Socialist Party, current chairman formalized after Tirana Judicial District Court's decision dated 28.01.2011, which is also the decision of registration of this party in the Court, despite the fact that the party statute clearly states that the mandate of the party chairman is 4 years ;

- The Party Christian Democratic Alliance of Albania, current chairman formalized after Tirana Judicial District Court's decision dated 07.12.2010, despite the fact that the party's statute explicitly stipulates that the term of office of the party president is 3 years;

- The Alliance of Macedonians for European Integration, current chairman formalized after Tirana Judicial District Court's decision dated 10.07.2009, despite the fact that the party's statute explicitly stipulates that the term of office of the party chairman is 4 years; (on 11.10.2019, changes are submitted to the Court for the election of the new President Mr. Vasil Steriovski);

- National Front Party, current chairman formalized after Tirana Judicial District Court's decision dated 16.02.2004, despite the fact that the party statute clearly states that the mandate of the party chairman is 4 years.

- The Party for the Protection of Workers' Rights of Albania, current chairman formalized after Tirana Judicial District Court's decision dated 10.06.2002, which is also the decision of registration of this party in the Court, despite the fact that the party statute clearly states that the mandate of the party chairman is 4 years;

- The Party for the Protection of Immigrant Rights, current chairman formalized after Tirana Judicial District Court's decision dated 18.02.2002, which is also the decision of registration of this party in the Court, despite the fact that the party statute clearly states that the mandate of the chairman the party is 4 years;

- The New European Democracy Party, current chairman formalized after the Decision of the Civil College of the Court of Cassation dated 06.02.1997, which is also the decision to register this party, despite the fact that the party statute clearly states that the mandate of the party chairman is 7 years;

251 - The National Albanian Alliance Party, current chairman formalized after Tirana Judicial District Court's decision dated 17.12.2010, which is also the decision of registration of this party in the Court.

- Party for Freedom, Democracy and Ethics, current chairman formalized after Tirana Judicial District Court's decision dated 25.03.2010, which is also the decision to register this party.

- The Alliance for Democracy and Solidarity Party, current chairman formalized after Tirana Judicial District Court's decision dated 03.03.2009, which is also the decision of registration of this party in the Court.

- Green Party, current chairman formalized after Tirana Judicial District Court's decision dated 30.01.2008.

--The Social Democratic Party of Albania, whose Chairman at the time of registration, was Mr. Skënder Gjinushi, re-officialized after Tirana Judicial District Court's decision dated 16.05.2005.

- Liberal Democratic Union Party, the current re-official Chairman after Tirana Judicial District Court's decision dated 13.04.2005.

- Social Democracy Party, current chairman formalized after Tirana Judicial District Court's decision dated 07.05.2003, which is also the decision of registration of this party in the Court.

- Albanian Future Party, current chairman formalized after Tirana Judicial District Court's decision dated 15.11.2002, which is also the decision of registration of this party in the Court.

- The Ethnic Greek Minority Party for the Future, current chairman formalized after Tirana Judicial District Court's decision dated 10.06.2002, which is also the decision to register this party.

- Albanian Emigration Party, current chairman formalized after the Order of the Minister of Justice dated 16.07.1998, which is also the decision of registration of this party.

- The National Reconciliation Party, current chairman formalized after the Order of the Minister of Justice dated 24.12.1997, which is also the decision of registration of this party.

- Social Working Party of Albania, current chairman formalized after the Order of the Minister of Justice dated 04.03.1992, which is also the decision of registration of this party.

- The Party of National Unity, current chairman formalized after the Order of the Minister of Justice dated 15.03.1991, which is also the decision to register this party.

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the electoral process, as long as their functioning is not in accordance with the constitutional and legal criteria, which make it possible to define these non-profit legal entities, such as the Political Party.

The CEC is urged to play a proactive role towards political parties, in fulfilling the principle of equality before the law, in accordance with democratic principles²⁵² that they should reflect, as well as the moral and political integrity that they should convey²⁵³, in the context of ensuring the integrity of the electoral process and the electoral offer presented for the governance of the people and the country.

VII.2. Registration of candidates

Any political party registered as an electoral subject in the Central Election Commission may nominate candidates for mayor or members of municipal councils.

In addition to political parties, candidates can also be nominated by the Electoral Coalition, previously registered with the CEC.

Also, the law recognizes the right of every citizen, who meets the legal criteria set out in Article 70 of the Electoral Code, to run as a candidate supported by voters.

The process of registration of candidates for mayor is carried out by the Central Election Commission for municipalities which have in their territory more than one EAZ, and by the CEAZ itself in the municipalities where the territory of the municipality coincides with that of EAZ.²⁵⁴

Specifically, for the elections of June 30, 2019, candidates for mayors and lists of candidates for members in municipal councils, in 51 municipalities were registered by the CEAZs and for the 10 largest municipalities were registered by the Central Election Commission²⁵⁵.

Each individual, nominated as a candidate for Mayor or member of the Municipal Council, submitted to the CEC the form of self-declaration (decriminalization), and underwent the verification process, pursuant to Law 138/2015. "For guaranteeing the integrity of persons elected, appointed or exercising public functions", which is realized by the Central Election Commission in cooperation with the Office of Civil Register and the Office of Judicial Status.

All self-declaration forms, after being verified, scanned and published on the website of the²⁵⁶ Central Election Commission.

252 Constitution of the Republic of Albania, Part One "Basic Principles", Article 9, point 1 "Political parties are created freely. Their organization shall conform with democratic principles."

Law 8580 dated 17.2.2000 "On political parties", as amended, Article 4 "Political parties, in the activity for achieving their goals, use only democratic means and methods" and Article 7 "Registration of a party is prohibited in cases when: a) its internal organization is contrary to democratic principles and, in particular, to the following principles: building the party from the bottom up, internal democratic elections for party forums, the right to express one's opinion by any member, freedom of entry and exit from the party, the right of every member to vote and to be elected; ..."

253 Ibid., Article 2 "Political parties participate in the formation of the political will of the people in all areas of public life and mainly through: a) the impact on the creation of public opinion and political education; b) promoting the active participation of citizens in political life and evidencing the training of citizens to assume public responsibility; ..."

254 Electoral Code of the Republic of Albania, Article 67 "The list of candidates of parties and party coalitions", point 3 "his point. The CEAZ submits a copy of the list to the CEC within 48 hours.

3. Pursuant to the second paragraph of point 1 and the second paragraph of point 2 of this article, the candidate for mayor and lists for municipal council which territory is not covered by a single CEAZ, are registered with the CEC".

255 Tiranë, Durrës, Elbasan, Shkodër, Lezhë, Kamëz, Lushnjë, Fier, Vlorë and Korçë.

256 You can find the self-declaration forms of all the candidates who ran in these elections [here](#).

After the verifications carried out by the CEC, for a candidate²⁵⁷ for mayor, the request for candidacy was rejected, as it was in the conditions of stopping the candidacy in implementation of the law 138/2015. The CEC decision was appealed to the Electoral College, which upheld it²⁵⁸. The candidacy was also rejected by 11 candidates²⁵⁹ for members of the Municipal Councils.

In the progress of the verification process, there were two candidates²⁶⁰ who were allowed to run, but did not receive the mandate, as the verification results, although belatedly categorized them included in the scope of prohibition of candidacy, according to law 138/2015.

In the Elections for Local Government Bodies of June 30, 2019, a total of 97 candidates for mayor were registered and nominated in²⁶¹ 61 municipalities of the country.

In 31 municipalities²⁶² there was only one candidate, in 25²⁶³ municipalities two candidates competed, in four municipalities²⁶⁴ three candidates competed and in one municipality²⁶⁵ four candidates competed.

Three candidates²⁶⁶, despite their request not to be part of the process, a request made by them after their registration as a candidate by the Central Election Commission or by the Commission of Electoral Administration Zones resulted in voting day as part of the ballot, consequently also formally in the race.

257 Decision no. 516 dated 17.05.2019 of the Central Election Commission, "For the verification of the declarations in the form of the self-declaration of the candidate for mayor in the Municipality of Himarë Mr. Dhionisios Alfred Petro Beleri, pursuant to law no. 138/2015, "On guaranteeing the integrity of persons elected and/or appointed to or exercising public functions"".

258 Decision no. 2 dated 30.05.2019, of the Electoral College at the Court of Appeals in Tirana.

259 - Mr. Elidon Beqiri, candidate of the Democratic Alliance Party for member of the Municipal Council of Këlcyrë; - Mr. Altin Miftari, candidate of the Communist Party for member of the Municipal Council of Bulqiza; - Mr. Nikoll Uka candidate of the Albanian Future Party for member of the Municipal Council Fushë-Arrëz; - Mr. Vilson Çekaj, candidate of the Christian Democratic Party for member of the Municipal Council Malësi e Madhe; - Mr. Fatmir Veizaj, candidate of the Democratic Conviction Party for member of the Mallakastër Municipal Council; - Mr. Xhevdet Sopaj, candidate of the Hour of Albania Party for a member of the Kukës Municipal Council; - Mr. Nezir Ferati, candidate of the Albanian Democratic Reform Party for member of the Municipal Council of Kukës; - Mr. Andon Dodani, Socialist Party candidate for member of the Vau-Dejës Municipal Council; - Mr. Flamur Nasufi, Green Party candidate for Gramsh Municipal Council member; - Mr. Alfred Alfredaj, candidate of the Moderate Socialist Party for a member of the Tropojë Municipal Council; - Mr. Gjin Nika candidate of the Moderate Socialist Party for member of the Municipal Council of Shkodra.

260 Due to the limited time available, the preliminary verification carried out by the CEC within the decriminalization law turned out to be incomplete. During the decision-making at the Electoral College regarding the distribution of mandates, Mr. Ramadan Baho the first candidate of the list of the Social Democratic Party for the Municipal Council Ura Vajgurore and Mr. Jahir Cahani, the first candidate on the list of the Democratic Alliance Party for the Has Municipal Council, did not receive the mandate due to the evidence of their involvement in the sphere of banning the candidacy.

261 60 candidates were nominated by the Coalition "Alliance for European Albania", 3 candidates from the Coalition "Hope for Change", 22 candidates from the Party of Democratic Conviction, 1 candidate from the Party Alliance of Macedonians for European Integration, 1 candidate from the Party New Democratic Spirit, 1 candidate from the MEGA Party, 2 candidates from the Communist Party of Albania, 1 candidate from the National Conservative Party of Albania and 6 independent candidates.

262 Delvinë Municipality, Divjakë Municipality, Dropull Municipality, Elbasan Municipality, Fier Municipality, Fushë Arrëz Municipality, Gjirokastër Municipality, Has Municipality, Himarë Municipality, Konispol Municipality, Krujë Municipality, Kuçovë Municipality, Libohovë Municipality, Librazhd Municipality, Lushnjë Municipality, Maliq Municipality, Municipality Mat, Memaliaj Municipality, Patos Municipality, Peqin Municipality, Përmet Municipality, Pogradec Municipality, Poliçan Municipality, Pukë Municipality, Roskovec Municipality, Rrogozhinë Municipality, Shkodër Municipality, Skrapar Municipality, Ura Vajgurore Municipality, Vau Dejës Municipality, Vora Municipality.

263 Belsh Municipality, Bulqizë Municipality, Cërrik Municipality, Dibër Municipality, Durrës Municipality, Finiq Municipality, Gramsh Municipality, Kamëz Municipality, Kavajë Municipality, Klos Municipality, Kolonjë Municipality, Korçë Municipality, Kukës Municipality, Kurbin Municipality, Malësi E Madhe Municipality, Mallakastër Municipality, Mirditë Municipality, Përrenjas Municipality, Pustec Municipality, Sarandë Municipality, Shijak Municipality, Tepelenë Municipality, Tirana Municipality, Tropojë Municipality, Vlorë Municipality.

264 Berat Municipality, Këlcyrë Municipality, Selenicë Municipality and Lezhë Municipality.

265 Devoll Municipality.

266 Mr. Bledar Sinella candidate of BD in the Municipality of Kavajë, Mr. Salvador Kaçaj, BD candidate in the Municipality of Lezhë and Mr. Ylber Gjeta, BD candidate in the Municipality of Kamëz.

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For the candidate of the Municipality of Lezhë and Kavajë, the CEC considered the request and expressed its decision²⁶⁷, not allowing deregistration, while for the candidate of the Municipality of Kamëz, despite his request, the CEC did not express its decision.

It was found that 86 out of 97 candidates in total were registered by the CEAZs, with certificates from the Assembly, as the parties they represented were considered by the Assembly to have held a mandate in the Albanian Parliament for at least the last six months.

Whereas, 5 candidates were registered based on support signatures as independent candidates and 6 other candidates were registered based on the confirmation of the personal mandate or the political force they represented in the elected bodies of the respective municipality, in the last elections.

Lists of candidates for members of municipal councils must meet the legal criteria set out in Article 72 of the Electoral Code.

From the control of the lists of candidates for members of municipal councils for 10 municipalities, due to non-compliance with the legal criteria provided, the Central Election Commission refused to register 13 lists²⁶⁸ submitted by 7 political parties.

Regarding the control of the lists in 51 other municipalities, carried out by the CEAZs, it was not possible to give a complete and clear panorama of the progress of the process, mainly due to the lack of transparency.

One concern that can be articulated and generalized relates the non-compliance with the criteria set for the proper completion of the “candidate’s resume” (CV) as well as the “self-declaration form” under the decriminalization law.

It is found that CVs are often supplemented with very few elements and few details, unlike the ones instructed, and in many cases, they are supplemented with handwriting, making the information sparse and in some cases difficult to be read.

The submission of the candidate’s life description is generally considered by electoral subjects as an unnecessary formal element. While a complete and clear biography helps to inform the citizen about the education received, qualifications, all the experiences and commitments made either at work or in other social and political activities, giving them the opportunity to judge better at the time of voting for the candidate who will represent them.

Also, it is found that 15 candidates for mayor and at least 1 candidate for each of the 32 political parties, has submitted the “self-declaration form” completed in handwriting. This action, in addition to being contrary to the requirements of the law and CEC instruction, on the other hand can affect the incorrect or distorted reading of the data, directly alienating the whole process of verifying the figure of the candidate, which is done in a latter phase.

267 CEC Decision no.. 638 dated 22.05.2019 “On the review of the withdrawal request from the candidacy for mayor of Lezhë Mr. Salvador Kaçaj, for the elections of the local government bodies dated 30 June 2019” and CEC Decision no. 639 dated 22.05.2019 “On the review of the withdrawal request from the candidacy for mayor of Kavajë Mr. Bledar Sinella, for the elections of local government bodies dated June 30, 2019”.

268 List of members in the Municipal Council of Fier, Vlorë and Kamëz submitted by the New Democratic Spirit Party; List of members of the Municipal Council of Elbasan, Durrës, Shkodër and Kamëz submitted by the Democratic Alliance Party; List of members of the Korçë Municipal Council submitted by the Liberal Democratic Union Party; List of members in the Municipal Council of Vlorë and Lezhë presented by the Christian Democratic Alliance Party; List of members of the Council of the Municipality of Elbasan submitted by the Alliance for Equality and European Justice Party; List of members in the Municipal Council of Lezhë and Kamëz submitted by the Alliance for Democracy and Solidarity Party; List of members in the Municipal Council of Korçë presented by the National Front Party.

In total, 524 lists of candidates for members of municipal councils from 36 political parties were submitted.

They included 9,872 individuals as candidates, of whom 1,619 received mandates to be members of municipal councils.

Ten independent candidates also ran for municipal council members, two of whom won.

In relation to the fulfillment of the legal criteria provided by law before and after taking office, a situation was identified in the municipality of Klos, which leaves room for interpretation in a broader approach.

In this municipality, a member elected²⁶⁹ to the municipal council did not take the oath because he was an employee of this municipality, which contradicts the provisions of the Law on Local Self-Government.²⁷⁰ After referring the vacancy to the CEC, the process of replacing it was completed.

In this situation, there is at least some concern about the proper addressing by the institutions of the phenomenon of conflict of interest and the application of the principle of equality in competition.

Furthermore, the situation raises serious questions about the reasons for running for office, given that after the victory and the taking of the mandate, specific legal provisions do not allow keeping it, or it is required to renounce the previous commitment, in this case, by employment in the municipality.

Without dwelling on an analysis of whether this is a lack of knowledge on the regulatory law of power where the individual and his party seeks to be represented, or is for other reasons, essentially the whole fable relates and undermines the integrity of the figure of the candidate, his political party, electoral offer served to the citizen and the guarantee mechanism, such as the CEC.

Based on the above and a random confrontation with some other issues, KRIIK conducted a surface survey on:

- candidacy of the same individual as a candidate, at the same time, for Mayor and member of the Municipal Council.
- the candidacy of more than one person from the same family, in the same municipal council, and even more disturbing, also from the same political party.

Both of the situations presented above are elaborated, respectively in session VII.2.2. and VII.2.3. later in the material. They constitute provisions that are specifically prohibited by the Law on Local Self-Government, specifically Article 47 thereof.

This approach of candidates and political parties has nothing to do with any principle or aspiration, which in fact should be the layout on which the electoral offer is built, on the contrary. It is an expression of the closed, clan and even family concept of political parties, the competition for close interests, undoing all the aspirations for the proper functioning of political parties and for a local government with close ties with and in function of the citizens, influencing thus directly violating the trust of citizens in themselves, the guarantee mechanism set up and the electoral process itself.

269 Mr. Armont Sina Candidate with no. 1 in the ranking list for members in the Council of the Municipality of Klos of the subject Social Democratic Party, received the mandate after the decision of the Electoral College "On the distribution of mandates in the Council of the Municipality of Klos".

270 Law no. 39/2015 dated 17.12.2015, "On local self-government", Article 47, point 1, letter c, "The function of the councilor is incompatible with: [...] the function of the official of the administration of the respective municipality and its subordinate institutions".

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It is considered necessary to review the observance of the individual's individual free will to continue or not the electoral race, at least within a more reasonable period of time.

In the KRIIK's judgment, the abandonment of the race, with its pros and cons as a political action, must be based on individual and political freedom of choice, and even ultimately its acceptance as a form of protest against lack of guarantees or an unequally built race.

The CEC must ensure and guarantee, to the maximum extent allowed by law, the avoidance of conflict of interest and the manifestation of the principle of equality in competition as a value of all constituent elements of the electoral process.

The CEC, beyond the criteria explicitly required by the Electoral Code, needs to raise for discussion and approve additional criteria that are in line with the legal obligations that candidates will be subject to after the possible victory of the representative mandate for that elected body.

Such a spirit tends to encourage more transparency, information, commitment and seriousness, both from the candidates and from the political parties themselves.

VII.2.1. Registration of candidates with a certificate from the Assembly

Article 68 of the Electoral Code defines the rules of candidacy for candidates or lists of candidates submitted by parties that do not hold seats in the assembly or in municipal councils. This article specifically stipulates that in these cases the candidacies must be accompanied by a number of support signatures of not less than 1% of the list of voters in the area where they are running.

If the party or coalition holds a mandate in the Assembly or municipality, at least for the last 6 months²⁷¹, the collection of support signatures is not necessary.

86 of the mayoral candidates were registered as contestants upon proposal from the relevant political party based on the certificate issued by the Albanian Parliament that deputies of these parties held the mandate for 6 months. This certificate was also given to the new deputies, who filled in the vacancies left by the departure of the PD and LSI and who took their mandate of deputy only 1 month (approximately) before the deadline for registration of candidates in the CEC.

KRIIK ascertained and fully investigated a case of registration of a candidate for mayor, who presented a certificate from the Albanian Parliament, which confirmed that the party that ran him had a mandate in the Albanian Parliament for 6 months, which was not true²⁷².

Specifically, at the meeting of May 16, 2019, the Central Election Commission registered as a candidate for mayor in the Municipality of Lezhë, Mr. Eduart Ndocaj proposed by the National Conservative Party Albania.

It was found that this decision was taken in violation of the law and the procedures provided, given that the certificate issued by the Albanian Parliament and that issued by the Council of the Municipality of Lezhë, through which Mr. Ndocaj was registered were incorrect.

The certificate issued by the Secretary General of the Albanian Parliament²⁷³ stated that MP Kujtim Gjuzi, who had taken the oath as an MP on May 8, 2019, had declared that he represented the subject "National Conservative Party Albania". Also, the

²⁷¹ Electoral Code of the Republic of Albania, Article 68 "Supporting lists of political parties and coalitions", point 3 "For the purpose of this article, the political party or the coalition submits a written attestation issued by the Assembly or the local government unit, certifying the holding of a seat for at least the last 6 months.

²⁷² For more details, see the Statement "[The process of registration of candidates, is raising questions about the integrity of the next election process](#)", published by KRIIK on May 17, 2019.

²⁷³ No. 13 Prot. date 13.05.2019.

certificate stated that “He holds the mandate of deputy for at least the last 6 months, according to the provisions of the Electoral Code”, which was not true²⁷⁴, as the 6-month mandate of the deputy, if we were to refer to the election date or deadline registration of candidates, should be for Mr. Gjuzi at least from December 30, 2018.²⁷⁵.

Decisions of CEC body on this issue were divided. The Chairman asked for more clarifications from the Assembly, while the rest of the members claimed that it is not the competence of the CEC to discuss official documents. According to them, the decision-making of the CEC had to be done by simply presenting an official document, even if it is widely known as inaccurate, which calls into question the role and responsibility of the CEC as a supervisor of the entire electoral process.

The law should specify the criteria on the basis of which the parties are released from the obligation to collect support firms for candidates, clearly defining how this term is calculated, in order to eliminate inconsistency in this regard and guarantee equal treatment in candidacy.

VII.2.2. Registration at the same time as a candidate for Mayor and as a member of the Municipal Councils

Article 63 of the Electoral Code sets out some of the conditions that must be met by electoral subjects and candidates to be registered in an electoral process.

According to the meaning of this article and especially its point 3 “A candidate is a citizen who fulfills the criteria provided for in article 45 and article 69 of the Constitution and is registered as a candidate for deputy with the CEC, or as a candidate for mayor of municipality or local council with the CEAZ.”.

So, as is clearly evidenced by the connector “or” used in this provision by the legislator limits the possibilities of candidacy only for one elected body.

This restrictive definition is also in line with the meaning of the electoral offer in an election process, where the candidate is introduced and seeks the support of the voter on the basis of his personal / electoral platform, or as the future mayor, or as a member of the future municipal council.

On the other hand, this restriction seems to have been made deliberately by the legislator in order not to allow the artificial increase of the “number of candidates”, undermining the essence of the values that an electoral race should contain and follow.

Not only that, but the Law “On Local Self-Government”, specifically in its Article 47 provides for incompatibility of the function of councilor with the function of mayor and deputy mayor.

This provision cannot be understood in a narrow approach and can only be applied when the situation arises where the same candidate for both positions is declared the winner and will have to choose to hold only one term, as in in-depth analysis of the case. undoes a number of guarantees up to the principles on the electoral process.

274 The reasoning of the Secretary General of the Assembly regarding this letter is that the calculation of the months referred to in the letter is made from the moment of the end of the term of the current Assembly, which is an absurd reasoning, since it refers to a future moment in time, moreover that in a future reality the mandates may even be lost altogether by the respective party.

275 Also, in the certificate issued by the Council of the Municipality of Lezhë with No. 4751/1 Prot dated 13.05.2019, states that “based on the decision no. 161 dated 03.07.2017 of the Municipal Council of Lezhë, we confirm that Mr. Petrit Ndreu is a member of the Lezhë Municipal Council, proposed by the political entity, PKKA (National Conservative Party of Albania)”. This is incorrect because Mr. Ndreu has been elected as a member of the Lezhë Municipal Council, proposed by the political entity Conservative Party (KONS), which is a different electoral entity from the National Conservative Party Albania (PKKA) or the former Forca Albania Party. On the other hand, from the contacts received, it is ascertained that Mr. Ndreu had not made any written statement submitted to the secretary of the Lezhë Municipal Council, 6 months before, where he has already declared his affiliation with the other electoral subject PKKA.

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In violation of the above legal provisions, political parties allowed and registered the same individuals as candidates for both Mayor and Members of Municipal Councils. There were identified 9 candidates from Democratic Obedience Party (BD)²⁷⁶ and one candidate from the Coalition Hope for Change²⁷⁷.

Even another candidate of BD in the municipality of Malësi e Madhe, Mr. Pjerin Spathari, who was also a candidate for both positions, managed to be elected as member of the municipal council.²⁷⁸

In this process, it is evidenced that the CEAZs have acted in violation of the law, while the CEC has also ceded its supervisory role in the process.

VII.2.3. Registration of candidates with family ties of first degree as members of the same municipal council

Law 139/2015 "On local self-government" in its article 47 "Incompatibility of the function of councilor" in point 3 stipulates that "members of the same council cannot be related persons: spouses, parents and children, brother and sister, as well as the father-in-law and the mother-in-law with the bride and groom".

From a random fact of a case and then from a superficial research of the candidacy documentation²⁷⁹ and the lists of candidates for municipal councils, it resulted that in each of 33 of the parties participating in the elections of June 30, 2019, there is at least one case, where candidates from the same party and for the same municipal council have first-degree family ties to each other²⁸⁰.

276 - Abedin Oruçi, candidate for mayor in Kukës proposed by Democratic Conviction Party and candidate for member in the Council of the Municipality of Kukës with ordinal number 1 in the list of the Democratic Conviction Party;
- Edison Hasanaj, candidate for mayor in Tropojë proposed by Democratic Conviction Party and candidate for member in the Council of Municipality of Tropojë with ordinal number 1 in the list of the Democratic Conviction Party;
- Gezim Malka, candidate for mayor in Tepelenë Municipality proposed by Democratic Conviction Party and candidate for member in Tepelenë Municipality Council with ordinal number 10 in the list of the Democratic Conviction Party;;
- Ilir Balla, candidate for mayor in Bulqiza Municipality proposed by Democratic Conviction Party and candidate for member in Bulqiza Municipality Council with ordinal number 1 in the list of the Democratic Conviction Party;
- Robert Brahaj, candidate for mayor in Mallakastër Municipality proposed by Democratic Conviction Party and candidate for member in Mallakastër Municipality Council with ordinal number 5 in the list of the Democratic Conviction Party;
- Merita Xhika, candidate for mayor Cërrik Municipality proposed by Democratic Conviction Party and candidate for member in Municipality Council Cërrik with ordinal number 1 in the list of Democratic Conviction Party. (Council, doesn't have the form, registered by CEAZ).
- Ylber Gjeta, candidate for mayor in Kamëz Municipality proposed by Democratic Conviction Party and candidate for member in Kamëz Municipality Council with ordinal number 11 in the list of the Democratic Conviction Party;
- Edmond Piroli, candidate for mayor in Kurbin Municipality proposed by Democratic Conviction Party and candidate for member in Kurbin Municipality Council with ordinal number 1 in the list of the Democratic Conviction Party. (Council, no self-declaration form at council's lists, registered by CEAZ).
- Sabri Ibrahim, candidate for mayor in Gramsh Municipality proposed by Democratic Conviction Party and candidate for member in Gramsh Municipality Council Gramsh with ordinal number 1 in the list of the Democratic Conviction Party.

277 - Hasbi Kasaj candidate for mayor in Këlcyrë Municipality from Hope for Change Coalition and candidate for member in Këlcyrë Municipality Council, of the Albanian Emigration Party with ordinal number 4.

278 - According to decision no. 699 dated 28.05.2019 "On the approval of the content of the ballot paper for the candidates for mayor Malësi e Madhe for the elections for the Local Government Bodies of June 30, 2019", Mr. Spathari is a candidate for mayor of Malësi e Madhe Municipality. In the lists of winning candidates for Malësi e Madhe Municipality Council, Mr. It turns out that Pjerin Spathari has received a mandate in this council as a representative of the Democratic Conviction Party.

279 - Verification was done through data monitoring (name, surname, paternity, maternity, birthplace), in the multi-name lists of candidates for municipal councils, and in self-declaration form completed by each of them, making comparisons and seeing the compatibility between them.

280 - In the multi-name list of the G99 Party for Municipality Council Tirana, the candidate with ordinal number 11 Sokol Bani and the candidate with the ordinal number 15 Ermal Bani are brothers;
- In the multi-name list of the Party Alliance for Democracy and Solidarity for Municipality Council Kurbin, the candidate with ordinal number 4 Kristian Bardhi and the candidate with ordinal number 10 Roberto Bardhi are brothers;
- In the multi-name list of the Social Democracy Party to Tepelenë Municipality Council, the candidate with the ordinal number 6 Anita Bardhi and candidate with ordinal number 7 Domeniko Bardhi are brothers;
- In the multi-name list of the Denied Rights Party for Municipality Council Dibër, the candidate with ordinal number

Meanwhile, for the other 3 parties²⁸¹, verification is impossible because the self-declaration forms within the decriminalization law, which contain the data of the candidates, continue to be inaccessible on the website of the Central Election Commission.

Such a situation justifies strong accusations about the conception and behavior of political parties as closed, clan and family structures, in open contradiction with the role and responsibilities they must develop in accordance with the spirit and letter of the Constitution, law and democratic system itself.

1 Astrit Ademi, and candidate with ordinal number 7 Setki Ademi are brothers;

- In the multi-name list of the New Democratic Spirit Party for Municipality Council Elbasan, the candidate with ordinal number 28 Stelina Ademi and the candidate with ordinal number 43 Albin Ademi are brother and sister;
- In the multi-name list of the Green Party for Municipality Council Devoll, the candidate with ordinal number 2 Eriola Begolli and the candidate with the ordinal number 3 Ervis Begolli are brother and sister;
- In the multi-name list of the Party of People with Disabilities to Pogradec Municipality Council, the candidate with ordinal number 3 Fadil Alillari, candidate with ordinal number 6 Lindita Alillari, candidate with ordinal number 15 Artion Alillari and candidate with ordinal number 22 Armela Alillari are one family, respectively the head of the family, the wife and children;
- In the multi-name list of the Democratic Party Conviction for Municipality Council Skrapar, candidate with ordinal number 4 Fjora Alushani and candidate with ordinal number 11 Halder Alushani are brother and sister;
- In the multi-name list of the Communist Party of Albania for Municipality Council Krujë, candidate with ordinal number 21 Olisingen Babaj and candidate with ordinal number 27 Armand Babaj are brothers;
- In the multi-name list of the Christian Democratic Alliance Party of Albania for Municipality Council Vau Dejës, candidate with ordinal number 9 Renato Bacaj and candidate with ordinal number 12 Sidorela Bacaj are brother and sister;
- In the multi-name list of the Albanian Democratic Alliance Party for Municipality Council Tiranë, candidate with ordinal number 3 Subi Bajrami and candidate with ordinal number 23 Sadik Bajrami are brother and sister. Also on the same list candidate with ordinal number 11 Myslim Bajro and candidate with ordinal number 31 Fatos Bajro are brothers;
- In the multi-name list of the National Front Party for Municipality Council Pogradec, candidate with ordinal number 7 Erti Besholli and candidate with ordinal number 9 Altin Besholli are brothers;
- In the multi-name list of the Democratic Party for Integration and Prosperity for Municipality Council Has, candidate with ordinal number 2 Lindita Dauti, candidate with ordinal number 3 Ndriqim Dauti and candidate with ordinal number 9 Selman Dauti are brother and sister;
- In the multi-name list of the National Unity Party for Municipality Council Has, candidate with ordinal number 1 Halim Dauti, candidate with ordinal number 3 Dritan Dauti and candidate with ordinal number 5 Arben Dauti are brothers;
- In the multi-name list of the Hour of Albania Party for Municipality Council Tiranë, candidate with ordinal number 11 Argin Cuni and candidate with ordinal number 18 Franceska Cuni are brothers;
- In the multi-name list of the Moderate Socialist Party for Municipality Council Malësi e Madhe, candidate with ordinal number 3 Santiliano Curaj and candidate with ordinal number 15 Foster Curaj are brothers;
- In the multi-name list of the Albanian Future Party for Municipality Council Klos, candidate with ordinal number 3 Dhurata Elezi and candidate with ordinal number 9 Ermira Elezi are sisters;
- In the multi-name list of the National Albanian Alliance Party for Municipality Council Klos, candidate with ordinal number 3 Ylber Dalti and candidate with ordinal number 6 Besjola Dalti are brother and sister;
- In the multi-name list of the Party for Freedom, Democracy and Ethics for Municipality Council Kukës, candidate with ordinal number 24 Visjola Doda, candidate with ordinal number 28 Lediona Doda and candidate with ordinal number 30 Denada Doda are sisters;
- In the multi-name list of the Red and Black Alliance Party for Municipality Council Përrenjas, candidate with ordinal number 6 Vasilika Karriqi and candidate with ordinal number 12 Refete Kasa are sisters;
- In the multi-name list of the Party Alliance for Equality and European Justice for Municipality Council Fier, candidate with ordinal number 2 Mirela Moçi and candidate with ordinal number 25 Arjan Moçi are brother and sister;
- In the multi-name list of the Liberal Democratic Union Party for Municipality Council Has, candidate with ordinal number 1 Sokol Dida and candidate with ordinal number 9 Gani Dida are brothers;
- In the multi-name list of the New European Democracy Party for Municipality Council Lezhë, candidate with ordinal number 1 Indrit Nikjari and candidate with ordinal number 15 Ermir Nikjari are brothers;
- In the multi-name list of the Albanian Democratic Reform Party for Municipality Council Tiranë, candidate with ordinal number 7 Bardhyl Karabrahimi, candidate with ordinal number 13 Marjet Karabrahimi and candidate with ordinal number 15 Shefqet Karabrahimi are brothers;
- In the multi-name list of the Christian Democratic Party for Municipality Council Has, candidate with ordinal number 4 Jolinda Querkezi and candidate with ordinal number 11 Ardi Querkezi are brother and sister;
- In the multi-name list of the Albanian Emigration Party for Municipality Council Gramsh, candidate with ordinal number 3 Vasil Mama and candidate with ordinal number 7 Vullnet Mama are brothers;
- In the multi-name list of the Albanian Labor Movement Party for Municipality Council Vlorë, candidate with ordinal number 2 Sindy Telka and candidate with ordinal number 15 Ledion Telka are brother and sister;
- In the multi-name list of the Party for the Protection of Immigrant Rights for Municipality Council Kukës, candidate with ordinal number 2 Teuta Cenaj and candidate with ordinal number 9 Donald Cenaj are brother and sister;
- In the multi-name list of the Party for the Protection of Workers' Rights of Albania for Municipality Council Këlcyrë, candidate with ordinal number 7 Syrja Xhako and candidate with ordinal number 13 Hikmet Xhako are brothers;
- In the multi-name list of the Albanian Social Working Party for Municipality Council Tiranë, candidate with ordinal number 1 Armand Rama and candidate with ordinal number 3 Florjan Rama are brothers;
- In the multi-name list of the Social Democratic Party of Albania for Municipality Council Ura Vajguorore, candidate with ordinal number 4 Romina Ismailaj and candidate with ordinal number 12 Sherli Ismailaj are sisters;
- In the multi-name list of the Socialist Party for Municipality Council Shijak, candidate with ordinal number 15 Selim Norja and candidate with ordinal number 19 Barjam Norja are brothers;
- In the multi-name list of the Ethnic Greek Minority Party for the Future for Municipality Council Sarandë, candidate with ordinal number 17 Kristina Shendi and candidate with ordinal number 21 Anamaria Shendi are sisters.

281 - The Alliance of Macedonians for European Integration Party has submitted a list of candidates for the Municipal Council only in the municipality of Pustec; - The National Reconciliation Party has submitted a list of candidates for the Municipal Council only in the municipality of Kukës; - The National Conservative Party of Albania has not been in the race as an electoral subject.

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VIII. VOTER LISTS

The process of drafting and publishing the extract of electoral components is carried out through a process that includes the Minister of Interior, the General Directorate of Civil Register (DPGJC), 61 Municipalities of the country and the Civil Registry Offices (LGJC) in each municipality.

This process is overseen by the Central Election Commission based on the provisions of Articles 50 and 61 of the Electoral Code.

The process of drafting and correcting Voter Lists has been one of the most debated issues in the country, but from one election process to another, it has managed to set some positive standards, especially regarding transparency and periodic official information of the public on the progress of the preparatory process. As, on the other hand, it has been continuously accompanied by some problems which have caused small anomalies during the electoral processes.

These anomalies have been deliberately ignored or left aside due to circumstances, thanks to political agreement and the established management and control system set up and based on the PS-PD political balance.

Among them, voters with unknown address, written notification of voters, the process of publishing election extracts, etc. are brought to attention, as well as the permanent incompleteness of the instruction of the Minister of Interior in the report which is required by the Electoral Code and the formal supervisory role played by the CEC.

One day after the decree of the election date by the President of the Republic, on November 6, 2018, the Minister of Interior issued the relevant Instruction for drafting voter lists.²⁸²

Even this Instruction, it is concluded that it does not provide in its content the accountability of municipalities on the process of written notification²⁸³, the module of notification with the necessary space clearly defined for the counter-signature of the notified citizen²⁸⁴, does not clearly define the how lists will be published²⁸⁵ taking into account the problems encountered, and does not contain any guidance on how to manage the fund²⁸⁶ available to carry out the voter notification process.

Based on the provisions of the Electoral Code as well as the above instruction, the Civil Registry Offices in the municipalities should draft and publish the extracts of the electoral components periodically every 30 days, starting from the date 5 December 2019 until 21 May 2019 when the final list of voters is published.

The instruction contains material errors²⁸⁷ regarding the deadlines for the

282 [Instruction no. 295/1](#), dated 6.11.2018 "On the procedures for drafting voter lists for elections for local government bodies dated 30 June 2019", Official Gazette no. 169/2018.

283 [Electoral Code of the Republic of Albania](#), Article 52 "Written notification of voters", point 4 "... The mayor of the local government unit reports on the fulfillment of this obligation according to the instruction of the minister responsible for the civil status service.

284 Ibid. Point 4 "The persons assigned to notify voters shall deliver the notice to the voter in person or, in the absence of the voter, to an adult member of his/her family, who is present at the voter's domicile, who signs to confirm the receipt of the notice. ...".

285 Ibid. Article 51 "Publication of the extract of electoral components", point 4, "... The extract is posted in the premises of the civil status offices or in their vicinity in a free-access area for the general public".

286 Ibid. Article 52 point 5 "Expenses for the notification, according to this article, are covered by the ministry responsible for the civil status service. The respective fund is allocated to local government units commensurate to the number of voters in each local government unit."

287 [Instruction no. 295/1](#) dated 6.11.2018 of Minister of Interior, point 12, paragraph 2 "The extracts of the electoral constituents with the same criteria, will be printed and published periodically according to the definitions of the Electoral Code, respectively on 03.01.2019, 01.02.2019, 29.03.2019, and 28.04.2019. "

publication of lists by the CSOs in the municipalities, while referring to the obligation of the Electoral Code, the publication of the extract of the updated electoral components should have been done no later than December 5, 2018, January 4, 2019, February 3, 2019, 5 March 2019, April 4, 2019 and May 4, 2019. From the announcement made public on the website of the Ministry of Interior, it results that the publication of the extract was made on 04.12.2018, 03.01.2019, 01.02.2019, 01.03.2019, 29.03.2019 and 28.04.2019²⁸⁸.

The periodic publication of the extract of the electoral components of all citizens residing in the areas of the polling stations under the jurisdiction of each office, is done in the premises of the civil status offices or in the premises near them with free access for the public, in order to can be consulted and controlled by the citizens themselves, without any restrictions.

This process is expected to be accompanied by the process of written notification of voters, which is expected to be completed within 60 days, from December 4, 2018 to February 2, 2019.

The process aims to inform voters about the accuracy of the data of their constituents as well as the number of the polling station where he will vote, in order to encourage voters to clarify their data.

Following the completion of this mechanism with the amendments to the Electoral Code of 2012, this whole process has never been fully respected and implemented as provided in the letter and spirit of the provisions of the Electoral Code, in none of the electoral processes held since 2013 and to date, but it has been deliberately ignored and, often, has been used politically according to the political wing of the head of the local government unit or even the future majority.

From the monitoring conducted by KRIIK partially and non-systematically, it resulted that for the local elections of June 30, the process of publishing the extract of electoral components from some municipalities²⁸⁹ in the country, was accompanied by problems of non-publication in time and not according to provisions of the Electoral Code.

Unlike previous election processes, the process of drafting, preparing, correcting and publishing voter lists for the June 30, 2019 Local Government Elections was accompanied by a deep lack of transparency.

Neither the Ministry of Interior nor the General Directorate of Civil Status made any publication to inform on the progress of the process.

It is noted with concern that, not only has lacked the information provided pro-actively by the institutions, but the Ministry of Interior and DPGJC has refused to respond to two official requests from KRIIK regarding this process²⁹⁰, which, in the created context, constitutes a flagrant violation of the law on the Right to Information and Decision of the Council of Ministers.²⁹¹

288 See *Notification* of Ministry of Interior dated 25.05.2019, "The Final Voter List for the June 30 local elections is published"

289 Elbasan Municipality, Librazhd Municipality, Peqin Municipality, Malësi e Madhe Municipality, Shkodër Municipality, Durrës Municipality, Korçë Municipality, Selenicë Municipality, etc.

290 KRIIK has also communicated several times by telephone with the MI and the DPGJC, from which it has been ensured that the official letter with the requested information is ready and would be sent soon.

291 *Decision no. 238*, dated 10.05.2019 of Council of Ministers, point 21. "Ministries and subordinate institutions / bodies should provide for the observers and associations registered with the CEC, as observers of the electoral process, full access to receive information regarding the legal obligations of the public administration in the electoral process".

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VIII.1. Final Voters Lists

The announcement for the publication of the final list of voters was published on the website of the Ministry of Interior on May 25, 2019²⁹² meanwhile, from the reports of the technical auditors contracted by the Central Election Commission to oversee the process of generating election extracts, the final list was published on time.²⁹³

The data generated by the General Directorate of Civil Status showed that the voter list included 3,536,015 citizens, including 51% men and 49% women²⁹⁴. 132.788 of them were voters voting for the first time.

VIII.2. Problems identified by technical auditors

Technical auditors are appointed by the CEC and are the respective proposals of the chairman and deputy chairman of the Central Election Commission.

According to the Electoral Code, technical auditors must have access to "... the electronic system and the NCRC database, in order to enable the reading and comparison of the components of the civil status, their changes, the time when these were performed. actions by users or administrators of the system, as well as audit reports or any kind of electronic system report, which track all changes that have occurred on the electoral components in the NCRC for the period under control, including the methodology of how this report is generated. The audit access to the NCRC in any case is not less than the access that the General Director of the Civil Status Service has²⁹⁵".

One of the technical auditors reported restrictions on access during the performance of duties²⁹⁶, such as permission to participate in the generation of the election extract only after repeated requests, while one case was not allowed to participate with the claim that it is an internal process, or not making available information on any voter who has had changes to the apartment code and the name of the user of the Civil Registry Office who performed the action on the system and the date of the action.²⁹⁷

Technical auditors have reported problems with the maintenance of the National Civil Registry (NCRC). During the interim reports, the concern was raised that the administration and maintenance of the NCR was not done by the DPGJC in accordance with applicable laws.

From the references in the final report, the technical auditors came to totally different conclusions regarding this issue.

While one of them concluded that, in general, the process of generating voter lists was carried out in accordance with the legislation²⁹⁸, and lists some

292 Ministry of Interior, [The Final Voter List for the June 30 local elections is published](#).

293 [Reports of Technician Audit for the lists of 2019 Local Elections](#).

294 Male 1.786.444 and Female 1.749.571.

295 [Electoral Code of the Republic of Albania](#), Article 61, point 5.

296 [Auditor's report Zamir Hoxha "On the verification of actions in the database of the National Registry of Civil Status"](#).

297 Meanwhile, the Ministry of Interior declares the opposite position. In [Announcement for the publication of the Final Voters' List](#) dated May 25, 2019 states that "... the entire process of drafting the Final Voters List has been carried out under the supervision of CEC technical auditors, who have had full access at every stage of this process. ..."

298 [The final report of the technical auditor Lorenc Bako "On the audit of the extracts of the electoral](#)

recommendations in order to further improve it, the next audit identified a number of problems and concluded that “administration and the processing of the RKG CJ database is not in accordance with the technical and administrative requirements of the legislation in force²⁹⁹”.

Worrying in this situation is the response of the Central Election Commission about these audits findings and claims, being just enough to follow the auditors’ report to the General Directorate of Civil Status, without being institutionally invested to understand whether they stay or not allegations of extremely serious violations raised by the technical audit.

This position, in a situation where informing the public about the progress of the process of drafting and correcting the lists was non-existent, further compromises the role of the CEC.

It can even be said that, with this indifference shown, the CEC is evidenced in the deliberate lack of exercise of its legal obligation to obtain explanations from the General Directorate of Civil Status (DPGJC).³⁰⁰.

Such an approach makes the process of auditing voter lists a formality without content and reduces the effect of this whole process simply by citing a number of issues in a report that is not used.

So, it is very worrying that, from one electoral process to another, the process of auditing voter lists has deviated from its essence and lost its function.

A major problem with voter lists, carried over from previous elections, has been the high number of voters with undetermined residential address or with residential code 000, 888, or 999.

The number of these voters in the 2017 parliamentary elections was 290,038.

In the first extract of electoral components published by the DPGJC on December 4, 2018 for the June 30 elections were 284,065 citizens with undetermined residential address.

That number came down³⁰¹ from other published extracts, and the final voter list was 727 voters.

components for the Local Elections 2019”, p. 7, “...It is also worth mentioning that one of the weak points that were identified in the previous reports, which was related to the maintenance of this register, was resolved with the implementation of maintenance with the Austrian company XION which has implemented NCRC, which will lead to increased performance and security of this computer system”.

299 Auditor’s report Zamir Hoxha “On the verification of actions in the database of the National Registry of Civil Status”, p. 15-16, “...As documented, the administration and processing of the NCRC database is inconsistent with the technical and administrative requirements of applicable law.

In addition to violating the legislation, this has made it impossible to fully assess the NRC as a system where citizens’ data are administered, processed, maintained and from where the electoral list is compiled. It has also brought limitations on possible analyzes and assessments of the legality of user actions on electoral elements, undermining confidence in the actions taken during the process of drafting electoral lists. The generation of the electoral extract proved to be a process which is carried out by a single person and totally outside the system of the NCRC, a system which is the only one legally recognized. The only phase which involves the NCRC is the backup procedure, which as evidenced in previous reports has not been documented and tested under applicable law and is not in itself a procedure which is directly related to the electoral process. Carrying out the entire process of processing and preparing the election extract in an environment outside the NCRC creates a lack of trust and has resulted in problems which affect the correctness of the voter list and which have been continuously identified during the audit process.”

