

## **PRELIMINARY CONCLUSIONS**

KRIIK, in the Public Stance published on May 8, 2023, evidenced **that throughout the entire pre-election period, the Albanian state and the decision-making political class failed to organize an election process, which was built for the citizens and around the interests of the citizens, failing to guarantee that the latter can vote on May 14 in a free and uninfluenced manner. This assessment also applies to the ongoing process, until the election day.**

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Albanian politics again failed in its attempts to reform the legal framework for elections, failing to make any amendments and failing to follow up on a number of recommendations from local actors and the OSCE/ODIHR. The reform process was once again not very transparent, dragged on and resulted in no amendments, due to a deliberate political deadlock.

While the legal framework ensures the basis for holding elections with democratic standards, the translation of legal norms into normative acts in the spirit of the constitution and the law, the willingness to implement, as well as the implementation itself in practice, whether of direct legislation or of sub-legislative normative acts, especially in relation to the guarantee of the non-use of state resources, media coverage and the use of propaganda material by electoral subjects, was not in line with the spirit of what was guaranteed by law.

The mechanism to prevent the use of state resources for electoral advantage, even in these elections, proved to be ineffective in achieving its purpose, turning into a routine reporting of institutional activity. The CEC has had considerable success in raising public awareness of the need to report and comply with reporting deadlines, but other more substantive elements have remained unmet. Although a series of administrative measures have been imposed on officials or mayors for the use of state resources, the type of behavior sanctioned and the amount of the sanctions have proved to be insufficient both to prevent the phenomenon and to curb it in some way, as a result of a strict reading of the law and focusing on its technical elements.

The financing of electoral subjects and candidates continues to be not properly addressed in the law, while the attempts to discipline and improve the future control over it, through the use of technology (online reporting of electoral subjects and candidates) have been partial and delayed. Online reporting of electoral expenses is mandatory for political parties, but not for candidates.

The change of address of about 1.3 million voters is a problem of this election process. While the issue was raised in the technical audit reports, there was no concrete step by the CEC or the General Directorate of Civil Status for an exhaustive clarification of public opinion regarding this issue, nor was there any awareness campaign specifically focused on the call of citizens to check the name on the list. The exact process through which the polling stations were reallocated as a result of this public lack of clarification still remains unclear. The opposition raised concerns and claims that this change of voting centers was done in order to prevent citizens from voting, raising doubts about the integrity of the voter list.

The electoral campaign was polarized and clearly dominated by political party leaders at the central level, who considerably eclipsed local candidates and issues. This is evident not only in the dominance of the campaign by political leaders at the central level, but also in the

almost complete absence of candidates for city councils in the campaign, with very rare exceptions.

Derogatory language, attacks, and personal name-calling dominated the campaign, focusing campaign discourse more on candidates' personal characteristics than programmatic discussion and rational argument. Political opponents were treated by most parties, especially the Socialist Party, the Democratic Party and the Together We Win Coalition, as enemies who need to be eliminated from the political scene, rather than as opponents in an electoral contest.

Particularly problematic are Prime Minister Rama's intimidating comments, later repeated by other Socialist Party officials, according to whom citizens in the municipalities that elect opposition candidates will not have investments, since there can be no cooperation between the central government and these candidates.

The campaign was low on ideas and almost devoid of political agendas, with few exceptions. In general, the programmatic points have focused on infrastructural projects, in some cases even outside the sphere of competence of the Municipalities.

The too generalist programmatic points of the candidates and electoral subjects (for those who have had them) have almost totally ignored the policies of support and emancipation of women or the policies in support of vulnerable groups, such as the disabled, minorities, etc. Despite the fact that political parties have complied with their legal obligations to respect gender quotas in lists of candidates for city councils (failure to do so would prevent multi-member lists from being registered), women had little or no place in the electoral campaign, except for those women running for mayor.

The majority in power used state resources and other privileges that derive from being in power, for electoral advantages throughout the pre-election period, both locally and centrally, by issuing acts in support of the weaker sections of society, the application and propaganda of salary increase policies immediately before the start of the campaign, presentation or inauguration of infrastructure projects, etc., with a clear electoral purpose. The issuance of these deeds was a major theme of the majority campaign. On the other hand, the propaganda of acts aimed at increasing wages was also the focus of institutional actors throughout the pre-election period, with a notable increase in intensity during the electoral campaign. This coordination in the election campaign messages and techniques of the majority candidates with the government's information campaign messages and techniques on new policies is a clear indication of the electoral purpose of these acts, behavior that has almost eliminated the line between the state and the political party currently in the majority.

Credible allegations of using the public administration as political operators during the election campaign, of organizing it to attend election events by the respective leaders, or of intimidation into voting in a certain way have been present throughout the campaign. The system of political clientelism, refined in these elections with the use of the "Activist" application by the Socialist Party to monitor the activity on social networks of its users, including the public administration, remains extremely worrying in relation to the possibility that electors vote in an uninfluenced manner.

KRIIK expresses concern that the serious problem of using state resources and public administration for electoral benefit, which is established and conducted openly, will have

long-term and potentially devastating effects on the integrity of elections in the country, not being limited to these elections. or in future ones. This is because, according to the aspirations of the Political Agreement of 5 June 2020, starting from the next parliamentary elections, it is expected that the election administration will be independent and, most likely, the election administrators at the second and third levels will come from the public administration.

Media coverage during the pre-election period was editorially oriented and biased, especially in terms of the tone used in campaign coverage, both during the pre-election period and during the normal legal period of one's behaviour, as well as in terms of coverage reports, for which the legislation provides for clear and immediately applicable criteria. The monitoring mechanism and the imposition of sanctions failed to stop the imbalance in media coverage.

KRIIK highly values the extensive media coverage of Election Day and its problems, as a further guarantee for the integrity of the voting process. It even encourages the media to have equal interest and attention throughout the counting process. However, based on the evidence of some cases, a slightly more cautious behavior on the part of the media is suggested to fulfill its main mission, without creating any obstacle to the normal continuation of the activity of the delegated bodies.

KRIIK observed several instances of electoral silence breaking the day before elections and on election day itself, usually in the form of statements by politicians in interviews near polling stations. For the most part, candidates and voters have complied with electoral silence regarding political announcements on social media, with a few exceptions.

Problems with operators not appearing or electronic identification (EID) devices malfunctioning on Election Day created delays at a number of polling stations. The management of the problem by the political class or even by a part of the media has not served to clarify the true nature of the problem to public opinion, creating further confusion among citizens.

The unjustified gathering of unauthorized people, alleged political activists, around polling stations, including inside the public buildings where they were located, remained a cause for concern throughout the day, in some cases even fueling conflicts, in which candidates or deputies were included. The regulatory act-decision and the convocation of the State Commissioner for the elections, as well as the commitment of the State Police and the Public Prosecutor's Office before election day to guarantee, among other things, the prohibition of gatherings of unauthorized people around the polling stations, are evaluated positively, however this commitment seems to have been ineffective, not guaranteeing the elimination of the phenomenon. These practices may have created a hostile or intimidating environment for voters, undermining their right to vote in a secret and uninfluenced way.