300 Electoral Code of the Republic of Albania, Article 61 “Supervision by the CEC of the voter lists compilation”, point 8 “The CEC, upon the request of two of its members, forwards the findings and recommendations of the technical auditors to the General Directorate of Civil Status within 48 hours, asking also for explanations related to them.”.

Article 50 “Methodology and supervision of voter lists compilation”, point 3 “The CEC supervises the process of the voter lists compilation, the administration of the polling unit areas and number of voters per voting center. The CEC requests information from the General Directorate of Civil Status and from local government units. The CEC imposes sanctions on the heads of the relevant institutions, in compliance with this Code, in the event of observed violations and failure to provide information.”

301 - Extract dated 4 December 2018 - 284,065 voters; - Extract dated 3 January 2019 - 217,961 voters; - Extract dated February 1, 2019 - 54,365 voters; - Extract dated March 2, 2019 - 3,069 voters; - Extract dated March 29, 2019 - 3,048 voters; - Extract dated 28 April 2019 - 841 voters; - Final list of 727 voters.

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The difference of 283,338 voters was very high, given the fact that a process not implemented for many years and identified as a problem continuously, had “solutions” within a period of only 6 months, moreover that the process of notifying voters in written form, which could really contribute to this process, began only after the publication of the final list.

This was a problem identified by the audit technician Zamir Hoxha, who in addition to identifying the situation³⁰², refers in his report some cases of housing codes which are absurd and impossible, such as: very high number of voters registered in a residential code that does not appear to exist on the map (code placed in a garden), voter registered in a residential code belonging to a faculty of Fan S. Noli University of Korçë, very high number of voters registered in small apartments, etc.

At the end of the findings, the technical audit concludes that “... *the interventions made to change the electoral elements which include about 10% of the total number of voters and the generation of lists by manual procedures from staff interventions seriously violate the credibility of the voter list...*”³⁰³.

After the problems mentioned and the conclusions presented in the audit report, the technician Hoxha, the reaction made by some commissioners of the CEC is again worrying.

At the CEC meeting on June 13, 2019, the CEC Chairman considered the findings of the audit technician Hoxha as alarming, while the reaction of some of the other commissioners was minimizing to the concern raised by the audit that, probably, a number the undetermined code of dwellings corrected during the January-May period (about 10% of voters) could be fictitious.³⁰⁴

Also, from the technical auditors, it has been identified as a problem the inclusion in the list of citizens who on the date of the elections are 100 years old or more. Throughout the publication of the extracts³⁰⁵, in previous election processes, this number has been steadily declining, as it is natural to happen, while in the final voter list, this number has doubled compared to the first published extract.

According to the explanation given by the DPGJC to the technical auditors, this situation has come as a result of incorrect identification of persons over 100 years of age in the first extract, and then onwards, as they have been identified manually, while in the final list the identification was

302 Auditor's report Zamir Hoxha "On the verification of actions in the database of the National Registry of Civil Status" p. 9-10, "... the fact that the process of identifying such a large number of housing codes has been realized in a very short time has been consistently assessed by me as a very high risk element for breach of the integrity of the voter list.. For this reason, I have been continuously asked to make available and access information to any voter who has had one of the above codes and the name of the user of the Civil Registry Office who performed the action in the system and the date of the action. As explained in previous reports by DPGJC representatives, it is reported that it is impossible to export this data due to the lack of detailed technical information on the construction, configuration and interconnection of database and system elements, departure to other job positions of IT employees who have received specific training on the system. The inability to identify employees who make changes to citizens' data seriously jeopardizes the security of the register and violates the integrity of the voter list."

303 Ibid, pg. 17.

304 Transcript of the speech of the Deputy Chairman of the CEC, Mr. Denar Biba, during the CEC meeting on June 13, 2019: "...here is, from this point of view, but from this point of view only, no kind of impact, zero, zero, regarding the elections. [...] Apparently from our intention, that the historic 250,000 went to an extraordinary minimization in this election, probably did not deserve applause.

And perhaps due to fast operating and with excessive will and desire of civil register employees have placed (is typically using, in order to express this expression, this verb, which is not so ethical) people in a certain code number, but this has no effect at all. I guarantee you from the position of the one who has been dealing with the electoral process for several years, has no influence and does not absolutely, absolutely, threaten the right of citizens to vote. Those citizens have their own polling station. [...] Some of your conclusions [...] are exaggerated. . .".

305 Extract dated 4 December 2018 - 1309 voters, Extract dated 3 January 2019 - 1255 voters, Extract dated 1 February 2019 - 1232 voters, Extract dated 2 March 2019 - 1101 voters, Extract dated 29 March 2019 - 1077 voters, Extract dated 28 April 2019 - 1087 voters, final list of voters 2797 voters.

carried out directly in the system, using an automatic method, by the Austrian company contracted for the maintenance of the NCRC³⁰⁶.

This explanation given by the CRGD raises questions about the available capacities, use and management of the electronic system administered by the National Civil Registry (NCRC).

It is concluded that this situation for manual data management, despite the objective reasons that may be posed, was not a last-minute solution, but was intended to be managed in such a way.

This is because this manual generation is foreseen to be made by the instruction designed for these elections, which is a different instruction from the instructions designed for the previous elections, which provided for automatic list generation by the NCRC system.

Instruction no. 295/1 dated 06.11.2018 approved by the Ministry of Interior for the local elections of 2019 instructs to “generate the electronic extract of electoral components”³⁰⁷ without defining how to make this generation, thus leaving space for its manual management or generation.

Meanwhile, for the two previous electoral processes, the Parliamentary 2017 and the Local 2015, the Instructions approved by the Ministry of Interior, respectively the one with no. 671 dated 6.12.2016³⁰⁸ and the one with no. 364 dated 16.12.2014³⁰⁹, instruct that “extracts of electoral components and voter lists are automatically generated by the NCRC” and that “the procedure for generating extracts and the list of voters is the functionality of the NCRC system”.

Based on Law 138/2015, or the so-called decriminalization law, and the Instruction of the Minister of Interior No.225, dated 11.05.2016³¹⁰, DPGJC in cooperation with the General Directorate of Prisons, must identify and remove from the voter lists citizens who cannot exercise the right to vote due to the law.

306 Auditor's report Zamir Hoxha “On the verification of actions in the database of the National Registry of Civil Status”: “...Contrary to previous statements where it has been reported that only CRO users have the right to intervene and change data and electoral elements in case of problems for those citizens who reach or pass the age of 100, until 30.06. 2019 it is reported that with the support of the contractor, through procedures that are executed directly in the database of the National Registry of Civil Status, it is possible to automatically change the VC code, specifically in the code '8899'. So, an intervention was made in the database and electoral elements in contradiction with the legislation in force, seriously violating the list of voters”.

The final report of the technical auditor Lorenc Bako “On the audit of the extracts of the electoral components for the Local Elections 2019”: “...This happened due to the fact that until the period before the maintenance contract was carried out with the company XION, codes 8899 for this category of voters have been changed manually by the civil status offices, a process which has caused the incorrect reflection of this electoral group. In the final list, with the help of the support company, it is possible to automatically change the VC code, specifically in the code '8899'; for those citizens who reach the age of 100, until 30.06.2019”.

307 Instruction no 295/1 dated 6.11.2018 “On the procedures for compiling voter lists for local government elections”, point 1 “Within 20.11.2018, from the National Civil Registry (NCRC) of 2010, to generate the electronic extract of electoral components, which includes all citizens with the right to vote, who until 30.6.2019 have reached the age of 18, born until 30.6.2001. ...”.

308 Instruction no. 671 dated 06.12.2016 “Procedures for the preparation of voter lists for parliamentary elections”, point 1 “Electoral component extracts and voter lists are automatically generated by the NCRC, within the deadlines provided by law and are valid on the NCRC's online graphical interface.. The procedure for generating extracts and voter lists is the functionality of the NCRC system, where the head of the civil register office downloads from the NCRC electoral components for the respective voters, as follows: selects the menu on the left of the NCRC page, option “Registration process”, “Reporting” and select the list. ...”.

309 Instruction no. 364 dated 16.12.2014 “For the procedures of drafting the voter lists for the elections of local government bodies”, point 1. “Extracts of electoral components and voter lists are automatically generated by the National Civil Registry, within the deadlines provided by law and are valid for online download from the relevant application of the National Civil Registry. The procedure for generating extracts and voters list is functionality of the system, National Civil Registry, where the responsible of the civil status office downloads electoral components from this system, for voters according to the respective place of residence, as follows: - selects in the menu on the left of the NCRC page, the option “Registration process”, “Reporting” and selects the list. ...”.

310 Instruction No.225, dated 11.05.2016 of Minister of Interior “For the procedures of suspension from the list of voters of the citizens who suffer the punishment provided by the Law No. 138/2015 “On guaranteeing the persons who are elected, appointed and exercise public functions”

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In these elections, there was again a lack of coordination between the institutions regarding the good implementation of this process³¹¹, which has also been observed in the previous election process.

As a result of this process, the removal from the list of 1,114 citizens who are serving their sentences in the Penitentiary Institution for various criminal offenses, which fall within the scope of prohibition provided by law no. 138/2015.

Due to the refusal and non-disclosure of information on this process by the Ministry of Interior, it becomes impossible to take a full look at the functioning of the mechanism and the behavior of the institutions as provided and required by the legislation for this process.

VIII.3. Written notification of voters

For the June 30 elections, the written notification process³¹² was to take place between 4 December 2018 and 2 February 2019.

Having no official information from the Ministry of Interior, it is impossible to identify how much was the fund provided by this ministry in order to carry out the process of written notification of voters.

KRIIK has addressed an official letter to 61 municipalities in the country, regarding the process of drafting and publishing voter lists and the written notification of voters.

Out of 61 municipalities, 30³¹³ replied, of which 5 municipalities³¹⁴ refer that no funds have been allocated by the Ministry of Interior for the written notification of voters, while 22 Municipalities³¹⁵ refer that despite the fact that the fund has been allocated, the voter notification process does not had begun.

Some municipalities³¹⁶, in response to the official letter of KRIIK, have reflected ignorance of the legal framework regarding the process of written notification of voters, stating that this process is carried out after the final list of voters is generated.

311 According to the technician audit Lorenc Bako: "... Based on this instruction, the General Directorate of Prisons should send the lists of these voters to the DPGJC within the deadlines, as the configuration of the number of polling stations may change depending on their number. Despite this organizational problem, all those citizens affected by this instruction have been removed from the final list of voters."

312 Electoral Code of the Republic of Albania, Article 52 "Written notification of voters" point 1 "Within 60 days from the publication of the extract of the electoral components of voters, according to points 1, 2 and 3 of article 51, the mayor of the local government unit issues a written notice for every voter included in the extract of electoral components of the voting centers in the respective local government unit. Citizens, who according to the NCRS data have reached the age of 100, are also notified about the reason for which they were not included in the list

313 Berat Municipality, Kuçovë Municipality, Skrapar Municipality, Poliçan Municipality, Dibër Municipality, Mat Municipality, Bulqizë Municipality, Durrës Municipality, Shijak Municipality, Elbasan Municipality, Cërrik Municipality, Belsh Municipality, Patos Municipality, Roskovec Municipality, Lushnjë Municipality, Mallakastër Municipality, Gjirokastër Municipality, Libohovë Municipality, Përmet Municipality, Këlcyrë Municipality, Dropull Municipality, Korçë Municipality, Maliq Municipality, Devoll Municipality, Pustec Municipality, Kukës Municipality, Kurbin Municipality, Pukë Municipality, Konispol Municipality, Delvinë Municipality.

314 Kukës Municipality, Kurbin Municipality, Dibër Municipality, Mat Municipality, Durrës Municipality.

315 Berat Municipality, Kuçovë Municipality, Skrapar Municipality, Poliçan Municipality, Bulqizë Municipality, Shijak Municipality, Elbasan Municipality, Cërrik Municipality, Patos Municipality, Roskovec Municipality, Lushnjë Municipality, Mallakastër Municipality, Gjirokastër Municipality, Libohovë Municipality, Dropull Municipality, Mërçali Municipality of Korçë, Municipality of Korçë, Devoll Municipality, Pustec Municipality, Pukë Municipality, Konispol Municipality, Delvinë Municipality.

316 Bulqiza Municipality, Berat Municipality, Cërrik Municipality, Dibër Municipality, Konispol Municipality, Libohovë Municipality, Lushnjë Municipality, Poliçan Municipality.

Meanwhile, referring to the technician audit report of the voter lists, Mr. Hoxha, it seems that the not knowing of the legal framework regarding the written notification of voters is not only manifested at the municipal level, but also in the General Directorate of Civil Status or more precisely it is an orientation by this Directorate to carry out this process in this way

The audit technician, in his final report, quotes an e-mail addressed to him by the DPGJC, in which it is stated that the DPGJC took measures to generate voter notice for each administrative unit / municipality after the final voter list was generated³¹⁷, a fact which burdens this institution even more with responsibility.

Another concern identified in these elections is related to the use of written notification of citizens by the administrative unit in the city of Tirana, as a form to understand political affiliation or even to declare the vote of citizens.

In the context of an extreme radicalization, the united opposition urged its supporters and all citizens not to recognize June 30 as election day and to abandon it, on the other hand, the majority did the opposite with their own supporters and all citizens, using all its mechanisms, to consider June 30 as election date and to encourage citizens to go to the polls.

In such a situation, recognizing whether or not June 30 is the election date, as well as whether or not to go to the polls, automatically meant identifying as a supporter and voter of the majority or the opposition.³¹⁸

It is necessary to further strengthen the positive practice followed by regulating in a more complete way the mechanism of written notice, in all its elements, in order to prevent individual or even institutional will to sabotage this process.

The Central Election Commission must fulfill its responsibilities in fulfilling the obligations imposed by law to oversee the process and ensure the efficient implementation of all its constituent elements, in order to guarantee the integrity of the electoral process.

The Assembly of Albania must, through its own mechanisms or the reform process of the legal framework, compel the fulfillment of the duties and responsibilities of the Central Election Commission, undoing the practices or negative precedents applied so far by this institution.

317 Auditor's report Zamir Hoxha "On the verification of actions in the database of the National Registry of Civil Status": "Through the email sent on May 30, 2019, information was also requested on the notification by mail of the citizens by the local units and their reports, if any. In their response, the DPGJC states that by generating the final voter list, the DPGJC took measures to generate voter notification for each administrative / municipal unit. We have been informed by the CSOs that they have been printed and sent to be signed by the Mayor and further to be sent by mail, to the address of the voters".

318 According to the reported information, in the third week of June the KRIIK observer was contacted by a team of two people, who introduced themselves as students and engaged by the company "Aleat" to submit the notification where the citizen has his polling station, and where is he on the voter list. After submitting the notice, the team asked the citizen if he would go to the polls on June 30, keeping a note of everything, in a block where there were lists of previously marked names. From the conversation with them, it was stated that the team did not represent the company "Aleat", but was employed to do this service, as part of an organization led by the administrative unit of the municipality. It is emphasized that the written notification submitted by them, was the model determined according to the instruction of the Ministry of Interior, printed, signed and stamped by the chairman of the municipality administrative unit.

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IX. CAMPAIGN ENVIRONMENT

IX.1. Early campaign

According to the Electoral Code, the election campaign starts 30 days before election day and ends 24 hours before it.

The election campaign, officially, started on May 31, 2019, however, in the wake of an already consolidated tradition, electoral activities³¹⁹ took place months before the election campaign officially began.

Lack of definition of the election campaign in the law creates a legal vacuum regarding the possibility of electoral subjects to carry out electoral activities, leaving open the possibility that, de-facto, the campaign will take place all the time.

In addition to the negative effects on the rise of political tensions and the neglect of tasks by public officials, especially those at the highest level,³²⁰ this also makes it difficult to calculate the costs incurred during the campaign.

Moreover, many activities carried out by political parties during the period of several months before election day should be considered as election campaign expenses on behalf of election subjects.

IX.2. Campaign on social media

The Electoral Code has few regulations on the campaign itself, focusing more on its coverage on audiovisual media, while a significant drawback is the lack of regulation of the campaign on social media, which are currently an important communication channel for electoral subjects, and especially with young people.

While there are a number of adjustments regarding the behavior of audiovisual media, social media remains unregulated and unmonitored, which increases the likelihood of abuse³²¹.

319 - 26 October 2018: [Veliaj reveals election slogan: Support SP massively](#), Veliaj: "Anyone who will go to vote next year for the mayor or for the Municipal Council should think and say: OK, the mayor, but with the vote of the Municipal Council I will not do any favor, I will only give it to the SP because only it assures me that the mayor is supported to do this kind of work". (["Balkanweb.com"](#))

- 30 October 2018: [Budget and balance of works in three years, Veliaj hearing with residents of Administrative Unit 10](#), Veliaj: "For the good works to continue for Tirana, the majority in the Municipal Council is vital, so it is necessary that in the next elections, the vote goes to the Socialist Party." The meeting was also attended by the SP MP in Unit 10, Fatmir Xhafaj, who stressed that Veliaj requires a second term not to stay in that chair, but to serve and advance his mission to transform Tirana. (["GazetaDita.al"](#)).

- 8 November 2018: Prime Minister Rama together with the Minister of Education Lindita Nikolli and the Socialist MP Pjerin Ndreu held a [meeting with the youth of the Socialist Party in Lezhë](#). "We have a difficult road ahead because we are looking for victory," said Ndreu, who announced two days ago on Report TV's "45 Minutes" show that he would run for mayor of Lezhë. At the meeting that seemed like the beginning of the campaign for the locals on June 30, Rama stabbed the municipality led by the Democrats. "The coexistence of cars with sheep in the middle of the city seems like a development model, it seems to them a vision. Such a vision leads to curly dirt," Rama commented. (["Shqiptarja.com"](#))

320 Who are also actively involved in the campaign as political leaders in some counties?

321 Throughout the election campaign, on social media (see for example spot [shared on the personal Facebook page of the deputy Minister of Defense, Petro Koçi](#)) was noticed a spot with a view of some of the infrastructural works carried out in the Municipality of Tirana in recent years, at the end of which were the messages #30June and #Ivote. Despite the fact that the spot clearly contained elements of electoral propaganda in favor of the Socialist Party, there was no information on who produced it and who was the electoral entity that supported it, which would be contrary to point 1 of the article. 80 and point 4 of Article 84 of the Electoral Code, if it was broadcast on audiovisual media. Meanwhile, its distribution on social media is free and uncontrolled.

IX.3. Campaign activities

The 2019 Local Election Campaign was different in many respects from other previous election campaigns, due to the specifics of these elections and the lack of participation of the largest opposition parties in them.

As they boycotted the election and withdrew their mandates in the Albanian Parliament, these parties, already grouped and now known as the “United Opposition”, staged continuous protests, which were often accompanied by attacks on institutions and clashes with police, demanding the resignation of Prime Minister Rama and the holding of early parliamentary elections.

Majority electoral activities focused, to a considerable extent, on why local elections were to be held on June 30, urging citizens to participate in elections and the achievements of the central government.

In this situation, local issues received very little attention from electoral subjects, giving this campaign the characteristics of a political campaign for general elections and a confirmation of central government, rather than those of local elections.

The campaign was further developed through door-to-door meetings, especially through close meetings with the community, as well as through social media.

Mass rallies were limited. In these mass rallies, the protagonists were senior state officials, especially Prime Minister Rama, while local candidates received little or no attention at all during them.

Electoral activities in the presence of Prime Minister Rama were accompanied by protests organized by opposition parties³²², and in some cases there were even physical clashes between police and protesters.

As the election day approached, in a number of municipalities the opposition protested and attacked the election administration offices, which in some cases resulted in the destruction of election materials or the premises in which the latter were located³²³, or even in confrontations between the municipal police, in the cities where the mayor was elected by the opposition parties, and the state police.

Despite the registration of a number of electoral subjects, grouped into two pre-election coalitions, as well as a number of parties competing outside the two pre-election coalitions, Albanian voters did not really have the opportunity to hold elections and the competitive campaign was almost non-existent.

The majority campaign was characterized by aggressive rhetoric, personal attacks and mocking and denigrating comments against political opponents, especially the leaders of the Democratic Party and the Socialist Movement for Integration. But even the language used by the opposition during organized protests or counter-rallies was aggressive and provocative, and often these protests resulted in physical clashes between protesters and state police.

IX.4. Use of administration in the campaign

During the election period, a number of credible allegations were made, many of which were made public in the media, for pressure on voters, especially those employed in the state administration, in order to engage them in the campaign, participate in electoral activities and to vote on election day.

322 As in municipalities: Devoll, Shkodër, Bajram Curri, Fier, Durrës, Patos, etc.

323 As in Bushat, Has, Vau i Dejës, etc.

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In a number of activities organized at the local level, immediately after working hours, employees of the local administration were observed to participate, just as they were noticed to participate in the protests organized by the opposition in those municipalities where the mayor was elected from the list of the latter.

IX.5. Electoral Offices

Following the legal changes of 22 May 2017 pursuant to the Law on Political Parties, the placement of propaganda materials for the election campaign was carried out only in the vicinity of the election offices, making sure that the campaign was not visible in the urban infrastructure through posters or other static propaganda materials.

The number of polling stations opened for these elections was relatively low, while many offices declared as such, according to financial experts who observed the campaign contracted by the Central Election Commission, were not identified as such by logos or signs.

Despite the relatively low number of open election offices, referring to the reports of experts engaged in monitoring the election campaign³²⁴, there were cases of opening more than one election office for a neighborhood, contrary to the Instruction of the Central Election Commission³²⁵.

IX.6. Task Force for monitoring the activity of the administration in the campaign

On May 10, 2019, the Council of Ministers approved the Decision on taking measures and monitoring the activity, behavior or use of human, financial and logistical resources of the state administration during the election process.³²⁶

The decision sets out a number of obligations for state administration institutions. Among other things, the Decision provided for the establishment of a Task Force in order to coordinate the monitoring process. Task Force was headed by Deputy Prime Minister and in its composition were 10 other institutions³²⁷, while other institutions³²⁸ were invited to attend its meetings.

KRIIK has requested, through an official letter, sent on 31 July 2019 to the Deputy Prime Minister copies of the minutes of the Task Force meetings during the period of operation, but has not yet received an official response in this regard.³²⁹

324 [Intermediate Monitoring Reports for the 2019 Election Campaign](#).

325 [Instruction no. 1](#), dated 31.05.2017, of the Central Election Commission (amended by decision no. 153, dated 11.04.2019 of the CEC) Article 2, point 2 "Electoral subjects are allowed to set up no more than one electoral office for a city neighborhood or village."

326 [Decision no. 238](#), dated 10.05.2019 of the Council of Ministers "On taking measures and monitoring the activity, behavior or use of human, financial and logistical resources of the state administration, during the election process of the local elections for 2019".

327 Minister of Interior; Minister of Defense; Minister of Finance and Economy; Minister of Education, Sports and Youth; Minister of Justice; Minister of State for Relations with Parliament; Secretary General of the Council of Ministers; Director of the Department of Public Administration; Director General of the State Police; Director for Prevention of Money Laundering at the Ministry of Finance and Economy.

328 Commissioner for Civil Service Oversight; Ombudsman; a representative from the General Prosecutor's Office; a representative from the Central Election Commission.

329 Meanwhile, 17 other institutions that had the obligation to participate and report to the Task Force have received official requests for information, including the reports sent to the Task Force. Of these ten institutions

From the information received from state institutions regarding the activity of monitoring groups for the behavior of civil servants during the campaign, in accordance with the instruction sent to the institutions by the Commissioner for Civil Service Oversight, there is data for a meeting held by the Task Force, on June 19, 2019.³³⁰

Until the publication of this report, the Task Force has not released a public report on its activities, and it is unclear whether it has really functioned.

The task force's activity to monitor the use of administration and state resources in the election campaign, a positive experience launched in 2017, should be well-regulated and its real functioning guaranteed, as a further guarantee in stopping the misuse of state resources, but also for other aspects of the electoral process integrity.

IX.7. Engagement of senior central officials in the campaign

The involvement of senior officials in the election campaign was evident in the campaign. Heads of central government were engaged in institutional activities that propagated the inauguration or start of works, with the presence of local leaders who were currently also candidates for mayor.³³¹

The commitment of senior officials and their direct or indirect support to the candidates raises some concerns, such as the blurring of the distinction between party and state, the influence of central government in the local government, and the use of state resources for electoral purposes, contrary to the legal framework.

The legal framework should provide for the banning of senior central officials from participating in the campaign in support of local candidates, in order to guarantee the equality of candidates and the clear separation between local and central government.

have responded by making available only a portion of the requested information.

330 The information is quoted by a memo sent to the Minister of Justice, Ms. Etilda Gjonaj, on July 8, 2019 by the Monitoring Group set up at the Ministry of Justice, a memo which is included in the official response sent by the Ministry of Justice to KRIIK. This reference is the only one found by KRIIK in relation to meetings held by the Task Force. According to the memo, the meeting of June 19, 2019 is the second meeting of the Task Force, but there is no information on when the first meeting was held. Also, in the report of the Ministry of Agriculture, sent to KRIIK in response to the request for information, a meeting conducted by the Task Force is quoted, but without quoting the date on which it was carried out, while the available report itself is undated.

331 Following are some announcements on the official websites of the Ministries of Infrastructure, Health and Tourism, which reflect the institutional activities of the ministers accompanied by candidates of the Alliance for European Albania for mayor, or statements that can be taken as an election campaign:

- 31 May 2019, The Minister of Infrastructure and Energy, Ms. Belinda Balluku at the inauguration of the water supply network in Rrëshen, accompanied by the Mayor and at the same time candidate for mayor of Rrëshen by ASHE, Mr. Ndrec Dedaj;

- 12 June 2019, Minister of Health, Ms. Ogerta Manastirliu in Durrës, accompanied by the candidate of ASHE for mayor of this municipality, Ms. Valbona Sako;

- 14 June 2019, Minister of Health, Ms. Ogerta Manastirliu at the inauguration of the rehabilitation of the Polican Health Center, accompanied by the Mayor and candidate for Mayor from ASHE, Mr. Adriatik Zotkaj;

- 18 June 2019, Minister of Health, Ms. Ogerta Manastirliu at launch of works for the rehabilitation of the regional hospital in Kukës accompanied by ASHE candidate for mayor of Kukës Municipality, Mr. Safet Gjici;

- 19 June 2019, Minister of Tourism and Environment, Mr. Blendi Klosi, in Berat, during an institutional meeting says: "I believe that the new mayors who will emerge from the June 30 elections will very well take into account this new space for investment promotion and fiscal policies and what the state has to promote the construction of these agro-tourism centers.";

- 23 June 2019: Minister of Infrastructure and Energy, Ms. Belinda Balluku in Sukth accompanied by the candidate of ASHE for Mayor of Durrës, Ms. Valbona Sako;

- 27 June 2019: Minister of Infrastructure and Energy, Ms. Belinda Balluku, accompanied by Prime Minister Rama and the Mayor and at the same time the candidate for mayor of Fier, Mr. Armando Subashi at the opening of the Fier by-pass. In the photo that accompanies the news, both the Prime Minister and the candidate for the Municipality of Fier, Subashi, are wearing shirts with electoral symbols of the Socialist Party.

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X. FINANCING OF ELECTION CAMPAIGN

Transparency and control of political finances, both during and outside election campaigns, is a major concern for all democratic countries.

Political party lenders provide privileged access to decision makers, which can be misused by placing the private interest of individuals or groups of individuals on the public interest.

The issue of controlling electoral finances is even more acute for Albania, for two reasons. *First*, as a result of weak institutions and inapplicability of the law, political finance control remains a major challenge as de-facto political finances are only formally monitored continuously.

Second, the lack of control leaves open the possibility of infiltration of money generated by criminal or corrupt activities, holding future elected officials hostage to private interests or even illegal interests, creating inherent premises for seizing power from these interests, or, even more dangerous, the state itself.

An electoral administration system managed under direct influence of the political forces themselves has de-facto allowed and justified a “kind of amnesty” for the implementation of the law by political parties in relation to the obligations of transparency and control of their funding sources.

Despite the importance that this component has in an electoral process, currently, the deadlines set in the legal framework enable the financing of electoral subjects to go beyond the focus of monitoring the process. This is due to the fact that a number of very important elements of the control of financing the electoral subjects end several months after the election process has ended, the result is certified, and the respective elected officials have received and are exercising the mandate in the meantime.

Consequently, the control over the election campaign finances, despite being a very important stage of the electoral process that carries the potential to annul the election result itself in case of identification and proof of violations, is not addressed in the election process observation reports, or is superficially handled based on preliminary and incomplete data.

For the first time, in the June 30, 2019 elections, KRIIK applied a methodological approach to monitoring and reporting, including all stages of the process, until its conclusion (audit of election finances and allocation of public funds to political parties for the following year). With the completion of this process, the entire electoral cycle of the June 30 Local Elections ends.

Monitoring of election campaign financing was carried out by monitoring the activities of the Central Election Commission in relation to this issue and by reviewing the financial reports of the election campaign, i.e. self-declaration reports of political parties, monitoring reports by financial experts contracted by the CEC as well as audit reports by auditors contracted by the CEC.

From the monitoring of the CEC and from the review of the financial reports submitted to this institution, it is concluded that, despite the completion of the legal elements and CEC's increased attention on this issue, the reporting of the financing of the election campaign in the Elections of 30 June 2019, suffers from a number of problems such as: violation of legal deadlines by election subjects and financial experts; basic and formal reporting by both political parties and financial experts; identification of a number of substantive violations; lack of control by the CEC over the reports received; lack of initiative by the CEC to verify the problems or objections identified in the financial reports and non-compliance with the law by the CEC itself to apply sanctions in relation to the violations identified.

X.1. Legal framework and oversight mechanisms

According to Albanian legislation³³², legal funding sources for the election campaign are funds allocated from the state budget for electoral subjects for the purpose of electoral campaigning, income from sources of the electoral subject itself, donations from non-public sources in monetary or material value, as well as loans.

The fund allocated from the state budget is calculated and allocated in advance, based on the result of the electoral subjects in the previous elections of the same kind. The final amount of funding that each electoral subject receives from the state budget is determined by a decision of the CEC after the issuance of the final election result, based on the number of votes received by each subject. The calculation is done according to the formulas provided in the Electoral Code, calculating the monetary value of each vote won, for electoral subjects that have received at least 0.5 percent of the valid votes nationwide.³³³

The Electoral Code and the Law on Political Parties entrust the Central Election Commission (CEC), in general, with a number of responsibilities in overseeing the financing of the election campaign and the financing of political parties. Some of the additional responsibilities include allocating annual public funding to political parties; selection of financial experts and auditors who control the finances of electoral subjects and political parties; supervising the financial activity of the electoral subjects as well as the political parties in the annual activity; verification of financial audit data of political parties; application of relevant sanctions for subjects or parties that violate the legal framework, etc.

In order to make transparency and control of revenues and expenditures during the campaign, the law provides several mechanisms, which combine the activity of electoral subjects during the campaign and control by financial experts appointed by the CEC.

Political parties must submit to the CEC a self-declaration report on the funds obtained and spent for the purpose of the campaign.

Meanwhile, the CEC on the other hand contracts financial experts who monitor the election campaign of electoral subjects by independently costing the expenses incurred by them. After the elections, the CEC contracts other financial experts who audit the campaign expenses. Financial experts and auditors draft the relevant reports and submit them to the CEC.

After that, the CEC administration controls and verifies all reports, preparing in conclusion the relevant report which it presents to the CEC body. This whole process together with the review by the CEC and its conclusion in a decision by it should have ended as a rule in mid-February 2020.

At the meeting of April 11, 2019, the Central Election Commission approved three bylaws³³⁴ with the aim of increasing the financial transparency of political parties and electoral subjects. This process was considered in general as a positive step to increase the transparency of finances of political parties and electoral subjects, and even became known to the public through a statement³³⁵ by the CEC chairman.

332 Electoral Code Article 87/1 *Financing sources for the electoral campaign*, as well as Law "On Political Parties" Article 17 and Article 20, point 2.

333 If the final amount due to an electoral subject is less than the amount given as an advance before the election, the electoral subject should return the funds within 90 days. If the electoral subject does not do so, according to Article 87, point 8, of the Electoral Code, then this subject loses the right to receive public funds for at least 5 years and will not be registered as an electoral subject in the next elections. Electoral Code Article 87 *"State Budget funds to finance parties participating in elections"*.

334 Instruction no. 1 dated 11.04.2019 *"On the procedure of control and verification of funding and spending of political parties and electoral campaign"*; Decision 152 dated 11.04.2019 *"On the approval of the standardized formats of the audit report of funds received and spent by political parties during the calendar year, for the election campaign and the election campaign monitoring report"*; Decision 153 dated 11.04.2019 *"For some additions and changes to Instruction no.1, dated 31.05.2017 'The use of propaganda materials and locations for their display during the election campaign'"*.

335 Statement of CEC Chair, Mr. Zguri, 11 April 2019: "... Intensive work with international experts to analyze all aspects

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In view of the above-mentioned bylaws and to facilitate the completion of the approved reporting formats, the CEC issued guidelines for financial reporting by candidates.³³⁶ and for financial reporting by political parties³³⁷ participating in the elections.

It is considered a positive achievement that in the electoral process of June 30, for the first time the obligation to report the campaign finances was determined not only by the political party, but also by the candidate for mayor. The reporting of these candidates is expected to be carried out by the political entity that proposed them and to be included in the report that the political party must submit to the CEC.

On the other hand, the reporting of independent candidates was left uncovered by the regulatory framework, either in relation to the self-declaration report or in relation to the audit of their expenditures, as it is unclear on which report the audit will be conducted.

Considering the completion of the regulatory framework by the CEC very positive, it is deemed necessary for this framework to be further improved by filling in the gaps and including the obligation to report on election campaign finances by candidates for members of municipal councils.

X.2. Distribution of public funds for the election campaign

X.2.1 Distribution of public funds

Electoral Code³³⁸ stipulates that political parties participating in elections and that have received not less than 0.5 percent of the votes nationwide, receive funds from the State Budget, based on the number of votes that each party has received in those elections.

The total fund, which was distributed as an advance to the political parties registered in these elections, was in the amount of 65,000,000 ALL. This fund was distributed to 36 electoral subjects³³⁹ on June 10, 2019³⁴⁰, in excess of the legal deadlines³⁴¹.

The allocation of public funds in excess of legal deadlines, in addition to be a violation of the legal framework, unfairly creates difficulties in conducting the campaign for small or new political parties, which have limited financial resources or have as their sole source of funding the state budget.

From the point of view of the offered standard, the principle of equality in the race between electoral subjects is violated, as it indirectly creates an advantage for parliamentary parties that have a more solid financial situation thanks to annual financial support from the state budget, at least.

related to party financing, study of best international practices and identification of methodologies that can be adapted in our country, allowed us to have a more comprehensive legal framework for the transparency of political party finances. Consultation with financial experts to parties, civil society and licensed auditors, who collaborated with us their suggestions and valuable opinions, contributed to the consolidation of adopted acts “.

336 [Financial Reporting Guide for Candidates 2019](#)

337 [Financial Reporting Guide for Parties 2019](#)

338 [Electoral Code of the Republic of Albania](#), Article 87, point 1 “ Political parties participating in the elections, which have received no less than 0.5 per cent of votes nationwide, are entitled to State Budget funds, based on the number of votes of each party in those elections”.

339 See Annex no. 5 – Party finances and finance reports for the electoral campaign.

340 [Decision no. 830](#) dated 10.06.2019 of the Central Election Commission “To determine the amount of public funds that will be distributed as an advance to the parties registered as electoral subjects in the elections for the local government bodies of June 30, 2019.”.

341 Article 87/3 [Electoral Code](#), point 4: “The fund determined to be distributed is given to each party no later than 5 days from the registration of the multi-name lists, or to the candidates for mayor of the local government unit of the respective party.”.

Following the announcement of the final result, the CEC performed the calculation according to the provisions of Article 87 of the Electoral Code. The law stipulates that if the amount received in advance by an electoral subject is greater than the amount due after the calculation based on the achieved election result, the party must return the funds to the state budget. Whereas, if this amount is lower, then the political party benefits the resulting difference as a supplement from the state budget.

Referring to the final calculations, according to the above-mentioned legal basis, it turned out that the fund of 65,000,000 ALL was finally distributed to 17 electoral subjects³⁴². The Socialist Party gained 77% of the total value of funds allocated to political parties participating in the elections. The remaining 23% was distributed to 16 other entities, where the Social Democratic Party benefited 3.7%, the Social Democracy Party 3.8%, the Democratic Obedience Party 2.8% of the funds, etc.

Meanwhile, it turned out that 19 political parties had to return the amount allocated in advance³⁴³, as they had not reached 0.5% of the required votes.

From the review of the reports, it is worth mentioning that only five parties³⁴⁴ stated that in the function of the election campaign they had income only from public funds.

X.2.2. Return of public funds

On July 27, 2019, the CEC³⁴⁵ decided that 28 entities³⁴⁶ should return all or part of the amount allocated as an advance for the campaign, by September 30, 2019.

It turned out that: 19 of these parties had not withdrawn the allocated advance fund³⁴⁷ and therefore did not have to carry out the procedures for its return, four

342 New Democratic Spirit 763,635 ALL; National Albanian Alliance Party 841,768 ALL; Albanian Democratic Alliance Party 588,875 ALL; Albanian Christian Democratic Alliance Party 709,305 ALL; Alliance for Democracy and Solidarity Party 399,249 ALL; Albanian Future Party 446,766 ALL; Democratic Conviction Party 1,800,691 ALL; Social Democracy Party 2,465,664 ALL; Green Party 1,260,572 ALL; Albanian Democratic Reform Party 414,115 ALL; G99 Party 439,333 ALL; Christian Democratic Party 459,950 ALL; Social Democratic Party of Albania 2,426,465 ALL; Moderate Socialist Party 768,236 ALL; Socialist Party of Albania 49,966,218 ALL; Albanian Social Working Party 360,315 ALL; National Unity Party 888,842 ALL.

343 For more on the amount received as public funding for each of the political parties participating in the election, see Annex no. 5 - Party finances and finance reports for the electoral campaign.

344 New Democratic Spirit, the Albanian Democratic Alliance Party, the Green Party, the Christian Democratic Party, the Social Democratic Party of Albania.

345 Decision no. 1098 dated 27.07.2019 of the CEC "On determining the amount of public fund that will be distributed to political parties participating in the elections of June 30, 2019", a decision not published on the CEC website.

346 New Democratic Spirit 2,279,233 ALL; Albanian Democratic Alliance Party 567,220 ALL; Albanian Christian Democratic Alliance Party 97,790 ALL; Macedonian Alliance for European Integration Party 162,500 ALL; Red and Black Alliance Party 162,500 ALL; European Alliance for Equality and Justice Party 162,500 ALL; Alliance for Democracy and Solidarity Party 514,910 ALL; National Front Party 1,434,666 ALL; Liberal Democratic Union Party 1,314,104 ALL; New European Democracy Party 162,500 ALL; Democratic Party for Integration and Prosperity 162,500 ALL; Albanian National Reconciliation Party 162,500 ALL; Denied Rights Party 162,500 ALL; Albanian Emigration Party 162,500 ALL; G99 Party 523,741 ALL; National Conservative Party Albania 162,500 ALL; Communist Party of Albania 162,500 ALL; Christian Democratic Party 496,426 ALL; Albanian Labor Movement Party 162,500 ALL; Greek Ethnic Minority Party for the Future 162,500 ALL; Albania Hour Party 1,090,435 ALL; Freedom and Democracy Party 162,500 ALL; Immigrant Rights Protection Party 162,500 ALL; Albanian Workers' Rights Protection Party 162,500 ALL; Party Persons with Disabilities 162,500 ALL; Moderate Socialist Party 790,036 ALL; National Unity Party 133,904 ALL.

347 Albanian Democratic Alliance Party, Albanian Christian Democratic Alliance Party, Macedonian Alliance Party for European Integration, Red and Black Alliance Party, European Alliance for Equality and European Justice Party, National Front Party, New European Democracy Party, Denied Rights Party, Albanian Emigration Party, G99 Party, Communist Party of Albania, Albanian Labor Movement Party, Greek Ethnic Minority Party for the Future, Albania Hour Party, Party for Freedom, Democracy and Ethics, Party for the Protection of Immigrants' Rights, Party for the Protection of Workers' Rights, the Party of Persons with Disabilities, the Party of National Unity.

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parties had withdrawn and returned the funds³⁴⁸; while five parties have not yet returned this fund³⁴⁹, although the legal deadline has been exceeded³⁵⁰.

For the latter, the Electoral Code provides for penalties, which consist of non-financing from the state budget for at least 5 years and the loss of the right to register in the next elections³⁵¹.

The non-withdrawal of allocated funds by political parties reflects, at the very least, their uncertainty in reaching the threshold needed to prevent them from returning the money, but it can also be said that questions arise about the purpose and seriousness of their commitment to electoral race.

On the other hand, questions can also be raised about the scheme that applies to the financial support of political parties, if we refer to the size of the fund allocated to them, always if the purpose of this scheme of public funding is to put them at least in terms of equal competing subjects in elections.

According to the law *"On political parties"*, funds obtained from the state budget for the election campaign, as spent by electoral subjects undocumented, must be returned to the state budget within 90 days, otherwise they will be penalized³⁵². From the consultation of the financial reports of the local elections of June 30, 2019, three political parties are evidenced that they have not spent the received funds for the election campaign³⁵³ and that they must return them.

One of the parties did not to spend a part of the funds received from the state budget's for election campaign is Socialist Party (PS). SP in its self-declaration financial report, but also in the monitoring and audit reports of the election campaign funds, it is evidenced that an amount of 7 million ALL from the campaign funds was used as a donation or contribution for the reconstruction of apartments of those affected by the earthquake in the village of Floq in Korçë. This is, at best, a violation of the law on non-use of the fund for the purpose of conducting the election campaign, and as such should be returned to the state budget.

The non-return of funds to the state budget by political parties, according to the provisions of the Electoral Code and the decision-making of the CEC, has been evidenced even after the 2017 parliamentary elections. It turns out that the Democratic Party, the Republican Party and the People's Alliance for Justice Party did not return the funds set within the legal deadline and have not yet done so.

Contrary to the clear penalties provided by law, the CEC did not take any action in regard to this fact. Despite the fact that, according to the Electoral Code, these parties should have lost the right to other funding from public funds for a period of not less than 5 years, the Democratic Party has continued to benefit public funds in 2018 and 2019³⁵⁴ from the state budget by CEC decision.

348 Liberal Democratic Union Party; Party New Democratic Spirit; Christian Democratic Party; Moderated Socialist Party.

349 The Alliance for Democracy and Solidarity, the Democratic Party for Integration and Prosperity, the Albanian National Reconciliation Party, the National Conservative Party Albania, Party Arbno National Alliance.

350 See Annex no. 5 - Party finances and finance reports for the electoral campaign.

351 Electoral Code Article 87 point 8 *"Funds from the State Budget for financing the parties participating in the elections"*.

352 Law 8580 dated 17.2.2000 "On Political Parties", amended by law no. 10374 dated 10.2.2011, amended by law no. 17/2014 dated 20.2.2014, law no. 90 dated 22.5.2017, Article 24/3, point 4 *"In case the amount benefited by the political party, according to the Electoral Code, is greater than the amount documented as spent on financing the election campaign, the party is obliged to return the difference obtained in the CEC"*, as well as point 5 *"The party, which does not return the relevant funds, according to point 4 of this article, within 90 days from the announcement of the election results, loses the right to other financing from public funds for a period of time not less than 5 years, and is not registered as an electoral subject in the next elections, regardless of their type, neither alone nor as a member of any coalition"*.

353 PSD - public fund of 2,265,102 ALL entirely unused.
- PDS, stated in the report only the amount benefited from the State Budget 2,036,156 ALL and no expenses incurred. Even in the monitoring and audit reports, the party is evidenced by 0 expenses.

354 Decision no. 9 dated 29.01.2018 of CEC *"For the distribution of annual funds to political parties in the form of annual*

X.2.3. Allocation of annual funds for political parties for 2020

Every year, the State Budget allocates a financial aid fund for the performance of the annual activity of political parties, which is distributed by the CEC.

On February 3, 2020, the CEC held a meeting to distribute the public fund as an annual financial aid for 2020 for political parties. Beneficiaries of the fund of 140,000,000 ALL, divided according to the provisions of the law "On political parties"³⁵⁵, were six political parties³⁵⁶.

It is noted that the amount of the fund allocated for 2020 is lower than that allocated by the state budget in 2019 and 2018 (respectively 190 million ALL and 186 million ALL), contrary to the law, which provides that as a rule this assistance may not be lower than that of previous year³⁵⁷.

Following the 2017 parliamentary elections, the CEC set a positive standard in its practice by considering the financial reports of party campaigns before deciding on the distribution of financial aid to them for the following year, so that it could reflect on it possible sanctions taken in relation to the violations identified. Thus, the measure of administrative sanction imposed in relation to the 2017 election campaign, was reflected in the decision-making of the CEC, for the distribution of annual funds of 2018, deducting it from the total fund that each party benefited.³⁵⁸

This positive practice was not followed after the 2019 elections, as the CEC has not yet completed the review of the reports and still there is no decision on them.

In KRIIK's judgment, the CEC had all the possibilities and capacities to close review processing time, as provided by legal provisions, given that the deadline for detailed financial reporting on the election campaign by the political parties themselves was 26 September 2019, the deadline for submission of monitoring reports by financial experts was on 26 November 2019 and the deadline for submission of audit reports by the same experts was on 16 December 2019.

A full review of the reports and the publication of the identified violations would be in the public interest, as for the first time it would be possible to identify political behavior and will, in relation to the implementation of simple reporting formats and other issues, based on the improvements of the legal framework approved in unison by the CEC with the encouragement of important and experienced international actors in this field.

The delay of the CEC review and decision-making process on this essential aspect of the electoral process, and with an objective nature in relation to the implementation or not of the law, is a continuation of its political stance not to penalize political parties, especially the bigger ones of which have been

financial assistance for 2018" and Decision no. 25 dated 11.02.2019 of CEC "For the distribution of annual funds to political parties in the form of annual financial assistance for 2019".

355 Law 8580 dated 17.2.2000 "On Political Parties", amended by law no. 10374 dated 10.2.2011, amended by law no. 17/2014 dated 20.2.2014, law no. 90 dated 22.5.2017, Article 19 point 2.

356 Socialist Party of Albania 63,417,047 ALL; Democratic Party 38,911,877 ALL; Socialist Movement for Integration 20,012,797 ALL; Justice, Integration and Unity Party 7,447,477 ALL; Equal List 4,841,667 ALL and the Social-Democratic Party 5,369,137 ALL.

357 Law 8580 dated 17.2.2000 "On Political parties", Article 19 point 1 "The financial assistance provided in the State Budget in the non-election years, as a rule, cannot be less than the assistance foreseen in the previous year".

358 Decision no. 9 dated 29.01.2018 "On the distribution of annual funds to political parties for 2018", "The total amount that each political party benefits as financial support for 2018, is the sum of all the amounts resulting from the above calculations by deducting administrative sanctions with a fine, imposed by the CEC, pursuant to Law no. 8580, dated 17.02.2000 "On political parties", as amended, respectively: for the Socialist Party 1 million ALL Decision of the CEC no. 576, dated 12.12.2017, for the Democratic Party 1 million ALL Decision of the CEC no. 578, dated 12.12.2017, for the Party Socialist Movement for Integration 1 million ALL Decision of the CEC no. 577, dated 12.12.2017, the Social Democratic Party 1 million ALL Decision of the CEC no. 579, dated 12.12.2017".

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nominated as members of the Body, thus dismantling all the legal instruments built and improved by it and further strengthening the culture of impunity in relation to political parties, candidates and their staff.

X.3. Self-declaration Financial reports of political parties on the election campaign

The legal changes to the law "On Political Parties"³⁵⁹ adopted in 2017 sanctioned for the first time the obligation of political parties to submit to the CEC, within 60 days from the announcement of the election result, detailed financial reporting on the election campaign.

Regarding the deadlines, the process of control and verification of revenues and expenditures of political parties, as well as the relevant sanctions, CEC approved on April 11, 2019 a special instruction. It also drafted the standard reporting format for electoral subjects³⁶⁰ and candidates for mayors³⁶¹, as well as guidelines³⁶² for their completion. Focusing on all these changes and legal practices, CEC, in early June, organized a series of trainings with all party accountants and all candidates.

It can be said that the CEC has played an active role in informing electoral subjects about the obligations provided by law. Even two days before the deadline of September 26, 2019, the CEC made a public statement³⁶³ reminding the political parties participating in the elections, the legal obligation to submit within the set legal deadline, the self-declaration financial reports.

It is concluded that despite legal changes carried out, providing electoral subjects with simple reporting formats, training developed by CEC or other actors with political afterwards, financial reporting situation in the 30 June 2019 election remained in basic and formal levels, while not guaranteeing full transparency of the funds obtained and spent during the campaign.³⁶⁴

Out of 36 electoral subjects participating in the June 30 elections, only 21³⁶⁵ of them submitted their financial self-declaration reports to the CEC, where seven of them³⁶⁶ submitted it outside the legal deadline.

359 Law no. 8580 dated 17.02.2000 "On Political Parties" was amended by law no. 90/2017 dated 22.05.2017 "On some additions and changes to the law no. 8580, dated 17.2.2000, "On political parties", as amended.

In its article 24/3 "Documentation of expenditures", point 2 is sanctioned that: *"The political party submits to the Central Election Commission a complete copy of the documentation for each payment made during the election campaign period. Within 60 days of the announcement of the election results, any political party registered to vote must make public and submit to the Central Election Commission a report on the financial declaration of the campaign, including all its constituent branches and components. The report contains precisely: a) the income earned or made by the political party, including the source and date of the income, for the period from the date of the election to the day of the election; b) all expenses incurred for the period from the date of the elections to the day of the elections, detailing any expenditures made to the financial fund provided for the expenses of the election campaign; c) the balance of assets and liabilities that the political party has, for the period from the date of setting the election day until the election day".*

360 [Reporting format type - Local elections 2019 - Party](#)

361 [Reporting format type - Local elections 2019 - Candidate](#)

362 [Guidelines for financial reporting for party 2019.](#) and [Guidelines for financial reporting for candidates 2019.](#)

363 CEC statement dated 24.09.2019: *"Political parties must submit reports on campaign finance by September 26"*.

364 In the 2017 parliamentary elections, out of 18 participating entities, 16 submitted self-declaration financial reports for the CEC campaign, where 12 of them reported in the format approved by the CEC, while 2 or 11% of them did not submit it.

Meanwhile, in the 2019 Local Elections, out of 36 participating political parties, 14 of them or 39% of them did not submit the self-declaration financial report for the election campaign.

365 New Democratic Spirit; National Albanian Alliance Party; Albanian Democratic Alliance Party; The Alliance for Equality and European Justice Party; Alliance for Democracy and Solidarity Party; Albanian Future Party; National Front Party; Liberal Democratic Union Party; Democratic Conviction Party; New European Democracy Party; Green Party; Communist Party of Albania; Christian Democratic Party; Greek Ethnic Minority Party for the Future; Albania Hour Party; Albanian Workers' Rights Protection Party; Social Democratic Party of Albania; Moderate Socialist Party; Socialist Party of Albania; Freedom for Democracy and Ethics Party; Social Democracy Party.

366 Albanian Democratic Alliance Party; Liberal Democratic Union Party; New European Democracy Party;

Meanwhile, for the 16 political parties³⁶⁷ that have not submitted the financial self-declaration report, the CEC has not taken any steps or applied any sanctions, although non-submission or violation of the deadline constitutes a legal violation for which administrative sanctions are expressly provided.³⁶⁸

Moreover, it turns out that some parties have not submitted a financial self-declaration report³⁶⁹ to the CEC or the submitted report declares zero income and expenses³⁷⁰, while from the monitoring and audit reports experts point out that these parties had financial activity.

In the submitted reports there are a number of problems regarding their formatting and formal obligations.

Regarding the format of the report, only the Socialist Party has submitted the report in both electronic and printed form, in accordance with the CEC Instruction³⁷¹, while all other parties have submitted the report only physically (hard copy).

In addition to not submitting reports in electronic format, four³⁷² of the 21 submitted reports have been completed by hand, making it difficult to read them, while two³⁷³ other parties have submitted documents that are not in the standardized CEC format. One of these two parties³⁷⁴ has declared income and expenses, but not in the required format, while the other has only referred to the fact that there has been no financial activity.

Nine of the political parties³⁷⁵ have reported zero revenue and expenditure throughout the election campaign.

Communist Party of Albania; Albanian Workers' Rights Protection Party; Freedom for Democracy and Ethics Party; Social Democracy Party.

367 Albanian Christian Democratic Alliance Party; Macedonian Alliance for European Integration Party; Red and Black Alliance Party; Social Democracy Party; Democratic Party for Integration and Prosperity; Albanian National Reconciliation Party; Albanian Democratic Reform Party; Denied Rights Party; Albanian Emigration Party; Party G99; Albania National Conservative Party; Albanian Workers' Movement Party; Emigrant Rights Protection Party; Party Persons with Disabilities; Albanian Social Working Party; National Unity Party.

368 Law 8580 dated 17.2.2000, amended, Article 23/4, point 4 "Violation of the deadline for submission of the financial report in a timely manner or submission of reports in violation of standardized formats, approved by the Central Election Commission, is punishable by fine from 50,000 to 100,000 ALL".

369 - The Red and Black Alliance Party has not filed a Self-Declaration Report, but the financial expert in the Monitoring Report has identified a total expenditure of 909,495 ALL, by one of its candidates for member of the municipal councils.

- The National Conservative Party of Albania has not filed a Self-Declaration Report, but in the Audit Report of the party it has ascertained 162,500 ALL incomes and 158,000 ALL expenses from this party.

370 - The Communist Party of Albania has submitted the Self-Declaration Report with 0 revenues and expenditures while in its Audit Report there are 70,000 ALL revenues from the party's own resources (30,000 ALL membership quotas and 40,000 ALL from the publication of the newspaper), which are spent as: 48,000 ALL for administrative expenses and 22,000 ALL for the publication of the newspaper.

- The Albanian Hour Party has submitted the Self-Declaration Report with 0 revenues and expenditures, while the Monitoring Report mentions several meetings where expenditures were made (meeting in Lezhë with 2,000 ALL expenses, meeting in Kurbini with 650 ALL expenses, meeting in Librazhd with 1,470 ALL expenses, meeting in Belsh 1,500 ALL expenses, etc.)

371 Guide to Financial Reporting for the 2019 Party "All electoral subjects must report on their donations and expenses during the campaign period and must keep supporting documentation. The Central Election Commission has approved a standard reporting format, which details all information to be provided by electoral subjects. The approved type form is in Excel format and will be submitted to CEC in hard copy as well as in electronic format in Excel".

372 Social Democratic Party, National Front Party, Alliance for Equality and European Justice Party and Democratic Conviction Party.

373 Albanian Future Party and Party for the Protection of the Rights of Albanian Workers.

374 Albanian Future Party.

375 Communist Party; Albania Hour Party; Freedom for Democracy and Ethics Party; Macedonian Alliance for European Integration Party; New European Democracy Party; Liberal Democratic Union Party; The Alliance for Equality and European Justice Party; National Front Party; Party for the Protection of Workers' Rights of Albania.

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Two electoral subjects³⁷⁶, despite having submitted the report in the format approved by the CEC, did not include in it any data other than the amount benefited from the state budget. Specifically, the FRD stated the amount referred to the calculations made after the announcement of the result by the CEC, while the Social Democratic Party referred in the report only the amount received in advance, without including in the declaration the amount allocated additionally by the CEC after the announcement of the final result. Both parties have declared no expenditures in their reports.

X.3.1. Revenues of political parties according to self-declaration reports

X.3.1.1. Public funding

In addition to the funds allocated from the state budget, in the form of financial assistance to electoral subjects, they are also provided with indirect public support, in the form of free time on public and private radio and television, but also of public places, where political parties can place election propaganda material³⁷⁷.

It is noted that only three political parties have declared the free time on television as indirect income.³⁷⁸ It is unclear whether the parties, which did not declare this vote, did not use the free time or only did not declare it.

From the review of the financial reports, it is noticed that there are parties that have wrongly declared the allocated amount of public funds.³⁷⁹

- Allocation of funds from the treasury

Public funds distributed in the form of financial aid to political parties participating in the elections must be allocated to each of them no later than 5 days from the registration of multi-name lists.³⁸⁰

Subsequently, during the electoral processes in the country, it happened that the decision-making of the CEC³⁸¹ and the allocation of public funds in advance, in order to organize the election campaign, took place after the election campaign³⁸². Even in the June 30, 2019 elections, the allocation of funds was carried out in violation of legal deadlines, as the funds were allocated on June 10, 2019, while they should have been allocated on May 18, 2019.

376 Social Democratic Party and the New Democratic Spirit Party

377 Electoral Code Article 80 "Electoral campaign of electoral subjects on the Public Radio and Television" and article 84 "Electoral campaign on private radio and television stations".

378 Democratic Alliance Party 10 minutes on TVSH; Christian Democratic Party 10 minutes on TVSH; Democratic Conviction Party 10 minutes on TVSH and 30 minutes on ABC News, TV Klan, Top News, Vizion Plus, Report TV.

379 - AAK has wrongly referred to the fund received and returned to the CEC. Specifically, they should have received an advance of 1,283,456 ALL and then returned 441,688 ALL. But in the report, they stated that they received 1,275,000 ALL and returned 325,275 ALL. According to the treasury transactions, on July 8, 2019, the amount of 1,283,456 ALL was issued.

- Democratic Conviction Party has declared revenues of 1,820,000 ALL, while according to the decisions of the CEC, it should receive 1,800,691 ALL. According to the treasury transactions, no payment has been made yet.

- PKD has declared revenues from public funds 919,900 ALL, while it has received an advance of 956,376 ALL. According to the decision of the CEC, 459,950 ALL belong to it, while the amount of 496,426 ALL must be returned. According to the treasury transactions, on June 28, 2019, the amount of 956,376 ALL was allocated.

380 Electoral Code Article 87/3 "Calculation of advanced funds", point 4 ". The fund determined to be distributed, according to article 87/2, is given to each party no later than 5 days from the registration of the multi-name lists, or to the candidates for mayor of the local government unit of the respective party."

381 Decision no. 830 dated 10.06.2019 of the Central Election Commission "For determining the amount of the public fund that will be distributed as an advance to the parties registered as electoral subjects in the elections for the local government bodies of June 30, 2019".

382 For more about the funds issued by the treasury and the date of their issuance see Appendix no. xxx "Financing of Political Parties".

Beyond the late distribution by the CEC, it is noted that some of the political parties³⁸³ participating in the June elections, for which an additional fund was allocated by the CEC with the redistribution of funds after the announcement of the final result, do not appear in the list of treasury transactions, so they have not yet received any funding from the state budget.

According to the communication with the State Treasury, the reason for this situation is the non-appearance of political parties to complete the necessary documentation at this institution, in order to continue the procedures for allocation of relevant funds.

X.3.1.2. Non-public funding

Electoral entities may benefit from donations from natural or legal entities, in cash and / or in kind. The donating entities must be Albanian citizens, while the Electoral Code stipulates the prohibition to donate in some cases conflicts of interest.³⁸⁴ The donating entities sign the declaration that they are not in the condition of prohibition to donate.

- Non-public financing in monetary value

The self-declaration reports show that four entities³⁸⁵ have benefited from donations from individuals in monetary value. The law stipulates that³⁸⁶ amounts over ALL 100,000 must be donated only through the special bank account for the election campaign opened by the subject.

No self-declaration report shows donations on this amount made in cash.

- Non-public financing in kind

Donations or donations in kind are donations obtained in the form of material goods or services provided free of charge, or at a lower value than that of the market³⁸⁷, without including monetary donations. In kind donations are subject to the same rules as cash donations. In kind donations are reported as a gift for the campaign and at the same time as an indirect campaign expense.

Three political parties have stated that they had donations in kind³⁸⁸, which are almost all in the form of making available offices or electoral premises.

- Loans

Loans are a permitted form of financing for the conduct of the election campaign. They are calculated against the donation ceiling of 1 million ALL.³⁸⁹ When obtaining

383 National Unity Party, the Christian Democratic Alliance Party, the Albanian Social Working Party, the G99 Party, the Albanian Democratic Reform Party.

384 Electoral Code Article 89 point 3 "Donation of funds by a legal person or any of its shareholders is prohibited if one of the following conditions applies: a) has received public funds, public contracts or concessions in the last 2 years, exceeding ALL 10 million; b) exercises media activity; c) has been a partner with public funds in different projects; c) has monetary obligations towards the State Budget or any public institution. This obligation is not applicable if the shareholder owns these shares as a result of a public offer.

385 Socialist Party, the Democratic Conviction Party, the Arbore National Alliance Party, the Albanian Future Party, the Alliance for Democracy and Solidarity, and the Greek Ethnic Minority Party for the Future. Regarding the amount donated, see Annex no.5 "Financing Political Parties".

386 Electoral Code Article 90, point 2 "Non-public funds exceeding ALL 100,000 shall be donated only through a special bank account of the electoral subject."

387 It is called a donation if the reduction in the value of the goods or services is higher than 10% of the real value of the good or service, or in case the reduction made exceeds the amount of 50,000 ALL.

388 - Moderate Socialist Party has declared a donation in kind of 10,000 ALL in the form of premises available for an electoral meeting.

- Democratic Conviction Party has declared a donation of 322,000 ALL in kind, of which 272,000 ALL were donated in the form of electoral offices and 50,000 ALL were donated through the use of a campaign vehicle.

- Socialist Party has declared a donation in kind in the amount of 2,153,761 ALL, where the entire amount is included in the item "rent for electoral offices".

389 Electoral Code Article 89, point 2 "The amount that each natural or legal person may give to an electoral subject may

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a loan, the electoral subject must comply with applicable fiscal legislation.

Referring to financial self-declaration reports for the election campaign, only one party³⁹⁰ has declared a loan of 480,000 ALL, which was realized through the statements of lenders, who appear to be the chairman and some members of the party.

- Membership fees

One of the financial and material resources of political parties is membership fees. The identification of the total amount collected from membership fees by political parties is made impossible by the fact that data on the number of members of political parties, as well as the amount that members have to pay as a membership fee are not public.

Consequently, the only data that enables the calculation of the amount of income that a political party has based on members' quotas is self-declaration by the parties themselves.

In the self-declaration report for the 2019 election campaign, only the Socialist Party has declared the amount of 2,976,735 ALL income from membership fees³⁹¹.

In the KRIIK judgment, based on the inaccuracies and contradictions resulting from the review of financial reports of political parties in previous election processes, it is necessary to get the information on the membership list as a financial contributor, but also as the highest decision-making body that is the general assembly of members.

This information may not be the sole and closed instrument of the political parties themselves, who have indicated that they use this voice as needed to reconcile revenue / expenditure in the reports made.

X.3.2. Expenditures of political parties according to self-declaration reports

The campaign expenditure section includes any campaign-related expenses incurred from the date of the election announcement until election day. The report also includes any campaign expenses, although the liquidation of the invoice or its final payment may be postponed and made in the period after the election date.

In the reports of the four parties³⁹² expenditures with invoice date in July 2019 have been declared, i.e. outside the election campaign period.

Apart from the fact that we are dealing with expenses that have been incurred outside the election campaign period, inaccuracies are also evidenced by the entities that issued these invoices, as they declare spending in function of an electoral activity, after the election date.

not be larger than ALL 1 million or the equivalent value in kind or services".

390 Alliance for Democracy and Solidarity party, through 4 acts of agreements with natural persons, one of which is the mayor, has stated that it has received 480,000 ALL of income in the form of loans. These loans were obtained with 0% interest and without collateral.

391 The statute of the Socialist Party, in Article 84, defines the obligation of each member of the party to pay the membership fee. The monetary value of each quota is determined by the National Assembly of the Socialist Party in the first meeting of each year, taking into account the position of each member, thus applying lower quotas for groups such as the elderly, students, unemployed, etc., and higher quotas for members with high public functions. Failure to pay the quota is a reason for disciplinary action against the member.

392 Socialist Party, the Democratic Alliance Party, the Christian Democratic Party and the National Albania Alliance Party.

This is contrary to the law because according to the tax legislation in force³⁹³, the invoice is compiled and issued by the provider or seller at the time of performing the service, regardless of the moment when its liquidation is performed.

The tax legislation³⁹⁴ in the Republic of Albania stipulates that payments against services can be made in cash if they are up to 150,000 ALL. For larger values, payments must be made through the bank.

Socialist Party³⁹⁵ has reported cash payments in amounts greater than 150,000 ALL, which is contrary to tax legislation.

Also, National Albanian Alliance Party³⁹⁶ has not included in the self-declaration report specifications regarding the manner of making payments greater than the limit, i.e. whether it has made them in cash or through the bank.

None of the political parties that have reported have completed the summary tables of expenditures exhaustively, leaving at least some sections or unfinished fields, such as the date of the invoice, the invoice number, the section if the payment was made in cash. or through bank transfer, etc.

In the reports of some parties, discrepancies between the expenditure category and the seller or the explanation of the expenditure are evidenced³⁹⁷.

A worrying phenomenon that is evident is the use of campaign funds for other purposes which are not related to the election campaign.³⁹⁸

Two of the parties participating in the election have used the funds for the election campaign to repay arrears from the previous election campaign and not specifically for the June 2019 election campaign.

Meanwhile, a major problem in this regard is the statement of the Socialist Party (SP) that it has spent election campaign funds for the reconstruction of damaged homes in the Korçë Region from the June 2019 earthquake. This news was initially made public on June 10, 2019, after a meeting of the Presidency of the Socialist

393 Instruction No. 24 dated 02.09.2008 "On tax procedures in the Republic of Albania" of the Minister of Finance, amended by Instruction no. 4, dated 25.01.2014, published in the Official Gazette no. 6 dated 30 January 2014, point 51.1 "The seller issues a tax invoice and the buyer must request it at the time of realization of the sale or performance of the work or service".

394 Instruction No. 24 dated 02.09.2008 "On tax procedures in the Republic of Albania" of the Minister of Finance, amended by Instruction no. 4, dated 25.01.2014, published in the Official Gazette no. 6 dated 30 January 2014, point 59.1.1 "Pursuant to point 1 of article 59 of the Law, taxable persons cannot perform between them sales and purchase transactions in cash, when the value of each transaction is greater than 150 thousand ALL. Payment in cash and not through the transfer from the liquidator's account of the buyer to the liquidation account of the sellers of sales transactions that exceed the value of 150 thousand ALL, constitutes a violation for both the seller and the buyer and is punishable under Article 120 of the Law with one fines as much as 10 percent of the value of each transaction made in cash. "

395 Socialist Party has paid cash in the amount of 225,000 ALL for food and drink, 499,735 ALL for fuel, 158,200 ALL for food and 180,000 ALL for electoral office rent.

396 National Albanian Alliance Party did not include data on whether payments were made in cash or by bank for all expenses, including the payment of 210,320 ALL and 690,000 ALL.

397 - Christian Democratic Party in the category "Advertising in nature" has a supplier "Kastrati" and in explaining the bill "Purchase of fuel", the value of the bill is 43,000 ALL. Also, in the category "Publications / publications" there is a supplier "Graphics online" and in the explanation of the invoice "leaflets", which are promotional materials, the value of the invoice is 20,000 ALL.

- The Democratic Alliance Party has not completed the column of the expenditure category at all, nor the explanation of the invoice.

- Socialist Party in the category "Rally and meetings" has the description "Electoral Office".

- Alliance for Democracy and Solidarity Party in the column "Seller / Supplier" always has the description "different private" and not the name of the company, while the identification number of the invoice is written "cash register or simple tax invoice".

398 Guide for financial reporting for the party 2019 "As an expenditure of the campaign is considered any expenditure related to the campaign and which is done from the date of the announcement of the election until the day of the election. Any campaign expenditure whose final payment is postponed until after the election must also be recorded."

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Party³⁹⁹, but without specifying what funds the SP would use for this purpose.

In the financial self-declaration report of the Socialist Party, but also in the reports of the monitoring and auditing of the election campaign funds of this party, it is evidenced that an amount of 7 million ALL from the campaign funds has been used for this purpose.

The declaration of the use of campaign funds by this party as a donation or contribution to reconstruction constitutes, at best, only a violation of the law on non-use of funds for the election campaign.

If it is accepted that this expenditure was made specifically for the purpose of the election campaign, then this action constitutes nothing but direct vote buying, as campaign funds are used for the financial benefits of a limited number of individuals during the election campaign, which is a serious violation that CEC must investigate with great care and priority.

It turns out that it is unclear how the funds for reconstruction were spent, i.e. whether the funds were deposited in a specific account which served the purpose of reconstruction or they were used directly by the party for the reconstruction of specific facilities, for the benefit of specific individuals, which would make the violation even more obvious and of even greater proportions.

X.3.2.1. Electoral Meetings

Self-declaration reports⁴⁰⁰ should include costing data for each rally conducted by electoral subjects. Full reflection of the data in this section would give a systematic overview of the rallies carried out, including the most complete and clear evidence of expenditures.

The only electoral subject that has completed this section of the report is the Socialist Party. However, the reports of this party also contain very little data in this section, which makes it impossible to create a clear picture of the activity carried out. Specifically, it is widely known that the SP has held rallies in almost every municipality in the country, while in the report it has stated only the cost for 4 rallies held in Vlorë, Durrës, Fier and Elbasan.

X.3.2.2. The law of volunteering

Frequent public statements by exponents of political parties often show that a significant proportion of people engaged in these parties during the election campaign voluntarily offer their contributions and services.

It is emphasized that this is a phenomenon that is still legally unregulated in its entirety. According to the law⁴⁰¹ volunteers must register with the National Volunteer Register and obtain a Volunteer Booklet.

The Volunteer Booklet and the format of the National Volunteer Register have not yet been approved by the responsible ministry, although four years have already passed, making the implementation of the law ineffective.

399 For more see the article at the newspaper "Shqiptarja.com": <https://shqiptarja.com/lajm/partia-socialiste-70-milion-ALL-për-banorët-e-prekur-nga-tërmeti-në-korcë?order=parat>.

400 *Financial Reporting Guide for Parties 2019* "Every campaign rally, attended by 5,000 or more individuals, must be recorded in a row in section 4b. "If for a certain rally, you are not sure whether 5,000 people participated or not, then you have to consider and report this rally as if the number of participants was 5,000 or more."

401 *Law no. 45/2016* dated 28.04.2016 "On volunteering", Official Gazette no. 92/2016.

In these conditions, it is impossible to identify the number of volunteers engaged specifically with political parties, and consequently the contribution or service provided by them, leaving quite a few paths for opportunities for abuse and manipulation of statements. This is because, according to the Instrument approved by the CEC⁴⁰², the inclusion of voluntary contribution as an in-kind contribution in the financial self-declaration reports is excluded.

X.3.3. Reporting by candidates

According to the Electoral Code, candidates for mayors are electoral subjects.⁴⁰³ They run in elections according to the majority system and are voted separately by the political entities that support them. As such, candidates for mayors can raise and spend funds independently of the political party or coalition that supports them, funds that can reach significant amounts.

If a candidate for mayor is supported by a coalition of parties, then the parties within the coalition must agree by agreement between them on which electoral subject will report the candidate's expenses in the election campaign's financial report. The political party that has agreed to report the candidate's income and expenses must submit a statement to the CEC.

Of the 97 candidates for mayors in these elections, 91 were representatives of eight political parties or coalitions participating in the election, and six candidates ran as independents.

In the elections of June 30, 2019, two pre-election coalitions competed, the "Alliance for European Albania" (ASHE) and the "Hope for Change".

The financial reports of the candidates proposed by ASHE are included in the report of the Socialist Party. Out of 60 ASHE candidates, a total of 32,331,770 ALL were spent.

Twelve⁴⁰⁴ of these candidates reported 0 income and expenses. This group also includes candidates for large municipalities such as Elbasan, Durrës, Shkodra, for whom it is widely known that there has been intense electoral activity, and that in no case can be zero, at least, the cost of activities held.

The Hope for Change Coalition nominated three candidates for Mayors.

Of the six parties in the coalition, four⁴⁰⁵ submitted reports with 0 revenues and expenditures, so they did not include reports of coalition candidates.

The other two parties⁴⁰⁶ have not submitted a report to the CEC at all.

As a result, none of the candidates for mayor of the Hope for Change Coalition has reported the revenue and expenditure of the election campaign.

402 *Financial Reporting Guide for Parties 2019* "When someone offers his / her free time to help the campaign (e.g. handing out leaflets for a few hours on the weekends), this is a" voluntary activity "and not an" in kind donation". It will not be included in the election subject financing report. If the services are not provided according to market conditions nor voluntarily, then these are considered donations in kind and as such should be costed and recorded.

403 *Electoral Code* Article 2, point 20 "Electoral subjects" are political parties, coalitions and candidates proposed by the voters, as well as candidates for mayor of local government bodies, who have registered in accordance with this Code."

404 Gledjan Llatja, Valbona Sako, Valdrin Pjetri, Klement Ndoni, Liman Morina, Tonin Marinaj, Gjolek Guci, Ilir Xhakolli, Adriatik Zotkaj, Nuri Belba, Gjon Gjonaj and Adriatik Mema.

405 The New European Democracy Party, the National Front Party, the Liberal Democratic Union Party and Hour of Albania Party.

406 The Red and Black Alliance Party and the Albanian Emigration Party.

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As for the six political parties that ran outside the electoral coalitions⁴⁰⁷, they all ran with candidates for mayor in several municipalities

With the exception of one candidate⁴⁰⁸, no other has been involved in any of the financial reports of the respective political parties⁴⁰⁹, or it turns out that the parties themselves have not submitted a self-declaration report⁴¹⁰ to the Central Election Commission at all.

As for the candidates proposed by the voters⁴¹¹ the law stipulates that they are subject to the same rules as the political parties participating in the elections, except for the calculation of the expenditure limit, which is performed differently.

However, bylaws approved by the CEC exclude these entities from submitting the self-declaration report for the election campaign.

They are subject only to the audit of funds received and spent on account of the campaign. But even in this case it remains unclear on which basis the financial report or statement will be audited their financial activity.

X.4. Monitoring reports and audit reports

Monitoring of election campaign expenditures by financial experts, including activities, activities and materials used by political parties, was decided for the first time with the amendments made to the law "On Political Parties" in May 2017. In view of this law, before the 2017 parliamentary elections, the CEC approved 3 guidelines⁴¹² which directed the organization of work in the field of financial experts.

At the meeting of May 31, 2019, the CEC drew lots and appointed financial experts and auditors, who would monitor and audit the revenues and expenditures of the election campaign by the electoral subjects⁴¹³.

407 Democratic Conviction Party, the Greek Ethnic Minority Party for the Future, the Alliance of Macedonians for European Integration, the Communist Party, the New Democratic Spirit Party and the National Conservative Party Albania.

408 Democratic Conviction Party out of 22 candidates, has presented in its report the financial activity only for the candidate of the Municipality of Tirana, who has income and expenses in the amount of 1,100 Euros.

409 - Democratic Conviction Party Regarding the 21 other candidates supported and proposed by it, they do not appear to have declared any financial activity at the party's self-assessment report. Meanwhile, they appear in this report as donors in kind, providing electoral offices.

In the self-declaration report, it is unclear whether the classification as in-kind donation is correct, given that the candidates have paid the rent for the respective office and are not owners of the premises made available for the electoral office.

- The Greek Ethnic Minority Party for the Future, whose chairman was a candidate for mayor of Finiq, did not include in the party's self-declaration report any information about him as a candidate.

The Alliance of Macedonians for European Integration and the Communist Party are political parties that have had one and two candidates for mayor, respectively. Both parties have submitted a report with 0 revenues and expenditures and no data on the candidates in question.

- The New Democratic Spirit Party has had a candidate for mayor but has not included any financial data in the report.

410 The National Conservative Party of Albania, a political party that has had a candidate for mayor, has not filed a financial self-declaration report with the CEC.

411 Electoral Code Article 90 point 4 "Obligations provided for in this article are also applicable to candidates proposed by voters who are registered in accordance with articles 69 and 70 of this Code. The total amount that a candidate proposed by voters may spend shall not exceed 50 per cent of the highest amount that an electoral subject has obtained from public funds, according to article 87/3 of this Code.

412 Instruction no.1 dated 31.05.2017 "For the use of propaganda materials and locations for their display during the election campaign"; Instruction no. 2 dated 01.06.2017 "To approve the procedures and criteria for the selection of the preliminary list and the appointment of financial experts to monitor the election campaign"; Instruction no. 3 dated 02.06.2017 "For the way of calculating the financial cost of activities, services or materials that will be used for electoral or political purposes, by political parties during the election campaign".

413 Decision no. 740 dated 31.05.2019 of the Central Election "For the appointment of financial experts and legal auditors, who would monitor and audit the funds and expenditures of the election campaign by the electoral subjects for the local government bodies of 2019"

For the first time in these elections, with an illegal decision of the CEC⁴¹⁴, the same experts were appointed⁴¹⁵, who carry out both processes for the same electoral subjects, so the same expert conducted for the same subject both the monitoring of election campaign expenses and the audit of funds obtained and spent during the campaign.

Financial experts monitoring the election campaign draft and submit to the CEC⁴¹⁶ weekly monitoring reports, reports which are reviewed and verified by the CEC administration.

Intermediate monitoring reports for the four weeks of the election campaign have been published on the CEC's official website.⁴¹⁷

It is noted that the number of published reports⁴¹⁸ does not include all electoral subjects⁴¹⁹.

From the review of the expert's intermediate monitoring reports, there are contradictions in the reporting and a number of problems are identified for the monitoring of the election campaign or offices.

In many cases, experts write that they have not been provided by the municipalities with the list of election offices with the correct addresses, which has made it difficult to monitor them.

On the other hand, in some reports, experts claim that they were not able to monitor the activity of the electoral offices as they were found closed, while they were informed that the offices function only during the afternoon. It is unclear why the monitoring was not carried out in the afternoon, as the reports do not provide explanations regarding this aspect.

It is noted that intermediate monitoring reports, in many cases, do not include the costs of the observed activities or electoral offices, often leaving this section blank or citing that it will be assessed in the following.

X.4.1. Submission and publication of monitoring and audit reports

On May 31, 2019, the Central Election Commission appointed 34 experts to monitor and audit the election campaign funds for 52 electoral subjects in total, of which 36 were political parties and 16 independent candidates (for mayors and members of municipal councils).

⁴¹⁴ See section "IV.7. The finances of the electoral subjects" of this Report.

⁴¹⁵ The CEC appointed 34 financial experts to monitor and audit 36 electoral subjects.

⁴¹⁶ Instruction no. 1 dated 11.04.2019 "For the procedure of control and verification of financing and expenditures of political parties and the election campaign", Article 6, point 1 "Financial experts, contracted by the CEC for monitoring the expenses of the election campaign, must also submit in electronic format to the CEC, every week an interim report on the monitoring results."

⁴¹⁷ Intermediate monitoring reports for the period 1 - 9 June 2019; 10 - 16 June 2019; 17 - 23 June 2019; June 24 - 30, 2019.

⁴¹⁸ For the first week of the election campaign, 33 interim monitoring reports were published. For the second week of the election campaign, 34 intermediate monitoring reports were published. For the third week of the election campaign, 34 intermediate monitoring reports were published. For the fourth week of the election campaign, 31 intermediate monitoring reports were published.

⁴¹⁹ - For the first week of campaign monitoring, intermediate reports for 3 electoral subjects are missing (National Unity Party, Democratic Party for Integration and Prosperity and National Reconciliation Party).

- For the second week of campaign monitoring, intermediate reports for 2 electoral subjects (National Unity Party and the Alliance of Macedonians for European Integration) are missing.

- For the third week of campaign monitoring, intermediate reports are missing for 2 electoral subjects (National Unity Party and Moderate Socialist Party).

- For the fourth week of campaign monitoring, intermediate reports are missing for 5 electoral subjects (National Unity Party, Moderate Socialist Party, Macedonian Alliance Party for European Integration and Alliance for Equality and European Justice Party, National Front Party).

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The deadline for submitting financial monitoring reports to the CEC was November 26, 2019⁴²⁰. It turned out that 17 of the reports⁴²¹ were submitted outside the legal deadline.

Also, the monitoring report for one of the electoral subjects was not submitted to the CEC at all.⁴²² So, in total, as of February 3, 2020, only 35 reports have been submitted by 36 political parties participating in the elections.

Financial monitoring reports must be published on the CEC website within 10 days of their submission⁴²³.

The process of publishing the reports on the CEC website started on December 17 with the publication of 29 reports. Following this, other reports were published, namely: on December 20, three reports⁴²⁴, on December 24 one report⁴²⁵, on December 30 one report⁴²⁶ and on January 15, 2020 one report⁴²⁷.

In the content of the reports, the experts reflect problems related to the behavior of political parties and various institutions, as well as the problems with keeping the financial activity that takes place in practice by the parties.

In relation to audit reports, in addition to the above, the subject of audit of financial statements of revenues and expenditures of the election campaign are, in addition to the 36 political parties mentioned above, 16 independent candidates for mayors or members of municipality council.

The deadline for submitting financial audit reports to the CEC was December 16, 2019⁴²⁸.

420 [Instruction no. 1 dated 11.04.2019](#), article 2 "Deadline for submission of reports" point 4 "The financial expert, contracted by the CEC to monitor the expenditures made by political parties during the election campaign must submit to the Central Election Commission the monitoring report even in electronic form no later than 4 months from the date of announcing the election results".

421 The report of the monitoring of the "New European Democracy Party", financial experts Ms. Aida Maloku; The report of the monitoring of the "Party for Persons with Disabilities", financial experts Ms. Arjana Reçi; The monitoring report of the "Party for the Protection of Immigrant Rights", financial expert Mr. Doranin Agalliu; The report of the monitoring of the "Albanian Social Working Party", financial experts Ms. Eftali Qirjaqi; The report of the monitoring of the "Red and Black Alliance Party", financial experts Ms. Eleonora Olli; The report of the monitoring of the "Communist Party of Albania", financial experts Ms. Eneida Rahmani; The report of the monitoring of the "Albanian Democratic Alliance Party", financial experts Ms. Fatmira Sykja (Kastrati); The report of the monitoring of the "New Democratic Spirit Party", financial experts Ms. Hidajete Kraja; Monitoring report of the "Party for Freedom, Democracy and Ethics", financial experts Ms. Ingegerta Bebi; The Monitoring Report of the "Alliance of Macedonians for European Integration Party", financial expert Mr. Lavdimir Fusha; Monitoring report of the "Albanian Labor Movement Party", financial experts Ms. Liri Gjoka; The report of the monitoring of the "Democratic Party for Integration and Prosperity", financial expert Mr. Luan Muça; The report of the monitoring of the "Moderate Socialist Party", financial experts Ms. Margarita Kalemasi; The Green Party Monitoring Report, financial experts Ms. Mary Lika; The report of the monitoring of the "Denied Rights Party", financial experts Ms. Vullnetare Çela Hoxha; The monitoring report of the "Ora e Shqipërisë" Party, financial experts Ms. Violeta Mulla; The monitoring report of the "National Reconciliation" Party, financial experts Ms. Valentina Haxhi.

422 National Front Party, financial experts Ms. Margarita Gjergji.

423 [Instruction no. 1 dated 11.04.2019](#) Article 3 "Publishing of Reports: The Central Election Commission publishes on its official website the annual financial report, the report of the statutory auditor on annual funds and election campaign funds, the financial report of the election campaign, financial experts' monitoring report of the campaign, no later than 10 days from their submission".

424 Monitoring report of the "Party for Freedom, Democracy and Ethics", financial experts Ms. Ingegerta Bebi; The monitoring report of the "Party for the Protection of Immigrant Rights", financial expert Mr. Doranin Agalliu; The report of the monitoring of the "Moderate Socialist Party", financial experts Ms. Margarita Kalemasi.

425 The report of the monitoring of the "Albanian Emigration Party", financial expert Ms. Eleda Dhima.

426 The report of the monitoring of the "Denied Rights Party", financial experts Ms. Vullnetare Çela Hoxha.

427 The Monitoring Report of the "Alliance of Macedonians for European Integration Party", financial expert Mr. Lavdimir Fusha.

428 [Instruction no. 1 dated 11.04.2019](#) article 2 "Deadlines for submission of reports", point 5 "The statutory auditor, contracted by the CEC to audit the funds obtained and spent during the election campaign by political parties must submit to the Central Election Commission in electronic form, the audit report no later than 20 days from the submission of the monitoring report"

Thirteen audit reports of political parties were submitted to the CEC out of time⁴²⁹. In terms of independent candidates, out of 16 candidates, 6 reports⁴³⁰ were submitted out of time.

The publication of the election campaign audit reports on the CEC website started on January 9, 2020 with the publication of 28 reports.

It then proceeded with the publication of six⁴³¹ other reports on 15 January 2020 and one report⁴³² on 16 January 2020.

As of February 3, 2020, 34 financial audit reports have been published by 36 political parties participating in the elections⁴³³.

Regarding the audit reports of independent candidates, all 16 reports were published by January 27, 2020.

For nine candidates the reports were published on 15 January 2020, four were published on 16 January 2020⁴³⁴, two on 17 January 2020⁴³⁵ and one on 27 January 2020⁴³⁶.

X.4.2. Content and issues observed in monitoring and audit reports

The content of financial monitoring reports reflects the fieldwork of financial experts, through observation, inspection, verification, confirmation and collection of information on the activities of electoral subjects.

The CEC has unified, through standardized reporting formats, the way of reporting by financial experts as well as the way of calculating in kind donations, but not the monitoring methodology to be followed (e.g. the selection of electoral rallies that will be monitored, etc.).

429 Audit report of the monitoring of the "New European Democracy Party", financial experts Ms. Aida Maloku; Audit report of the "Party for Persons with Disabilities", financial experts Ms. Arjana Reçi; Audit report of the "Party for the Protection of Immigrants' Rights", financial expert Mr. Doranin Agalliu; The audit report of the "Communist Party of Albania", financial experts Ms. Eneida Rahmani; Audit report of the monitoring of the "Albanian Democratic Alliance Party", financial experts Ms. Fatmira Sykja (Kastrati); Audit report of the "Party for Freedom, Democracy and Ethics", financial experts Ms. Ingegerta Bebi; Audit report of the "Albanian Labor Movement Party", financial experts Ms. Liri Gjoka; The audit report of the "Albania Hour Party", financial experts Ms. Violeta Mulla; The audit report of the "National Reconciliation Party", financial experts Ms. Valentina Haxhi; The audit report of the "Modern Socialist Party", financial experts Ms. Margarita Kalemasi; The report of the audit of the "Green Party", financial experts Ms. Mary Lika; Audit report of the "Alliance for Democracy and Solidarity Party", financial experts Ms. Lumturi Velaj; The audit report of the "National Conservative Party", financial experts Ms. Margarita Kalemasi.

430 Candidate Albert Shopi's audit report, financial experts Ms. Aida Maloku; Candidate Gjon Ndoj's audit report, financial experts Ms. Eneida Rahmani; Candidate Leonidha Hristo's audit report, financial experts Ms. , Fatmira Sykja (Kastrati); Candidate Fran Jushi's audit report, financial experts Ms. Ludmilla Paluka; Candidate Silva Burbo's audit report, financial experts Ms. Margarita Kalemasi; Independent candidate Mandi Loli's audit report, financial experts Mr. Kastriot Haxhaj.

431 Audit report of the "Party for Persons with Disabilities", financial experts Ms. Arjana Reçi; Audit report of the "Alliance for Democracy and Solidarity Party", financial experts Ms. Lumturi Velaj; The audit report of the "Albania Hour Party", financial experts Ms. Violeta Mulla; Audit report of the "Alliance of Macedonians for European Integration Party", financial expert Mr. Lavdimir Fusha; Audit report of the "Party for the Protection of Workers' Rights of Albania", financial experts Ms. Enkelejda Alite; Audit report of the "Christian Democratic Party", financial experts Ms. Enkelejda Alite.

432 Audit report of the "Party for the Protection of Immigrants' Rights", financial expert Mr. Doranin Agalliu.

433 The CEC website lacks 2 reports: Audit report of the "Red and Black Alliance Party", financial experts Ms. Eleonora Olli and the Audit Report of the "National Front Party", financial experts Ms. Margarita Gjergji.

434 The audit report of the candidate Areti Nasho, financial experts Ms. Enkelejda Alite; The audit report of the candidate Plarent Leksi, financial experts Ms. Lumturi Velaj; The audit report of the candidate Leonidha Hristo, financial experts Ms. Fatmira Kastrati; The audit report of the candidate Fezi Shaholli, financial experts Ms. Anida Nuri.

435 The audit report of the candidate Petro Bozhori, financial experts Ms. Eftali Qirjaqi and the audit report of the candidate Bali Jazaj, financial experts Mr. Lavdimir Fusha.

436 The audit report of the candidate Mondli Loli financial experts Mr. Kastriot Haxhaj.

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For this reason, the interpretation and application of methodological criteria remains at the discretion of experts. Such a situation leaves room for financial experts to apply various methodologies, which may result in the compilation of reports with incomparable data.

Moreover, such an approach allows room for abuse and unequal monitoring, targeting some electoral subjects in a discriminatory manner.

Whereas, in terms of financial audit reports, in essence, their content consists of the control of financial statements by financial auditors, concluding with the final opinion on the financial activity of the subject during the election campaign, based on the audit conducted by them, in accordance with International Auditing Standards.

It is found that it remains problematic and unclear on what financial statements or on what financial report, auditors judge and conduct financial audits of the financial activity of electoral subjects, independent candidates.

X.4.2.1. Problems related to the fulfillment of the task by financial experts

The format of financial monitoring reports was approved by decision no. 152 dated 11 April 2019⁴³⁷.

Almost all monitoring reports are in the format approved by the CEC, although with little data. This is also due to the lack of activity by the relevant electoral subjects, but also as a result of the lack of communication or documentation available to the financial expert.

From the review of the audit reports, it is concluded that four reports⁴³⁸ are not in the format approved by the CEC, while an expert, instead of the audit report, submitted to the CEC a monitoring report⁴³⁹.

Whereas, from the review of monitoring reports, it is noticed that the reports contain to a greater extent information on descriptive methodological elements (description of the itinerary or actions performed by financial experts) than findings from the monitoring process.

Meanwhile, no report describes the methodology used for the selection of cities or electoral events that have been observed.

In many reports there are photos of cities visited by experts, which, at best, is an indication that a monitoring visit has been made to the respective city.

All financial experts point to reports as their proposal for improving the process, prior publication by the parties of the program or agenda of their activities during the month of the campaign, which is an indication that they did not have one available.

In these conditions, it is totally unclear how financial experts could perform rigorous statistical selection of events to monitor, which makes the methodological formulation in the CEC Instruction unenforceable in practice.

⁴³⁷ Decision no. 152 dated 11.04.2019 "On the approval of standardized formats of the audit report of funds received and spent by political parties during the calendar year, the audit report of funds received and spent by political parties on the election campaign and the election campaign monitoring report."

⁴³⁸ Audit report of the "Christian Democratic Alliance Party", financial expert Mr. Afrim Suli; Audit report of the "Albanian Labor Movement Party", financial expert Ms. Liri Gjoka; Audit report of the "Party for Persons with Disabilities", financial expert Ms. Arjana Reçi; Audit Report of the "Denied Rights Party", financial expert Ms. Vullnetare Hoxha.

⁴³⁹ The audit report of the candidate Mondri Loli drafted by the financial expert Mr. Kastriot Haxhaj, in its format and content turns out to be a monitoring report.

The review of the reports highlights other issues, which are often overlooked by financial experts, but also the lack of control by the CEC on these reports at the time of submission. Specifically, it is concluded that:

- In a number of reports, there is a discrepancy between the figures reported in the report itself⁴⁴⁰.

- Some reports contain serious errors, such as the name of the party or responsible persons in the party misspelled⁴⁴¹.

- There are inconsistencies in the finding of the expert regarding the opening or not of the special bank account for the elections by the electoral subject⁴⁴², or estimates of expenditures by the expert based on the number of votes received electoral subject⁴⁴³.

- In 18 reports, respectively of the ten political parties and eight independent candidates, the experts did not give their opinion, which constitutes, de-facto, non-fulfillment of the object of the contract signed with the CEC. (in some cases, this has been expressed directly by the experts themselves in the report).

In all cases, according to the statements made in the reports, this has come as a result of non-cooperation of the electoral subject or the lack of financial evidence on his side.⁴⁴⁴.

- In all financial monitoring reports, the problem of non-replying by some municipalities is evidenced.⁴⁴⁵, regarding the number and location of the electoral

440 In the Monitoring Report of the Democratic Conviction Party with financial expert Mr. Shkëlzen Margjeka is noted that:

- on page 135, the item "FB publicity expenses" refers to the value in Euro: 105 Euro, the value in ALL 47,190 ALL, while the total value monitored 50,000 ALL. The amount referred to as expenditure for this item does not match the specification of items consumed. - Also, in the same report, regarding the costing of the electoral office in the Municipality of Këlcyrë, the expert on page 56 estimates its cost 8,000 ALL, while on page no. 34 estimates 10,000 ALL.

441 - The monitoring report of the National Reconciliation Party with financial expert Ms. Valentina Haxhi, on pages no. 1 and no. 4 refers to the name of the Social Democracy Party; - The monitoring report for the Protection of Emigrants Rights Party with financial expert Mr. Doranin Agalliu, on page 11 cites the name of Green Party. It is easily noticed that The Audit report of PIRP-is a copy of the Report of Green Party, with the only difference, changing the name of the party; - The audit report of National Unity Party with financial expert Mr. Kastriot Haxhaj, in the title he writes Report of Social Democracy Party; - The audit report of National Reconciliation Party with financial expert Ms. Valentina Haxhi, likewise the monitoring report is a copy of The audit report of Social Democracy Party, and in some cases it refers to the name of Social Democracy Party; - The audit report of National Conservative Party Albania with financial expert Ms. Ludmilla Paluka, on page 3 it states that PKKA has not prepared and submitted the financial statements as required by law, while on page 5 it states that the financial report has been prepared and signed by Kristo Kiço. Meanwhile, the latter is the chairman of the MEGA Party and not the PKKA. - The audit report of Moderate Socialist Party presents that the donated amount and the name of the party on page 9 of the report belong to the MEGA Party and not to the Moderate Socialist Party.

442 - The report of Denied Rights Party with financial expert Ms. Vullnetare Çela, on page 5 it indicates that the bank account opening record states "Yes", while on page 6 it is stated that: "No bank account has been opened because there are no donations exceeding the amount of 100,000 ALL"; - Report of Albanian Immigration Party with financial expert Ms. Eleda Dhima, on page 8 of the bank account opening evidence, presents the answer that "no", while below she states that "The subject has opened a bank account on behalf of the Albanian Immigration Party on 13.06.2019 at Raiffeisen Bank"; - Report of the National Albanian Alliance Party with financial expert Ms. Silvana Gjikhima, on page 31 of the bank account opening evidence gives the answer "no", while below on page 32 she cites that "The bank account was opened in Raiffeisen bank on 23/04/2019".

443 The report of Social Democrat Party, with financial expert Ms. Lejla Shahu, on page 10 presents: "In total, there are 27,422 votes that have declared winners 81 councilors in 36 municipalities of the country. Calculating a minimum cost of 5,000 ALL for various expenses and an average of 338 votes evenly distributed among the 81 seats, it turns out that the campaign for councilors cost the PSD about 1,690,000 ALL..

444 Audit report of the "Christian Democratic Alliance Party, financial expert Mr. Afrim Suli; The audit report of Alliance for European Equality and Justice Party, financial expert Mr. Hetem Sulaj; The audit report of Liberal Democratic Union Party, financial expert Mr. Neshat Maze; The audit report of Democratic Party for Integration and Prosperity, financial expert Mr. Luan Muca; The audit report of the Democratic Reforms Party, financial expert Ms. Stoli Laze; The audit report of Denied Rights Party, financial expert Ms. Vullnetare Çela; The audit report of Albanian Immigration Party, financial expert Ms. Eleda Dhima; The audit report of G99 Party, financial expert Mr. Afrim Suli; The audit report of the Party for the Protection of Migrants' Rights, financial expert Mr. Doranin Agalliu, The audit report of the Social and Workers Party, financial expert Ms. Eftali Qirjaqi; The audit report of the candidate Vasillaq Bollano, financial expert Ms. Eleda Dhima; The audit report of the candidate Petro Bozhori, financial expert Ms. Eftali Qirjaqi; The audit report of the candidate Silva Burbo, financial expert Ms. Margarita Klemas; The audit report of the candidate Ilir Nikolla, financial expert Ms. Stoli Laze; The audit report of the candidate Bali Jazaj, financial expert Mr. Lavdimir Fusha; The audit report of the candidate Albert Shopi, financial expert Ms. Aida Maloku, The audit report of the candidate Leonidha Hristo, financial expert Ms. Fatmira Kastrati, The audit report of the candidate Mehmet Nelaj, financial expert Mr. Luan Muca.

445 Belsh Municipality, Dibër Municipality, Durrës Municipality, Gjirokastrë Municipality, Has Municipality, Kamëz Municipality, Kavajë Municipality, Konispol Municipality, Korçë Municipality, Krujë Municipality, Librazhd Municipality,

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offices of political parties in the territory of the respective local government unit is evidenced.

This constitutes a double violation of the legal framework as the municipal administration bears the legal obligation to forward the information according to the law on public and electoral information.

In addition to the shortcomings noted and listed above, the review of the reports reveals several other issues related to the implementation of applicable law by political parties. Specifically, it was noted that:

- Two political parties, the only electoral subjects that have reported that they have opened election offices, have not notified some municipalities about the opening of election offices in the territory of their unit⁴⁴⁶, in violation of the legal obligation set out in Instruction no. 1 dated 31.05.2017 of the CEC.

- The Socialist Party, in some municipalities has opened more than one electoral office per neighborhood, contrary to the Instruction of the Central Election Commission.

- Inaccuracies are noticed in the reporting made by political parties regarding the number of open election offices.

The Socialist Party has reported that it has opened four election offices in each of the municipalities of Durrës, Lushnjë and Gjirokastrë, while, from the verification of financial documentation at the electoral subject, seven lease contracts for electoral offices have been identified⁴⁴⁷.

The Central Election Commission should take a much more proactive role in overseeing the finances of electoral subjects, not leaving it with just approving audit reports.

It can be considered the establishment of a specialized structure, in the form of a task force, under the coordination of the CEC and with the participation of other state institutions (e.g. Supreme State Audit, General Directorate of Taxes, etc.) for the supervision of election finances.

Professionals contracted by the CEC for auditing election and political party finances should carry out genuine monitoring actions and not be based on the self-declarations of parties or municipalities.

Observation methodology should be defined in more detail.

In order to increase the effectiveness of campaign monitoring by financial experts, electoral subjects must submit to the Central Election Commission an agenda of electoral activities to be carried out. It is suggested that the preliminary agenda be declared within a reasonable time before the start of the election campaign. On the other hand, it should be foreseen that the electoral subjects have the obligation to send updated information on the calendar of electoral activities to the CEC as well as directly to the relevant financial monitors.

X.4.2.2. Declaration of special bank accounts

Any electoral subject, including independent candidates, referred to the Electoral Code⁴⁴⁸, must open a special bank account for obtaining non-public funds over the amount of 100,000 ALL and declare to the CEC its number.

Lushnjë Municipality, Mallakastër Municipality, Roskovec Municipality, Rrogozhinë Municipality, Sarandë Municipality, Shijak Municipality, Municipality of Tropojë, Municipality of Vlorë, Municipality of Vora, Municipality of Bulqiza.

446 According to references by financial experts in the Financial Monitoring Reports of the election campaign, the Democratic Conviction Party has not made any notifications to any of the municipalities where the election office has been opened.

While Socialist Party has not notified the municipalities of Shkodra, Vau i Dejës, Fier, Korçë, Devoll, Tepelenë, Gjirokastrë, Delvinë.

447 The monitoring report of Socialist Party of Albania.

448 Electoral Code of the Republic of Albania, Article 90 "Non-public funds exceeding ALL 100,000 shall be donated only through a special bank account of the electoral subject. The finance officer of the electoral subject declares the number of the bank account opened for this purpose no later than three days from the start of the electoral campaign. The bank account number for each political subject shall be published on the official website of the CEC".

Regarding the declaration and publication on the CEC website, out of 36 electoral subjects participating in the elections of June 30, only nine⁴⁴⁹ of them have declared the bank account number.

Meanwhile, in terms of candidates, only 10 candidates for Mayor⁴⁵⁰ and three for Municipal Councils⁴⁵¹ have deposited the bank account number.

According to financial experts, there were 23 electoral subjects⁴⁵² that did not open special bank accounts for the campaign. Five of the parties⁴⁵³ stated that they used the party's permanent account during the campaign. Only four parties⁴⁵⁴ opened a special bank account.

For three political parties⁴⁵⁵ financial experts have stated that they have no information about whether or not they have opened a bank account.

Regarding the independent candidates, according to the financial audit reports, it appears that none of them has opened special bank accounts for the election campaign, while it turns out that two of them have opened the account and published it on the website of CEC.

The legal framework should provide for the obligation of electoral subjects to open a special account for campaign funds.

All revenues and expenditures made for the purpose of the campaign must go through this bank account, regardless of the source (the subject's own funds circulate in this account before they can be spent for the purpose of the campaign, the funds from the state budget to be disbursed there, etc.) or their amount (any non-public donation, regardless of the measure, to be transferred to this account and to prohibit political donation with cash).

Also, payments for the election campaign should all be made from this bank account, regardless of their size.

In order to maximize the transparency of election finances, KRIIK suggests that the bank accounts of political parties and electoral subjects be "transparent accounts", which enable monitoring of all real-time movements via the Internet by all interested parties. Such a thing requires the investment and application of such accounts by the Albanian banking system.

X.4.2.3. Other violations observed

The review of reports shows cases of lack of communication or lack of information of experts⁴⁵⁶.

449 Socialist Party; Green Party; Party for Freedom, Democracy and Ethics; Albanian Emigration Party; National Front Party; Moderate Socialist Party; Christian Democratic Party; The Alliance for Equality and European Justice Party and the Albanian Democratic Alliance Party.

450 Gledjan Llatja, Qerim Ismailaj, Fatos Tushe, Rajmonda Balilaj, Kristo Kiço, Majlinda Bufi, Armando Subashi, Pjerin Ndreu, Fredi Kokoneshi and Sabri Ibrahim.

451 Gjon Ndoj is an independent candidate for the Council of the Municipality of Mirditë, Fran Jushi is an independent candidate for the Council of the Municipality of Mirditë and Femi Luca is a candidate of the Social Working Party for the Council of the Municipality of Tirana.

452 The New Democratic Spirit Party, the National Albanian Alliance Party, the Macedonian Alliance Party for European Integration, the Red and Black Alliance Party, the Albanian Future Party, the Democratic Conviction Party, the Democratic Party for Integration and Prosperity, the Albanian Democratic Reform Party, the Rights Party Denied, Albanian Emigration Party, Conservative Albania National Party, Communist Party of Albania, Albanian Labor Movement Party, Albania Hour Party, Party for Freedom, Democracy and Ethics, Party for the Protection of Immigrants' Rights, Party for the Protection of Rights of Workers, the Party for Persons with Disabilities, the Social Democratic Party of Albania, the Moderate Socialist Party, the Albanian Social Working Party, the National Unity Party and the Liberal Democratic Union Party.

453 The Albanian Democratic Alliance Party, the Alliance for Democracy and Solidarity, the Social Democratic Party, the Albanian National Reconciliation Party and the Christian Democratic Party.

454 The New European Democracy Party, the Green Party, the Greek Ethnic Minority Party for the Future and the Socialist Party of Albania.

455 The Christian Democratic Alliance Party of Albania, the Alliance for Equality and European Justice Party and the G99 Party.

456 - The Albanian Labor Movement Party, according to the expert, has not made any documents available; - The

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A number of other issues have also been identified, such as:

- documentation of expenses with irregular tax receipts⁴⁵⁷;
 - tax invoices issued not on the date when the expenditure was incurred;⁴⁵⁸;
 - global financial invoices, i.e. unaccompanied by analytical situation, i.e. detailed in items⁴⁵⁹;
 - non-inclusion of expenses incurred as contributions in kind⁴⁶⁰.
- non-implementation of the law on procurements⁴⁶¹ in expenses incurred with public funds. As a result, we have increased spending on campaign voices, concluding that there is a discrepancy between the statements of invoiced costs and the costs incurred by financial experts.⁴⁶²
- carrying out cash expenditures above the limit of 150,000 ALL allowed by the law⁴⁶³;
 - non-registration in the tax authorities of the two political parties participating in the elections.⁴⁶⁴.

G99 Party, according to the expert, has not created any communication opportunities; - The Party of Denied Rights, according to the expert, has not made any document available to it; - The Liberal Democratic Union Party, according to the expert, has made possible only a verbal communication and then has not made any documents available.

457 - The audit report of Democratic Alliance Party, prepared by financial expert Ms. Fatmira Kastrati concludes that: The Democratic Alliance Party does not comply with the requirements of fiscal laws for reporting its expenses accompanied by well-known tax invoices and its NIPT-TIN It reports purchases only with tax coupons unaccompanied by the relevant tax invoices".

- The audit report of National Albanian Alliance Party, prepared by the financial expert Ms. Silvana Gjikhima, concludes that: "From the public funding, administrative expenses have been incurred by the branches in the amount of 690,000 ALL. These expenses were incurred without fiscal documents.

- The audit report of Albanian Future Party, prepared by financial expert Ms. Anita Pulaj, concludes that: "The party has no bills to document the expenses."

- The audit report of Democratic Conviction Party, prepared by financial expert Mr. Shkëlzen Margjeka, concludes that: "Persons responsible for maintaining financial documentation have not collected all the accompanying documentation of expenses incurred during the campaign, with regular tax invoices" and that "BD has incurred expenses for the campaign with unknown, irregular tax invoices".

- The audit report of National Conservative Party Albania, prepared by financial expert Ms. Ludmilla Paluka, concludes that: "PKKA states that it has used personal sources for campaign funding, in the amount of 158,000 ALL, for which it has some non-tax documents and cash registers for fuel purchases."

- The monitoring report of the Christian Democratic Party, prepared by financial expert Ms. Enkelejda Alite, concludes that: "The expenses for the election campaign are not accompanied by a tax invoice."

- Monitoring report of Socialist Party, prepared by financial expert Ms. Sherife Hoxha, concludes that: "Some candidates have expenses not unjustified by a tax invoice, but only with a coupon, which leads to a lack of transparency."

458 In the monitoring report for the Socialist Party, the financial expert identified as a problem the date of some tax invoices, which were not issued on the day the service was received. Specifically, the services were obtained in June as they were in the function of the election campaign, while the invoices were issued later in July.

459 Socialist Party.

460 - Monitoring Report of Green Party, prepared by financial expert Ms. Meri Lika, reflects the electoral meeting in a cafe in the city of Elbasan in a premise made available free of charge. This is considered an in-kind donation and should have been declared as such.

- Monitoring Report of Hour of Albania Party, prepared by financial expert Ms. Violeta Mulla, reflects some electoral meetings, two of which took place in premises made available without rent, which should have been reported as an in kind donation.

- Monitoring report of Democratic Conviction Party, prepared by financial expert Mr. Shkëlzen Margjeka, reflects meetings of the candidate for mayor in Korçë and Durrës, meetings which were held in premises offered free of charge, which should have been calculated / declared as a donation in kind.

Also, in this report are presented the realizations of about 17 electoral meetings by the candidates in different cities, in some of which drinks were offered, the cost of which was not declared in the income and expenses of the candidates or the party.

461 Law no. 9643, dated 20.11.2006, amended "On Public Procurement".

462 - The monitoring report of the Christian Democratic Party, prepared by financial expert Ms. Enkelejda Alite, points out that according to the self-declaration report the total expenditure is 480,910 ALL, while according to the expert 456,580 ALL. The difference of 24,330 ALL occurs because the electoral subject has not implemented the public procurement law regarding the purchase of fuel, which occupies the largest specific weight of expenditures.

- Monitoring report of Socialist Party, prepared by financial expert Ms. Sherife Hoxha, reflects that: "From the calculations according to the monitoring, the cost for the monitored events is 24,796,200 ALL. From the invoices received from the electoral subject, the cost of the monitored activities is 21,000,365 ALL. The difference for the monitored activities is 3,795,835 ALL, which is due to the fact that the electoral subject has not implemented the law of public procurement".

463 Monitoring Report of Red and Black Alliance Party, financial expert Ms. Eleonora Olli: "1 out of 16 candidates for municipal councilors in the multi-name list of the Municipality of Përrenjas, the candidate Myslim Karriqi, has incurred expenses for the election campaign from his own funds, funds in monetary form and income or donations in kind. With a total expenditure of 909,495 ALL identified by the financial expert in the monitoring report, the candidate has paid cash in the amount of 245,000 ALL for the bus".

464 Albanian Social Working Party and the Party for the Protection of Immigrant Rights.

In addition to the above cases, there are other cases of⁴⁶⁵ non-compliance of the costing by the subject and the financial expert.

The Socialist Party's self-declaration report states the same amount as income and expenditure by candidates, while according to the audit in six municipalities⁴⁶⁶ it turns out that in some cases there is a deficit and in some others the surplus, so it is not a balanced ratio.

In the audit reports of the three political parties⁴⁶⁷, the financial experts state that the parties have fulfilled the obligation arising from the decision-making of the CEC⁴⁶⁸, for the distribution of funds to the political parties after the announcement of the election results.

From the communication with the Central Election Commission, these parties have not returned the amount determined within the legal framework, as per the above-mentioned decision.⁴⁶⁹

KRIIK considers that the legal framework and mechanisms that guarantee the transparency of electoral finances should be fundamentally reviewed and amended, in order to guarantee maximum transparency and efficient control.

Legal changes should include not only the Electoral Code, but also the law on Political Parties or other laws, as needed. It is even thought that the most appropriate way would be to draft a new full and special law on the finances of political parties and election campaigns.

Considering the current situation of non-control of political funding, non-implementation of the law and high informality in the economy, especially the high level of corruption and organized crime, KRIIK suggests considering the total ban on non-public funding for political parties, with the exception of membership quotas.

This measure should be taken for a limited period of time (at least three legislatures). Such a measure, accompanied by more rigorous control and by more specialized institutions in the field of financial control (e.g. Supreme State Audit, or through the establishment of a task force would increase the level of transparency and control).

Also, as an alternative measure to the prohibition of non-public financing in block, can be considered prohibition of financing by legal entities and only the financing by natural persons to be allowed.

465 Monitoring Report of Socialist Party, financial expert Ms. Sherife Hoxha. In this report it is stated that office rental expenses are 3,926,018 ALL (1,897,568 ALL donation in kind and 2,028,450 ALL expenditures with lease contract), while according to PS the amount is 6,057,811 ALL (2,153,761 in kind and 3,904,050 ALL lease expenditures).

The difference comes from the calculation period, as according to the expert there are two miscalculated cases of the value of in-kind donation in the election offices in the Municipality of Elbasan and the Municipality of Peqin, where contracts were rated lower than the value determined by reference prices.

In the municipality of Durrës, in two lease contracts, the price set in the contract is lower than the reference price.

Also, the SP did not calculate rental or in-kind donation expenses, the use of election office equipment, and energy and water costs.

The expert refers expenses from the candidates in the amount of 32,387,070 ALL, while in self-declaration this amount is 32,331,770 ALL. The expert refers expenses from the party in the amount of 44 556 803 ALL, while in the declaration itself this amount is 43,551,196 ALL. The irregularities found in relation to the activities are on page 25 of the report.

466 Belsh Municipality, Fushë-Arrëz Municipality, Cërrik Municipality, Libohovë Municipality, Gjirokastrë Municipality and Mat Municipality.

467 The New Democratic Spirit Party, the Moderate Socialist Party, and the Christian Democratic Party.

468 Decision no. 1098, dated 27.07.2019 of CEC "For determining the amount of public fund that political parties benefit from the elections of June 30, 2019".

469 - The audit report of New Democratic Spirit Party, financial expert Ms. Hidajete Kraja: "The amount of public financing returned 2,279,233 ALL on 19.09.2019".

Meanwhile, from the communication of KRIIK with the CEC, this party has not returned the amount that should be returned to the state budget.

- The audit report of Moderate Socialist Party, financial expert Ms. Margarita Kalemasi: "The amount of public financing returned 790,036 ALL, dated 22.08.2019".

Meanwhile, from the communication of KRIIK with the CEC, this party has not returned the amount that should be returned to the state budget.

- Audit report of the Christian Democratic Party, financial expert Ms. Enkelejda Alite: "The expenses of the 2019 election campaign have been covered by public funds. An advance has been allocated from the State Budget for the amount of 956,376 ALL for the financing of the campaign and then the amount of 496,426 ALL has been returned". Meanwhile, from the communication of KRIIK with the CEC, this party has not returned the amount that should be returned to the state budget.

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XI. MEDIA

Despite the high number of media outlets, especially in terms of online portals, the media sector suffers from a lack of financial independence, which has led to a lack of independence of editorial policy.

Major concerns were raised in the public opinion in December 2018 - January 2019 over the attempt to increase control over online media through the "anti-defamation package"⁴⁷⁰, the public consultation of which was carried out in a very accelerated and non-transparent manner.

After international and local reactions, the government did not send the law for approval in parliament, but the draft law was adopted in a totally non-transparent manner through the Council of Ministers at its meeting of July 3, 2019⁴⁷¹.

Prime Minister Rama stated that the drafting of this legislation was done in coordination with the OSCE and that it would be included in the agenda of the work of the parliament in September 2019.⁴⁷²

On July 23, 2019, the OSCE Representative on Freedom of Media sent a letter to the Prime Minister stating that, despite the fact that the draft laws adopted in July had improvements compared to those of December 2018, there was a need for other improvements of the law during the parliamentary process in order to increase its compliance with international standards on freedom of expression and the media⁴⁷³.

Despite the reactions of many local and international actors against the adoption of these two draft laws, which fundamentally affected the freedom of expression and the media in the country, the majority on 18.12.2019 approved both laws⁴⁷⁴.

On 11.01.2020 the President of the Republic returned both laws for reconsideration⁴⁷⁵ in the Assembly, because according to him "... the provisions of law no. 91/2019, are in conflict with the Constitution of the Republic of Albania, Article 10 of the European Convention on Human Rights, and are not the spirit and principles set out in the Universal Declaration of Human Rights ...", While regarding law 92/2019 he argued that "... it becomes mandatory that the legislator together with the review of law no. 91/2019, to reconsider the law no. 92/2019, as these two new legal acts are part of the same package related procedurally and materially to each other".

Following the submission of two draft laws to be considered by the Venice Commission, the Socialist majority withdrew from rejecting the two decrees of the President, agreeing to consider these decrees after the announcement of the opinion by the Venice Commission.⁴⁷⁶

470 The package provides for amendments to two laws, namely Law no. 97/2013 "On audiovisual media in the Republic of Albania" and Law no. 9918, dated 19.05.2008 "On electronic communications in the Republic of Albania". It is emphasized that previous attempts in this direction were made in 2015, where a draft law proposed by MP Majlinda Bregu for the obligation of online media to delete insulting and denigrating comments, opened a wide debate on how insulting or denigrating comments would be defined and on penalties against the media if the comments were not deleted in time. After increased public pressure, this initiative was not suspended.

471 Anti-defamation draft-laws package (Prime Minister Office.al)

472 Reporter.al, 30 July 2019, Rama ignores OSCE and organizations for law on media.

473 Organization for Security and Co-operation in Europe (OSCE), OSCE Media Freedom Representative presents new review of laws on online media in Albania, recommends further improvements.

474 - Law no. 91/2019, dated 18.12.2019 "For some changes and additions to law no. 97/2013 "On audiovisual media in the Republic of Albania", as amended".

- Law no. 92/2019, date 18.12.2019 "For some changes and additions to law no. 9918 dated 19.5.2008, "For electronic communications in the Republic of Albania", as amended".

475 - Decree no. 11413 dated 11.01.2020 of the President of the Republic "On the return of law no. 91/2019 "On some changes and additions to law no. 97/2013 "On audiovisual media in the Republic of Albania", as amended".

- Decree no. 11414 dated 11.01.2020 of the President of the Republic "On the return of law no. 92/2019 "On some changes and additions to law no. 9918 dated 19.5.2008, "For electronic communications in the Republic of Albania", as amended".

476 Dated 30.01.2020, Taulant Balla: "I want to inform you that I have just received a communication from the Venice Commission, that agreed to review with an expedited procedure in the March 21 session. During February,

The discussion of the anti-defamation package, in addition to the political context, further fueled a repressive climate against the media, which was often the target of attacks by politicians and senior public officials, where the latter used insulting language against them and expressed consideration that the media were captured or controlled, especially in relation to those who were critical to them.

The high polarization of the political climate was also reflected in the behavior of the media during the election period, whether in the coverage of campaign activities or in the coverage of other election-related events, such as opposition protests.

A significant portion of online portals reflected political and institutional events, including campaign activities, in a one-sided manner, allowing editorial policy to influence news coverage as well.

The phenomenon of using prepared cassettes, from the 2013 elections onwards, has taken on more and more disturbing proportions from year to year, becoming a versatile fashion now not only for political parties, but also for state institutions⁴⁷⁷ and not only during election campaigns but also in the normal everyday life of their operation.

On the other hand, a significant proportion of media operators did not produce their own content to cover election campaign activities or public institutions, but simply reflected them using ready-made materials provided and prepared by electoral headquarters or “media headquarters” operating nearby relevant institutions.

In any case, the publication of these materials was made without being accompanied by the relevant notice of who had prepared the material, contrary to the legal provisions.

The activities of the government and Prime Minister Rama have been broadcast using ready-made material from Facebook television ERTV⁴⁷⁸, which is presented as the only media window for government activity, and is the only opportunity for the media to receive the signal and broadcast the activities of the Prime Minister, except for organized press conferences, where the media are allowed to record and forward their own signal.

The Electoral Code in its provisions stipulates the obligation of the media to send to the CEC the fees for political advertising before the start of the campaign, as well as the obligation of the CEC to publish them on its website.⁴⁷⁹ It is ascertained that on the official website of the CEC there are fees only for seven media⁴⁸⁰.

representatives of the Venice Commission will come to Tirana to have a dialogue with us, with anyone. The vote on the decree for the audiovisual media, the discussion on it will be postponed until the Venice Commission brings us its report on March 20-21. (Reporter.al)

477 As typical cases can be mentioned the institution of the Prime Ministry, all the chronicles of which are produced through the online television ERTV, as well as the Municipality of Tirana, the chronicles of which are completely identical in all media.

478 Medium which is not regulated in any legal form and operates in a total lack of transparency on the assets and technological equipment it uses, financing, staff, legal regulation, etc.

479 Electoral Code of the Republic of Albania, Article 84 “*Electoral campaign in private radios and televisions*”, point 5 “... Radio and television operators are required to submit fees for each time segment to the CEC 5 days before the start of the campaign. Tariffs are published on the official website of the Central Election Commission.

480 Official media fees are submitted by the media: Report TV, Fax News TV, A2 CNN TV, ABC News TV, RTV Scan, TV News 24 and TV Klan.

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XI.1. Media Monitoring Board Activity

The coverage of the campaign by audiovisual media is monitored by the Media Monitoring Board (MMB), an ad-hoc body set up for each election and reports its findings to the Central Election Commission, accompanied by possible proposals for sanctions against media operators when they are considered infringing.

The persons who become part of the MMB are selected by the members of the CEC, where each of them selects and proposes one of the candidacies submitted by the civil society organizations that operate in the field of media.

Despite the fact that, according to the Electoral Code, the Media Monitoring Board should have been set up 40 days before the start of the election campaign, it was set up only two days before its launch on May 28, 2019. Meanwhile, its establishment was based on other legal violations⁴⁸¹ committed by members of the troupe and the CEC administration.

The MMB started monitoring the media campaign on June 1, 2019, a day after it started, while the first daily report published on the CEC website is dated June 6.

The monitoring was limited to only 14 media outlets⁴⁸², while questions were raised about the non-involvement in monitoring other media which already broadcast on digital channels.⁴⁸³

The review of BMM reports highlighted strong differences between the daily and weekly reports published by this body, which was also observed in MMB reports during the 2017 parliamentary elections.

The number of minutes of all daily reports is much higher (up to twice as high) as the minutes reported in the weekly report, while the latter is presumed to be a summary of daily reports⁴⁸⁴.

The fact that the difference is consistently observed throughout the reports raises strong suspicions that it is not a human error in the calculation, but the deliberate concealment of real figures in order not to penalize the media.

We also emphasize here that these reports do not include the following and monitoring of “live” broadcasts from the activity of leaders and political parties, or the presidents or heads of state institutions, which occupy a considerable time during the election campaign, but not only.

The publication of MMB reports suffers from a lack of transparency. They are published in a format that makes it difficult for the general public to understand them and are not in the open data format.

481 See for more session V.1.7.3. Establishment of the Media Monitoring Board in this report.

482 At the CEC meeting on June 28, with the presentation of the latest monitoring report, MMB members stated that, despite the fact that their monitoring was limited to only 14 audiovisual operators, as a result of the digitalization process, all audiovisual operators are monitorable, as the content is recorded and, in case of complaints, they were able to find the contested content and judge on it.

483 In previous election processes, one of the minor problems that accompanied BMM's work was the inability to monitor local TV. These TVs were controlled by several regional inspectors, randomly, because they broadcast on analog signal platforms, making it impossible to objectively monitor them. Regarding this concern, the then discussions with AMA, MMB and the CEC itself acknowledged that local TV control would eventually be resolved when they were broadcast on digital signal platforms, a situation that is now a reality.

484 See Annex no 4 – Media time as per the MMB reports for the electoral campaign.

It is also found that there are missing reports. The latest report published on the CEC website is the daily report of June 28, while there is no report of the last week and no summary report.

Following the proposal from MMB, the CEC imposed the obligation⁴⁸⁵ on some televisions to compensate the two electoral subjects SDP and DO with airtime, but the next MMB report showed that this obligation was not met. Regarding this situation, the CEC did not take any further steps.

KRIIK deems that the MMB should be institutionalized as a body or attached to it as a permanent structure at the AMA, with a supportive secretary and permanent archive. This will help for subsequent references to the behavior of audiovisual operators during the electoral process. On the other hand, it is possible to monitor a longer period before the start of the election campaign, or even after the elections, making sure that the law and the measures taken against them are respected and implemented.

XII. ELECTION DAY AND BALLOT COUNTING

During this election process, in addition to the uninterrupted monitoring of the CEC and the Electoral College, the monitoring focused on the activity of the Commission for Electoral Administration Zones (CEAZ), especially in the two days leading up to election day⁴⁸⁶, election day and throughout the election process. counting of votes, until the counting is completed and the summary tables of the results for the respective constituency / municipality are compiled.

XII.1. CEAZ activity before election day

Most CEAZs remained gathered almost throughout Friday, while six CEAZs were open with limited hours⁴⁸⁷.

At 13 CEAZs, not all members were present on Friday⁴⁸⁸.

From the information received, it turned out that in three of them no reason was given for the identified deficiencies, while in the other ten it was reported that the CEAZ secretary was not present due to participation in a training organized by the CEC.

All CEAZs reported that they had received the election materials from the Central Election Commission by Friday, with the exception of CEAZ no. 2, which on Friday was moved to a new location, as the previous location was not allowed to be used by the Municipality of Shkodra.

485 [Decision 853](#), dated 22.06.2019 of Central Election Commission "CEC decided: To order broadcasters TVSH, Top Channel, TV Klan, Vizion Plus, Ora News, News 24, Channel One, ABC News, Top News, Report TV, Fax News, A2, RTSH Gjirokastër, RTSH Korçë, to compensate based on article 81, point 1, political entity Social Democratic Party with 30 minutes. 2. To order the broadcasters Ora News, News 24, to compensate based on article 81, point 1, the political entity, the Democratic Conviction Party, with 30 minutes airtime".

486 Friday, dt. 28 June and Saturday, dt. 29 June 2019.

487 CEAZ no. 8, Fushë-Arrëz Municipality; CEAZ no. 13, Municipality of Lezhë; CEAZ no. 50, Municipality of Elbasan and CEAZ no. 56, Divjakë Municipality. CEAZ number 11, Municipality of Kukës, was visited several times, at different times during the morning and afternoon of Friday by KRIIK observer but was reported that it was not found open in any of the visits.

488 CEAZ no. 27, Municipality of Kamëz; CEAZ no. 34, Municipality of Tiranë; CEAZ no. 56, Municipality of Divjakë; CEAZ no. 69, Municipality of Pustec; CEAZ no. 73, Municipality of Kolonjë; CEAZ no. 68, Municipality of Maliq; CEAZ no. 71 and no. 72, Municipality of Korçë; CEAZ no. 81, nr. 82 and no. 83, Municipality of Vlorë; CEAZ no. 86, Municipality of Himarë and CEAZ no. 90, Municipality of Konispol.

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Also, due to the burning of materials during a protest on June 27, 2019, CEAZ no. 6 managed to hand over the replacement materials along with the ballots, just a few hours before the start of voting, then distributed them to the polling stations during the early hours of Sunday morning.

Most EAZ Commissions stated that they had all the necessary materials and logistics available to perform their duties, with the exception of four CEAZs⁴⁸⁹, which stated that they did not yet have computers, Internet connections available. or that they had dysfunctional printers⁴⁹⁰.

CEAZs reported that all Voting Centers Commissions (VCCs) had been constituted until Friday, June 28, with the exception of EAZ in the Municipality of Shkodra, as a result of the blocking of VCs by the Municipality of Shkodra.

Meanwhile, eight CEAZs reported that by Friday they had not yet constituted vote counting groups⁴⁹¹, in violation of legal provisions.

On Saturday, all CEAZs were gathered and handed over election materials to the relevant polling stations.

In general, the process of submitting election materials to polling station commissions went smoothly and was completed on time.

In just two CEAZs, observers reported confusion or chaos during the process⁴⁹², while in some of them there was a queue, but the process was well managed by the commissioners of CEAZ.

In 48 CEAZ the process of submitting election materials to the commissions of polling stations ended beyond 16:00, 35 of which completed the process after 18:00 and later at 23:00. In most cases, delivery after 16 hours was due to the slow progress of the process.

In this distribution process, an exception were the six voting centers in Postribë, Municipality of Shkodër, which did not received electoral materials and in which no voting took place on 30 June.

Regarding the training of commissioners, only in 12 CEAZ commissioners have informed observers that there are commissioners of polling stations who are untrained, while others have stated that 100% of commissioners have been trained. Meanwhile, even those who have reported having untrained commissioners, only one CEAZ was been able to give an approximate figure of the number of untrained commissioners yet (about 30%), while in other CEAZs they did not give any figures.

The reported figures do not seem credible, as in many CEAZ there have been changes of VC commissioners until the last moment. Even the latter was served as one of the reasons for not training commissioners in some of the CEAZs that have reported lack of training.

Other reasons served for the non-training of commissioners include their non-appearance during the training day and in one case⁴⁹³ it has been argued that training is unnecessary as commissioners are already trained from being commissioners in previous election processes.

489 CEAZ no. 9, Municipality of Bajram Curri; CEAZ no. 34 and no. 37, Municipality of Tiranë and CEAZ no. 50, Municipality of Elbasan.

490 CEAZ no. 9, Municipality of Bajram Curri and CEAZ no. 50, Municipality of Elbasan.

491 CEAZ no. 8, Fushë-Arrëz Municipality; CEAZ no. 48, nr. 49 and no. 50, Municipality of Elbasan; CEAZ no. 52, Municipality of Librazhd; CEAZ no. 63, Municipality of Kuçovë; CEAZ no. 66, Municipality of Skrapar and CEAZ no. 71, Municipality of Korçë.

492 CEAZ no. 10 Municipality of Krumë and CEAZ no. 39 Municipality of Tiranë.

493 CEAZ no. 85 Municipality of Selenicë.

Regarding the transparency provided and the ease of monitoring, it is reported that in nine CEAZ observers have reported serious obstacles in the process of monitoring and accessing CEAZ decision-making and documentation.⁴⁹⁴

Regarding the presence of other observers, in 36 of the CEAZs, the observers did not encounter and were informed by the commissioners that there are no other observers, except those of the political parties, who follow the functioning of the CEAZ.

Whereas, in terms of non-political observers, it is reported that the presence of international observers has been ascertained in a number of CEAZs⁴⁹⁵, while local observers have been reported only in seven CEAZ⁴⁹⁶.

XII.2. CEAZ activity on election day

Overall, on election day, CEAZs operated quietly and were willing to respond to requests that may come from polling stations or to address issues that may arise.

According to the information that CEAZ commissioners conveyed to the observers, it turned out that only eight polling stations were opened late throughout the country.

Generally, the reason for the delay in opening polling stations was the delay of the commissioners, or their change at the last minute, except in two cases in which the reasons were of a technical nature⁴⁹⁷.

According to the information provided to the commissioners of CEAZ, it turned out that in only five polling stations the voting process was interrupted during the election day⁴⁹⁸.

Overall, during election day, the situation around CEAZs was calm.

An incident was recorded in CEAZ no. 27 about the end of the voting process, where a group of protesters tried to enter the premises where the CEAZ operated, but the incident was avoided by law enforcement.

Also, in front of CEAZ no. There were 35 protesters with banners protesting peacefully against the June 30 election, but which did not affect CEAZ's performance⁴⁹⁹.

XII.3. Delivery and intake of election materials

While the legal framework stipulates that groups taking over CEAZ electoral materials must be politically balanced, this requirement could not be met in the June 30 local government elections due to a lack of political balance in commission.

494 CEAZ no. 1 Municipality of Malësi e Madhe; CEAZ no. 4 Municipality of Shkodër; CEAZ no. 14 Municipality of Rrëshen; CEAZ no. 26 Municipality of Vorë; CEAZ no. 35, nr. 38 and no. 39 Municipality of Tiranë; CEAZ no. 49 and no. 50 Municipality of Elbasan.

495 OSCE / ODIHR Observers.

496 In all cases, local observers were accredited by the Albanian Helsinki Committee.

497 In VC no. 3635/1, in CEAZ no. 72 Municipality of Korçë, the seal codes for closing the ballot box did not correspond to the codes written in the records and in VC no. 2724, CEAZ no. 52 Municipality of Librazhd, Commissioners voting center had decided the ballot box on election materials box. In both cases, the issues were resolved with the intervention of the relevant CEAZ.

498 In VC no. 3389 in CEAZ no. 76 Municipality of Memaliaj; VC no. 3052 in CEAZ no. 59 Municipality of Patos; VC no. 4408, in CEAZ no. 81 Municipality of Vlorë and in one VC in CEAZ no. 71 Municipality of Korçë, for which the number of the polling station was not reported. In the last VC, in the village of Barç, the interruption occurred after a conflict between a police officer and another person outside the polling station, for unknown reasons.

499 The protesters entered the school yard where the CEAZ was located, but after the police intervened, the protesters left the yard and continued the protest at the entrance of the school.

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Also, given that the CEAZ in these elections were composed only of four members plus the secretary, this also limited the number of groups formed to receive electoral materials in only two, with two people each.

The handing over of election materials had a relatively quick and problem-free procedure, with the exception of just one CEAZ where tensions were reported as a result of long queues⁵⁰⁰.

In five CEAZs observers reported that the space available to CEAZs was not sufficient for the delivery of election materials.

However, it was observed that in 45% of CEAZs long queues were created during this process.

It is noted that in no CEAZ were reported ballot boxes classified as irregular.

XII.4. CEAZ activity during the counting process

The vote counting process was preceded, in almost all CEAZs, by the training of members of the vote counting teams.

This is a practice already established and accepted in Albania, but it negatively affects the process by artificially prolonging the counting process, as well as not providing quality training to counters.

On the other hand, considering the fact that a significant part of the members of the vote counting teams are persons who have been engaged as commissioners during the voting day, this increases the possibility of committing human errors during the process, as well as it further slows it down as a result of the fatigue that commissioners manifest.

The counting process, in line with election day, took place generally smoothly in all VCC countrywide and proceeded relatively quickly, thanks to low turnout, which reduced the number of votes to be counted.

Only in three CEAZs was it considered necessary to call law enforcement to restore order within the VCC during the counting process.⁵⁰¹

However, observers noticed problems during the counting process that reduced the transparency of the process.

One of these problems, also observed in previous processes, is the very fast passage of ballots in front of the camera. This fact, coupled with the poor quality of filming in some of the CEAZs, created difficulties in clearly distinguishing the sign that the voter had made on the ballot paper.

In one CEAZ, it is reported that the observer noticed a ballot paper declared invalid, which was placed on the ballot paper of the ASHE candidate for Mayor.⁵⁰²

Despite an isolated case, which, except that it cannot be judged whether it was a human error or a conscious manipulation of the election result and the fact that this single case does not affect the election result, the episode raises doubts about the approach pursued by political commissioners. and with the

⁵⁰⁰ In CEAZ no. 81, in the Municipality of Vlorë, the tense situation was calmed down by the Prefect of Vlorë District, who entered CEAZ, not equipped with an observation document, to calm the commissioners and restore order.

⁵⁰¹ In CEAZ no. 9 Municipality of Bajram Curri, CEAZ no. 75 Municipality of Këlcyrë and CEAZ no. 86 Municipality of Himarë.

⁵⁰² CEAZ no. 40 Municipality of Tiranë.

transparency of the process, in general. Particularly disturbing is this episode, in light of the facts mentioned above regarding the quality of the cameras and the rapid passage of ballot papers under the camera, as well as the lack of opposition observers in a significant number of CEAZs.

In eight CEAZs, not all party observers received a copy of the scoreboard, as required by law⁵⁰³.

An overall assessment shows that the level of implementation of the Electoral Code and CEC Instructions by the CEAZ during the vote counting process was assessed as very good by observers at 54% of CEAZs and as good at 42 % of them.

In 4%, this was assessed as problematic and in no CEAZ as very problematic. Reasons for the problematic assessment are the lack of knowledge of commissioners on the requirements of legislation, their consultation on procedures with unauthorized persons, chaos in the VCC and the lack of transparency in the counting and decision-making of CEAZs.

The qualification level of CEAZ members was assessed as very good at 54% of CEAZs and good at 39% of them. In 7% of CEAZs, the qualification level was assessed with problems.

Meanwhile, the qualification level of the members of the vote counting teams was assessed as very good at 45% of CEAZs, as good at 53% and with problems at 2% of them.

XII.5. Failure to vote in some VCs of Shkodra Municipality

On 11.07.2019, during the meeting of the CEC for the issuance of the result of the Mayor of Shkodra, it was stated that from the verification of the documentation of the CEAZ no. 2, that on June 30, 2019, it resulted that in 9 Voting Centers of this EAZ in the Municipality of Shkodra the voting process⁵⁰⁴ was not realized.

This number of polling stations is different from the number that the CEC announced through a public statement on election day⁵⁰⁵, or even from the public statements of the members of the CEC body⁵⁰⁶, according to which there were only seven Voting Centers where the voting process had not taken place.

The non-development of the voting process denied 4491 citizens of 9 VCs the right to vote for their local government bodies, and despite the fact that in the calculation of votes for the mayor, their vote does not appear to have an impact given that a single candidate was competing, the same cannot be said for the configuration of City Council membership.

503 In CEAZ no. 5 Municipality of Shkodër, CEAZ no. 9 Municipality of Bajram Curri, CEAZ no. 22 Municipality of Durrës, CEAZ no. 24 Municipality of Durrës, CEAZ no. 34 Municipality of Tiranë, CEAZ no. 56 Divjakë, CEAZ no. 71 Municipality of Korçë and CEAZ no. 90 Municipality of Konispol.

504 Referring to [CEC decision](#) no. 1083 dated 11.07.2019 "... From the verification of the documentation of the CEAZ no. 02, *The Book of Meeting Protocol* shows that in VC no. 0077 Administrative Unit Postribë; VC no. 00771 Administrative Unit Postribë; VC no. 00791 Administrative Unit Postribë; VC no. 0082 Administrative Unit Postribë; VC no. 0083 Administrative Unit Postribë; VC no. 0086 Administrative Unit Postribë; VC no. 00861 Administrative Unit Postribë; VC no. 0224 Administrative Unit Dajç; VC no. 0345 Administrative Unit Gur i Zi; on 30 June 2019, the voting did not take place".

505 [CEC Statement](#), dated 30.06.2019, 11.00 AM "The Central Election Commission informs the public that all polling stations have been opened throughout the country, excluding 7 Voting Centers in Postriba, Shkodra region. Of these, 6 polling stations have not yet started voting, while for 1 polling station the election materials were burned".

506 [Interview of Mr. Bledar Skënderi for ABC News](#): "We have a situation in Shkodra where in 7 polling stations the voting process has not continued. They are waiting for the CEAZs to take measures to start the voting process in these centers".

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The monitoring of the case resulted in an unclear situation, in terms of the progress and legal and institutional addressing of the issue.

It is emphasized that the provisions of the Criminal Code, namely Articles 329 *“Threat or violence on election participants”* and 330 / a *“Abandonment of members of election commissions”* burden with legal responsibility anyone who has hindered the development of the process with action or inaction.

From communication with the Chairman of the CEAZ no. 2, it is accepted that for 8 polling stations⁵⁰⁷ commissioners withdrew the election materials, but it was not possible to open the VCs due to the impossibility of access to the premises designated for the voting⁵⁰⁸. While in 1 polling station in the village of Prekal the election materials were burned by a group of people, although according to a decision of the CEAZ no. 2 states that the police officer in charge of escorting the materials was present but did not intervene⁵⁰⁹.

From the review of the documentation of CEAZ no. 2, as far as possible from the provision made available by the CEC, results in a formally irregular decision-making, as stated in decision no. 3 dated 9 June 2019⁵¹⁰, by which the constitution of its VCs was constituted, or other decisions which appear marked in the protocol book and not according to the instructed formats, etc.. This is also a problem seen in other CEAZs.

In the verbal communications, but also in the minutes of the submission of materials to the CEAZ by the VCs where the voting did not take place, it is declared that *“it was not possible to access the premises”*. These minutes have the same content and were drafted between the hours of 08.15 - 08.36.

Also, it was noted that two members of the VCC no. 345 had submitted two resignation statements to the CEAZ, as they stated that they were *“under psychological pressure from the situation”*, so they sought to be replaced immediately. These statements with the same text do not indicate the time when they were deposited. It is not known whether the members of the other CECs have made the same resignation statement, as the documentation made available by the CEC does not contain these statements.

At 11.35, the CEAZ addresses the Socialist Party - Shkodra Branch, announcing that *“taking into account the statements of the commissioners of VC no. 0345 and no. 0224 for resignation from office, CEAZ no. 2 requires their replacement as soon as possible as the deadline is 12.00”*.

In response to this letter, the Shkodra Branch of the Socialist Party, with letter no. 168 prot, dated 30.06.2019, and without the time marked on it, informs the CEAZ no. 2 that *“despite our maximum commitment, given the commitment of all our*

507 VC no. 0077 Administrative Unit Postribë; VC no. 00771 Administrative Unit Postribë; VC no. 00791 Administrative Unit Postribë; VC no. 0083 Administrative Unit Postribë; VC no. 0086 Administrative Unit Postribë; VC no. 00861 Administrative Unit Postribë; VC no. 0224 Administrative Unit Dajç; VC no. 0345 Administrative Unit Gur i Zi.

508 Chairman of CEAZ no. 2, Mr. Gazmir Jahiqi stated that the commissioners of 8 polling stations withdrew the election materials during Saturday evening. After arriving at the premises where these VCs were located, it was noticed that it was impossible to access them because they were closed. Efforts by commissioners to open them or to find other places where they could vote did not give any solution. In those conditions, on the grounds that polling stations are inaccessible, the commissioners decided to return the election materials to the CEAZ. The latter notified the Directorate of Electoral Commissions to the Central Election Commission by telephone. The branch of the Socialist Party in the Municipality of Shkodra was also notified.

509 Decision of the CEAZ no. 2 taken on 30.06.2019, at 11.40, for taking over the election materials of VC no. 0082, which escaped the burning.

510 Decision no. 3 dated 09.06.2019 *“On the appointment of CEC members”* has appointed: In VC no. 0077, 3 representative members of the Socialist Party; In VC no. 00771, 4 representative members of the Socialist Party; In VC no. 0079/1, 4 representative members of the Socialist Party; In VC no. 0082, 4 representative members of the Socialist Party; In VC no. 0083, 3 representative members of the Socialist Party; In VC no. 0086, 4 representative members of the Socialist Party; In VC no. 0086/1, 3 representative members of the Socialist Party; In VC no. 0224, 3 members out of which 2 representatives of Socialist Party and one from civil society; In VC no. 0345, 2 representative members of the Socialist Party.

structures in the electoral process, the extremely short time available and the geographical position of the respective VCC, we find it impossible to complete with members VCC no. 0345 and 0224”.

From the communication with the CEC and with the state police authorities, it was evidenced that there was no additional information about what had happened, and no administrative or even criminal measures had been taken to address the above in compliance with the law.

For all the above, a number of concerns and questions are raised regarding the law enforcement and legal responsibility of each actor involved in this process, specifically regarding:

- the reason for the obstacle ascertained for the non-accessing the premises of the VCs.
- the legal steps of the members of the VCs and the police officer who accompanied the electoral materials box.
- the steps taken by the CEAZ to resolve the situation, from Saturday afternoon until noon on Sunday.
- the steps taken by the Central Election Commission to address the concern conveyed, either through a meeting or any public reaction, or through the institutional monitoring of the concern to the State Police and the Prosecution;
- the responsibility of the political party for non-fulfillment of the membership of the CEC, as it is declared that there are no capacities.
- the direct role of the police structure in charge of the progress of the electoral process.

In all the complexity that the event of non-development of the electoral process in the 9 VCs of ZAZ no. 2, the functioning of the law and the built mechanism, as well as the efficiency of their interaction, make the best sense. The analysis of the issue should be valid for the concrete addressing of such possible cases by addressing the necessary improvements for the implementation of the law and guaranteeing the functionality of the mechanism to put before anyone who touches and violates the rights and freedoms of citizens in relation to vote.

XIII. COMPLAINTS AND APPEALS

Complaints and appeals on election issues follow the administrative or judicial way⁵¹¹. Decisions of the second instance commissions are appealed to the Central Election Commission, while the decisions of the latter, or non-decision within the legal deadlines by it are appealed to the Electoral College at the Court of Appeals of Tirana.

Electoral entities, political parties or candidates who have been denied registration as electoral subjects, as well as entities that have the right to accredit observers for their non-accreditation, have the right to appeal.

The narrowing of subjects that may appeal the decisions of the electoral administration body only to those subjects that have been registered as electoral subjects, or whose registration has been rejected, narrows the effectiveness of electoral justice.

511 [Electoral Code of the Republic of Albania](#), Part X and XI.

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The narrowing of the right is justified by the existence of the applicant's legitimate interest. Meanwhile, due to the importance of the electoral process for society, as a whole, every individual has a legitimate interest in this process.

In total, in the Elections for the Local Government Bodies of June 30, 61 complaints were submitted to the Central Election Commission, of which 14 before the election day by nine electoral subjects⁵¹² and 47 after the election day, by seven electoral subjects.⁵¹³

While in the Electoral College, 81 decisions of the CEC were appealed by 13 electoral subjects and one municipality. 12 decisions were taken before election day.

In this election process, the College was invested in distributing the mandates of municipal councilors in all 61 municipalities of the country, as a result of 61 complaints filed by the Socialist Party for non-decision by the CEC within the legal deadlines for this issue, as the latter failed to reach a decision by a qualified majority of at least 5 votes in favor.

From careful monitoring of the whole situation, identified issues and processes related to the mechanism of electoral justice, consideration may be given to:

Electoral justice in the continuity of electoral processes has been decisive in one way or another. Since the last Electoral Reform in 2012, the electoral justice mechanism has been overturned in successive precedents.

Among the most important precedents of the deformation of the mechanism is the decision of the Constitutional Court that considered itself out of electoral issues⁵¹⁴, the position of the Central Election Commission on the requests of electoral subjects to recount the ballot boxes and now in this election process the position of Electoral College on the assessment of the legitimate interest necessary to enable the investment of this body.

The recent process of June 30, 2019, in keeping it formally in a situation with numerous shortages of electoral candidacies, transformed the mechanism of electoral justice simply in a legal formalism. Even this process managed to produce legal paradoxes by identifying a mechanism of electoral justice, simply as a "bureaucratic" extension of electoral administration.

XIII.1. Process of appeals before election day

The lawsuits filed in the College before the election day consisted of opposing the decisions of the CEC regarding the registration or non-registration of candidates submitted by various entities, the request of PD and LSI for the appointment of commissioners in the CEAZ, and the request for deregistration of the National Unity Party, which referred to its reasoning, widely in public opinion, was interpreted as a request to the Electoral College to express itself on the legitimacy of the Decree of 10 June of the President of the Republic.

512 Democratic Conviction Party, National Albanian Alliance Party, Communist Party, Democratic Alliance Party, Liberal Democratic Union, Albania Hour Party, New Democracy Party, Albanian Emigration Party, National Unity Party.

513 Democratic Conviction Party, Albanian Emigration Party, National Conservative Party Albania, Democratic Alliance Party, Candidate Edmond Piroli, Candidate Ylber Gjeta, Candidate Leonidha Hristo.

514 The Constitutional Court of the Republic of Albania, Decision no. 53, dated 07/05/2013, Rrok Rroku against the Central Election Commission.

In the entirety of the 12 decisions taken by the College body before election day, four lawsuits⁵¹⁵ were dropped due to the applicant's lack of legitimacy.

Regarding the registration of candidates of electoral subjects, in the Electoral College a similar approach was observed to that of the CEC, to register as many candidates as possible, by registering those candidates⁵¹⁶ who had problems and lack of registration documentation⁵¹⁷, due to for which the CEC had refused

The lack of legitimacy of the complainant is a feature that will be attached to the decision-making of the Electoral College, in the context of the innovations brought by this electoral process in the local experience.

In KRIIK's judgment this argument is inappropriate, and the decision-making of the College does not stand.

The precedent for dismissal of the lawsuit due to lack of legitimacy was made during the 2017 election process, with the complaint made by the party Youth Force in the Electoral College against the registration of PD and PR, according to it were outside deadlines, by the CEC.

At the core of this submission is the reliance on the jurisprudence of the Supreme and Constitutional Courts, on the basis of which the subject who initiates the court must have a concrete personal interest.

In KRIIK's judgment, reliance on this basis is inappropriate, as the circumstances are quite different for the case for which this practice was built, i.e. for a personal interest of a materialistic nature.

This is not the case to be applied to political parties, as the genesis of the launch and existence of a political party is precisely the high interest in the public good, the categories in need, and various other issues related to the development and progress of society and the country.

515 - Albanian Democratic Union Party with the object "Objection to the decision of the CEC no. 230, dt. 27.04.2019 "On the registration as an electoral subject "Democratic Conviction Party" for the elections for the local government bodies of dt. 30.06.2019""; - The Albanian Democratic Union Party with the object "Objection to the decision of the CEC with no. 599, dated 20.05.2019 "On the registration for Mayor of Kamëz proposed by the 'Democratic Conviction' Party, Mr. Ylber Gjeta for the elections for the local government bodies dated 30.06.2019""; - Democratic Party and SMI with the object "Objection to the decision of the CEC, no. 657, dated 23.05.2019. Judging the case on the merits by deciding to accept the request for appointment of the members and secretaries of the CEAZs proposed by the Democratic Party of Albania and the Socialist Movement for Integration""; - Municipality of Kamëz with object "Objection to the Decision no. 651 dated 26.05.2019 and Decision no. 796 dated 03.06.2019 of the Central Election Commission"..

516 Decision no.646 dated 23.05.2019 of the CEC: "CEC decided: Rejection of the request for an appeal no. 1, dated 21.05.2019 of the Democratic Conviction Party and leaving in force the decision no. 4, dated 18.05.2019 of CEAZ no.. 64 "For not registering the candidate for Mayor, Mr. Pavlo Shkarp, Municipality of Berat, proposed by the Democratic Conviction Party" Decision no. 653 dated 25.05.2019 of the CEC: "CEC decided: Rejection of the appeal request No. 02, dated 24.05.2019 of the Democratic Conviction Party and to uphold the decision no. 6, dated 21.05.2019 of CEAZ no.. 46 Cërrik "For not registering the candidate for Mayor, Ms. Merita Sherif Xhika, Cërrik Municipality, proposed by electoral subject Democratic Conviction Party".

517 - By the decision no. 4 dated 18.05.2019, CEAZ no. 64, the Municipality of Berat, decided not to register as a candidate for mayor of Mr. Pavlo Shkarp, proposed by electoral subject Democratic Conviction, me on the grounds that Mr. Shkarp was not a resident of the Municipality of Berat on May 13, 2019 (deadline for registration of candidates) condition set out in Article 109 of the Constitution. Mr. Shkarp had become a resident of the Municipality of Berat on May 16, 2019. In these circumstances, the CEC decided to uphold the CEAZ decision.

Meanwhile, the Electoral College decided to repeal the decision of the CEAZ, with the reasoning that the criterion of residence must not necessarily be completed on the date of submission of documentation, but on the date of the decision. Since the decision is dated May 18, while the candidate became a resident on May 16, 2019, he meets the legal criteria to be a candidate.

- By the decision no. 6 dated 21.05.2019 of the CEAZ no. 46, the Municipality of Cërrik, decided not to register as a candidate for mayor of Ms. Merita Xhika proposed by electoral subject Democratic Conviction, on the grounds that Ms. Xhika was not a resident of the Municipality of Cërrik on May 13, 2019 (deadline for registration of candidates) condition set out in Article 109 of the Constitution. The CEC decided to uphold the CEAZ decision. Meanwhile, the Electoral College decided to repeal the decision of the CEC, with the reasoning that the verification of the conditions for running is done on the date that the CEAZ convenes and decides and not on the date that the documents are submitted by the electoral subject.

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Moreover in an election race, favoring or violating the rules of the game in relation to the competition of a political competitor, is neither more nor less, but a direct interest of the electoral subject to first protect his legitimate interest for an electoral race on equal terms and, secondly, for the sake of the integrity of law enforcement, the administrative and institutional process, or to an even greater extent, the legitimate interest in seeking and securing the integrity of all links constituting the electoral process.

XIII.1.1. Request of PD and LSI to appoint commissioners in CEAZ

On May 20, the Democratic Party and the Socialist Movement for Integration decided to exercise the right to nominate CEAZ members, as the latter had been constituted, referring to the possibility of filling vacancies given by the Electoral Code.⁵¹⁸

The argument presented for this request, given that both parties were not registered as electoral subjects, there was the need to make transparency over the electoral process.

Their request was rejected by the Central Election Commission, on the grounds that, not being election subjects, they were not entitled to have their representatives on the election administration commissions.⁵¹⁹

The decision of the CEC to reject the request of PD and LSI to nominate commissioners, was a decision with a one-sided and incomplete approach to legal treatment, according to the letter and spirit of the Electoral Code for the construction of politically balanced electoral administrations, according to the parliamentary political configuration.

It was noted that the CEC read the Electoral Code in two standards. This reading of the Electoral Code, although can find legal logic in the ambiguity that the Electoral Code carries, opened the possibility of the inclusion of the Democratic Conviction Party in the proposal of electoral administration membership. By establishing the criterion of being an electoral subject as necessary to nominate a member of the electoral administration, it was the political entity in question that enjoyed this right.

This decision was appealed to the Electoral College.⁵²⁰ The Electoral College did not comment on the merits of the case, as it considered the plaintiffs again in the absence of legitimacy⁵²¹.

518 *Electoral Code of the Republic of Albania*, Article 29, point 5, paragraph 2 "The members appointed stay in office until the appointment of members proposed by political parties, in accordance with this article. The replacement shall take place no later than 30 days from the election date."

519 *Decision no. 657 dated 23.05.2019* "...The CEC considers that the Democratic Party of Albania and the Socialist Movement for Integration Party by not registering in the elections of June 30, 2019 do not meet the legal criteria to be an electoral subject in the electoral process of the elections of June 30, 2019 and therefore cannot propose at this stage of the electoral process, members for the CEAZ (and respectively for the VCC and BCT) "

520 The object of the lawsuit "Objection to the decision of the CEC, no. 657, dated 23.05.2019. Judging the case on the merits by deciding to accept the request for appointment of the members and secretaries of the CEAZs proposed by the Democratic Party of Albania and the Socialist Movement for Integration".

521 *Decision no. 10 dated 06.06.2019 of the Electoral College*: "... The Electoral Code has recognized the right to appeal against the activity of the CEC in the Electoral College, only to the electoral subjects. In the concrete conditions and circumstances, the political subjects, plaintiffs in the trial, do not enjoy the active legitimacy to oppose the activity of the defendant, the CEC, by complaining to the Electoral College ".

XIII.1.2. National Unity Party's request for deregistration from the elections

On June 13, 2019, the National Unity Party submitted to the Central Election Commission a request to deregister as an electoral subject and removal of the name of the party from the ballot papers.

The appeal came after the party was acquainted with Decree no. 11199 of 10 June of the President, by which the Decree of 5 November on setting the date of the elections on 30 June was repealed.

This complaint by the subject in question was rejected with the argument, among other things, that the legal framework does not provide for the right of the electoral subject for deregistration and considering the technical impossibility to reprint the ballots.

At the meeting of the same day, on June 13, the Central Election Commission put it on the agenda, reviewed it and made a decision rejecting the request of the electoral subject with the argument.⁵²² that the CEC considered Decree 11199 of the President as an absolutely invalid administrative act, based, inter alia, on the Resolution of the Assembly of Albania, approved on 13 June 2019.

The decision was appealed⁵²³ to the Electoral College, which left it in force on June 24, 2019.

Throughout the reasoning carried out, the Electoral College body stated that the decision-making of the President of the Republic on the date of the elections had been outside his legal rights.⁵²⁴ This is a reasoning which also constituted the position of the Assembly of the Republic of Albania expressed in the Resolution dated 13/06/2019.

The immediate decision-making by the CEC and the Albanian Parliament, at the request of an electoral subject, is considered to be a chain action, in function of the political and institutional conflict of the majority to play in the political battle the card of a court (electoral) decision. and appeal), especially in the absence of the Constitutional Court, the only authority that can interpret and decide on constitutionality and the conflict between constitutional institutions.

This situation becomes even clearer given that neither the CEC nor the Electoral College have as their object the consideration or interpretation of the decree of a constitutional institution such as the President of the Republic.

On the other hand, as KRIIK has announced through its Declaration⁵²⁵ of May 6, 2019, it has brought to the attention of the CEC the process of Electoral Justice, especially the situation and the position of the judges⁵²⁶ of the Electoral College,

522 Decision no. 836, dated 13.06.2019 of the CEC "To review the request of the National Unity Party for deregistration from the elections for the local government bodies of June 30, 2019".

523 Electoral College, Court of Appeals of the Tirana Judicial District, Decision no. 13, dated 14/06/2019, National Unity Party against the Central Election Commission.

524 (...) "Following this reasoning, the Electoral College considers that the President of the Republic, through the annulment of the election date for local government bodies of June 30, 2019, in the absence of legal competence and beyond the deadlines provided by the Electoral Code, has taken the powers of one the other body, specifically, has taken over the powers of the Assembly of Albania. In the circumstances when the Assembly is the body that has foreseen the deadlines and rules for determining the date of elections through the provisions of the Electoral Code, any possible change of them, in the absence of delegation, should be done only by this body, i.e. only by the Albanian Parliament. .

Also, the Electoral College considers that the annulment of the election date in the absence of legal competence and in violation of the deadlines provided by the Electoral Code allows that in fact, Albanian citizens with the right to vote be denied a constitutional right provided by the Constitution of the Republic of Albania: the right to vote and to be elected in accordance with Article 45 of the Constitution. "

525 Statement dated 06.05.2019 of KRIIK: "Preserving the impartiality and integrity of the Central Election Commission is vital for the functioning of a democratic and legal state."

526 Ibid: "... Due to the justice reform process, the Constitutional Court is currently not functioning. Meanwhile,

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consequently requesting, that as a collegial body, it is necessary for the CEC institution to take a proactive role in ensuring the integrity of all aspects of the electoral process, with a strictly institutional and guardian approach within-law.⁵²⁷

XIII.2. The appeals process after election day***XIII.2.1. Appeals from the Democratic Conviction Party to invalidate elections in a number of municipalities***

Following the completion of the voting and counting process, the Democratic Conviction Party on July 5, 2019 submitted to the CEC 41 appeals requesting the declaration of invalidity of the elections in 41 municipalities.⁵²⁸ of the country each included in a separate request.

All appeals were based on the reasoning that, from the reports of its observers, it was found that in almost all VCs there was a high discrepancy between the number of persons nominated to vote and the number of ballots found in the respective ballot boxes.⁵²⁹ The appellant used as an argument for the request the indications from his observers during the counting process.⁵³⁰

The CEC decided to reject all appeals of the BD, on the grounds that ⁵³¹the observers of this political force have not submitted any written complaint to the election commissions, to present their findings.

None of the reasoned decisions regarding these complaints of this subject has been published on the CEC website yet.

Despite the high number of complaints filed with the CEC, which included all the municipalities where they run, BD appealed to the College the decisions of the CEC regarding its appeal requests for only 5 municipalities.⁵³²

all eight judges of the Court of Appeals, members of the Electoral College, have been re-assessed by the Independent Qualification Commission. Of the eight members of the Electoral College, one has been confirmed in office and another has been fired, while both decisions have been appealed to the Special Appellate Panel. The other six members are already in the process of being re-assessed. ...".

527 Ibid: "... the behavior and well-functioning of the CEC takes on vital importance. ... The members of the CEC body must respect only the law and fully abide by the oath made before the representatives of the Albanian people at the time of taking office. ...".

528 Sarandë Municipality, Maliq Municipality, Skrapar Municipality, Gjirokastrë Municipality, Libohovë Municipality, Himarë Municipality, Lushnjë Municipality, Divjakë Municipality, Patos Municipality, Kurbin Municipality, Malësi e Madhe Municipality, Berat Municipality, Durrës Municipality, Dibër Municipality, Kolonjë Municipality, Cërrik Municipality, Municipality of Tirana, Municipality of Shijak, Municipality of Lezhë, Municipality of Bulqiza, Municipality of Kukës, Municipality of Shkodra, Municipality of Tropojë, Municipality of Klos, Municipality of Tepelenë, Municipality of Selenicë, Municipality of Mallakastër, Municipality of Gramsh, Municipality of Vlorë, Municipality of Këlcyrë, Municipality of Korçë, Municipality of Fier, Municipality of Përrenjas, Librazhd Municipality, Rrogozhinë Municipality, Belsh Municipality, Elbasan Municipality, Vora Municipality, Krujë Municipality, Kamëz Municipality, Has Municipality.

529 Democratic Conviction: "... our observers have created the conviction that during the voting process different voters were given more than one ballot to vote and these voters themselves or members of the Voting Center Commission have fictitiously signed the voter list, aiming at fictitious increase of participation in the elections and manipulation of the election result in favor of the Socialist Party and its allies, who had all the members of the commissions of the Voting Centers in this constituency. At the end of the voting process, our observers were asked to leave the polling station. We have strong indications, coming from the counting of voters on election day, that the VC Commissioners have added votes to the ballot boxes and signed the voter list, in order to increase turnout and change the election result in that VC. The findings of our observers about the increase of votes in the ballot box during the counting process and the change of the results by the counting groups, have been ascertained only with direct sight from them".

530 During the submissions before the Electoral College, the representative of the Democratic Conviction stated that: "Our non-accredited observers, positioned in front of all TVs of the counting groups in this Electoral Zone during the counting process, have found that in almost every box counted by counting groups, there is a high discrepancy between the real votes received by our candidates, compared to the result marked in the ballot counting tables for these polling stations by the counters, who even in this case have been all representatives of the SP, even in those cases when any of them is marked as proposed by civil society".

531 According to Article of the Electoral Code observers have the right to submit written remarks to election commissions of any kind of irregularity they observe. The investigation of the electoral documentation by the observers of the appellant party did not administer any written remarks during the counting process.

532 Shijak Municipality, Kurbin Municipality, Tirana Municipality, Selenicë Municipality, Berat Municipality.

The Electoral College also ⁵³³ upheld the CEC's decision, arguing that⁵³⁴ the lawsuit was unfounded in law and evidence.

From the monitoring of the complained issues and their progress, the preliminary consideration for the lack of knowledge, the provisions of the law, the mechanism of the administrative process as well as that of the complaint is expressed.

Formal presentation with almost the same content in the first time of filing complaints to the CEC, content issues, filing a complaint for a municipality for which a decision has not yet been taken, declaration of presence in polling stations and counting sites votes of BD observers, but not accredited as such and consequently the inability to officially file remarks on the violations found, and other elements clearly show that this subject had no evidence to initiate a successful appeal process. Questions are raised about the real reasons for the investment of the CEC and the Electoral College in this appeal process, which seems to have only the form of it.

XIII.2.2. Vote recount for 11 VCs in the Municipality of Lezhë

The National Conservative Party of Albania filed a complaint with the CEC no. 58 dated 4 July 2019, with the object "Invalid election announcement in some VCs⁵³⁵ in the Electoral Zone of the Municipality of Lezhë"

The appeal stated that in the polling stations for which the declaration of invalidity of the result was required, there was a discrepancy between the number of voters who voted, and the ballot papers found in the ballot box during the counting process⁵³⁶.

Based on the reasoning that this is an appeal based on credible evidence and the fact that transparency is of particular importance in the reliability of the process, two members⁵³⁷ of the CEC demanded the opening of the ballot boxes in question and the recount of votes in the CEC⁵³⁸.

From the administrative examination of the evidence and facts, it did not turn out that there were any such violations to the extent of declaring invalid the elections in the above-mentioned polling stations. Consequently, the CEC did not find any violations of the law, which led to the dismissal of the lawsuit⁵³⁹.

533 Decisions no. 13, no.14, no. 15, no. 16 and no. 17, dated 22.07.2019 of the Electoral College.

534 "... The Electoral College does not find elements of invalidity or illegality in the objected activity of the respondent, the CEC, and in the conditions when it is ascertained that the lawsuit is unfounded in law and evidence, this College considers the rejection of the lawsuit".

535 VC no. 0686, VC no. 0791, VC no. 07141, VC no. 07142, VC no. 07171, VC no. 07294, VC no. 0740, VC no. 07403, VC no. 0727, VC no.0770 and VC no. 0705.

536 The complainant alleges that in many polling stations, more votes were found in the ballot boxes than in the number of voters who took part. According to the complainant, this violation is a serious violation of the law that has irreparably violated the electoral process, causing the election to be declared invalid in these polling stations. According to the complainant in the following VC, it turns out that:

VC 0686 voted 52 people, but the ballot papers found were 53; VC 07091 127 people voted but the ballot papers found were 128; VC 07141 voted 162 people but the ballot papers found were 163; VC 07142 voted 164 people but the ballot papers found were 166; VC 07171 voted 141 seats but ballot papers were 142; VC 07294 voted 215 people but the ballot papers found were 216; VC 0740 voted 203 people but the ballot papers found were 223; VC 07403 voted 148 people but the ballot papers found were 149; VC 0727 voted 138 people but the ballot papers found were 139; VC 0770 voted 70 people but the ballot papers found were 69; VC 0705 voted 67 people but the ballot papers found were 68.

537 Mr. Bledar Skënderi and Ms. Edlira Jorgaqi.

538 The Central Election Commission reasoned that transparency regarding the counting and evaluation of votes for the Lezhë constituency is of great importance for the credibility of the electoral process and its integrity. As long as the complainants are concerned that in some polling stations the ballots of the complaint were not evaluated correctly, referring to the fact that the result was not coordinated for a polling station, the need for transparency of the counting process for these polling stations, convinced two members of the Central Commission. Elections require the receipt of evidence to prove the facts presented by the complainants through the recount and re-evaluation of the votes in the ballot boxes of the polling stations according to the complaints of the complainants.

539 Decision no. 1088 dated 12.07.2019 of the CEC "On the review of the appeal no. 58 of the National

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What constituted legal nonsense in this case was the fact that a recount was required in some VCs where the data reflected in the Summary Table of the Results approved by the CEC did not match, claiming that there were more votes in the ballot box than voters.

Meanwhile, what could shed more light on this situation would be the review of voter lists, a request which was not submitted by the plaintiff.

PKKA complained about the CEC decision in Electoral College, already requesting the opening of ballot boxes⁵⁴⁰, but in the end the Electoral College decided to drop the lawsuit⁵⁴¹.

In a similar situation, consideration is given to the inaccurate definition of the object of the complaint, enabling the members of the body to be willing to use a provision in the name of increasing the transparency of the process, a standard more than required and encouraged to follow by the members of the troupe in the whole sphere of their activity and the institution they lead. Meanwhile, regarding the provision on which the two members were based, it can be said that it remains one of the most debatable provisions that has suffered in its implementation, for the sake of high political and direct sensitivity with “a kind of audit” of the electoral process.

XIII.2.3. Distribution of mandates by the Electoral College

For the distribution of mandates for members of Municipal Councils, the Electoral Code provides for their approval by a qualified majority of five votes “in favor”.

The CEC failed to reach this majority, as the CEC Chairman, in line with his public position, voted against.

The Socialist Party of Albania addressed the Electoral College, with 61 lawsuits with the object “Objection to the non-decision within the legal deadline by the CEC, for the distribution of the mandates of the respective municipal council. Judging the merits of the case and the allocation of mandates for this municipality”.

In the sessions held from 22 to 26 July 2019, the Electoral College undertook and carried out the distribution of mandates according to the legal provisions of Article 163 point 5, and article 166 point 3 of the Electoral Code, which defines the nominal mandates for each political party on the basis of the ranking in the multi-name lists of the voting result approved by the respective CEAZ.

Distribution of seats of the Electoral College has happened before during the parliamentary election process, which then was found the artifice of taking a decision “not to take a decision”, which was not considered necessary to be used in this case because the Electoral College took over their distribution.

Conservative Party of Albania, with the object “Announcement of Invalid election in VC no. 0686, VC no. 0791, VC no. 07141, VC no. 07142, VC no. 07171, VC no. 07294, VC no. 0740, VC no. 07403, VC no. 0727, VC no. 0770, VC no. 0705 “for Mayor of Lezhë” of the Central Election Commission.

⁵⁴⁰ The declaration of the PKKA “... Only from the recount of some ballot boxes, without going for the voter lists, which would show the clear and real participation in the voting, showed irregularities, and in these conditions the opening of all ballot boxes and election materials and a thorough investigation of voter lists would show whether we are facing a fair election process or a farce. This in-depth investigation would serve to make transparency not only the complainants but the entire public. So, in terms of a profound importance for transparency, we demand a recount and investigation of all VCs. “”.

⁵⁴¹ Decision no. 39 dated 25.07.2019 of the Electoral College: “... The Electoral College considers that the plaintiff did not bring before the court evidence that could prove its claims, regarding the existence of conditions for the invalidity of the elections according to the provisions of Article 161 of the Electoral Code. In these circumstances, the claim remains unproven and not based on the legal requirements of Article 161 of the Electoral Code, and as such it must be dismissed.

XIV. OBSERVERS

The Electoral Code recognizes the right of political parties / coalitions registered as electoral subjects, as well as of candidates supported by voters, as well as domestic or foreign organizations to appoint observers. The law recognizes the right of observers to observe without hindrance all aspects of the preparation and conduct of elections and all stages of the electoral process.

Political observers are accredited by the Zonal Election Administration Commissions, while observers of non-profit organizations, the media, and foreign organizations are accredited by the Central Election Commission, according to certain deadlines and procedures well defined in the Electoral Code.

At the June 30, 2019 local elections, a total of 2091 non-party observers were accredited, of whom 853 were domestic nonprofit observers, 783 local journalists, 271 foreign observers, 35 foreign journalists and 149 translators.⁵⁴²

The radicalization of the political situation and the unilateral development of the electoral process significantly affected the presence of domestic or even foreign observers marking their lowest number in the last four electoral processes⁵⁴³. Even the participation of observers in the process and the actual number of accredited observers became part of the political debate and controversy over the validity of the June 30th process.

The Congress of Regional and Local Authorities, a Council of Europe institution responsible for strengthening regional and local democracy in Council of Europe member states, announced on June 26, 2019 that it had canceled the sending of its observers to the local elections.⁵⁴⁴

Reasons cited in a statement by the President of Congress, Mr. Anders Knappe, to cancel the observation mission was uncertainty about the participation of the full spectrum of political parties and candidates in the local elections on June 30. The statement noted that since there was only one candidate in 31 of the country's 61 municipalities, it was difficult to expect meaningful political competition. It also emphasized that Congress had never observed an election without meaningful opposition participation and cited logistical and security challenges.⁵⁴⁵

Cancellation of the Mission of the Congress of Local and Regional Authorities has been the subject of discussions and speculation by both the opposition and the majority over the significance of the withdrawal of an international body⁵⁴⁶, somewhere suggesting that the withdrawal of observers might have been influenced by Russia⁵⁴⁷, elsewhere the withdrawal of observers was not true and that they would observe the process⁵⁴⁸.

542 See Annex no 10 – Observers and media representatives accredited by the Central Election Commission.

543 The 2017 Parliamentary Elections were monitored by 5335 observers; The 2015 Local Elections were monitored by 5185 observers, while the 2013 Parliamentary Elections were monitored by 9174 observers.

544 Observers of the Council of Europe's Congress of Local and Regional Authorities were accredited on Decision no. 844, 21.06.2019 "On the approval of the short-term observers and translators of the Congress of Local and Regional Authorities of the Council of Europe in the elections to the local government bodies of 30 June 2019" of the Central Election Commission.

545 Statement by the President of Congress, Mr. Anders Knappe was left on the institution's website only for little time, and then removed.

546 Albanian Telegraphic Agency, Balla: OSCE / ODIHR has the exclusivity for monitoring elections in Albania, June 26, 2019.

547 Deputy Minister of Defense, Mr. Petro Kochi posted on his personal Facebook page shortly after the news became public that "the Council of Europe is an organization to which Russia has just returned". The post was deleted within a few hours by the Deputy Minister.

548 Top Channel quotes Mr. Erion Veliaj, Mayor of Tirana. Veliaj: CoE observers will be coming for June 30th.

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For the first time in the electoral processes conducted after the 2008 adoption of the Electoral Code currently in force, a problematic process was identified in the accreditation of observers by the Central Election Commission. Problems consisting in the clear violation of the legal deadlines provided, accreditation based on irregular documentation as well as in the decision-making in a manner that is contrary to the one taken at the meeting.

The Electoral Code, in its Article 6, paragraph 5, stipulates that domestic observers may apply for accreditation at the CEC no later than 15 days before the election date and foreigners no later than 72 hours before the election date.

A considerable part of the Albanian media⁵⁴⁹, submitted requests for accreditation of journalists and their staff outside the legal deadline, although the CEC spokesman in a special notice to them⁵⁵⁰, informed them that the deadline for submitting applications for accreditation was June 14, 2019.

Besides the media, two civil society organizations “Center for Development and Protection of New Media” and the “Association for the Integration of Informal Areas” presented the request for accreditation after the legal deadline.

Concerning the accreditation of observers of the organization “Center for Development and Protection of New Media”, referring to the preliminary materials of the CEC meeting and decision⁵⁵¹, it turned out that the request submitted by this organization did not meet the legal criteria⁵⁵², since it was submitted after the legal deadline and lacked registration certificate by the court. For these reasons, during a meeting on June 21, 2019, the CEC unanimously voted to reject this request. However, this rejection decision was adopted as reflected in the notice of the meeting distributed to the media and the decision published in the official website of the CEC’s website.

While regarding the accreditation of observers of the organization “Association for Integration of Informal Zones”, the request submitted by it to the CEC is dated June 24, 2019, being outside the legal deadline specified in the Electoral Code. On the other hand, with reference to preliminary materials of the meeting, the request is accompanied by copies of the court decision⁵⁵³ and not with a court registration certificate, which is intended to record the updated status of the organization as a legal entity, as set forth in the CEC instruction⁵⁵⁴. Although the Referral did not meet the two abovementioned legal criteria, the CEC in its decision⁵⁵⁵ reasoned that “... upon reviewing the documentation, the CEC notes that it complies with the criteria set forth in Article 4 of Instruction No. 13 dated 22.04.2009 “.

⁵⁴⁹ I informed them that Albanians are not violent, June 26, 2019.

⁵⁴⁹ TV Klan, Ora News, A2 CNN, RTSH, News 24, BBF Televizion, Gazeta Panorama, Bold News, TV ONE Vlorë, etc.

⁵⁵⁰ Notice delivered via email on June 5, 2019.

⁵⁵¹ Decision 845, dated 21.06.2019 “On the consideration of the request made by the Center for Development and Protection of New Media in the Local Government Elections of June 30, 2019” of Central Election Commission.

⁵⁵² “...The Central Election Commission notes that it is outside the deadline set out in Article 6 of the Electoral Code and is incomplete as it lacks a court registration certificate that verifies the scope of the organization’s activity.”.

⁵⁵³ The court decision presented by the Association for the Integration of Informal Areas holds no. 2170/3 and is dated ???.11.2019???, i.e. xx months ago, not submitting its updated legal status.

⁵⁵⁴ Instruction no. 13 dated 22.04.2009 of Central Election Commission, “On Accreditation Procedures and Election Observation Rules by Albanian and Foreign NGOs, International Organizations, Representatives of Foreign States and Media”.

⁵⁵⁵ Decision no. 860, dated 25.06.2019 “On the approval of short-term observers by the Association for the Integration of Informal Areas for Local Government Bodies dated June 30, 2019” of Central Election Commission.

Concerning the accreditation of observers of electoral subjects at the Zonal Election Administration Commissions (CEAZs), Voting Centers (VCs) and Ballot Counting Centers (BCCs), based on the observation made by the long-term observers of KRIIK and the copy of the CEAZ decision making deposited by the CEC, it results that no formal decision has been taken by the CEAZ. It is unclear how the CEAZs documented and acted on the implementation of the statutory procedures for the replacement of observers, their allowed number for an electoral subject at the BCCs, etc.

It was noted that during this election process, unlike previous electoral processes, no situation was observed where the high presence of party observers became problematic.

During this election process, as in previous elections, the right of observers to observe all aspects of the preparation and conduct of elections without interruption and all stages of the electoral process was violated. This was mainly noted in the observers' disqualification from the CEAZs process of handing over the Voting Center materials after the closing of voting process. It also notes that transparency and non-availability of observers and decision-making by Zonal Election Administration Commissions remains problematic, as required by Article 34 of the Electoral Code and instruction of the Central Election Commission.

XV. PARTICIPATION OF WOMEN, PERSONS WITH DISABILITIES AND MINORITIES

XV.1. Women's participation

The participation of women in the preparation of electoral processes, in the conduct of electoral campaigns and in political representation remains a challenge in Albanian society. There is an increase in the number of women participating, but a numerical increase, which does not coincide with the validity of political empowerment.

The Central Election Commission body currently consists of five members, two of whom are women. There is currently only one woman in the Electoral College, out of eight members of this body. Meanwhile, 35% of second-tier commission members were women (126 out of 360). In the Voting Center Commissions 22% were women, and in the Ballot Counting Teams 17% were women.

Out of the total 97 mayoral candidates, only 11 were women (11.3%), of which 8 were the winners from the total of 9872 candidates for member of the municipal councils, 4839 were women (49.02%), with 711 winning (43.9%).

The Electoral Code⁵⁵⁶, defines the legal obligation for gender representation in the lists of candidates for municipal councils, according to which one in every two names on the list must be a woman. Again, there was a lack of willingness and seriousness on the part of the political parties regarding compliance with this legal obligation. The observation made on some lists of candidates for members

⁵⁵⁶ [Electoral Code of the Republic of Albania](#), Article 67 "List of candidates of parties and party coalitions" item 6 "... For elections for local government bodies, for each municipal council, one in every two consecutive names in ranking shall belong to the same gender. The subject submitting the list declares the seats, according to the gender quota, in order to apply the exception under the second paragraph of point 2, of article 164 of this Code

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of municipal councils submitted to the CEC due to control effect within the decriminalization law, it was noted that in some cases ranking by gender criteria was not respected. Due to the inability to pursue full decision-making by the Commissions of Electoral Administration Zone (CEAZs), it is not clear whether the envisaged legal procedure was followed through the CEAZs' decision to overturn and correct them, and then to register them.

Meanwhile, this phenomenon was also observed in the larger municipalities with more than one EAZ, where the registration of candidate lists for members of municipal councils is done at the CEC. On the grounds of non-fulfillment of gender representation criteria defined by law, the Central Election Commission returned the four lists of candidates⁵⁵⁷ for members of the Municipal Councils submitted by 3 electoral subjects and subsequently approved them.

In terms of turnout, 55.4% of the voters who voted on June 30 were men and 44.6% were women. Meanwhile, the percentage of women voting with reference to the total number of women on the voter lists is lower than that of men. Specifically, in the June 30 elections voted 25.1% of the men included in the list and only 20.7% of women included in the list⁵⁵⁸.

XV.2. Persons with disabilities

Providing the necessary conditions for the exercise of the right to vote freely and without hindrance by individuals with disabilities has been and remains an ongoing challenge in electoral processes.

According to the latest statistics from the State Social Service (SSS) as of June 2019, the number of persons officially recognized to have a disability in Albania is 71,096⁵⁵⁹, or about 2% of the total voters included in the final list of voters. Although the data exist at each municipality, there is poor coordination of state structures to ensure full information in advance and then the necessary conditions at each polling station in which disabled citizens are registered, in order to facilitate their voting.

Although reports suggest that ramps were made available to facilitate the movement of persons with disabilities, as well as braille masks at each polling station to facilitate the voting of the blind, problems were still identified.

As KRIIK did not engage observers on election day, it was contacted by some of the community's representative organizations. According to the Albanian Blind Youth Forum in many VCs, there was a lack of templates or information that commissioners should have on the reason for their use, and consequently not making them available to blind people. The templates used this time were easily markable on the sides of the quadrant, violating the secrecy of the vote. In the elections was also highlighted environments of VCs with low lighting, which made it difficult to vote persons with impaired vision. Also, according to the representatives of this association, the spot produced by the CEC has not been helpful to this community, as its content had more figures than voice information.

557 New Democratic Spirit Party candidate list for Kamëz Municipality Council (decision no. 496 date 17.05.2019 and decision no. 634 date 22.05.2019); List of candidates for the Democratic Alliance Party for Vlorë and Lezhë Municipality (decision no. 432 date 16.05.2019, decision no. 436 date 16.05.2019 and decision no. 626 date 22.05.2019); List of candidates for the Lezhë Municipality Alliance for Democracy and Solidarity Party (decision no. 505 date 17.05.2019 and decision no. 624 date 22.05.2019).

558 The calculations are based on data [Summary Table](#) published by CEC. As this table lacks data on the gender component of 383 polling stations, this figure is based on information provided by 5033 polling stations.

559 More specifically 12,422 blind, 6,660 pre-tetraplegics, 52,014 mentally and physically disabled.

The CEC, in cooperation with the Municipalities, should elaborate bylaws that guarantee the accessibility of persons with disabilities to the respective polling stations, in order to guarantee their right to vote. It suggested a permanent database which can be updated and considered consistently in the preparation of the next election infrastructure.

CEC should continue and further strengthen the tradition of cooperation with representative organizations of this community, promoting the direct participation of their representatives in the training process, the design of the awareness raising package and the methodology used.

XV.3. Minorities

Since November 2017, national minorities in Albania have enjoyed the exercise of their specific freedoms and rights through a special law.⁵⁶⁰ According to the meaning of this law, the national minorities in the Republic of Albania are the Greek, Macedonian, Aromanian, Roma, Egyptian, Montenegrin, Bosnian, Serbian and Bulgarian minorities.⁵⁶¹ The law provides that local government units where persons belonging to national minorities constitute over 20% of the total population of that unit, they have the right to receive information, along with Albanian language, also in the minority language, over the development of the electoral process⁵⁶².

The law obliges the CEC to issue such information in the minority language within six months⁵⁶³ of its entry into force, i.e. within 24 May 2018. To date, the CEC has not yet adopted any regulatory act to fulfill this obligation.

However, in fulfillment of its obligation to inform on the conduct of the electoral process of June 30, 2019, through information, education and awareness materials in the languages of national minorities, the CEC signed a cooperation agreement with the Committee on National Minorities on 08.05.2019.

Pursuant to this agreement and legal obligation, the CEC stated that it produced election-related information materials in the nine languages of national minorities recognized under the above law. These materials are not available on the official website of the Central Election Commission, but according to communications with the CEC administration, these materials were produced in the language of each national minority and distributed in each of the areas where these communities mostly reside.

Regarding the candidates of national minorities nominated by electoral subjects, there was no particular attention given to their promotion and promotion to the public, nor to issues of particular interest to them.

Two ethnic minority parties, the Alliance of Macedonians for European Integration and the Greek Ethnic Minority Party for the Future, registered and ran in these elections, respectively: the first with the victory of 4 councilors in the Pustec Municipality and the second with the victory of the Mayor and 9 municipal councilors in Finiq, 1 municipal councilor in Sarandë and 3 municipal councilors in Dropull Municipality.

⁵⁶⁰ Law 96/2017 "On National Minorities", adopted on 13.10 2017 and published in the Official Journal no. 196 date 09.11.2017.

⁵⁶¹ Ibid., Article 3 "Definitions", paragraph 2.

⁵⁶² Ibid, Article 15 "Use of Language", paragraph 4.

⁵⁶³ Ibid., Section 23 "Bylaws", paragraph 2.

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XVI. ANNOUNCEMENT OF RESULTS AND DISTRIBUTION OF MANDATES

XVI.1. Distribution of mandates for Mayors

The Electoral Legal Framework stipulates that for local elections, the Central Election Commission body approves by simple majority the Summary Table of Electoral Results⁵⁶⁴ and then by a qualified majority decides on the distribution of mandates to members of municipal councils of all municipalities, as well as for mayors, whose territory extends to more than one EAZ⁵⁶⁵.

As for the municipalities, the territory of which coincides with the coverage of an EAZ, the mandate of the mayor is given by the Commission for Administration of Electoral Zones (CEAZ).⁵⁶⁶

At the end of this process, according to the Law "On Local Self-Government" it is foreseen that the mandate of the Mayor will be certified by the court of the judicial district, in whose jurisdiction the respective municipality is included.⁵⁶⁷

According to this regulation of the Law "On Local Self-Government", the declaration of validity or invalidity of the mandate of the mayor is made when it is noticed that the conditions determined according to article 45 of the Constitution and the relevant provisions of the Electoral Code of the Republic of Albania are met.

Article 45 of the Constitution is part of the Chapter entitled "Political Freedoms and Rights" and defines the standards that an electoral process must meet.⁵⁶⁸

In KRIK's judgment, this legal regulation seems to be a highly procedural moment, but from the logic of the whole mechanism, it is mostly evidenced that the will of the legislator has defined this procedure as a guarantee valve for the integrity of the electoral process. In this article of the Constitution and to what extent it is guaranteed by the fulfillment of the provisions of the Electoral Code.

After the submission of requests by the candidates themselves to the relevant Judicial District Courts, for the legality of the mandate given by the CEC or the CEAZ, at the end of the elections of June 30, 2019, the mandates of 61 Mayors in the country were verified by 22 District Courts. This verification and mandating process started on 11.07.2019 and ended on 31.07.2019.

As a result of this process, it was noticed that the District Courts expressed themselves with three different types of decisions, although all the requirements had the same object. Specifically:

- Decision no. 11-2011-4127, dated 17.07.2019 of the Durrës Judicial District Court, decided to reject the request of the applicant Valbona Sako to confirm the mandate of the Mayor of Durrës with the argument that⁵⁶⁹ Democratic

⁵⁶⁴ Electoral Code of the Republic of Albania, Article 122.

⁵⁶⁵ In this category there are 11 municipalities.

⁵⁶⁶ In this category there are 50 municipalities.

⁵⁶⁷ Law no. 139/2015 dated 17.12.2015, "On Local Self-Government", Article 60 "Mandate of the Mayor", point "1. The mandate of the mayor is certified by the court of the judicial district (civil chamber) in whose jurisdiction the respective municipality is included, within 20 days from the date of the announcement of the result of its election."

⁵⁶⁸ Constitution of the Republic of Albania, Article 45, "1. Every citizen who has reached the age of eighteen, even on election day, has the right to vote and to be elected.

2. Citizens declared by a final court decision as mentally incompetent are excluded from the right to vote.
3. Citizens who have been sentenced to imprisonment, with a final court decision on committing a crime, are excluded from the right to be elected, according to the rules established by law approved by three-fifths of all members of the Assembly. In exceptional and justified cases, the law may provide for restrictions on the right to choose citizens who are serving a prison sentence, or the right to be elected before a final decision is made or when citizens have been deported for a crime or for very serious and serious breach of public safety.
4. The vote is personal, equal, free and secret."

⁵⁶⁹ Decision no. 11-2011-4127 dated 17.07.2019, Durrës Judicial District Court: At the time of submitting the request,

Obedience Party was registered as a participant in the election process on June 30 2019, by the Central Election Commission outside the legal deadlines. This element, according to the Court, turned some decisions of the Central Election Commission⁵⁷⁰ into absolutely invalid administrative acts.

However, despite the fact that in the enacting clause of this court decision, it was cited that an appeal could be lodged against the decision with the Durrës Court of Appeals, the electoral subject, the Socialist Party of Albania, decided to re-submit the same request, with the same object, again at the Durrës District Court.

The court, this time, through a trial with another judge, for the same case, but now the political subject as applicant⁵⁷¹, decided to verify the mandate of the Mayor of Durrës.

- The Court of the Tirana Judicial District through the Decision of the date 15.07.2019, decided to declare subject matter incompetence for the review of the request of the Mayor of Vora for the certification of the mandate as Mayor of Vora, elected by the Coalition Alliance for European Albania.

This court delegated its competence to the Administrative Court of First Instance in Tirana. The decision provided that an appeal could be lodged with the Supreme Court.

Despite this situation, the Socialist Party followed the same path again, as with the mandate of the Mayor of Durrës, by submitting a new request to the Tirana Judicial District Court.

From the review of the second request with another judge, it was decided to verify the mandate of the Mayor of Vora.

- Decisions of other district courts decided to verify the mandates of elected mayors on June 30, 2019.

XVI.2. Distribution of mandates for members of municipal councils

The mandates of the municipal councils are assigned by the Central Election Commission, after the approval of the Summary Table of Results by each of the Regional Election Administration Commissions (CEAZ).

The procedures for the implementation of this process are defined in Articles 162 and 163 of the Electoral Code, providing for a majority approval of voting with 5 "pro" votes.⁵⁷²

The Central Election Commission in its meeting of July 27, 2019 considered the draft decision on the distribution of mandates for each constituency for the elections of local government bodies.

Due to the failure to reach the membership quorum of five members necessary for the majority qualified for the approval of the draft act⁵⁷³, the body of the Central Election Commission did not express itself procedurally.

the "Democratic Conviction Party" had not yet acquired legal personality, as in support of Article 9/2 of the law "On Political Parties"; the political party is recognized as a legal entity from the date the court has approved and registered it". Also, the "Democratic Conviction" Party, not being registered in the Court, at the time of submitting the request to register as an electoral subject in the CEC, did not have the legal capacity to gain rights and assume obligations, such as participation in the elections of Local Government Bodies dated 30.06.2019. The Democratic Opposition Party was registered by the Electoral College in violation of Article 64 of the Electoral Code and Article 9 of the Law "On Political Parties".

570 Decision no. 230 dated 27.04.2019 of CEC "For registration as an electoral subject, the Party "Democratic Conviction" for the elections of local government bodies dated June 30, 2019"; Decision no. 660 dated 27.05.2019 of CEC "For the approval of the content of the ballot for the candidates for Mayor of Durrës for the elections of the local government bodies of June 30, 2019" and Decision no. 944 dated 05.07.2019 of CEC "For the issuance of the voting result for the election of the Council of the Municipality of Fier, Fier District, in the local elections of June 30, 2019" of the Central Election Commission.

571 This other artifice is contrary to the principle of adjudication of the case tried by the same court, within the meaning of Articles 58 and 451 / a of the Code of Civil Procedure.

572 Electoral Code Article 24 "CEC decision-making", Point 1, letter a: "Decisions are considered to be approved when no fewer than 5 CEC members have voted in their favor a) the distribution of seats for each electoral zone in accordance with articles 162, 163, and point 3 of article 166 of this Code;

573 The President of the CEC voted against, following the vote against any decision related to the electoral process, an attitude made known to him since the abolition of the election date by the President of the Republic.

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A situation of lack of quorum in announcing the final result, which in 2013 the CEC body of that time solved using a criticized legal artifice.

In that election process, the then Central Election Commission body decided “not to make a decision”, thus creating the formal possibility for the Electoral College to decide on the announcement of the final result. An artifice and a practice that was not renewed in this election process, because the decision-making of the Electoral College, in response to the requests-lawsuits of the Socialist Party, undertook the distribution of mandates⁵⁷⁴ for the Municipal Councils.

Following this decision, 1,619 municipal councilors took office, and the constitution of the Municipal Councils began, which took place between July 26 and August 19, 2019.⁵⁷⁵

In some municipalities, which in the previous term were run by representatives of the Democratic Party or the Socialist Movement for Integration, this process was accompanied by protests.

The guarantee mechanisms for the integrity of the process and as an instrument for the electoral subjects constructed by the legal framework, deserve to receive an added legal image and procedural detail to face the illegal bureaucratic wills.

With the recent process taking place, the guarantee mechanisms of electoral integrity, no matter how few it offers, have been completely abolished and are unrealistic affirmations made by the legal framework.

XVII. RECOMMENDATIONS

XVII.1. Primary recommendations

It is imperative that the process for a deep and structural reform of the legal framework affecting elections, including but not limited to the Electoral Code, continue beyond the current process and amendments that it will bring. The reform process should be based on the principles of complete transparency and real inclusion of stakeholders or those with expertise, domestic or international, and not limited to political actors and foreign expertise.

In the light of the above, since the current process has lacked this transparent and comprehensive approach, whether at the level of the Special Parliamentary Commission for Electoral Reform or at the level of the Political Council, the legal draft that will be produced should be consulted, with as many actors as possible, within potential time constraints, so that the product of this process guarantees well-thought-out amendments, however partial.

The mechanism of distribution of mandates or even the electoral system itself should be reviewed in integral, combined with amendments to the Law on Political Parties and how electoral process are administrated, or others, with the aim of strengthening and guaranteeing real representation of citizens, system and the promotion of new political forces or alternatives, the guarantee of equality in the race and the strengthening of the internal democracy of political parties.

⁵⁷⁴ The Socialist Party of Albania filed 61 lawsuits in the Electoral College with the object of “opposition to the CEC’s decision not to distribute mandates for municipal councils, to adjudicate the case on the merits and to distribute mandates for municipal councils”. By accepting the Socialist Party’s demands for 61 municipalities, the Electoral College decided to consider the matter on the merits, distributing mandates to municipal councils in the country’s 61 municipalities.

⁵⁷⁵ See Annex no. 11 – Constitution of municipal councils.

It is necessary to guarantee the legal mechanisms to establish a Central Election Commission both *de jure* and *de facto* independent of political parties and their narrow and short-term interests, as well as to prohibit the conduct of this body above the law. In the KRIIK's judgment, it is necessary, although a new CEC will be set up, to consider and address the abolition of absurd and illegal precedents already in place, and to take into account all the negative legal practices observed by the CEC body as well as its Administration, so that the spirit of the establishment of the new institution fulfills the constitutional aspirations and is conveyed by the integrity and non-compromise with the anti-law and impunity of political parties, especially in relation to their finances.

The Central Election Commission should pay maximum attention to transparency at all stages of the electoral process. In addition to the complete and timely fulfillment of current legal obligations, additional mechanisms need to be adopted to guarantee increased transparency, including the use of the opportunities offered by information technology.

The legal framework and mechanisms that guarantee the transparency of electoral finances need to be fundamentally revised and changed in order to guarantee maximum transparency and efficient control.

Legal changes should include not only the Electoral Code, but also the law on Political Parties or other laws, as needed. It is even thought that the most appropriate way would be to draft a new full and special law on the finances of political parties and election campaigns.

It is necessary to define and allow the electoral subjects to have rights in the appeals process referring to the decision making of the electoral administration or even to the elements that affect the integrity of the electoral process beyond the direct interest of these entities.

Even this right should extend to civic and political groups that are not part of the electoral process.

The legal framework should provide for a denunciation procedure and an effective investigation mechanism against phenomena that violate the freedom and integrity of electoral processes.

The legal framework should provide for the banning of senior central officials from participating in the campaign in support of local candidates, in order to guarantee the equality of candidates and the clear separation between local and central government.

The legal framework and mechanisms that guarantee the transparency of election finances need to be improved, in order to guarantee maximum transparency.

XVII.2. Other recommendations

In the context of the philosophy of building a local government as close as possible to the citizen and especially after the administrative-territorial reform, it is necessary to increase the legitimacy and strength of the mayor, taking into account that mayors are considered elected only if they have received an absolute majority of the votes of the respective community, which will require the provision of a two-round system.

Establishing a minimum turnout in the case of local elections, so that they could be considered valid, would increase the legitimacy of local elected officials, but would also serve as additional security to avoid electoral processes in the country where real pluralism is lacking.

It is recommended to set up a professional body of election commissioners within commissions of election administration zones with professional individuals, without

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connection to political forces. This is necessary to be accompanied by mechanisms to ensure that these individuals are not punished or rewarded for their actions or omissions in the implementation of the law during the electoral process.

It is recommended that legislation provide for permanent locations of premises where election administration bodies perform their activities, locations that can be continuously updated by the administration of the Central Election Commission, as far as possible. This approach would increase the operability of the CEC administration in providing the commission with the necessary infrastructure and services in a timely manner.

The CEC should adopt mechanisms that guarantee increased transparency, such as providing open data, opening to the public the video archive of CEC meetings, publishing video recordings from counting tables, and immediate publication of decisions of the second and third level zonal commissions, etc.

Real-time video streaming of the counting process (including CEAZ facilities and counting tables), or even the voting process, should also be considered.

Inter-institutional coordination for monitoring the use of administration and state resources in the election campaign should be seen as a priority and applied continuously but ensuring that coordination is real and functional through full procedural forecasts and the obligation to make monitoring findings public. during and after the election process and be addressed immediately by the relevant institutions.

The CEC is urged to play a proactive role towards political parties, in fulfilling the principle of equality before the law, in accordance with democratic principles that they should reflect, as well as the moral and political integrity that they should convey, in the context of ensuring the integrity of the electoral process and the electoral offer presented for the governance of the people and the country.

The CEC must ensure and guarantee, to the maximum extent allowed by law, the avoidance of conflict of interest and the manifestation of the principle of equality in competition as a value of all constituent elements of the electoral process.

The law should specify so as not to allow equivocation and interpretation of the criteria on the basis of which the parties are released from the obligation to collect support firms for candidates, in order to guarantee equal treatment in the candidacy.

It is necessary to further strengthen the positive practice followed by regulating in a more complete way the mechanism of written notice, in all its elements, in order to prevent individual or even institutional will to sabotage this process.

Considering the current situation of non-control of political funding, non-implementation of the law and high informality in the economy, especially the high level of corruption and organized crime, KRIK suggests to consider the total ban on non-public funding for political parties, with the exception of membership quotas (at least three legislatures). Such a measure, accompanied by more rigorous control and by more specialized institutions in the field of financial control (e.g. Supreme State Audit, or through the establishment of a task force would increase the level of transparency and control).

As an alternative measure to the prohibition of non-public financing in block, can be considered prohibition of financing by legal entities and only the financing by natural persons to be allowed.

Considering so far the completion of the regulatory framework on the finances of electoral subjects and political parties by the CEC very positive, it is considered necessary to further improve this framework by filling in the gaps and including the obligation to report for election campaign finances also from candidates for members of municipal councils.

The Central Election Commission should take a much more proactive role in overseeing the finances of electoral subjects, not leaving it with just approving audit reports. It can be considered the establishment of a coordination structure between different institutions, under the direction and coordination of the CEC, in order to increase the effectiveness of monitoring and control of election finances.

Auditors conducting audits of election finances and those of political parties should perform genuine monitoring actions, based on a clear and consistent methodology, so that the findings are comparable. Auditors need to be provided with sufficient financial and logistical resources to perform their duties effectively.

Particular attention should be paid to monitoring the activities of political parties before the start of the election campaign, in order to accurately and truly estimate the expenditures made for electoral purposes, given that political parties in Albania, for years now start the campaign some months before its legal commencement.

The electoral subjects must submit to the Central Election Commission an agenda of the electoral activities they will carry out. It is suggested that the preliminary agenda be declared within a reasonable time before the start of the election campaign.

On the other hand, it should be foreseen that the electoral subjects have the obligation to send updated information on the calendar of electoral activities to the CEC as well as directly to the relevant financial monitors.

The legal framework should provide for the obligation of electoral subjects to open a special account for campaign funds. All income and expenses incurred for the purpose of the campaign must pass from this bank account, regardless of their source or amount.

Also, payments for the election campaign should all be made from this bank account, regardless of their size.

In order to maximize the transparency of election finances, KRIIK suggests that the bank accounts of political parties and electoral subjects be “transparent accounts”, which enable monitoring of all real-time movements via the Internet by all interested parties. Such a thing requires the investment and application of such accounts by the Albanian banking system.

The KRIIK considers that the Media Monitoring Board (BMM) should be institutionalized as a body or attached as a permanent structure to the AMA.

This will help for subsequent references to the behavior of audiovisual operators during the electoral process. On the other hand, it is possible to monitor a longer period before the start of the election campaign, or even after the elections, making sure that the law and the measures taken against them are respected and implemented.

The CEC, in cooperation with the Municipalities, should elaborate bylaws that guarantee the accessibility of persons with disabilities to the respective polling stations, in order to guarantee their right to vote. It is suggested to build a permanent database which can be updated and continuously considered in the preparation of the next electoral infrastructure.

The CEC should continue and further strengthen the tradition of cooperating with organizations working in the field of disability, encouraging the direct participation of their representatives in the training process, design of the awareness package and methodology used.

The guarantee mechanisms for the integrity of the process and as an instrument for the electoral subjects constructed by the legal framework, deserve to receive an added legal image and procedural detail to face the illegal bureaucratic wills.

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XVIII. ABOUT KRIIK

XVIII.1. About the organization

The Coalition for Reforms, Integration, and Consolidated Institutions (KRIIK Albania) is a non-profit and non-governmental organization established in October 1997 by a group of students. The headquarters of the organization are in Tirana, while it operates nationwide through local focal points and/or partner organizations. KRIIK has been registered in December 1997 in the form of an association, with membership. The highest decision-making body is the General Assembly of Members.

KRIIK works for the protection and guarantee of human rights and freedoms, as well as the full dimension of human security, through strengthening the rule of law, democratic governance, promotion of civic activism and engagement, and promotion of full transparency and accountability of public and political institutions.

KRIIK's vision is that of a society in which the rule of law prevails, fundamental human rights and freedoms, political rights, civic rights, and conscience rights of all individuals are fully respected without any compromise; where the sense of community prevails and citizens are engaged in a meaningful way in drafting public policies, and in which elected representatives and other high officials are mainly interested on the wellbeing of the citizens.

The fundamental values on which KRIIK's activity is based are voluntary citizen engagement; impartiality and independence; integrity; consequence in fulfilling its mission with professionalism and dedication; objectivity in assessing facts and arguments; respect and guarantee for human and opinions diversity; transparency in activities, and environmental protection.

XVIII.2. Previous engagement related to election integrity

KRIIK has been following in continuity the development of electoral processes, from the adoption through a referendum of the Constitution in 1998, to date. Since 2000, KRIIK has participated in common observation actions of several groups of domestic organizations.

Since 2005 KRIIK has been a founding member and later one of the leading organizations of the Coalition of Domestic Observers (CDO), the biggest group of domestic organizations that have observed elections in Albania. In the frame of or in cooperation with CDO, KRIIK has observed all general, local or parliamentary, elections held in Albania from 2005 to 2017, as well as most of the partial electoral processes during the same timeframe.

In cooperation with Elections to Conduct Agency (ECA), KRIIK has realized for the first time in Albania parallel vote counting at the national level, in the 2019 parliamentary elections.

KRIIK has, also, gathered a rich experience and increased its capacities and expertise by engaging in international election observation missions, in the frame of ENEMO (the European Network of Election Monitoring Organizations), in which is a Secretariat member, for the second consecutive mandate.

Since the 2012 electoral reform, in cooperation with or in the frame of the Coalition of Domestic Observers, KRIIK has been following uninterruptedly the performance and all meetings of the Central Election Commission, as well as almost all institutional and political processes that have affected elections, directly or not.

In continuity of its activity, besides engagement and interaction with political parties in common activities, in which the highest leaders of parties has expressed specific commitments², KRIIK has also followed the progress of all Ad-hoc Parliamentary Committees for the Electoral Reform established since 2013, especially that of the current Committee, since its establishment in October 2017. This has also included the establishment and functioning of the Political Council, to the extent that following its work has been possible by following statements of its members in the media or through other indirect contacts.

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XIX. ACRONYMS

NAA Party National Arbno Alliance**ABDE** Party Alliance for Equality and European Justice**ADK** Party Demochristian Alliance**ADS** Party Alliance for Democracy and Solidarity**AK** Party Red and Black Alliance**AMA** Audiovisual Media Authority**AMIE** Party Alliance of Macedonians for European Integration**AP** Ombudsman**BD** Party Democratic Conviction**BMM** Media Monitoring Board**DPGJC** General Directorate of Civil Status**FRD** Party New Democratic Spirit**G99** Party G99**GNV** Ballot Counting Team**IEVP** Institution for Execution of Penal Acts**KLSH** High State Audit**KONSAL** National Conservative Party Albania**KQV** Voting Center Commission**KRIIK** Coalition for Reforms, Integration, and Consolidated Institutions**CEC** Central Election Commission**KZ** Electoral College**KZAZ** Commission of Election Administration Zone**LDE** Party for Liberty, Democracy, and Ethics**MEGA** Party Greek Ethnic Minority for the Future**MPB** Ministry of Interior**NJQV** Local Government Unit**ODHIR** Office for Democratic Institutions and Human Rights**PAD** Party Democratic Alliance**PASH** Party Albanian Future**PBK** Party National Front**PBLD** Party Liberal Democratic Union**PD** Democratic Party**PDIP** Democratic Party for Integration and Prosperity**PDIU** Party for Justice, Integration, and Unity**PDRE** Party New European Democracy**PDS** Party Social Democracy**PESH** Party Albanian Emigration**PGJ** Green Party**PKD** Christian Democratic Party**PKSH** Albanian Communist Party**PLPSH** Party Albanian Workers' Movement**PMDE** Party for the Protection of Migrants' Rights**PMDPSH** Party for the Protection of Workers' Rights**POSH** Party Time of Albania**PPAK** Party Persons with Disability**PPK** Party of National Reconciliation**PRDSH** Party of Democratic Reforms of Albania**PS** Socialist Party**PSD** Socialdemocratic Party**PSM** Moderated Socialist Party**PSPSH** Social and Workers' Party**PUK** Party of National Unity**QV** Voting Center**RKGJC** National Registry of Civil Status**VKM** Decision of the Council of Ministers**VNV** Ballot Counting Center**ZAZ** Election Administration Zone**ZGJC** Civil Status Office**ZRZ** Regional Electoral Office

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XX. ANNEXES

ANNEX NO. 1 – PUBLIC STATEMENTS OF KRIIK DURING THE ELECTORAL PROCESS**ANNEX NO 1.1. – STATEMENT - *Today's visit of the Deputy Assistant to the Secretary of State of the United States, a major moment for an appropriate and visionary solution for the democratic future of the country***

KRIIK Albania is a non-governmental, non-profit and non-partisan organization, which's mission is defense and guarantee of human rights, through strengthening rule of law, democratic governance, and encouraging full responsibility, transparency and accountability of public and political institutions.

KRIIK Albania, in cooperation with or in the frame of the Coalition of Domestic Observers (CDO), as one of the founding and leading organizations of CDO, has followed in continuity the development of political, institutional and legislative processes that effect, directly or indirectly, the integrity of electoral processes and progress of democratic processes.

In line with this engagement, KRIIK has followed closely and attentively the political and institutional situation in the country, especially since the crisis of spring 2017, crisis that has marked **as its extension and product, the unprecedented and extraordinary situation in which the country is presently.**

State building efforts and major reforms being carried out constitute, undoubtedly, a direct contribution of the two major political parties and of their leaders, as does the new proactive approach in political and institutional communication, since 2013. However, the latter did never reach the status of open and inclusive dialogue and communication, based on strong democratic and state building principles and detached from narrow and closed agreements.

Harsh and conflictual political discourse used by the main political leaders and unilateral and radical alternatives offered to solve the crisis by the leaders of the two main parties, Socialist Party and Democratic Party, not only **lack strong democratic values and principles, but hinder other approaches and do not leave space for solutions.**

In a situation in which the spirit of democratic and constitutional principles of Albanians, as expressed in the Constitution, has been questioned, the parliamentary and executive powers have turned into a unilateral political power, and the judiciary is under deep reformation and partly non-functional, **continuing this pattern of behavior not only damages greatly the state building project, but can also lead to deep division and wide conflicts in the society.**

Latest reports of international institutions, especially that on the situation of human rights and the Narcotics Control Strategy Report of the State Department, emphasize the serious situation and big problems that the fragile Albanian democracy and institutions must face.

It is time that **all the Albanian political class, especially the Socialist Party and the Democratic Party, engage seriously and with maturity and take upon the responsibilities** that belong to them. This situation is both **their direct merit and responsibility, especially of the leaders of the parties.** The 27-year long transition, cyclical political crisis and shortsighted solutions that lack vision must end.

Mainly the Socialist Party and the Democratic Party, but also **the whole political class and elites of the country must take upon themselves the needed responsibilities in front of the future of the country, by showing European maturity; by starting efforts for building:**

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- a long-term, visionary, inclusive and based on a system of values that is forged in continuity by free and fair electoral processes that manifest the free and unaffected will of the people, political and institutional development platform;
- an open and supportive to thought or candidacy political system, with consolidated, transparent and accountable institutions, that depend only on coherent, full and equal law enforcement.
- a system based on an informed, molded by the principles of democratic culture and that puts above all individual, political and institutional responsibility, morality and integrity, society and that is based upon and **trusts an independent clean, unaffected and functional justice system.**

The immediate, open and inclusive dialogue between the two leaders, Mr. Edi Rama, head of the Socialist Party and Mr. Lulzim Basha, head of the Democratic Party, to solve the crisis of democratic future of the country is indispensable. This dialogue must, besides ensuring democratic values and freedoms, also manifest the continuation of and unconditional support for the process of reformation of the justice system, other major processes, such as the decriminalization process or the culture of vetting in all segments of society that affects the state building project, as well as uncompromised fight against corruption and organized crime.

Albanian politics and other stakeholders that can impact developments must keep in mind that one of the contributions, with which Albania should express its gratitude toward continuous support received by international partners, especially the United States and the European Union, thus becoming a leader and stability factor in the region and broader, is the incarnation and manifestation in all segments of society of the **best values and principles of democratic freedom, by manifesting a functional and vibrant democracy.**

Highly appreciating today's visit of the Deputy Assistant to the Secretary of State of the United States, Mr. Matthew Palmer as a golden opportunity coming at the right moment, KRIIK **encourages and strongly believes in the maturity and vision of each of the two leaders, Mr. Rama and Mr. Basha, that, though a sincere, transparent and inclusive dialogue will offer the needed and visionary solution for the future democracy of the country.**

Tirana, on 08.04.2019!

ANNEX NO 1.2. - STATEMENT - Preserving the impartiality and integrity of the Central Election Commission, vital to the functioning of the democratic state and rule of law

Societies with stable and healthy democracies are characterized, among other things, by a very good implementation of the law as well as strong, independent and accountable institutions. In countries with fragile democracies and in transitory state-building, as our country, the building and functioning of independent institutions remains a difficult challenge. Their well-functioning based on the constitution and the law is essential to curb the impact of political will and to ensure citizens' confidence in the functioning of democracy and rule of law.

The well-functioning of institutions and the unequivocal and equitable implementation of the law, particularly in the context of a political crisis, is a necessity and a guarantee for the existence of a democratic state and the rule of law.

The Central Election Commission (CEC) as one of the independent institutions has a major importance in strengthening democracy, as it is the body charged by the Constitution and the law on preserving the integrity of the vote and the

will of the citizens, which, expressed through the electoral processes, legitimizes governing power and guarantees the power of voters.

KRIIK has continuously followed the functioning and decision-making of the Central Election Commission (CEC) and especially its activity in overseeing and preparing the election process of 30 June 2019. **So far, the performance of the CEC in informing and encouraging** actors to respect the implementation of the requirements and procedures envisaged for the construction of the next electoral process, overall, it is considered as positive.

KRIIK also expresses its concern about the flagrant violation of the law regarding the decision taken by the CEC on 27.04.2019 on the registration of the electoral subject "Party Democratic Conviction"⁵⁷⁶.

This decision not only is in violation of the deadline set by the Electoral Code⁵⁷⁷, but while adopting it, the CEC body did not even take into account the legal practice followed by itself in the 2013 Parliamentary Elections⁵⁷⁸ and in the 2015 Local Elections⁵⁷⁹, as well as the decision of the Electoral College of 2013⁵⁸⁰, on the non-registration of electoral subjects which, within the deadline set by the Electoral Code, were electoral subjects for which a decision was taken by the Court, but this decision was not yet final.

Furthermore, in the case of registration of the subject "Party Democratic Conviction", the registration decision **was made by the Court**⁵⁸¹ **two days after the expiration of the registration date of the electoral subjects**, which was 25 April 2019.

Although the CEC Chairperson, Mr. Zguri brought to the attention of the members this concern, the other four members of the CEC not only **did not consider the established practice, but, in an unprecedented manner, did not hold any discussion**⁵⁸² **or provided arguments for their stance, voting en bloc for the registration of the subject**, versus the vote against of CEC Chairman.

This attitude is also **contrary to the CEC's position expressed in the Press Release**⁵⁸³ **of 4 January 2019**, stating that due to the criticisms of the international observation missions⁵⁸⁴, it is decided for this time not to comprehend or tolerate delays in the application for registration of electoral subjects.

It is also **worrying that the CEC administration, namely the Legal Directorate and the Secretary-General**, in the prepared⁵⁸⁵ and presented report⁵⁸⁶ before

576 The Central Election Commission [Notice of Meeting](#) dated 27.04.2019.

577 Electoral Code of the Republic of Albania, Article 64 "Registration of political parties in elections", paragraph 1.

578 Central Election Commission, Decision No. 241 dated 19.04.2013, "On registration as an electoral subject of" Civil Party of Albania "for the Assembly elections of 23.06.2013" and Decision no. 279 dated 03.05.2013 "On the review of the request of the Civilian Party for revision of the CEC decision no. 241, dated 19.04.2013" "On the non-registration as an electoral subject of "Civil Party of Albania" for the Assembly elections of 23.06. 2013 ".

579 Central Election Commission, Decision No. 158 date 16.04.2015 "For reviewing the request of "Shkodra Party 2015" for registration as an electoral subject in the elections for Local Governments of the date 21.06.2015".

580 Electoral College of the Tirana Court of Appeal, Decision no. 3, date 27.04.2013.

581 Registered with decision no. 513 dated 25.04.2019 in Tirana District Court. See [preliminary materials](#) of the CEC meeting.

582 Central Election Commission, [video recording](#) of the CEC meeting (minutes 59:53 - 1:13:40).

583 Central Election Commission, Press Release, dated 04.01.2019: "The legal deadline for the registration of political parties for these elections ends on 21 April, while the registration of electoral coalitions in the CEC ends on 1 May. Registration takes place as always at the CEC. If political parties fail to comply with the first deadline, they will not be able to participate in the June 30, 2019 elections. If they do not respect the second term, they cannot compete as electoral coalitions. In the past, the CEC has been criticized by international observer missions for registration of electoral subjects beyond legal deadlines, so it is particularly determined this time not to comprehend or tolerate delays in the application for registration. The CEC urges today political parties to organize themselves in time to fill out and deposit the registration documentation. " .

584 Parliamentary Elections on 25 June 2017, OSCE/ODIHR Election Observation Mission Final Report "I. Summary", page no. 2: "While largely inclusive, the candidate registration process suffered from selective and inconsistent application of the law and was, at times, based on the political agreement rather than the law".

585 CEC meeting [preliminary materials](#).

586 Central Election Commission, [video recording](#) of the CEC meeting (minutes 59:53 - 1:02:19).

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the CEC body at the session of 27 April, consider the submitted application in conformity with the law and within the deadline of 23 April. They even specify that attached to the request is the proof of registration of the subject with the court, a certificate issued by the Chancellor of the Tirana District Court three days later, therefore on 26 April 2019, one day before the CEC meeting.

Even today, on the date of publication of this statement, **this decision has not been disclosed and been made public**⁵⁸⁷ in order to be judged on the reasoning presented about this decision-making. No other decisions taken at the meeting of that date, nor even those of an earlier meeting on April 25⁵⁸⁸, are made public, **contrary to the obligation set out in the Electoral Code for publishing CEC decisions within 24 hours** from being adopted⁵⁸⁹.

By continuous monitoring of the CEC, especially since the electoral reform of 2012 until today, it **has been identified at other times its behavior not in accordance with the law and by double standards**. Even in dealing with issues of political valence and for which there were opposing views of the main political parties, the CEC body has operated been divided in its decision-making, **reflecting respective political sides**.

Meanwhile, in today's situation, the CEC's body is incomplete after the failure by the Democratic Party to present its candidates for the two seats that are vacant since October 2018. Three of the members are candidates proposed by the Socialist Party. Meanwhile, the candidate nominated by the Republican Party⁵⁹⁰ and the one elected as Chairperson, from independent candidacies⁵⁹¹ have arbitrarily changed positions⁵⁹² after the political agreement of 18 May 18, thus completely undoing the electoral reform aspiration conducted in 2012 to build an independent CEC body.

The legal framework envisages appeals about process irregularities in the CEC, with the Electoral College of the Court of Appeals of Tirana and the Constitutional Court, despite the fact that the latter has ruled out itself from ruling on electoral matters, by a formal decision⁵⁹³.

Due to the justice reform process, currently **the Constitutional Court is not functioning**. Meanwhile, **all eight Appeal judges, members**⁵⁹⁴ **of the Electoral College have are under the re-evaluation process**⁵⁹⁵ **conducted by the Independent Qualification Commission**. Of the eight members of the Electoral College one was confirmed in office⁵⁹⁶ and another was dismissed⁵⁹⁷, while both decisions were appealed to the Special Appeal College. The other six members are now in the process of re-evaluation.⁵⁹⁸

587 Central Election Commission, [online publication](#) of CEC decisions.

588 Central Election Commission, [Meeting Notice](#), dated 25.04.2019.

589 Electoral Code of the Republic of Albania, Article 24 "CEC Decision-making", "Each CEC decision is transcribed in final form within 24 hours after it has been reached. No fewer than two original copies of the decision, or, as the case may be, of the CEC instruction, are to be retained in the CEC archive. Decisions are to be published immediately on the official website of the CEC".

590 Decision of the Assembly of the Republic of Albania, No. 104/2015, dated 05.12.2015, "On the nomination of Mr. Klement Zguri member of the Central Election Commission", Official Gazette No. 220, dated 22.12.2015.

591 Decision of the Assembly of the Republic of Albania, No. 74/2016, dated 03.11.2016, "On the nomination of Mr. Denar Biba as Chairman of the Central Election Commission", Official Gazette No. 211, dated 08.11.2016.

592 Decision of the Assembly of the Republic of Albania, No. 78/2017, dated 22.05.2017, "On the nomination of Mr. Klement Zguri as Chairman of the Central Election Commission", Official Gazette No. 118, dated 23.05.2017. Decision of the Assembly of the Republic of Albania, No. 79/2017, dated 22.05.2017, "On the nomination of Mr. Denar Biba member of the Central Election Commission", Official Gazette No. 118, dated 23.05.2017.

593 Constitutional Court of Albania, [Decision no. 53](#), dated 07.05.2013.

594 [Elected members of the Electoral College](#) of the Court of Appeal, Tirana: Mr. Artur Malaj, Mr. Tomorr Shkreli, Mr. Ridvan Hado, Ms. Lindita Sinanaj, Mr. Shkëlqim Mustafa, Mr. Gjin Gjoni, Mr. Astrit Kalaja and Mr. Sotiraj Lubonja.

595 Pursuant to the law no. 84/2016 "On the Provisional Revision of Judges and Prosecutors in the Republic of Albania" dated 30.08.2018.

596 Independent Qualification Commission, Decision no. 62, date 03.08.2018. [Reconfirmation in office](#) of Mr. Artur Malaj. Appealed to the Special College of Appeals, [the case \(JR\) no. 344/2018](#), dated 13.11.2018.

597 Independent Qualification Commission, Decision no. 68, date 08.10.2018. [Removal from office](#) of Mr. Sotiraj Lubonja: Appealed to the Special Appel College, [case \(JR\) no. 39/2018](#), dated 07.12.2018.

598 Mr. Astrit Kalaja, Judge at the Court of Appeal of Shkodra ([KPK Notification dated 18.09.2018](#)); Mr. Ridvan Hado, Judge at the Court of Appeal of Tirana, Mr. Gjin Gjoni, Judge at the Court of Appeal of Tirana and Ms. Lindita Sinanaj,

In these circumstances and in the conditions when the opposition out of the 2017 elections has resigned parliamentary mandates and protests in the street accusing the majority of having occupied all powers, **the CEC conduct and well-functioning is of vital importance.** It is important not only to administer an election process, but to preserve public confidence in the role of the CEC institution in overseeing, organizing and administering the election process, as well as in its readiness to consider and review objectively, truthfully and impartially all allegations or legal violations that may be denounced or can be observed directly by the CEC itself.

The Central Election Commission's body mandated in the spirit of the popular will expressed through the Referendum on the adoption of the Constitution on 22 November, 1998, and subsequently materialized in law after the constitutional changes of 2008 as a permanent body that prepares, oversees, directs and verifies all aspects of elections, should take a proactive role in ensuring the integrity of all aspects of the electoral process.

In this spirit, members of the CEC body should only respect the law and fully adhere to the oath⁵⁹⁹ taken before the representatives of the Albanian people at the time of taking office.

Members of the CEC body, and its administration should try to avoid every influence or political pressure and any reference of past conduct or practices, extralegal decision making, incorrect or double standards, because any other approach would undermine the confidence of citizens and would further exacerbate the tense situation in the country from the current political crisis.

Tirana, on 6 May 2019!

ANNEX NO. 1.3 – STATEMENT - The process of candidate registration, raises questions on the integrity of the upcoming electoral process

On 6 May 2019, KRIIK called upon the Central Election Commission (CEC) to **take a proactive role in ensuring the integrity of all aspects of the electoral process⁶⁰⁰**, in the spirit of the Constitution and of the law. This role is indispensable, given the escalating political crisis and the preparation of the electoral process by unilaterally composed political election management bodies.

The Commissions of Election Administration Zones (CEAZ) are even more important during local elections, as they register candidates and announce the mayor in 51 of the municipalities that match only one election administration zone, while for the rest of the municipalities, this is conducted by the Central Election Commission⁶⁰¹.

Administrative Court of Appeal (KPK Notification dated 16.11.2018); Mr. Shkëlqim Mustafa, Court of Appeal Tirana (KPK Notification dated 16.01.2019); Mr. Tomor Skreli, Court of Appeal Gjirokastër (KPK Notification dated 18.03.2019).

599 Electoral Code of the Republic of Albania, Article 13 "Mandate and working hours of the CEC members", article 4 "Before taking office, an elected member of the CEC takes an oath before the Assembly in a public ceremony. The text of the oath is: 'I swear on my honor that I shall commit myself with all my strength to the realization of fair, free and democratic elections in the Republic of Albania; I shall guarantee and protect the integrity and secrecy of the vote; I shall maintain impartiality in discharging my duty as a member of the Central Election Commission and shall demonstrate professionalism in this discharge.'"

600 KRIIK, *Statement "Preserving the impartiality and integrity of the Central Election Commission, vital to the functioning of the democratic state and rule of law"*, date 06.05.2019.

601 Municipalities of Shkodër, Lezhë, Durrës, Kamëz, Tiranë, Elbasan, Lushnjë, Fier, Korçë, and Vlorë. Article 67 of the Election Code "The list of candidates of parties and party coalitions", paragraph 1 "...For elections for local government bodies, the candidate for mayor of the local government unit and the list of candidates for local councils are registered with the CEAZ that has jurisdiction over that local government unit by the deadline set forth in this point. The CEAZ submits a copy of the list to the CEC within 48 hours", and paragraph 3 "Pursuant to the second paragraph of point 1 and the second paragraph of point 2 of this article, the candidate for mayor and the lists for the municipal council which territory is not subject to a single CEAZ are registered with the CEC".

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13 May 2019 was the deadline for the registration of candidates for both mayors and municipal councilors, proposed by political parties that are registered as contestants for these elections.

Based on the continuous following of the progress of the electoral process and information received by a number of CEAZs, KRIIK **notes with concern a lack of clarity and of information** on the side of both second level election management bodies and other institutional and political stakeholders **regarding procedures for candidate registration**⁶⁰².

The Election Code envisages that candidates nominated by parties that do not have a mandate, at least, the last six months, in the Assembly of Albania or in the council of the municipality where there are going to stand for election, must present supporting signatures from eligible voters⁶⁰³. The candidacy documents must all be submitted at the same time, by the deadline⁶⁰⁴. The law allows for completion of shortcomings in the documentation, but only after the documents are examined and a decision by the relevant election management body has been taken⁶⁰⁵.

At the meeting of 16 May 2019, the Central Election Commission decided to register Mr. Eduart Ndocaj as a candidate for mayor of Lezhë, nominated by the National Conservative Party Albania. Upon consultation of the documentation and contacts made, KRIIK **notes that this decision has been made in violation of the law and relevant procedures**. The documentation replacing the list of supporting signatures for the candidacy of Mr. Ndocaj, specifically, the attestation issued by the Assembly of Albania and the one issued by the Municipal Council of the Municipality of Lezhë, **are incorrect**.

The attestation issued by the General Secretary of the Assembly of Albania, with Protocol No. 13, dated 13 May 2019, states that the MP Kujtim Gjuzi, who has taken the oath on 8 May 2019, has declared to represent the electoral subject "National Conservative Party Albania".

The attestation also states that "He has had the mandate for, at least, the last six months, as per the provisions of the Election Code", which **is not true as, referring to the date of election or the deadline for the registration of candidates**⁶⁰⁶, Mr. Gjuzi would have to have the mandate at least since 30 December 2018⁶⁰⁷.

The attestation issued by the Municipal Council of the Municipality of Lezhë⁶⁰⁸, with Protocol No. 4751/1, dated 13 May 2019, states that "based on the Decision No. 161, dated 3 July 2017, of the Municipal Council of Lezhë, we attest that Mr. Petrit Ndreu

602 According to information received by CEAZs, the CEC has recommended them to avoid decision-making regarding candidate registration until receiving an authorization from the CEC, being that the latter is verifying candidates' decriminalization forms. In the meantime, some CEAZs have returned the registration documents of some subjects after noting shortcomings.

603 Article 68 of the Election Code "Supporting lists of political parties and coalitions", paragraph 2: "Candidates for the bodies of local government units, presented by political parties that do not have any seats in the Assembly or in the bodies of the respective local government units, shall be supported by no less than 1 per cent of the voters of that unit, but, in any case, by no more than 3,000 and no fewer than 50 voters. This rule does not apply to coalitions where the participating parties together hold a number of seats in the Assembly, or in the respective municipal council, not smaller than the number of parties participating in the coalition", and paragraph 3 "For the purpose of this article, the political party or the coalition submits a written attestation issued by the Assembly or the local government unit, certifying the holding of a seat for at least the last 6 months."

604 Article 72 of the Election Code "Candidacy documents", paragraph 1 "Candidacy documents shall be in compliance with the requirements of this Code and in the format specified in CEC instructions."

605 Article 73 of the Election Code "Verification of documentation", paragraph 1 "The CEC or, depending on the case, the CEAZ, verifies the regularity of candidacy documentation and, in case of irregularities or non-compliance with the requirements of this Code, returns them to the electoral subjects for correction no later than 45 days before the election date."

606 Central Election Commission, Discussions in interpretation of this provision, aiming to address the Decision No. 44, date 17.02.2017 "For some additions and amendments to the Instruction No. 2, date 29.01.2013 "For setting the rules for the submission and verification of candidacy documents and deadlines for the publication of the lists of candidates". Central Election Commission, Decision No. 284, date 05.05.2017 "For the approval of the multi-names list of the Party "Lista e Barabartë" for the elections for the Assembly of Albania of 2017", based on the supporting signatures list of 9,140 valid signatures, while the Party "Lista e Barabartë" (Libra) had two mandates in the Assembly of Albania, specifically those of Ms. Mimoza Hafizi and Mr. Ben Blushi, while it was registered at the District Court of Tirana on 25.11.2016. Newspaper Panorama "The secret instruction of the CEC for the elections // Hafizi: it only harms LIBRA", date 16.02.2017.

607 If the date of elections would be taken as reference.

608 Municipal Council of Lezhë, Decision No. 161, date 03.07.2017 "For the preliminary termination of the mandate of councilor and mandating a councilor to fill the vacancy".

is a member of the Municipal Council of Lezhë, proposed by the political subject NCPA (National Conservative Party Albania)". This is incorrect, as Mr. Ndreu has been elected in the Municipal Council of Lezhë nominated by the Conservative Party (KONS)⁶⁰⁹, **which is a different electoral subject from the National Conservative Party Albania (NCPA), formerly the Party "Forca Albania"**⁶¹⁰. On the other hand, from contacts made by KRIIK, **there is no evidence that Mr. Ndreu submitted a written statement at least six months prior**, with the Secretary of the Municipal Council of Lezhë, in which it declares its affiliation to NCPA.

KRIIK also notes that there **is lack of clarity on the procedures and criteria by political parties also**. Besides the National Conservative Party Albania, also the Party "Democratic Conviction" is noted to have submitted candidacy documents in some CEAZs⁶¹¹, without accompanying them with supporting signatures, but on an attestation from the Assembly of Albania in which the MP Andi Përmeti, who has taken the oath on 25 April 2019, has declared to represent the party "Democratic Conviction".

Under these conditions, **KRIIK calls upon the Central Election Commission to re-examine and return the process of registration of Mr. Ndocaj as candidate within the legal framework, as well as to take all necessary measures for close and careful supervision of the whole candidate registration process**, especially as conducted by the commissions of election administration zones.

KRIIK also suggests that the CEC inform fully and clearly both the CEAZs and other stakeholders, as well as the public on the procedures and criteria for the registration of candidates, be it through public channels or other channels.

KRIIK calls upon the **General Secretary of the Assembly of Albania to be careful in properly fulfilling the spirit and the letter of the law**. The Election Code sets out clearly that individual mandates of the new MPs cannot be used to replace the supporting signatures for electoral subjects.

Also, KRIIK calls upon the chairs of municipal councils to conclude their mandate with integrity and correctness, by properly fulfilling the requirements of the Election Code and the legal framework.

In conclusion, KRIIK brings into attention that the process of selection and registration of candidates is a crucial moment for local governance, especially with regard to the **quality of candidates, the integrity and morality that they manifest and reflect**, as well as on modalities of their selection, elements that currently are exclusive to the political will and liking of political parties.

The fulfillment of deadlines, procedures and legal requirements by the latter and their candidates **remains a primary and imperative obligation, and at the same time, very significant**.

Tirana, 17 May 2019!

609 Submitted the decision of the Third Congress of the Conservative Party, Registered with Decision No. 2068, date 15.03.2017 of the District Court of Tirana, with Mr. Armando Ruço as Chairperson (*latest changes in the political party registry*).

Registered as an electoral subject in the 2015 Local Elections by the CEC with Decision No.140, date 14.04.2015 "For the registration of the party "Conservative Party", for the elections for the Local Government Bodies of 21.06.2015". "The Conservative Party" has previously been registered as "National Party of Legality" with Order No. 11/1, date 21.09.1995 of the Minister of Justice, and with Order No. 11/1, date 09.09.1996, the name has been changed to "Albanian National Conservative Party" and with Decision No. 1846, date 21.05.2001, of the District Court of Tirana the name has been changed to "Conservative Party" with the initial "KONS" and Mr. Armando Ruço as Chairperson.

610 Party "Forca Albania", established on 02.11.1999, has been registered with Decision No. 1935, date 14.06.2000, with the District Court of Tirana, with Mr. Iledin Pillati as Chairperson. With Decision No. 13134 and No. 8826, date 04.11.2016 of the District Court of Tirana has been registered the "Submission of decisions of the Congress of the Party Forca Albania, held on 24.09.2016". According to the Decision of the District Court of Tirana, with Initial Registry No. 374, of 20.02.2017, decision that also clarifies and interprets the Decision No. 13134 with Initial Registry No. 8826, date 04.11.2016, and that is attached to the latter, it is clarified that, among others, has also been changed the name of the Party to "National Conservative Party Albania" (with initials "PKKA") and that Mr. Kujtim Gjuzi has been elected Chairperson.

611 In the municipalities of Tropojë, Bulqizë and Tepelenë.

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ANNEX NO. 1.4 - PUBLIC STANCE - June 30 as a failure of the Albanian political class and a threat to democracy

Coalition for Reforms, Integration, and Consolidated Institutions (KRIIK Albania) has followed in continuity since the adoption of the Electoral Code in 2008, the electoral processes and other institutional processes related to them.

After the electoral reform of 2012, KRIIK, in cooperation with or in the frame of the Coalition of Domestic Observers, has followed continuously the performance and all meetings of the Central Election Commission, all sessions and cases in the Electoral College, the overall conduct of second and third level election management bodies during the six electoral processes that have been conducted in this timeframe, as well as all other institutional and political processes that relate to the integrity of the electoral process.

Following up with its activity, KRIIK has followed closely and in continuity the political and institutional developments in the country after the 2017 parliamentary elections, as well as the progress of preparations of the process for the 2019 local elections, especially after the decree of the President of 5 November 2018. Progress that, among strong political, legal and institutional controversies has been institutionally concluded with the establishment of the new municipal councils in all 61 municipalities and the receipt of mandate by mayors in 60 of them.

The process of 30 June, considered as “Elections” or “Voting”, has led to the new local government receiving the mandate, even though it is impossible to consider it as an electoral process that has highlighted the expression of the free and democratic will. This because, among others, it was marked by a unilateral political administration, several legal violations, as well as it was a process almost totally lacking competition, thus making the local government, de facto, politically nominated.

Thus, following the almost one-decade long monitoring, KRIIK deems that **this so-called electoral process marked the conclusion of a series of failures of the Albanian political class.**

Moreover, this latest failure has, in addition, costed the country also the failure of three other major institutional efforts.

After the process of 30 June, it is deemed that in the long-term, Albania **lacks the legal and institutional capacities** to hold elections with integrity. This long-term perspective is also confronted with the **undoing of the local governance as a decentralized power**, as well as the **impossibility of a serious political-institutional dialogue**, the lack of which has brought forth the radicalization of political confrontation, in an attempt to install a permanent constitutional crisis.

* * *

The first damage of the 30 June election process, but also of other negative precedents established in previous elections, is the **definitive undoing of the legal framework, responsible institutions, and the electoral tradition as per the Electoral Code of 2008.** A Code that according not only to KRIIK or other domestic organizations, but also to international election observers, has been assessed to be fundamentally acceptable and compatible with international standards.

However, after a decade, this Code has, in continuity, been misread on purpose both in implementation and in non-professional and partisan institutional conduct. The shortcomings of the Code have been used to fulfill immediate political interests and its lack of enforcement according to narrow bi-partisan agreements. This situation has been carried in time on purpose also by the failure to address the issues of the Code itself during the reformation processes, by always choosing cosmetic corrections, or by totally failing to conclude the started reformation processes.

With the 30 June “electoral process” **has been destroyed also the mechanism of political counterbalance, which is bipartisan in practice, in elections.** A mechanism that has been imposed until now by the political establishment as the only

alternative that ensures the normal progress of the electoral processes, although the same elections have been called non-democratic by the same establishment. A mechanism that has many issues and has been criticized for excluding third parties, be them political or civic, from election administration, appeals, or setting institutions in motion, which would improve the integrity of the electoral process.

Paradoxically, it is deemed that **even the 30 June process has carried a “bi-partisan agreement”**. This “agreement” has almost destroyed the last safety mechanism remaining to the electoral process, political counterbalance. After achieving monopolization of the process for decades through bi-partisanship in administration and “certification” of the result, with the new set standard, the process can now be even completely unilateral.

If until now the bi-partisan agreements have been criticized for being non-inclusive, non-transparent, anti-institutional, and non-legal, **with the latest precedent, even the necessity of a bi-partisan agreement has been eliminated**.

With the 30 June process, the Albanian society has been imposed the avoidance of all democratic aspirations in front of the crisis that keeps getting deeper.

In the context of a society without defense mechanisms, such as strong civil society and institutions, the bi-partisan agreement will become the most appealing solution, in front of the crises that threaten the country. **In this context, the Albanian democracy seems to be heading to an existential moment**.

The constitutional mechanism of the Republic of Albania seems to be missing life at its core now, because after 30 June the **mechanical electoral rotation is being oriented toward a clearly autocratic mechanism, with a “double ticket” of central and local governance**. The state formation project of a constitutional liberal democracy is thus banalized to an electoral dueling in which “the winner takes all”.

This situation leads to the fall of all principles of a constitutional democracy, such as checks and balances, transparency in decision making, accountability toward citizens, law enforcement, etc.

* * *

The constitutional relationship of the local governance to the central governance, in continuity has been denaturalized.

Illustrative to this constitutional denaturalization is the involvement of the two powers in each other's electoral processes, by determining the attitude and conduct of the mayors and positioning them according to their political affiliation. After 30 June, this overlap of the two powers has been aggravated even more, by turning local governance to an attachment of the central one.

The several-years attempts to strengthen local governance, bring it closer to the citizens and away from the political debate, the latest one being the Territorial-Administrative Reform or others, now seem to be nullified.

Verticalization of the power without the presence of the opposition, in the domestic context of law enforcement and institutional conduct, presents a major risk to local governance.

It remains in the will of the newly mandated local officials and domestic stakeholders to ensure transparency and inclusion in local decision-making.

On the other hand, in front of this verticalization of power and an opposition engaged in a major conflict, the day to day issues of the citizens at the microlevel risk remaining voiceless and not supported politically.

* * *

KRIIK deems that, in the current situation, due to the absurd and anti-legal precedents established, **it should be considered disbanding the body of the Central Election Commission and the Electoral College, as well as start working on writing a new electoral code**.

After several attempts to conduct an electoral reform, which were failed in bi-partisan agreement, and in the current institutional context, which is nearly critical, undertaking an electoral reform is not easy, however, it is indispensable and urgent. The electoral reform must be the only reform that competes in level of attention

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needed to the Justice Reform and the fight against corruption and organized crime, thus putting the rest of major undertakings of the Albanian state in the background.

The next Electoral Reform must serve as an opportunity to return the trust of the citizens in institutions and strengthen the consultancy process during the legislative process. For this reason, the electoral reform must be built upon a long-term platform and clear standards.

The 30 June elections have proved that the political agreements behind closed doors, in the absence of transparency, made last minute and repeated as a solution of the crisis of the moment, led to unprecedented anomalies of the democratic experience, such as the current one. The electoral process must be an exemplary process and projected in long-term to address in continuity even future issues, besides the current ones.

To conclude, KRIIK brings into attention and calls upon all stakeholders that the June 30, 2019 Local Elections, to the extent they can be called as such, **cannot, in any case, become a loop that keeps society hostage and institutions in a spiral of constitutional crisis and radical rhetoric.**

The 30 June case was proof of the potential failure of democracy or of the state formation project of Albania. However, as all moments of major crisis, this can be considered a decisive moment and potential for re-establishment, but Albanian society must surpass itself and break the cycle of problems of the whole transition. In the case of our country, this failure is a possibility to restart worthily the attempts to hold elections with integrity and that are accepted by all parties.

After the last experience, the Albanian society must be clear and convinced that **democracy and the state formation project cannot be expected to come from bi-partisan political agreement or simply by the pressure of geostrategic partners.**

The continuous and authentic dialogue with citizens, rule of law and strengthening of institutions are the only real solution for the citizens to be self-determining. The political class, be it sincere or not, with principles or not, cannot continue to use the interest of the citizens as a simple key talking point of their rhetoric.

In KRIIK's judgment, now, the question marks and contradictions on 30 June should follow the institutional path, while expecting the Constitutional Court to consider the case, with all the effects that this court's decision can lead to.

The political class has the highest national responsibility to show maturity, start without further delays the dialogue and find a compromise for the right solution for the country and the future of democracy.

At the same time, a challenge and duty remains the maximum engagement for the Justice Reform as well as for starting the electoral reform, as it should express itself and engage strongly and clearly in fighting corruption at all levels and organized crime.

The whole energy and expertise of the political parties must push forward with urgency these two reforms, as an indispensability to revive hope of the citizens in the progress of the country. On the other hand, the Albanian politics must abandon empty rhetoric in the absence of arguments, attacks toward political opponents, and ignoring the real will of the citizens.

The daily life of Albanian citizens continues going forward, facing major issues and with a quality of life at a critical level.

The failure of a political party or of the whole political class cannot weigh on Albanian citizens. The latter are the ones that, besides the concerns in which the political class has plunged them in, are also suffering from the lack of hope for a solution and a better future.

The present and future of Albanian citizens, after three decades, cannot depend on the political agreement or, even worse, political "haggle".

If the current political class is unable to have a serious political and institutional dialogue based on principles, without mentioning the necessity for strong institutions or improvement of the quality of life of citizens, the fate of this political class must be withdrawal or removal.

Tirana, on 23 August 2019!

ANNEX NO. 2 - DISMISSALS AND NOMINATIONS OF MEMBERS OF THE COMMISSIONS OF ELECTION ADMINISTRATION ZONES

The below table reflects changes in the membership of CEAZs. For the 30 June 2019 elections CEAZs were composed of four persons, 1 member or secretary nominated by the CEC on its initiative and three from the Socialist Party. The table reflects: no., of the CEAZ; name, position and who proposed the member that was dismissed and the same data for the person that replaced her/him; number and date of the CEC decision.

Note: rows with nos 90 and 97, do not have the name of the dismissed (one case) and replacing (one case) person. These data were missing in the relevant CEC decisions.

		Dismissed				Nominated				CEC Decision	
No.	CEAZ	Name, Last name	Position	Gender	Subject it represents	Name, Last name	Position	Gender	Subject it represents	Decision date	Decision no
1	43	Elton Sula	member	M	Socialist Party	Valmira Troka	member	F	st Party	29.06.2019	935
2	43	Skënder Deda	secretary	M	Socialist Party	Elton Sula	secretary	M	Socialist Party	29.06.2019	935
3	40	Olvida Goxhaj	member	F	Socialist Party	Joana Çako	member	F	Socialist Party	28.06.2019	922
4	82	Sokol Kananaj	member	M	Socialist Party	Ina Luci	member	F	Socialist Party	28.06.2019	922
5	15	Erand Ndoja	member	M	Socialist Party	Estri Keci	member	M	Socialist Party	28.06.2020	922
6	14	Armarda Pjetr	member	F	Socialist Party	Valentin Bardhoku	member	M	Socialist Party	28.06.2019	914
7	14	Esmeralda Prenga	member	F	Socialist Party	Vitore Kolaj	member	F	Socialist Party	28.06.2019	914
8	32	Beko Agolli	secretary	M	Nominated by CEC	Vangjel Tata	secretary	M	Nominated by CEC	28.06.2019	914
9	32	Majvis Kola	member	M	Nominated by CEC	Eglantina Ajdini	member	F	Nominated by CEC	28.06.2019	914
10	13	Ermal Pacaj	member	M	Socialist Party	Besmir Firoku	member	M	Socialist Party	27.06.2019	902
11	43	Armand Xhafa	member	M	Socialist Party	Sulejman Merka	member	M	Socialist Party	27.06.2020	902
12	57	Alfred Profka	member	M	Socialist Party	Stavri Kola	member	M	Socialist Party	27.06.2021	902
13	81	Klajdi Myzaferaj	member	M	Socialist Party	Besnik Stefa	member	M	Socialist Party	27.06.2022	902
14	81	Daut Zeraj	secretary	M	Socialist Party	Besmira Arshiraj	secretary	F	Socialist Party	27.06.2023	902
15	82	Vullnet Ibrahimaj	member	M	Socialist Party	Klajdi Kapaj	member	M	Socialist Party	27.06.2024	902
16	83	Fredi Xhoshi	member	M	Socialist Party	Elona Hodaj	member	F	Socialist Party	27.06.2025	902
17	83	Petro Thanasko	member	M	Socialist Party	Frida Ferhati	member	F	Socialist Party	27.06.2026	902
18	84	Aranit Lulaj	member	M	Socialist Party	Jorgo Muka	member	M	Socialist Party	27.06.2027	902
19	84	Denis Metaj	member	M	Socialist Party	Manush Dervishalaj	member	M	Socialist Party	27.06.2028	902
20	26	Alban Memaj	member	M	Socialist Party	Adelina Bardhoshi	member	F	Socialist Party	27.06.2019	901
21	40	Kreshnik Laknor	member	M	Socialist Party	Renato Kalemi	member	M	Socialist Party	27.06.2020	901
22	42	Jonida Qerosi	secretary	F	Nominated by CEC	Irej Çeka	secretary	M	Nominated by CEC	27.06.2021	901
23	15	Eriola Ndoci	member	F	Socialist Party	Irisi Tahiraj	member	F	Socialist Party	26.06.2019	883
24	20	Arkida Doku	secretary	F	Nominated by CEC	Fatbardh Muça	secretary	M	Nominated by CEC	26.06.2019	880
25	36	Erald Ismaili	secretary	M	Nominated by CEC	Blendi Bimbli	secretary	M	Nominated by CEC	26.06.2019	880
26	13	Eduart Livadhi	member	M	Socialist Party	Shkelzen Hithi	member	M	Socialist Party	26.06.2019	877
27	16	Juliana Elezi	member	F	Socialist Party	Suzana Pasha	member	F	Socialist Party	26.06.2020	877
28	21	Kudusi Shahinaj	member	M	Socialist Party	Euglert Kolonjari	member	M	Socialist Party	26.06.2021	877
29	18	Asllan Daxha	member	M	Socialist Party	Korab Kika	member	M	Socialist Party	25.06.2019	863
30	62	Leonora Bebi	member	F	Socialist Party	Zana Hyka	member	F	Socialist Party	25.06.2020	863
31	68	Vilson Braçe	member	M	Socialist Party	Rudina Bregu	member	F	Socialist Party	25.06.2021	863

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		Dismissed			Nominated			CEC Decision			
No.	CEAZ	Name, Last name	Position	Gender	Subject it represents	Name, Last name	Position	Gender	Subject it represents	Decision date	Decision no
32	70	Jonel Kambo	member	M	Socialist Party	Marijana Zyfi	member	F	Socialist Party	25.06.2022	863
33	42	Dorina Uku	member	F	Socialist Party	Andi Metolli	member	M	Socialist Party	25.06.2023	863
34	3	Jozefina Paloka	member	F	Nominated by CEC	Isida Ramja	member	F	Nominated by CEC	25.06.2024	863
35	29	Orijola Shahaj	member	F	Nominated by CEC	Efris Filipi	member	M	Nominated by CEC	25.06.2025	863
36	36	Adi Muja	secretary	M	Nominated by CEC	Erald Ismaili	secretary	M	Nominated by CEC	25.06.2026	863
37	26	Elona Emini	secretary	F	Nominated by CEC	Donald Mezzini	secretary	M	Nominated by CEC	25.06.2027	863
38	27	Vangjel Kaziu	member	M	Socialist Party	Brunilda Balliu	member	F	Socialist Party	25.06.2028	863
39	39	Armando Loga	secretary	M	Socialist Party	Joana Duro	secretary	F	Socialist Party	20.06.2019	854
40	85	Ernal Mahilaj	member	M	Socialist Party	Floreta Lutaj	member	F	Socialist Party	20.06.2019	854
41	14	Jurgen Kola	member	M	Socialist Party	Gëzim Kaçorri	member	M	Socialist Party	21.06.2019	846
42	42	Megi Katroshi	member	F	Socialist Party	Armand Xhafa	member	M	Socialist Party	21.06.2020	846
43	42	Andi Kala	member	M	Socialist Party	Sulejman Merkja	member	M	Socialist Party	21.06.2021	846
44	42	Rovin Dranga	member	M	Socialist Party	Denis Haveriku	member	M	Socialist Party	21.06.2022	846
45	24	Teodor Labi	secretary	M	Nominated by CEC	Shaziman Hoxha	secretary	M	Nominated by CEC	21.06.2023	846
46	54	Nexhmije Daulja	secretary	M	Nominated by CEC	Alda Gona	secretary	F	Nominated by CEC	21.06.2024	846
47	47	Hipokrit Biba	secretary	M	Socialist Party	Jonida Marishta	secretary	F	Socialist Party	21.06.2025	846
48	48	Jonida Marishta	member	F	Socialist Party	Hipokrit Biba	member	M	Socialist Party	21.06.2026	846
49	36	Matilda Hyseni	secretary	F	Nominated by CEC	Eldorad Kice	secretary	M	Nominated by CEC	21.06.2027	846
50	43	Griselda Kaçani	member	F	Socialist Party	Elis Kaçani	member	M	Socialist Party	21.06.2028	846
51	56	Andi Bullari	member	M	Socialist Party	Edi Vellu	member	M	Socialist Party	21.06.2029	846
52	56	Amarda Sina	member	F	Socialist Party	Bruna Metani	member	F	Socialist Party	21.06.2030	846
53	89	Emanuela Thano	member	F	Socialist Party	Milica Drapo	member	M	Socialist Party	21.06.2031	846
54	11	Donald Korbi	member	M	Socialist Party	Defrim Korbi	member	M	Socialist Party	21.06.2032	846
55	27	Antika Bushi	member	F	Socialist Party	Vangjel Kaziu	member	M	Socialist Party	21.06.2033	846
56	52	Argela Llushi	member	F	Socialist Party	Joan Gjeta	member	M	Socialist Party	21.06.2034	846
57	41	Jonida Rudaj	member	F	Socialist Party	Eneida Doku	member	F	Socialist Party	21.06.2035	846
58	79	Majlinda Gjika	member	F	Socialist Party	Arjana Çano	member	F	Socialist Party	10.06.2019	829
59	79	Rahim Skënderi	member	M	Socialist Party	Rigels Ismailati	member	M	Socialist Party	10.06.2020	829
60	79	Julian Rustemi	secretary	M	Socialist Party	Sami Shamenti	secretary	M	Socialist Party	10.06.2021	829
61	89	Kristaq Thanasi	member	M	Socialist Party	Thoma Lango	member	M	Socialist Party	10.06.2022	829
62	3	Emilian Karma	member	M	Nominated by CEC	Jozefina Paloka	member	F	Nominated by CEC	10.06.2023	829
63	15	Gersi Sula	secretary	M	Nominated by CEC	Naile Hysa	secretary	F	Nominated by CEC	10.06.2024	829
64	2	Brian Muriqi	member	M	Socialist Party	Erion Mandi	member	M	Socialist Party	06.06.2019	802
65	3	Andi Bilali	member	M	Socialist Party	Myzafer Jubica	member	M	Socialist Party	06.06.2020	802
66	4	Mirsad Mandija	member	M	Socialist Party	Irisa Ymeri	member	F	Socialist Party	06.06.2021	802
67	4	Elson Çeliku	member	M	Socialist Party	Antonjo Matija	member	M	Socialist Party	06.06.2022	802
68	5	Endrit Zaimaj	member	M	Socialist Party	Valentin Nikolli	member	M	Socialist Party	06.06.2023	802
69	5	Jozefin Daci	member	M	Socialist Party	Luçjan Pjetr	member	M	Socialist Party	06.06.2024	802

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No.	CEAZ	Dismissed			Nominated			CEC Decision			
		Name, Last name	Position	Gender	Subject it represents	Name, Last name	Position	Gender	Subject it represents	Decision date	Decision no
70	5	Elidon Uckamaj	member	M	Socialist Party	Ilir Dibra	member	M	Socialist Party	06.06.2025	802
71	72	Ada Rapo	member	F	Socialist Party	Anduela Fejzulla	member	F	Socialist Party	06.06.2026	802
72	77	Kleona Braha	member	F	Socialist Party	Aleksandra Kaba	member	F	Socialist Party	06.06.2027	802
73	15	Artenisa Bibaj	member	F	Nominated by CEC	Gersi Sula	member	M	Nominated by CEC	03.06.2019	794
74	8	Lujeta Gjergjallaj	member	M	Socialist Party	Kristian Gjoni	member	M	Socialist Party	03.06.2020	793
75	8	Oltjon Çoba	member	M	Socialist Party	Nazmie Vella	member	F	Socialist Party	03.06.2021	793
76	12	Nevila Nika	member	F	Socialist Party	Blerina Ndoja	member	F	Socialist Party	01.06.2019	751
77	12	Ernest Ndreca,	member	M	Socialist Party	Fation Gjoni	member	M	Socialist Party	01.06.2020	751
78	13	Simonela Florini	member	F	Socialist Party	Elona Ndrecaj	member	F	Socialist Party	01.06.2021	751
79	13	Klementina Meçi	member	F	Socialist Party	Heroinë Duka	member	M	Socialist Party	01.06.2022	751
80	35	Blerina Mancellar	member	F	Socialist Party	Erald Breganaku	member	M	Socialist Party	30.05.2019	726
81	40	Rezart Sulstarova	member	M	Socialist Party	Olsida Goxhaj	member	F	Socialist Party	30.05.2020	726
82	33	Donald Fetah	member	M	Socialist Party	Nesti Ndoci	member	M	Socialist Party	30.05.2021	726
83	46	Elona Lleshi	secretary	F	Nominated by CEC	Resina Jaupaj	secretary	F	Nominated by CEC	28.05.2019	698
84	38	Yllka Qejvani	member	F	Nominated by CEC	Astrit Zekaj	member	M	Nominated by CEC	28.05.2020	698
85	44	Nurie Lluca	secretary	F	Nominated by CEC	Klejdij Sufali	secretary	M	Nominated by CEC	28.05.2021	670
86	42	Jorida Vrapri	secretary	F	Nominated by CEC	Jonida Qerosi	secretary	F	Nominated by CEC	28.05.2022	670
87	34	Ledio Nuredini	member	M	Socialist Party	Edril Gjolligaj	member	M	Socialist Party	27.05.2019	658
88	34	Kostandin Mato	member	M	Socialist Party	Besjan Jorgaqi	member	M	Socialist Party	27.05.2020	658
89	29	Valter Baze	member	M	Socialist Party	Marijus Mulleti	member	M	Socialist Party	27.05.2021	658
90	32		member		Socialist Party	Alban Cadra	member	M	Socialist Party	27.05.2022	658
91	36	Gani Lasku	member	M	Socialist Party	Besnik Cina	member	M	Socialist Party	27.05.2023	658
92	90	Morena Sejko	member	F	Socialist Party	Ervis Hania	member	M	Socialist Party	27.05.2024	658
93	90	Klinton Arapi	member	M	Socialist Party	Ulsi Sulo	member	M	Socialist Party	27.05.2025	658
94	90	Julian Yzeiri	member	M	Socialist Party	Armand Lame	member	M	Socialist Party	27.05.2026	658
95	7	Denisa Islami,	member	F	Socialist Party	Besiana Kuçi	member	F	Socialist Party	26.05.2026	652
96	60	Maksim Goga	member	M	Socialist Party	Emiljan Kuka	member	M	Socialist Party	26.05.2027	652
97	32	Liri Jani	member	F	Nominated by CEC		member		Socialist Party	23.05.2019	640
98	85	Irfan Dymrishaj	member	M	Socialist Party	Ermal Mahilaj	member	M	Socialist Party	21.05.2019	610
99	74	Denisa Hoxha	secretary	F	Nominated by CEC	Drini Murataj	secretary	M	Nominated by CEC	21.05.2020	609
100	70	Denis Shaholli	member	M	Nominated by CEC	Jonel Kambo	member	M	Nominated by CEC	21.05.2021	609
101	10	Eriola Mulaj	member	F	Socialist Party	Klementina Ngjeçi	member	F	Socialist Party	21.05.2019	606
102	43	Haxhi Memolla	member	M	Socialist Party	Florian Shahini	member	M	Socialist Party	21.05.2020	606
103	43	Andi Proshka	member	M	Nominated by CEC	Ermel Sula	member	M	Nominated by CEC	21.05.2021	606
104	77	Endri Çomani	member	M	Nominated by CEC	Maksim Shehu	member	M	Nominated by CEC	19.05.2019	574

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		Dismissed				Nominated				CEC Decision	
No.	CEAZ	Name, Last name	Position	Gender	Subject it represents	Name, Last name	Position	Gender	Subject it represents	Decision date	Decision no
105	27	Hysen Koldashi	Deputy Head	M	Socialist Party	Zef Përpelaj	Deputy Head	M	Socialist Party	15.05.2019	348
106	28	Merita Prenga	member	F	Socialist Party	Suela Plaku	member	F	Socialist Party	15.05.2020	348
107	56	Bledar Ndoni	member	M	Socialist Party	Ervis Pifti	member	M	Socialist Party	15.05.2021	348
108	57	Andius Ollidashi	Deputy Head	M	Socialist Party	Florian Sahatciu	Deputy Head	M	Socialist Party	15.05.2022	348
109	58	Antoneta Çunaj	member	F	Socialist Party	Leonela Beharaj	member	F	Socialist Party	15.05.2023	348
110	59	Ilir Kripa	member	M	Socialist Party	Armand Cjapi	member	M	Socialist Party	15.05.2024	348
111	77	Ylli Alikra	Deputy Head	M	Socialist Party	Pellumb Milori	Deputy Head	M	Socialist Party	15.05.2025	348
112	77	Julinda Karteri	member	F	Socialist Party	Gezim Shehu	member	M	Socialist Party	15.05.2026	348
113	84	Jonela Dervishaj	member	F	Socialist Party	Denis Metaj	member	M	Socialist Party	15.05.2027	348
114	1	Altin Rukaj	Deputy Head	M	Socialist Party	Sabrije Çelaj	Deputy Head	F	Socialist Party	13.05.2019	303
115	1	Dalip Rustemaj	member	M	Socialist Party	Kujtim Lamthi	member	M	Socialist Party	13.05.2020	303
116	1	Ermal Ademaj	member	M	Socialist Party	Neriban Hoxhaj	member	M	Socialist Party	13.05.2021	303
117	9	Ervin Sinani	member	M	Socialist Party	Kreshnik Hajdarmataj	member	M	Socialist Party	13.05.2022	303
118	53	Fatmir Kryeziu	Deputy Head	M	Socialist Party	Alban Çekrezi	Deputy Head	M	Socialist Party	13.05.2023	303
119	66	Daniel Jaupllari	member	M	Socialist Party	Gazmend Turhani	member	M	Socialist Party	13.05.2024	303
120	66	Nikolin Kalemi	member	M	Socialist Party	Smerald Sulçe	member	M	Socialist Party	13.05.2025	303
121	27	Erida Hoxha	member	F	Nominated by CEC	Rigela Gupe	member	F	Nominated by CEC	13.05.2019	302
122	67	Florenc Hamolli	member	M	Nominated by CEC	Sabrian Hysenllari	member	M	Nominated by CEC	13.05.2020	302
123	84	Everaldo Hoxhaj	secretary	M	Nominated by CEC	Julian Beqiraj	secretary	M	Nominated by CEC	13.05.2021	302
124	52	Andi Pepa	member	M	Socialist Party	Rexhep Hana	member	M	Socialist Party	10.05.2021	274
125	15	Ernest Bunaj	secretary	M	Socialist Party	Fran Ndoi	secretary	M	Socialist Party	07.05.2019	250
126	27	Marie Froku	member	F	Socialist Party	Fatbardha Pasha	member	F	Socialist Party	27.04.2019	216
127	70	Kelment Gavri	secretary	M	Nominated by CEC	Estela Koli	secretary	F	Nominated by CEC	27.04.2020	216
128	41	Berti Harizi	secretary	M	Socialist Party	Gjergji Prebibaj	secretary	M	Socialist Party	23.04.2019	183
129	41	Gjergji Prebibaj	member	M	Socialist Party	Berti Harizi	member	M	Socialist Party	23.04.2020	183
130	23	Alisi Bena	member	F	Nominated by CEC	Elga Gogo	member	F	Nominated by CEC	23.04.2021	183
131	33	Gramoz Sokolaj	member	M	Socialist Party	Donald Fetah	member	M	Socialist Party	16.04.2019	172
132	33	Erik Skëndaj	secretary	M	Socialist Party	Gramoz Sokolaj	secretary	M	Socialist Party	16.04.2019	172
133	35	Ylli Gaxholli	secretary	M	Socialist Party	Erik Skëndaj	secretary	M	Socialist Party	16.04.2019	172
134	70	Freskida Shullër	secretary	F	Nominated by CEC	Kelment Gavri	secretary	M	Nominated by CEC	16.04.2019	172
Total Members 102 Heads 0 Deputy Heads 5		Secretaries 26		M. 87	Nominated by the CEC 30	F. 43		Secretaries 26	Nominated by CEC 30		
		SP 104		F. 46	Members 102 Heads 0 Deputy Heads 5			SP 104			

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ANNEX NO. 3 - TABLE OF CHANGES OF POLLING STATION VENUES

The below table reflects changes in polling station venues for 286 polling stations, the venues of which were changed after the initial allocation by the CEC. The table contains data on the municipality, number of the polling station, as well as number and date of the CEC's relevant decision

No.	Municipality	Polling Station no	Decision no.	Decision date
1	Shkodër	0302	937	30.06.2019
2	Shkodër	0303	937	30.06.2019
3	Shkodër	0304	937	30.06.2019
4	Shkodër	0239	937	30.06.2019
5	Shkodër	0243	937	30.06.2019
6	Shkodër	0243/1	937	30.06.2019
7	Berat	3284	937	30.06.2019
8	Berat	3284/1	937	30.06.2019
9	Ura Vajgurore	3470	933	29.06.2019
10	Kavajë	2126	930	29.06.2019
11	Kavajë	2126/1	930	29.06.2019
12	Kavajë	2127	930	29.06.2019
13	Kavajë	2127/1	930	29.06.2019
14	Rrogozhinë	2224	930	29.06.2019
15	Kamëz	1593	930	29.06.2019
16	Kamëz	1593/1	930	29.06.2019
17	Devoll	3979	924	28.06.2019
18	Devoll	3979/1	924	28.06.2019
19	Devoll	3752	924	28.06.2019
20	Has	0549	924	28.06.2019
21	Roskovec	3058	924	28.06.2019
22	Kukës	0637	924	28.06.2019
23	Kukës	0637/1	924	28.06.2019
24	Kukës	0648	924	28.06.2019
25	Kukës	0649	924	28.06.2019
26	Sarandë	4660	924	28.06.2019
27	Pogradec	3898,	936	29.06.2019
28	Pogradec	3898/1	936	29.06.2019
29	Pogradec	3898/2	936	29.06.2019
30	Pogradec	3907	936	29.06.2019
31	Pogradec	3907/1	936	29.06.2019
32	Pogradec	3908	936	29.06.2019
33	Pogradec	3903	936	29.06.2019
34	Pogradec	3903/1	936	29.06.2019
35	Pogradec	3904	936	29.06.2019

No.	Municipality	Polling Station no	Decision no.	Decision date
36	Pogradec	3904/1	936	29.06.2019
37	Pogradec	3890/1	936	29.06.2019
38	Pogradec	3890/2	936	29.06.2019
39	Pogradec	3889	936	29.06.2019
40	Pogradec	3889/1	936	29.06.2019
41	Pogradec	3889/2	936	29.06.2019
42	Pogradec	3890	936	29.06.2019
43	Pogradec	3888	936	29.06.2019
44	Shkodër	0259	936	29.06.2019
45	Shkodër	0259/1	936	29.06.2019
46	Shkodër	0260	936	29.06.2019
47	Shkodër	0323	936	29.06.2019
48	Shkodër	0323/1	936	29.06.2019
49	Shkodër	0270	936	29.06.2019
50	Shkodër	0270/1	936	29.06.2019
51	Shkodër	0295	936	29.06.2019
52	Shkodër	0295/1	936	29.06.2019
53	Shkodër	0296	936	29.06.2019
54	Shkodër	0282	936	29.06.2019
55	Shkodër	0297	936	29.06.2019
56	Shkodër	0322	936	29.06.2019
57	Shkodër	0322/1	936	29.06.2019
58	Shkodër	0323	936	29.06.2019
59	Shkodër	0321/1	936	29.06.2019
60	Kukës	0632	936	29.06.2019
61	Kukës	0582	936	29.06.2019
62	Mallakastër	3227	929	29.06.2019
63	Mallakastër	3227/1	929	29.06.2019
64	Mallakastër	3238	929	29.06.2019
65	Mallakastër	3239	929	29.06.2019
66	Mallakastër	3252	929	29.06.2019
67	Mallakastër	3225	929	29.06.2019
68	Mallakastër	3225/1	929	29.06.2019
69	Mallakastër	3242	929	29.06.2019
70	Mallakastër	3243	929	29.06.2019

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No.	Municipality	Polling Station no	Decision no.	Decision date
71	Pogradec	3898,	929	29.06.2019
72	Pogradec	3898/1	929	29.06.2019
73	Pogradec	3898/2	929	29.06.2019
74	Pogradec	3907	929	29.06.2019
75	Pogradec	3907/1	929	29.06.2019
76	Pogradec	3908	929	29.06.2019
77	Pogradec	3903	929	29.06.2019
78	Pogradec	3903/1	929	29.06.2019
79	Pogradec	3904	929	29.06.2019
80	Pogradec	3904/1	929	29.06.2019
81	Pogradec	3890/1	929	29.06.2019
82	Pogradec	3890/2	929	29.06.2019
83	Pogradec	3889	929	29.06.2019
84	Pogradec	3889/1	929	29.06.2019
85	Pogradec	3889/2	929	29.06.2019
86	Pogradec	3890	929	29.06.2019
87	Pogradec	3888	929	29.06.2019
88	Devoll	3980/1	929	29.06.2019
89	Devoll	3989	929	29.06.2019
90	Devoll	4022	929	29.06.2019
91	Kuçovë	3513	929	29.06.2019
92	Kavajë	2189	929	29.06.2019
93	Kavajë	2189/1	929	29.06.2019
94	Has	0530	929	29.06.2019
95	Klos	0990	879	26.06.2019
96	Vau Dejës	0180	919	26.06.2019
97	Vau Dejës	0172	919	26.06.2019
98	Vau Dejës	0176	919	26.06.2019
99	Vau Dejës	0181	919	26.06.2019
100	Vau Dejës	142/1	919	26.06.2019
101	Vau Dejës	0211	919	26.06.2019
102	Kamëz	1565	919	26.06.2019
103	Kamëz	1565/1	919	26.06.2019
104	Kamëz	1566	919	26.06.2019
105	Kamëz	1567	919	26.06.2019
106	Kamëz	1567/1	919	26.06.2019
107	Kamëz	1573	919	26.06.2019

No.	Municipality	Polling Station no	Decision no.	Decision date
108	Kamëz	1573/1	919	26.06.2019
109	Kamëz	1573/2	919	26.06.2019
110	Kamëz	1573/3	919	26.06.2019
111	Kamëz	1573/4	919	26.06.2019
112	Kamëz	1584	919	26.06.2019
113	Kamëz	1584/1	919	26.06.2019
114	Kamëz	1585	919	26.06.2019
115	Kamëz	1585/1	919	26.06.2019
116	Kamëz	1594	919	26.06.2019
117	Kamëz	1594/1	919	26.06.2019
118	Kamëz	1595	919	26.06.2019
119	Kamëz	1595/1	919	26.06.2019
120	Kamëz	1599	919	26.06.2019
121	Kamëz	1599/1	919	26.06.2019
122	Kamëz	1599/2	919	26.06.2019
123	Bulqizë	1088	919	26.06.2019
124	Kamëz	2049	877	26.06.2019
125	Kamëz	2049/1	877	26.06.2019
126	Kamëz	2049/2	877	26.06.2019
127	Kamëz	2049/2	877	26.06.2019
128	Kamëz	2049/3	877	26.06.2019
129	Cërrik	2040/2	877	26.06.2019
130	Cërrik	2508	877	26.06.2019
131	Cërrik	2511	877	26.06.2019
132	Cërrik	2512	877	26.06.2019
133	Cërrik	2517	877	26.06.2019
134	Cërrik	2521	877	26.06.2019
135	Cërrik	2531	877	26.06.2019
136	Cërrik	2531/1	877	26.06.2019
137	Cërrik	2534	877	26.06.2019
138	Kolonjë	4075	861	25.06.2019
139	Mallakastër	3230	861	25.06.2019
140	Mallakastër	3230/1	861	25.06.2019
141	Mallakastër	3226	861	25.06.2019
142	Mallakastër	3226/1	861	25.06.2019
143	Mallakastër	3229	861	25.06.2019
144	Mallakastër	3229/1	861	25.06.2019

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No.	Municipality	Polling Station no	Decision no.	Decision date
145	Mallakastër	3217	861	25.06.2019
146	Mallakastër	3263	861	25.06.2019
147	Kavajë	2126	903	25.06.2019
148	Kavajë	2126/1	903	25.06.2019
149	Kavajë	2168/1	903	25.06.2019
150	Kavajë	2184	903	25.06.2019
151	Kavajë	2179	903	25.06.2019
152	Kavajë	2178	903	25.06.2019
153	Kavajë	2186	903	25.06.2019
154	Kavajë	2185	903	25.06.2019
155	Kavajë	2177/1	903	25.06.2019
156	Kavajë	2128	903	25.06.2019
157	Mirditë	0824	903	25.06.2019
158	Mat	0926	903	25.06.2019
159	Mat	0929	903	25.06.2019
160	Mat	0929/1	903	25.06.2019
161	Mat	0931	903	25.06.2019
162	Mat	0932	903	25.06.2019
163	Mat	0938	903	25.06.2019
164	Mat	1005	903	25.06.2019
165	Lezhë	0680	899	25.06.2019
166	Lezhë	0680/1	899	25.06.2019
167	Lezhë	0684	899	25.06.2019
168	Lezhë	0686	899	25.06.2019
169	Lezhë	0710	899	25.06.2019
170	Lezhë	0729	899	25.06.2019
171	Lezhë	0729/1	899	25.06.2019
172	Lezhë	0729/2	899	25.06.2019
173	Lezhë	0730	899	25.06.2019
174	Lezhë	0731	899	25.06.2019
175	Lezhë	0732	899	25.06.2019
176	Lezhë	0732/1	899	25.06.2019
177	Lezhë	0734	899	25.06.2019
178	Lezhë	0734/1	899	25.06.2019
179	Lezhë	0734/2	899	25.06.2019
180	Lezhë	0720	899	25.06.2019
181	Lezhë	0728	899	25.06.2019
182	Lezhë	0743	899	25.06.2019
183	Lezhë	0743/1	899	25.06.2019
184	Lezhë	0746	899	25.06.2019

No.	Municipality	Polling Station no	Decision no.	Decision date
185	Lezhë	0746/1	899	25.06.2019
186	Lezhë	0750	899	25.06.2019
187	Lezhë	0757	899	25.06.2019
188	Lezhë	0757/1	899	25.06.2019
189	Përrenjas	2773	899	25.06.2019
190	Lushnjë	2881/1	899	25.06.2019
191	Belsh	2569	899	25.06.2019
192	Kukës	0608	899	25.06.2019
193	Kukës	0623	899	25.06.2019
194	Kukës	0625	899	25.06.2019
195	Kukës	0633	899	25.06.2019
196	Kukës	0635	899	25.06.2019
197	Kukës	0637	899	25.06.2019
198	Kukës	0637/1	899	25.06.2019
199	Kukës	0644	899	25.06.2019
200	Kukës	0645	899	25.06.2019
201	Kukës	0648	899	25.06.2019
202	Kukës	0649	899	25.06.2019
203	Kukës	0651	899	25.06.2019
204	Kukës	0663	899	25.06.2019
205	Kukës	0666	899	25.06.2019
206	Kukës	0677	899	25.06.2019
207	Kukës	0639	899	25.06.2019
208	Kukës	0640	899	25.06.2019
209	Tropojë	0440	899	25.06.2019
210	Tropojë	0441	899	25.06.2019
211	Tropojë	0442	899	25.06.2019
212	Tropojë	0443	899	25.06.2019
213	Tropojë	0445	899	25.06.2019
214	Lushnjë	2881/1	847	25.06.2019
215	Tiranë	1944/2	847	25.06.2019
216	Durrës	1372/1	847	25.06.2019
217	Durrës	1372/2	847	25.06.2019
218	Elbasan	2323/3	847	25.06.2019
219	Elbasan	2352	847	25.06.2019
220	Patos	3085	847	25.06.2019
221	Patos	3085/1	847	25.06.2019
222	Patos	3092	847	25.06.2019
223	Gramsh	2663	847	25.06.2019
224	Kamëz	1564	847	25.06.2019
225	Kamëz	1564/1	847	25.06.2019
226	Kamëz	1583	847	25.06.2019
227	Kamëz	1583/1	847	25.06.2019
228	Kamëz	1588	847	25.06.2019
229	Kamëz	1588/1	847	25.06.2019
230	Kamëz	1588/2	847	25.06.2019

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No.	Municipality	Polling Station no	Decision no.	Decision date
231	Selenicë	4525/1	847	25.06.2019
232	Selenicë	4527	847	25.06.2019
233	Selenicë	4611	847	25.06.2019
234	Selenicë	4608	847	25.06.2019
235	Selenicë	4522	847	25.06.2019
236	Selenicë	4571	847	25.06.2019
237	Selenicë	4559	847	25.06.2019
238	Selenicë	4556	847	25.06.2019
239	Selenicë	4551	847	25.06.2019
240	Selenicë	4532	847	25.06.2019
241	Selenicë	4602	847	25.06.2019
242	Pogradec	3898	847	25.06.2019
243	Pogradec	3898/1	847	25.06.2019
244	Pogradec	3898/2	847	25.06.2019
245	Pogradec	3973	847	25.06.2019
246	Pogradec	3974	847	25.06.2019
247	Durrës	1412	832	12.06.2019
248	Durrës	1412/1	832	12.06.2019
249	Durrës	1412/2	832	12.06.2019
250	Durrës	1412/3	832	12.06.2019
251	Durrës	1515	832	12.06.2019
252	Durrës	1516	832	12.06.2019
253	Shijak	1337	832	12.06.2019
254	Divjakë	2955	832	12.06.2019
255	Sarandë	4663	832	12.06.2019
256	Sarandë	4672/1	832	12.06.2019
257	Sarandë	4672/2	832	12.06.2019
258	Sarandë	4673/1	832	12.06.2019

No.	Municipality	Polling Station no	Decision no.	Decision date
259	Gjirokastrë	4241	832	12.06.2019
260	Kamëz	1581	796	03.06.2019
261	Kamëz	1581/1	796	03.06.2019
262	Kamëz	1581/2	796	03.06.2019
263	Kamëz	1582	796	03.06.2019
264	Kamëz	1582/1	796	03.06.2019
265	Kamëz	1578	796	03.06.2019
266	Kamëz	1578/1	796	03.06.2019
267	Kamëz	1588	796	03.06.2019
268	Kamëz	1588/1	796	03.06.2019
269	Kamëz	1588/2	796	03.06.2019
270	Paskuqan	2041	796	03.06.2019
271	Paskuqan	2041/1	796	03.06.2019
272	Paskuqan	2041/2	796	03.06.2019
273	Paskuqan	2041/3	796	03.06.2019
274	Tiranë	1959	795	03.06.2019
275	Tiranë	1959/1	795	03.06.2019
276	Tiranë	1959/2	795	03.06.2019
277	Tiranë	2004	795	03.06.2019
278	Tiranë	2004/1	795	03.06.2019
279	Tiranë	2004/2	795	03.06.2019
280	Lushnjë	2917	795	03.06.2019
281	Lushnjë	2870	795	03.06.2019
282	Lushnjë	2870/1	795	03.06.2019
283	Fier	3178	795	03.06.2019
284	Fier	3178/1	795	03.06.2019
285	Fier	3191	795	03.06.2019
286	Shijak	1386	795	03.06.2019

ANNEX NO 4 - MEDIA TIME AS PER THE MMB REPORTS FOR THE ELECTORAL CAMPAIGN

The below table reflects data on media coverage time as per the daily and summary reports of the Media Monitoring Board (MMB). The table contains data for 14 TV channels. For each TV channel are presented two columns, reflecting respectively the daily and summary media coverage time for the relevant electoral subject. Being that the summary report should represent sum of minutes reflected in the daily reports, the total minutes on both columns should be equal. KRIIK's checking of the reports shows that this is not the case.

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Time covered in the reports	Subject	A2 TV		ABC News		Channel One		Fax News		TV Klan		News 24		
		Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	
1 - 9 June 2019	Socialist Party	247.95	110.83	777.52	357.1	112.6	61.12	167.67	104.5	290.29	120	431.68	158.82	
	Democratic Party	12.6		60.24		13.56		54.44		38.26		70.5		
	Government	94.2		319.67		58.72		111.26		93.52		71.01		
	Prime Minister Office	16.96		70.8		12.61		31.08		65.28		43.68		
	Parliament	0		54.92		23.49		32.32		23.88		19.2		
	Party Democratic Conviction	3.2	0.8	43.83	17.27	0		54.4	13.6	25.03	9.82	0		
	Socialist Movement for Integration	0		45.66		16.71		28.96		15.44		32.5		
	Socialdemocratic Party	0		0		0.55		0		0		9		
	CEC	0		0		0		7.75		0		0		
	President's Office	0		6.78		2.22		23.25		2.48		0		
	Other deputy ministers	0		0		3.52		0		13		0		
	Independent candidates	12.6		0		0		0		0		0		
	Unaffiliated MP	0		7.68		3.48		9		0		0		
	Party Demochristian Alliance	0		0		0		0		0		0		
	Other parties	0		0		0		0		4		0		
1 - 19 June 2019	Socialist Party	591.01	249	1833.97	757.08	297.79	136.82	509.66	250.78	634.19	237.35	902.66	340.65 m	
	Party Democratic Conviction	6.4	0.8	137.81	21.28	0		108.8	19.6	73.81	9.82	0		
	Socialdemocratic Party	0		0	0.6	0	0.47	0		0	0.57	0	2.68	
	Independent candidates	25.20		0.00		0.00		0.00		0.00		0.00		
	Unaffiliated MP	8.95		57.23		11.49		79.55		14		17.65		
	Party Demochristian Alliance	0.00		0.00		0.00		0.00		0.00		0.00		
	Other parties	1.8		0		0		0		5		0		
	Party Social Democracy	1.80		0.00		0.00		0.00		5.00		0.00		
	MEGA Party	0.00		0.00		0.00		0.00		0.00		0.00		
20 - 28 June 2019	Socialist Party	69.59		148.92		43.1		96.56		65.48		94.42		
	Party Democratic Conviction	5.48		0		0		0		4.38		0		
	Unaffiliated MP	0.15		2.77		1.03		0		0.45		2.57		
	Other parties	0.00		0.00		0.00		0.00		0.00		0.00		
	Independent candidates	0.00		0.00		0.00		5.67		0.00		1.33		
	Party of National Unity	4.75		0.92		1.75		0.00		0.00		0.00		
	Party Social Democracy	0.00		0.00		1.37		0.00		0.00		0.00		
	Socialdemocratic Party	0.00		0.48		0.00		0.00		0.00		0.00		

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	Ora News		Report TV		RTSH 1		RTV Gjrokašter		RTV Korçe		Top News		Top Channel		Vizion Plus	
	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report	Amount as per daily reports	Amount as per summary report
	218.06	107.9	284.64	136.81	160.56	81.3	246.94	121.3	141.55	67.33	339.07		280.52	129.13	213.06	131
	26.86		8		21.7		0		0		23.06		56.1		205.34	113.77
	75.22		117.92		135.72		0		0		55.64		27.68		134.08	
	37		5.44		52.88		0		16.12		9.6		41.68		84.02	
	28.4		0		34.12		0		0		18.44		4.48		3.8	
	0		24.89	9.81	13.2	5.71	14.93	14.93	0		1.2		1.17		13.76	6.47
	24.34		17.21		21.54		2.58		0		5.02		16.34		0	
	2.95		0.72		6		0		0		11.15		13.75	4.07	0	
	0		0		0		4.03		0		25.5		12.21		0	
	7.13		4.33		3.2		12.09		0		0		0		0	
	13.12		0		11.8		0		0		0		0		0	
	0		0		0		0		0		0		0		0	
	0		0		0		0		0		0		0		0	
	0		6		0		0		0		0		0		0	
	0		0		0		0		0		0		0		0	
	615.2	251.12	682.91	259.37	390.58	200.91	1464.74	517.57	682.78	227.85	844.6	291.62	662.49	235.96	569.11	287.86
	0		108.75	16.07	42.05	7.65	134.31	62.07	80.2	27.45	8.4	1.2	8.19	1.17	55.2	20
	7.95	2.65	0		0		0		0		59.5	8.5	28.49	4.07	0	
	0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00	
	24.33		0		19.96		0		0		10.25		5.34		0.66	
	0.00		10.50		0.00		0.00		0.00		0.00		0.00		0.00	
	0		0		0	5.93	11.86		0		0		0		2.4	
	0.00		0.00		0.00		11.86		0.00		0.00	1.1	0.00		2.40	
	0.00		0		2.33	2.33	24.14	12.07	0		0					
	72.41		63.14		48.39		227.35		106.49		79.6		67.31		104.79	
	0		0		2.42		23		55.6		2.83		4.8		9.22	
	0.5		5.55		0.6		0		0		0		0		0	
	0.00		0.00		0.00		12.00		0.00		0.00		1.00		0.00	
	0.00		0.00		0.00		13.20		0.00		0.00		0.00		0.00	
	0.00		3.08		1.40		0.00		0.00		1.17		0.00		4.88	
	0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00	
	0.00		1.25		0.00		0.00		0.00		0.00		0.00		0.00	

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ANNEX NO. 5 - PARTY FINANCES AND FINANCE REPORTS FOR THE ELECTORAL CAMPAIGN

The table below reflects data on the finances of electoral subjects. Specifically, the first five columns after the name detail the funding that each subject has received for the campaign in monetary value as well as the percentage against the total of public funding. The sixth column represents nonpublic funding that the parties have declared in the self-declaration reports. The deadline for submitting this report was 26 September; the submission date can be found on the eleventh column. The tenth column represents return or not of public funding for parties that had to return part or all funds.

Nr.	PARTIA	Campaign advance fund (ALL)	Additional funds after election (ALL)	Amount it must return (ALL)	Total of public funding (ALL)	
1	New Democratic Spirit	3,042,868	0	2,279,233	763,635	
2	Party National Arbno Alliance	1,283,456	0	441,688	841,768	
3	Party Democratic Alliance	1,156,095	0	567,220	588,875	
4	Party Demochristian Alliance	807,095	0	97,790	709,305	
5	Party Alliance of Macedonians for European Integration	162,500	0	162,500	0	
6	Party Red and Black Alliance	162,500	0	162,500	0	
7	Party Alliance for Equality and European Justice	162,500	0	162,500	0	
8	Party Alliance for Democracy and Solidarity	914,159	0	514,910	399,249	
9	Party Albanian Future	162,500	284,266	0	446,766	
10	National Front	1,434,666	0	1,434,666	0	
11	Party Liberal Democratic Union	1,314,104	0	1,314,104	0	
12	Party Democratic Conviction	162,500	1,638,191	0	1,800,691	
13	Party New European Democracy	162,500	0	162,500	0	
14	Party Social Democracy	2,036,156	429,508	0	2,465,664	
15	Democratic Party for Integration and Prosperity	162,500	0	162,500	0	
16	Green Party	1,037,258	223,314	0	1,260,572	
17	Party of National Reconciliation	162,500	0	162,500	0	
18	Party of Democratic Reforms of Albania	162,500	251,615	0	414,115	
19	Party of Denied Rights	162,500	0	162,500	0	
20	Party of Albanian Migration	162,500	0	162,500	0	
21	Party G99	963,074	0	523,741	439,333	
22	National Conservative Party Albania	162,500	0	162,500	0	
23	Albanian Communist Party	162,500	0	162,500	0	
24	Christian Democratic Party	956,376	0	496,426	459,950	
25	Party Workers' Movement of Albania	162,500	0	162,500	0	
26	Party Greek Ethnic Minority for the Future	162,500	0	162,500	0	
27	Party Time of Albania	1,090,435	0	1,090,435	0	
28	Party for Liberty, Democracy, and Ethics	162,500	0	162,500	0	
29	Party for the Protection of Migrants' Rights	162,500	0	162,500	0	
30	Party for the Protection of Workers' Rights	162,500	0	162,500	0	
31	Party Persons with Disability	162,500	0	162,500	0	
32	Socialdemocratic Party	2,265,102	161,363	0	2,426,465	
33	Moderated Socialist Party	1,558,272	0	790,036	768,236	
34	Socialist Party	40,868,137	9,098,081	0	49,966,218	
35	Social and Workers' Party of Albania	162,500	197,815	0	360,315	
36	Party of National Unity	1,022,746	0	133,904	888,842	
		64,999,999	12,284,153	12,284,153	64,999,999	

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	% of the total of public funding	Non-public funding (ALL)	Value of in-kind non-public support (ALL)	Amount disbursed by the State Treasury	Disbursement date	Funds return	Self-declaration report	Total of funds received	Expenses
	1.17%	0	0	3,042,868	03.07.2019	returned	25.09.2019	763,635	0
	1.30%	31,145	0	1,283,456	08.07.2019	not returned	23.08.2019	872,913	980,870
	0.91%	0	0	588,875	06.09.2019	not withdrawn	27.09.2019	588,875	447,410
	1.09%					not withdrawn	not submitted	709,305	
	0.00%	0	0			not withdrawn	18.10.2019	0	0
	0.00%					not withdrawn	not submitted	0	
	0.00%	0	0			not withdrawn	23.09.2019	0	0
	0.61%	116,624	0	914,159	31.07.2019	not returned	26.09.2019	515,873	480,000
	0.69%	111,500	0	162,500	08.10.2019		26.09.2019	558,266	274,000
	0.00%	0	0			not withdrawn	26.09.2019	0	0
	0.00%	0	0	1,314,104	02.07.2019	returned	02.10.2019	0	0
	2.77%	622,000	322,000				29.08.2019	2,422,691	709,500
	0.00%	0	0			not withdrawn	03.10.2019	0	0
	3.79%			2,036,156	05.07.2019		20.10.2019	2,465,664	
	0.00%			162,500	31.07.2019	not returned	not submitted	0	
	1.94%	0	0	1,037,258	26.06.2019		25.09.2019	1,260,572	1,137,210
	0.00%			162,500	28.06.2019	not returned	not submitted	0	
	0.64%						not submitted	414,115	
	0.00%					not withdrawn	not submitted	0	
	0.00%					not withdrawn	not submitted	0	
	0.68%					not withdrawn	not submitted	439,333	
	0.00%			162,500	31.07.2019	not returned	not submitted	0	
	0.00%	0	0			not withdrawn	30.09.2019	0	0
	0.71%	0	0	956,376	28.06.2019	returned	30.08.2019	459,950	480,910
	0.00%					not withdrawn	not submitted	0	
	0.00%	150,000	0			not withdrawn	02.09.2019	150,000	150,000
	0.00%	0	0			not withdrawn	26.09.2019	0	0
	0.00%	0	0			not withdrawn	18.10.2019	0	0
	0.00%					not withdrawn	not submitted	0	
	0.00%	0	0			not withdrawn	21.10.2019	0	0
	0.00%					not withdrawn	not submitted	0	
	3.73%	0	0	2,265,102	26.06.2019		26.09.2019	2,426,465
	1.18%	0	10,000	1,558,272	03.07.2019	returned	25.09.2019	778,236	52,000
	76.87%	38,174,197	2,153,761	40,868,137	21.06.2019		25.09.2019	88,140,415	79,042,334
	0.55%						not submitted	360,315	
	1.37%					not withdrawn	not submitted	888,842	
		39,205,466	2,485,761						

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ANNEX NO. 6 - NUMBER OF MUNICIPALITIES WHERE EACH SUBJECT COMPETED

The following table shows the number of municipalities in which each political party registered in the June 30 Local Elections submitted candidate lists for members of municipal councils.

Electoral Subject	The number of municipalities in which it has submitted candidate lists for the municipal council
The New Democratic Spirit	12
National Albanian Alliance Party	23
Albanian Democratic Alliance Party	21
Christian Democratic Alliance Party of Albania	23
Party Alliance of Macedonians for European Integration	1
Red and Black Alliance Party	2
Party Alliance for European Equality and Justice	11
Party Alliance for Democracy and Solidarity	21
Albanian Future Party	17
National Front Party	6
Liberal Democrat Union Party	7
Democratic Obedience Party	41
New European Democracy Party	7
Social Democracy Party	53
Democratic Party for Integration and Prosperity	7
The Green Party	31
Albanian National Reconciliation Party	1
Party of Albanian Democratic Reforms	12

Electoral Subject	The number of municipalities in which it has submitted candidate lists for the municipal council
Denied Rights Party	7
Albanian Immigration Party	2
G99 Party	14
Communist Party of Albania	4
Christian Democratic Party	17
Albanian Workers' Movement Party	4
Greek Ethnic Minority Party for the Future	3
Time of Albania Party	9
Party for Freedom Democracy and Ethics	1
Party for the Protection of Immigrant Rights	6
Party for Protection of Albania's Worker Rights	1
People with Disabilities Party	1
Social Democratic Party of Albania	41
The Moderate Socialist Party	22
Socialist Party of Albania	61
Albanian Social and Workers' Party	6
National Unity Party	19
National Conservative Party Albania	1
Total	525

ANNEX NO. 7 - NUMBER OF VOTES FOR THE COUNCIL AND MANDATES IN THE COUNCILS FOR EACH OF THE ELECTORAL SUBJECTS

The below table reflects the number of valid votes and mandates in municipality councils for each of the electoral subjects, per municipality.

	Municipality / Electoral subject	Valid votes received	Mandates
	Belsh	6,454	21
1	Party Alliance for Democracy and Solidarity	20	0
2	Party Democratic Conviction	186	0
3	Green Party	429	1
4	Albanian Communist Party	72	0
5	Party Time of Albania	407	1
6	Socialdemocratic Party	167	1
7	Socialist Party	5,173	18
	Berat	16,697	31
1	Party Democratic Conviction	788	1
2	Party Social Democracy	581	1
3	Party G99	173	0
4	Socialist Party	15,155	29
	Bulqizë	8,306	21
1	Party National Arbno Alliance	115	0
2	Party Democratic Alliance of Albania	561	2
3	Party Demochristian Alliance	233	1

	Municipality / Electoral subject	Valid votes received	Mandates
4	Party Alliance for Democracy and Solidarity	192	1
5	Party Albanian Future	312	1
6	Party Democratic Conviction	67	0
7	Party Social Democracy	411	1
8	Green Party	494	1
9	Party of Democratic Reforms of Albania	223	1
10	Party of Denied Rights	152	0
11	Party G99	387	1
12	Albanian Communist Party	700	1
13	Christian Democratic Party	404	1
14	Party Time of Albania	221	0
15	Socialist Party	2,787	7
16	Social and Workers' Party of Albania	285	1
17	Party of National Unity	762	2
	Cërrik	6,730	21
1	Party Democratic Conviction	242	0
2	Party Social Democracy	281	1

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	Municipality / Electoral subject	Valid votes received	Mandates
3	Green Party	277	1
4	Socialist Party	5,930	19
	Delvinë	2,567	15
1	Socialist Party	2,567	15
	Devoll	7,405	21
1	Party National Arbnot Alliance	382	1
2	Party Democratic Alliance of Albania	118	0
3	Party Liberal Democratic Union	114	0
4	Party Social Democracy	684	2
5	Green Party	791	2
6	Socialdemocratic Party	240	1
7	Socialist Party	5,076	15
	Dibër	15,746	31
1	New Democratic Spirit	438	0
2	Party Democratic Alliance of Albania	338	1
3	Party Demochristian Alliance	1,340	3
4	Party Democratic Conviction	1,062	2
5	Party Social Democracy	662	1
6	Green Party	251	1
7	Party of Denied Rights	1,434	3
8	Party G99	1,516	3
9	Socialdemocratic Party	1,507	3
10	Socialist Party	7,198	14
	Divjakë	13,381	31
1	Party Alliance for Equality and European Justice	300	1
2	Party Democratic Conviction	297	0
3	Party Social Democracy	572	1
4	Socialdemocratic Party	605	1
5	Moderated Socialist Party	290	1
6	Socialist Party	10,966	26
7	Party of National Unity	351	1
	Dropull	2,342	21
1	Party Social Democracy	165	2
2	Party Greek Ethnic Minority for the Future	375	3
3	Socialist Party	1,802	16
	Durrës	38,002	51
1	New Democratic Spirit	421	0
2	Party Democratic Alliance of Albania	176	0
3	Party Demochristian Alliance	224	0
4	Party Alliance for Equality and European Justice	530	1
5	Party Alliance for Democracy and Solidarity	84	0
6	Party Albanian Future	564	1
7	Party Democratic Conviction	1,443	1
8	Party Social Democracy	650	1
9	Democratic Party for Integration and Prosperity	107	0
10	Christian Democratic Party	316	0
11	Moderated Socialist Party	375	1
12	Socialist Party	33,112	46
	Elbasan	37,504	51
1	ALBERT RRAPUSH SHOPI	235	0
2	New Democratic Spirit	1,344	1
3	Party Albanian Future	115	0
4	Party Democratic Conviction	970	1
5	Party Social Democracy	1,624	2
6	Green Party	984	1
7	Party of Democratic Reforms of Albania	1,400	2
8	Socialdemocratic Party	667	1

	Municipality / Electoral subject	Valid votes received	Mandates
9	Socialist Party	30,165	43
	Fier	38,174	51
1	Party Democratic Alliance of Albania	113	0
2	Party Demochristian Alliance	98	0
3	Party Alliance for Equality and European Justice	224	0
4	Party Democratic Conviction	694	0
5	Party New European Democracy	147	0
6	Party Social Democracy	1,475	2
7	Socialdemocratic Party	616	1
8	Socialist Party	34,807	48
	Finiq	5,439	21
1	ARETI ARISTIDH NASHO	141	0
2	MONDI LEFTER LOLI	68	0
3	Party Alliance for Democracy and Solidarity	329	1
4	Party Social Democracy	685	3
5	Party Greek Ethnic Minority for the Future	2,207	9
6	Socialist Party	1,876	8
7	PETRO ZISO BOZHORI	133	0
	Fushë-Arrëz	2,386	15
1	Party Demochristian Alliance	152	1
2	Party Albanian Future	154	1
3	Party New European Democracy	324	2
4	Christian Democratic Party	625	4
5	Socialdemocratic Party	237	1
6	Moderated Socialist Party	124	1
7	Socialist Party	770	5
	Gjirokastër	10,633	31
1	Party Demochristian Alliance	596	2
2	Party Democratic Conviction	475	1
3	Green Party	388	1
4	Party G99	237	1
5	Socialdemocratic Party	1,265	4
6	Moderated Socialist Party	615	2
7	Socialist Party	6,709	19
8	Party of National Unity	348	1
	Gramsh	9,202	21
1	Party National Arbnot Alliance	1,070	3
2	Party Democratic Conviction	196	0
3	Party Social Democracy	1,103	3
4	Green Party	1,749	4
5	Party of Democratic Reforms of Albania	570	1
6	Party of Albanian Migration	123	0
7	Socialist Party	4,391	10
	Has	4,227	21
1	Party National Arbnot Alliance	160	1
2	Party Democratic Alliance of Albania	97	1
3	Party Alliance for Democracy and Solidarity	216	1
4	Party Albanian Future	304	2
5	Party Liberal Democratic Union	124	0
6	Party Democratic Conviction	131	0
7	Party New European Democracy	147	1
8	Party Social Democracy	394	2
9	Democratic Party for Integration and Prosperity	97	1
10	Green Party	271	1
11	Party of Democratic Reforms of Albania	96	0
12	Party of Denied Rights	171	1
13	Christian Democratic Party	142	1
14	Party for the Protection of Migrants' Rights	421	2

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	Municipality / Electoral subject	Valid votes received	Mandates
15	Socialdemocratic Party	192	1
16	Moderated Socialist Party	70	0
17	Socialist Party	947	5
18	Party of National Unity	247	1
	Himarë	4,178	21
1	Party Alliance for Democracy and Solidarity	225	1
2	Party Democratic Conviction	234	1
3	Party Social Democracy	143	1
4	Socialdemocratic Party	373	2
5	Socialist Party	2,665	14
6	Social and Workers' Party of Albania	420	2
7	Party of National Unity	26	0
8	SILVA JORGJI BURBO	28	0
9	VASILLAQ HARILLA BOLLANO	64	0
	Kamëz	10,394	41
1	Party Demochristian Alliance	257	1
2	Party Democratic Conviction	257	1
3	Party Social Democracy	391	2
4	Green Party	72	0
5	Party Time of Albania	107	0
6	Socialdemocratic Party	202	1
7	Socialist Party	9,108	36
	Kavajë	7,382	31
1	Party G99	186	1
2	Moderated Socialist Party	230	1
3	Socialist Party	6,966	29
	Këlcyrë	2,790	15
1	New Democratic Spirit	328	1
2	Party National Arbnor Alliance	82	0
3	Party Democratic Alliance of Albania	371	2
4	Party Demochristian Alliance	360	2
5	Party Alliance for Equality and European Justice	109	1
6	Party Alliance for Democracy and Solidarity	89	1
7	Party Albanian Future	173	1
8	Party Democratic Conviction	54	0
9	Party Social Democracy	116	1
10	Party of Democratic Reforms of Albania	75	0
11	Party of Albanian Migration	69	0
12	Party for the Protection of Workers' Rights	183	1
13	Socialdemocratic Party	146	1
14	Socialist Party	635	4
	Klos	5,266	21
1	New Democratic Spirit	92	0
2	Party National Arbnor Alliance	409	2
3	Party Demochristian Alliance	113	0
4	Party Alliance for Democracy and Solidarity	289	1
5	Party Albanian Future	281	1
6	Party Democratic Conviction	231	0
7	Party Social Democracy	301	1
8	Democratic Party for Integration and Prosperity	173	1
9	Green Party	260	1
10	Party of Denied Rights	178	1
11	Party Workers' Movement of Albania	326	1
12	Party for the Protection of Migrants' Rights	151	1
13	Socialdemocratic Party	405	2
14	Moderated Socialist Party	117	1
15	Socialist Party	1,488	6
16	Social and Workers' Party of Albania	238	1

	Municipality / Electoral subject	Valid votes received	Mandates
17	Party of National Unity	214	1
	Kolonjë	4,702	15
1	Party National Arbnor Alliance	292	1
2	Party Demochristian Alliance	104	0
3	Party Democratic Conviction	100	0
4	Party Social Democracy	518	2
5	Green Party	98	0
6	Socialdemocratic Party	733	2
7	Socialist Party	2,857	10
	Konispol	3,269	15
1	Socialist Party	3,269	15
	Korçë	22,663	41
1	New Democratic Spirit	890	1
2	Party National Arbnor Alliance	296	1
3	Party Democratic Alliance of Albania	131	0
4	Party Liberal Democratic Union	431	0
5	Party Democratic Conviction	869	1
6	Party Social Democracy	556	1
7	Green Party	900	2
8	Party G99	50	0
9	Socialdemocratic Party	435	1
10	Moderated Socialist Party	669	1
11	Socialist Party	17,436	33
	Krujë	17,371	31
1	Party Demochristian Alliance	940	2
2	Party Alliance for Democracy and Solidarity	63	0
3	Party Albanian Future	938	2
4	Party Liberal Democratic Union	159	0
5	Party Democratic Conviction	482	0
6	Party Social Democracy	559	1
7	Democratic Party for Integration and Prosperity	57	0
8	Green Party	1,238	2
9	Albanian Communist Party	346	0
10	Socialdemocratic Party	170	0
11	Socialist Party	12,051	23
12	Party of National Unity	368	1
	Kuçovë	9,288	31
1	Party Democratic Alliance of Albania	291	1
2	Party Social Democracy	563	2
3	Socialdemocratic Party	116	0
4	Moderated Socialist Party	675	2
5	Socialist Party	7,643	26
	Kukës	12,397	31
1	Party National Arbnor Alliance	300	1
2	Party Democratic Alliance of Albania	219	1
3	Party Demochristian Alliance	457	1
4	Party Red and Black Alliance	151	0
5	Party Alliance for Equality and European Justice	16	0
6	Party Alliance for Democracy and Solidarity	333	1
7	Party Albanian Future	276	1
8	National Front	79	0
9	Party Liberal Democratic Union	22	0
10	Party Democratic Conviction	721	1
11	Party New European Democracy	148	0
12	Party Social Democracy	328	1
13	Democratic Party for Integration and Prosperity	94	0
14	Green Party	489	1
15	Party of National Reconciliation	251	1

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	Municipality / Electoral subject	Valid votes received	Mandates
16	Party of Democratic Reforms of Albania	184	0
17	Party of Denied Rights	428	1
18	Christian Democratic Party	48	0
19	Party Time of Albania	835	3
20	Party for Liberty, Democracy, and Ethics	7	0
21	Party for the Protection of Migrants' Rights	301	1
22	Socialdemocratic Party	1,784	4
23	Moderated Socialist Party	637	2
24	Socialist Party	2,996	8
25	Social and Workers' Party of Albania	1,107	3
26	Party of National Unity	186	0
	Kurbin	7,645	31
1	Party Demochristian Alliance	109	0
2	Party Alliance for Democracy and Solidarity	344	1
3	Party Democratic Conviction	304	1
4	Party Social Democracy	661	3
5	Green Party	532	2
6	Party G99	379	2
7	Christian Democratic Party	179	1
8	Party Time of Albania	569	2
9	Socialdemocratic Party	418	2
10	Socialist Party	4,150	17
	Lezhë	14,524	41
1	Party National Arbno Alliance	717	2
2	Party Democratic Alliance of Albania	151	0
3	Party Alliance for Equality and European Justice	379	1
4	Party Albanian Future	151	0
5	National Front	383	1
6	Party Democratic Conviction	104	0
7	Party New European Democracy	146	0
8	Party Social Democracy	610	2
9	Green Party	326	1
10	Christian Democratic Party	146	0
11	Party Time of Albania	132	0
12	Party for the Protection of Migrants' Rights	182	1
13	Socialdemocratic Party	1,971	6
14	Moderated Socialist Party	791	2
15	Socialist Party	5,123	15
16	Social and Workers' Party of Albania	298	1
17	Party of National Unity	2,914	9
	Libohovë	1,244	15
1	Party Alliance for Democracy and Solidarity	15	0
2	Party Democratic Conviction	93	1
3	Party Social Democracy	187	2
4	Christian Democratic Party	33	0
5	Socialist Party	916	12
	Librazhd	11,267	21
1	New Democratic Spirit	603	1
2	Party Democratic Alliance of Albania	332	1
3	Party Demochristian Alliance	173	0
4	Party Alliance for Equality and European Justice	173	0
5	Party Albanian Future	44	0
6	National Front	788	1
7	Party Democratic Conviction	187	0
8	Party Social Democracy	1,049	2
9	Green Party	1,013	2
10	Party of Democratic Reforms of Albania	288	1
11	Party Time of Albania	509	1

	Municipality / Electoral subject	Valid votes received	Mandates
12	Socialist Party	6,108	12
	Lushnjë	27,520	41
1	Party National Arbno Alliance	1,778	3
2	Party Alliance for Democracy and Solidarity	734	1
3	Party Democratic Conviction	695	1
4	Party Social Democracy	1,026	2
5	Socialdemocratic Party	424	1
6	Socialist Party	22,863	33
	Malësi e Madhe	8,277	31
1	New Democratic Spirit	540	2
2	MAJLINDA ADEM NDRECAJ	320	1
3	Party National Arbno Alliance	268	1
4	Party Demochristian Alliance	302	1
5	Party Alliance for Democracy and Solidarity	167	1
6	Party Albanian Future	178	1
7	Party Liberal Democratic Union	134	0
8	Party Democratic Conviction	514	2
9	Party Social Democracy	225	1
10	Green Party	180	1
11	Party of Democratic Reforms of Albania	321	1
12	Party G99	142	1
13	Christian Democratic Party	304	1
14	Socialdemocratic Party	408	1
15	Moderated Socialist Party	344	1
16	Socialist Party	2,857	11
17	Party of National Unity	1,073	4
	Maliq	13,808	31
1	Party Democratic Alliance of Albania	560	1
2	Party Democratic Conviction	340	0
3	Party Social Democracy	310	1
4	Green Party	314	1
5	Socialdemocratic Party	510	1
6	Socialist Party	11,347	26
7	Party of National Unity	427	1
	Mallakastër	6,153	21
1	Party Democratic Alliance of Albania	116	0
2	Party Democratic Conviction	198	0
3	Party Social Democracy	434	2
4	Party for the Protection of Migrants' Rights	377	1
5	Socialdemocratic Party	300	1
6	Moderated Socialist Party	410	1
7	Socialist Party	3,984	15
8	Party of National Unity	334	1
	Mat	7,764	21
1	Party National Arbno Alliance	128	0
2	Party Demochristian Alliance	449	1
3	Party Alliance for Equality and European Justice	803	2
4	Party Social Democracy	523	1
5	Green Party	601	2
6	Party of Democratic Reforms of Albania	550	2
7	Socialdemocratic Party	306	1
8	Moderated Socialist Party	389	1
9	Socialist Party	4,015	11
	Memaliaj	4,015	21
1	Party Alliance for Democracy and Solidarity	272	1
2	Party Social Democracy	340	2
3	Christian Democratic Party	281	1
4	Socialist Party	3,122	17

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	Municipality / Electoral subject	Valid votes received	Mandates
	Mirditë	5,976	21
1	FRAN NDUE JUSHI	173	0
2	New Democratic Spirit	204	0
3	Party National Arbno Alliance	976	4
4	Party Democratic Alliance of Albania	9	0
5	Party Demochristian Alliance	82	0
6	Party Albanian Future	953	3
7	Party Social Democracy	811	3
8	Christian Democratic Party	177	1
9	Socialdemocratic Party	719	3
10	Moderated Socialist Party	209	1
11	Socialist Party	1,482	5
12	Party of National Unity	181	1
	Patos	8,370	21
1	Party Alliance for Equality and European Justice	102	0
2	Party Democratic Conviction	228	0
3	Party Social Democracy	286	1
4	Socialdemocratic Party	235	1
5	Socialist Party	7,519	19
	Peqin	5,302	21
1	Party Liberal Democratic Union	139	0
2	Party Social Democracy	216	1
3	Green Party	25	0
4	Party of Democratic Reforms of Albania	423	2
5	Socialist Party	4,499	18
	Përmet	4,419	15
1	Party National Arbno Alliance	192	1
2	Party Demochristian Alliance	395	1
3	Party Alliance for Equality and European Justice	441	1
4	Party Alliance for Democracy and Solidarity	163	1
5	Party Albanian Future	157	1
6	Party Social Democracy	238	1
7	Green Party	137	0
8	Party of Denied Rights	335	1
9	Party G99	173	1
10	Christian Democratic Party	129	0
11	Socialdemocratic Party	107	0
12	Socialist Party	1,952	7
	Pogradec	17,098	31
1	New Democratic Spirit	657	1
2	Party National Arbno Alliance	154	0
3	Party Democratic Alliance of Albania	1,581	3
4	Party Albanian Future	114	0
5	National Front	177	0
6	Party New European Democracy	186	0
7	Party Social Democracy	387	1
8	Green Party	73	0
9	Party G99	603	1
10	Party Workers' Movement of Albania	104	0
11	Party for the Protection of Migrants' Rights	430	1
12	Party Persons with Disability	481	0
13	Socialdemocratic Party	932	2
14	Moderated Socialist Party	311	1

	Municipality / Electoral subject	Valid votes received	Mandates
15	Socialist Party	10,612	20
16	Party of National Unity	296	1
	Poliçan	4,496	15
1	Socialist Party	3,915	13
2	Party of National Unity	581	2
	Përrenjas	7,553	21
1	Party Democratic Alliance of Albania	546	2
2	Party Demochristian Alliance	336	1
3	Party Red and Black Alliance	189	0
4	Party Alliance for Democracy and Solidarity	211	1
5	Party Democratic Conviction	134	0
6	Party Social Democracy	545	1
7	Green Party	198	1
8	Party G99	211	1
9	Socialdemocratic Party	96	0
10	Moderated Socialist Party	219	1
11	Socialist Party	4,868	13
	Pukë	3,724	15
1	Party National Arbno Alliance	156	1
2	Party Social Democracy	470	2
3	Green Party	91	0
4	Christian Democratic Party	1,092	4
5	Socialdemocratic Party	617	3
6	Moderated Socialist Party	172	1
7	Socialist Party	1,030	4
8	Party of National Unity	96	0
	Pustec	2,291	15
1	Party Alliance of Macedonians for European Integration	665	4
2	Party Social Democracy	234	2
3	Socialdemocratic Party	406	3
4	Socialist Party	986	6
	Roskovec	7,626	21
1	Party Alliance for Democracy and Solidarity	224	1
2	Party Social Democracy	381	1
3	Socialist Party	7,021	19
	Rogozhinë	5,293	21
1	Party Democratic Conviction	191	0
2	Party Social Democracy	130	1
3	Socialist Party	4,972	20
	Sarandë	9,070	31
1	MEHMET SHEREF NELAJ	309	1
2	Party National Arbno Alliance	370	1
3	Party Democratic Conviction	727	2
4	Party Social Democracy	489	2
5	Party Greek Ethnic Minority for the Future	446	1
6	Party Time of Albania	237	0
7	Socialdemocratic Party	316	1
8	Socialist Party	6,176	23
	Selenicë	6,322	21
1	Party National Arbno Alliance	111	0
2	Party Democratic Conviction	236	0
3	Party Social Democracy	347	1
4	Green Party	496	2

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	Municipality / Electoral subject	Valid votes received	Mandates
5	Albanian Communist Party	254	0
6	Socialdemocratic Party	684	3
7	Socialist Party	4,194	15
	Shijak	5,849	21
1	New Democratic Spirit	68	0
2	Party Democratic Alliance of Albania	145	1
3	Party Demochristian Alliance	560	2
4	Party Democratic Conviction	335	1
5	Party Social Democracy	316	1
6	Socialdemocratic Party	109	0
7	Socialist Party	4,316	16
	Shkodër	16,258	51
1	Party Democratic Alliance of Albania	94	0
2	Party Alliance for Democracy and Solidarity	47	0
3	Party Democratic Conviction	293	0
4	Party Social Democracy	310	1
5	Christian Democratic Party	112	0
6	Socialdemocratic Party	2,629	9
7	Moderated Socialist Party	440	1
8	Socialist Party	12,333	40
	Skrapar	4,427	15
1	Party Democratic Conviction	333	1
2	Party Social Democracy	317	1
3	Socialist Party	3,777	13
	Tepelenë	4,415	15
1	Party National Arbnot Alliance	258	1
2	Party Democratic Conviction	146	0
3	Party Social Democracy	469	2
4	Socialist Party	3,542	12
	Tiranë	161,075	61
1	New Democratic Spirit	3,039	1
2	Party National Arbnot Alliance	988	0
3	Party Democratic Alliance of Albania	510	0
4	Party Demochristian Alliance	429	0
5	Party Alliance for Democracy and Solidarity	266	0
6	National Front	845	0
7	Party Democratic Conviction	3,862	1
8	Party Social Democracy	2,072	1
9	Democratic Party for Integration and Prosperity	430	0
10	Green Party	775	0
11	Party of Democratic Reforms of Albania	337	0
12	Party of Denied Rights	980	0
13	Party G99	619	0
14	Christian Democratic Party	849	0
15	Party Time of Albania	363	0
16	Socialdemocratic Party	3,040	1
17	Moderated Socialist Party	1,025	0
18	Socialist Party	138,227	56
19	Social and Workers' Party of Albania	1,723	1

	Municipality / Electoral subject	Valid votes received	Mandates
20	Party of National Unity	696	0
	Tropojë	3,772	21
1	Party Democratic Alliance of Albania	191	1
2	Party Demochristian Alliance	54	0
3	Party Alliance for Equality and European Justice	239	1
4	Party Albanian Future	121	1
5	Party Democratic Conviction	25	0
6	Party Social Democracy	28	0
7	Democratic Party for Integration and Prosperity	231	1
8	Green Party	256	2
9	Party of Democratic Reforms of Albania	217	1
10	Party G99	177	1
11	Christian Democratic Party	233	1
12	Party Workers' Movement of Albania	303	2
13	Socialdemocratic Party	209	1
14	Moderated Socialist Party	95	1
15	Socialist Party	1,181	7
16	Party of National Unity	212	1
	Ura Vajgurore	7,516	21
1	Party Alliance for Democracy and Solidarity	230	1
2	Party Social Democracy	458	1
3	Green Party	249	1
4	Socialdemocratic Party	247	1
5	Socialist Party	5,589	15
6	Party of National Unity	743	2
	Vau i Dejës	6,126	31
1	Party Demochristian Alliance	256	1
2	Party Social Democracy	370	2
3	Socialdemocratic Party	2,323	12
4	Moderated Socialist Party	481	2
5	Socialist Party	2,696	14
	Vlorë	31,766	51
1	BAKI AVNI JAZAJ	495	0
2	Party National Arbnot Alliance	228	0
3	National Front	127	0
4	Party Democratic Conviction	1,529	2
5	Party Social Democracy	859	1
6	Party G99	110	0
7	Christian Democratic Party	95	0
8	Party Workers' Movement of Albania	285	0
9	Socialdemocratic Party	513	1
10	Socialist Party	27,525	47
	Vorë	5,992	21
1	Party National Arbnot Alliance	80	0
2	Party Albanian Future	214	1
3	Party Democratic Conviction	363	1
4	Party New European Democracy	98	0
5	Green Party	298	1
6	Socialist Party	4,939	18
	Total	761,848	1619

**ANNEX NO. 8 - NUMBER OF VALID VOTES NEEDED PER MANDATE
IN THE MUNICIPAL COUNCIL FOR EACH MUNICIPALITY**

Municipalities are ranked by the number of valid votes needed for mandate, lowest to highest. Marked with red are the ten municipalities with the smallest vote per mandate ratio (every councilor in these municipalities represents, thus, less voters than in other municipalities). Marked in green are the ten municipalities with the highest vote per mandate ratio. As the table shows, the lower the number of valid votes, the lower the ratio.

No.	Municipality	Valid votes	Mandates	Votes per mandate
1	Municipality of Libohovë	1,244	15	82.9
2	Municipality of Pustec	2,291	15	152.7
3	Municipality of Dropull	2,342	21	111.5
4	Municipality of Fushë-Arrëz	2,386	15	159.1
5	Municipality of Delvinë	2,567	15	171.1
6	Municipality of Këlcyrë	2,790	15	186
7	Municipality of Konispol	3,269	15	217.9
8	Municipality of Pukë	3,724	15	248.3
9	Municipality of Tropojë	3,772	21	179.6
10	Municipality of Memaliaj	4,015	21	191.2
11	Municipality of Himarë	4,178	21	199
12	Municipality of Has	4,227	21	201.3
13	Municipality of Tepelenë	4,415	15	294.3
14	Municipality of Përmet	4,419	15	294.6
15	Municipality of Skrapar	4,427	15	295.1
16	Municipality of Poliçan	4,496	15	299.7
17	Municipality of Kolonjë	4,702	15	313.5
18	Municipality of Klos	5,266	21	250.8
19	Municipality of Rogozhinë	5,293	21	252
20	Municipality of Peqin	5,302	21	252.5
21	Municipality of Finiq	5,439	21	259
22	Municipality of Shijak	5,849	21	278.5
23	Municipality of Mirditë	5,976	21	284.6
24	Municipality of Vorë	5,992	21	285.3
25	Municipality of Vau i Dejës	6,126	31	197.6
26	Municipality of Mallakastër	6,153	21	293
27	Municipality of Selenicë	6,322	21	301
28	Municipality of Belsh	6,454	21	307.3
29	Municipality of Cërrik	6,730	21	320.5
30	Municipality of Kavajë	7,382	31	238.1
31	Municipality of Devoll	7,405	21	352.6

No.	Municipality	Valid votes	Mandates	Votes per mandate
32	Municipality of Ura Vajgurore	7,516	21	357.9
33	Municipality of Përrenjas	7,553	21	359.7
34	Municipality of Roskovec	7,626	21	363.1
35	Municipality of Kurbin	7,645	31	246.6
36	Municipality of Mat	7,764	21	369.7
37	Municipality of Malësi e Madhe	8,277	31	267
38	Municipality of Bulqizë	8,306	21	395.5
39	Municipality of Patos	8,370	21	398.6
40	Municipality of Sarandë	9,070	31	292.6
41	Municipality of Gramsh	9,202	21	438.2
42	Municipality of Kuçovë	9,288	31	299.6
43	Municipality of Kamëz	10,394	41	253.5
44	Municipality of Gjirokastrë	10,633	31	343
45	Municipality of Librazhd	11,267	21	536.5
46	Municipality of Kukës	12,397	31	399.9
47	Municipality of Divjakë	13,381	31	431.6
48	Municipality of Maliq	13,808	31	445.4
49	Municipality of Lezhë	14,524	41	354.2
50	Municipality of Dibër	15,746	31	507.9
51	Municipality of Shkodër	16,258	51	318.8
52	Municipality of Berat	16,697	31	538.6
53	Municipality of Pogradec	17,098	31	551.5
54	Municipality of Krujë	17,371	31	560.4
55	Municipality of Korçë	22,663	41	552.8
56	Municipality of Lushnjë	27,520	41	671.2
57	Municipality of Vlorë	31,766	51	622.9
58	Municipality of Elbasan	37,504	51	735.4
59	Municipality of Durrës	38,002	51	745.1
60	Municipality of Fier	38,174	51	748.5
61	Municipality of Tiranë	161,075	61	2640.6
	TOTAL	761,848	1619	470.6

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**ANNEX NO. 9 - DIFFERENCES IN OFFICIAL TABLES PUBLISHED BY THE CEC
ON NUMBER OF VALID VOTES FOR THE MUNICIPAL COUNCILS**

The below table reflects differences between two different tables published in the official webpage of the CEC, on the number of valid votes received by electoral subjects for the municipal councils. The table "Valid votes for the council at the national level" reflects votes per each municipality, per party. While the "Summary table" reflects valid votes for each party (not by municipality). The latter is supposed to be a derivate of the second.

No.	Electoral subject	Sum of valid votes per the table "Data on valid votes for the council at the national level"	Sum of valid votes per the table "Summary table"	Difference
	Alliance for European Albania	716556	716621	65
1	Party National Arbnotor Alliance	9510	9513	3
2	Party Democratic Alliance of Albania	6650	6655	5
3	Party Demochristian Alliance	8019	8016	-3
4	Party Alliance for Equality and European Justice	3316	3316	0
5	Party Alliance for Democracy and Solidarity	4513	4512	-1
6	Party Albanian Future	5049	5049	0
7	Party Social Democracy	27860	27865	5
8	Democratic Party for Integration and Prosperity	1189	1179	-10
9	Green Party	14255	14246	-9
10	Party of National Reconciliation	251	251	0
11	Party of Democratic Reforms of Albania	4684	4680	-4
12	Party of Denied Rights	3678	3396	-282
13	Party G99	4963	4965	2
14	Christian Democratic Party	5165	5198	33
15	Party Workers' Movement of Albania	1018	1018	0
16	Party for the Protection of Migrants' Rights	1862	1862	0
17	Socialdemocratic Party	27379	27422	43
18	Moderated Socialist Party	8688	8682	-6
19	Socialist Party	564381	564679	298
20	Social and Workers' Party of Albania	4071	4072	1
21	Party of National Unity	10055	10045	-10
	Hope for Change	8630	8615	-15
1	Party Red and Black Alliance	340	340	0

No.	Electoral subject	Sum of valid votes per the table "Data on valid votes for the council at the national level"	Sum of valid votes per the table "Summary table"	Difference
2	National Front	2399	2387	-12
3	Party Liberal Democratic Union	1123	1123	0
4	Party New European Democracy	1196	1196	0
5	Party of Albanian Migration	192	192	0
6	Party Time of Albania	3380	3377	-3
	Parties not in pre-electoral coalitions	34696	34716	20
1	New Democratic Spirit	8624	8630	6
2	Party Alliance of Macedonians for European Integration	665	665	0
3	Party Democratic Conviction	20336	20350	14
4	Albanian Communist Party	1372	1372	0
5	Party Greek Ethnic Minority for the Future	3028	3028	0
6	Party for Liberty, Democracy, and Ethics	7	7	0
7	Party for the Protection of Workers' Rights	183	183	0
8	Party Persons with Disability	481	481	0
	Independent candidates	1966	1966	0
1	Albert Rrapush Shopi	235	No data	
2	Areti Aristidh Nasho	141		
3	Baki Avni Jazaj	495		
4	Fran Ndue Jushi	173		
5	Majlinda Adem Ndrecaj	320		
6	Mehmet Sheref Nelaj	309		
7	Mondi Lefter Loli	68		
8	Petro Ziso Bozhori	133		
9	Silva Jorgji Burbo	28		
10	Vasillaq Harilla Bollano	64		
	Total	761848	761918	70

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**ANNEX NO 10 - OBSERVERS AND MEDIA REPRESENTATIVES
ACCREDITED BY THE CENTRAL ELECTION COMMISSION**

The table reflects organizations and media that have accredited observers, journalists, or interpreters, the number of accredited persons, as well as specification (where relevant) if the observers are long or short term.

Nr.	Organization/Media	Long-term observers	Short-term observers	Journalists	Interpreters
1	ODIHR	32	150		106
2	Coalition for Reforms, Integration, and Consolidated Institutions (KRIIK Albania)	125			
3	Albanian Helsinki Committee	223			
4	Society for Democratic Culture	22			
5	Electoral Panel for Complaints and Appeals	9			
6	Radio Television of Kosova			1	
7	Center for European Perspective		3		
8	National Democratic Institute NDI	9			
9	Association for Women and Children	12			
10	Report TV			63	
11	Vizion Plus TV			72	
12	Anadolu Agency			2	
13	CEC Macedonia		3		
14	Council of Europe		19		8
15	Journal Heart			1	
16	Al Jazeera Balkan			3	
17	Albanian Telegraphic Agency			6	
18	BBF TV			2	
19	Panorama Newspaper			14	
20	Center for Development and Protection of New Media	10			
21	Association for the Integration of Informal Areas		461		
22	Ora News TV			50	
23	News 24 TV			72	
24	Albanian Radio television			138	
25	A2 CNN TV			58	
26	Tema TV			5	
27	ABC News			48	
28	One TV Vlorë			8	
29	Klan TV			23	
30	Birn Albania			4	

Nr.	Organization/Media	Long-term observers	Short-term observers	Journalists	Interpreters
31	Star News Shkodër			15	
32	Deutsche Welle			1	
33	Associated Press			5	
34	Italian Embassy		4		3
35	Al Jazeera London			4	5
36	Bold News			5	
37	British Embassy		4		4
38	Austrian ORF			4	
39	US Embassy		20		19
40	EU Delegation		8		
41	Fax News TV			39	
42	Koha Vizion Kosova			2	
43	Top Channel TV			111	
44	Channel One TV			6	
45	German Embassy		2		1
46	French News Agency (AFP)			3	
47	Klan Kosova			4	
48	Austrian Embassy		4		2
49	Channel 5 TV Macedonia			2	
50	Kosova PRESS			2	
51	Reuters Agency			3	
52	Fire TV			3	
53	ZDF			2	
54	Swedish Embassy		3		1
55	Rozafa TV			9	
56	Euro NEWS			4	
57	European Press Agency			7	
58	Embassy of Kosova		1		
59	Syri.net TV			11	
60	IN TV			6	
	TOTAL	442	682	818	149

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ANNEX NO. 11 - CONSTITUTION OF MUNICIPAL COUNCILS

The table shows the date of constitution for each of the 61 Municipal Councils of the country, a date that also coincides with the oath taking and the official commencement of office for the respective Mayor, excluding that of Shkodra Municipality, due to his earlier resignation. The number of members for each City Council is also shown.

No.	Municipality	Constitution Date	Members of the council
1	Belsh City Council	01.08.2019	21 members
2	Berat City Council	01.08.2019	31 members
3	Bulqizë City Council	06.08.2019	21 members
4	Cërrik City Council	01.08.2019	21 members
5	Delvinë City Council	05.08.2019	15 members
6	Devoll City Council	26.07.2019	21 members
7	Dibër City Council	06.08.2019	31 members
8	Divjakë City Council	30.07.2019	31 members
9	Dropull City Council	01.08.2019	21 members
10	Durrës City Council	03.08.2019	51 members
11	Elbasan City Council	02.08.2019	51 members
12	Fier City Council	29.07.2019	51 members
13	Finiq City Council	06.08.2019	21 members
14	Fushë - Arrëz City Council	30.07.2019	15 members
15	Gjirokastër City Council	01.08.2019	31 members
16	Gramsh City Council	02.08.2019	21 members
17	Has City Council	05.08.2019	21 members
18	Himarë City Council	06.08.2019	21 members
19	Kamëz City Council	07.08.2019	41 members
20	Kavajë City Council	30.07.2019	31 members
21	Këlcyrë City Council	31.07.2019	15 members
22	Klos City Council	07.08.2019	21 members
23	Kolonjë City Council	29.07.2019	15 members
24	Konispol City Council	07.08.2019	15 members
25	Korçë City Council	30.07.2019	41 members
26	Krujë City Council	31.07.2019	31 members
27	Kuçovë City Council	31.07.2019	31 members
28	Kukës City Council	02.08.2019	31 members
29	Kurbin City Council	06.08.2019	31 members
30	Lezhë City Council	14.08.2019	41 members
31	Libohovë City Council	30.07.2019	15 members

No.	Municipality	Constitution Date	Members of the council
32	Librazhd City Council	01.08.2019	21 members
33	Lushnjë City Council	31.07.2019	41 members
34	Malësi e Madhe City Council	31.07.2019	31 members
35	Maliq City Council	28.07.2019	31 members
36	Mallakastër City Council	13.08.2019	21 members
37	Mat City Council	02.08.2019	21 members
38	Memaliaj City Council	30.07.2019	21 members
39	Mirditë City Council	05.08.2019	21 members
40	Patos City Council	30.07.2019	21 members
41	Peqin City Council	07.08.2019	21 members
42	Përmet City Council	31.07.2019	15 members
43	Pogradec City Council	16.08.2019	31 members
44	Poličan City Council	01.08.2019	15 members
45	Përrenjas City Council	02.08.2019	21 members
46	Pukë City Council	29.07.2019	15 members
47	Pustec City Council	31.07.2019	15 members
48	Roskovec City Council	31.07.2019	21 members
49	Rrogozhinë City Council	30.07.2019	21 members
50	Sarandë City Council	06.08.2019	31 members
51	Selenicë City Council	05.08.2019	21 members
52	Shijak City Council	01.08.2019	21 members
53	Shkodra City Council	19.08.2019	51 members
54	Skrapar City Council	02.08.2019	15 members
55	Tepelenë City Council	30.07.2019	15 members
56	Tirana City Council	30.07.2019	61 members
57	Tropojë City Council	13.08.2019	21 members
58	Ura Vajgurore City Council	02.08.2019	21 members
59	Vau i Dejës City Council	09.08.2019	31 members
60	Vlorë City Council	07.08.2019	51 members
61	Vora City Council	05.08.2019	21 members

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KOALICIONI PËR REFORMA, INTEGRIM DHE INSTITUCIONE TË KONSOLIDUARA
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