

**PARTIAL ELECTIONS
FOR THE MAYOR OF THE MUNICIPALITY OF KUKËS
24 SEPTEMBER 2023**

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S T A T E M E N T
OF PRELIMINARY FINDINGS AND CONCLUSIONS

The Coalition for Reforms, Integration and Consolidated Institutions (KRIIK), in line with its continuous engagement spanning over a decade, in cooperation with a consolidated Network of recognized Local Partner Organizations, with the aim of ensuring and improving the Integrity of the Electoral Process in the country, monitored on a completely voluntary basis¹ the process of the Partial Elections for the Mayor of Kukës, held on 24 September 2023.

Throughout the pre-election period, a team of experts closely monitored the political and institutional situation in which the elections were held, as well as continuously observed the preparation and administration of the election process by the Central Election Commission.

Additionally, the team of experts conducted an observation mission in the Kukës Municipality, where they held meetings with the members of the Commission of Election Administration Zone, with representatives of the Socialist Party and of “Together We Win” Coalition in the Kukës Municipality.

On Election Day and during the vote count, KRIIK engaged 9 activists who observed the voting process and the surrounding environment in 44 polling stations, the activity of the Commission of Election Administration Zone throughout the entire process of distributing election materials, on election day and counting of votes², as well as the vote-counting process³.

KRIIK will continue the monitoring throughout the entire process, until the certification of the results, and release a comprehensive report on this process one month after the results are announced.

The Partial Elections for the Mayor of Kukës, held on 24 September 2023, took place after the previous mayor, Mr. Safet Gjici, re-elected in the Local Elections of 14 May 2023, was dismissed from office after video footage secretly recorded in his office was made public, in which he was discussing offering a public contract, in exchange for sexual favors.

The video appeared in the media on 16 June, and the Council of Ministers decided to dismiss Mr. Gjici⁴, on the grounds of “serious violations” on the same day. The decision was published in the Official Gazette⁵ ten days later, on 26 June, and it was not appealed in the

¹On Election Day, activists of KRIIK and Partner Organizations were engaged in the field: Vlora Youth Center (QRV), Women's Counseling Center and Social Services - Kukës, as well as Local Action Group - Integration (GLV Integrimi) - Dibra.

²Three observers observed the activity of the ZEAC throughout the Election Day and during the vote counting.

³Two observers observed the work of the vote counting teams throughout the counting process.

⁴ [Decision no. 367](#), dated 16.6.2023 of the Council of Ministers, “*On the dismissal from office of the Mayor of the Municipality of Kukës, Mr. Safet Gjici*”.

⁵Official Publishing Center, [Official Journal no. 94](#), dated 26.6.2023.

Constitutional Court. On the same day, Mr. Gjici announced publicly his resignation via a Facebook post, but this resignation was never officially formalized.

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The entire process of official announcements between institutions for the vacancy, except for the Office of the President of the Republic, concluded on 22 June⁶, while the publication of the Dismissal Decision in the Official Gazette of 26 June was a second official notification for all State Institutions in the Republic of Albania.

The deadlines stipulated in the Constitution for scheduling partial elections in Kukës Municipality were violated, thereby depriving its residents of the timely election of the Local Government's executive body in Kukës.

KRIIK finds the passive stance of the Office of the President of the Republic concerning the election date setting⁷ insufficient, even troubling. The fact of the creation of the vacancy, known publicly and announced officially through the Official Gazette, should have prompted the President to engage actively and promote the accountability of state institutions by seeking information on issues related to their responsibilities⁸.

The delay in notifying the President's Office⁹ by the Council of Ministers, specifically by its General Secretary, is unjustifiable and constitutes a violation of the law.

KRIIK views this behavior as a manifestation of electoral calculations and yet another instance of leveraging the public office for electoral interests of a political party, in this case of the socialist majority¹⁰.

⁶After the dismissal of the Mayor of Kukës, on 19.06.2023, the General Secretary of the Council of Ministers officially notifies the Prime Minister, the Ministry of Interior, the Municipality of Kukës, the Central Election Commission, and the Center of Official Publications of the dismissal decision.

On 20.06.2023, the Kukës Municipality, through its General Secretary, notified the District Prefect and the Municipal Council of the dismissal decision.

The latter, pursuant to Article 61 point 3, through a document from the Head of the Municipality Council dated 20.06.2023, notifies the Council of Ministers through the Prefect of Kukës District.

The Prefect of Kukës District on 22.06.2023 through document no. 296/2 prot. informs the Council of Ministers.

⁷ Law No. 8417, dated 21.10.1998 "Constitution of the Republic of Albania", Article 115, point 3: "*In the case of failure to exercise the right to appeal within 15 days, or in the case of the Constitutional Court upholding the decision of the Council of Ministers, the President of the Republic sets the date of the elections in the relevant local unit.*"

⁸ Law No. 8417, dated 21.10.1998 "Constitution of the Republic of Albania", Article 92 "The President also exercises the following powers: (..)

gj) sets the date of the elections for the Assembly, for local government bodies and for holding referendums;

h) requests opinions and written data from the heads of state institutions on issues related to their duties."

⁹ From the communication with the Office of the President of the Republic, it resulted that until noon on 10 August 2023, the President of the Republic had not been notified in writing by the Council of Ministers about the termination of the mandate and the vacancy created in the elected position of the Mayor of Kukës.

In a verbal communication with representatives of the President's Office on 10.08.2023, KRIIK informed them about the officially confirmed fact that Mr. Gjici had not exercised the right to appeal to the Constitutional Court according to the deadlines provided by Article 115 of the Constitution and that the Kukës Municipality Council had notified the Council of Ministers on 22.06.2023 about the vacancy, based on Article 61, point 3 of Law 139/2015 "On Local Self-Government".

KRIIK also expressed its reservations about the President's office stance, and the opinion for a more proactive approach on this matter.

¹⁰ Taking into consideration the observance of the provided procedures with a responsible or proactive approach of the institutions, it was foreseen that the date of the elections would be held no earlier than 10 August and no later than 25 August 2023, an election campaign period that is not favorable at all, as it is considered a holiday period for some citizens, the state administration and all other actors.

Subsequently, after the announcement¹¹, the President of the Republic announced the date for the Partial Elections for the Mayor of Kukës on 11 August 2023¹².

Five political parties were registered in the election¹³, two of them forming a pre-electoral coalition¹⁴. However, ultimately, only two candidates ran for office, Mr. Albert Halilaj, registered under the Socialist Party logo and Mr. Emri Vata, registered under the “Together we win” Coalition logo¹⁵.

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According to the reports provided by the CEC so far, on 24 September, approximately 45.56% of voters participated in elections (56 VCs out of 74 in total), marking a drastic decline of about 8.5 percentage points compared to the Local Elections of 14 May, in which some 54% of voters cast their votes.

Meanwhile, the candidate of the Socialist Party, Mr. Albert Halilaj was elected, with 13,025 votes received, against the candidate of the “Together we win” Coalition, Mr. Emri Vata who received 7,431 votes.

The Partial Elections for the Mayor of Kukës on 24 September 2023 were held in the same tense and extremely polarized political climate as the elections of 14 May 2023, as well as other previous elections, amid accusations by the opposition of massive manipulation of the Elections for the Local Government Bodies of 14 May, in line with the position it has maintained since the 2017 elections¹⁶. Conversely, the majority has consistently regarded the 14 May Elections as the best held in the country.

The different narratives of the majority and the opposition regarding the integrity of the electoral processes in the country have further deepened the political polarization thus shrinking the space for objectively addressing the challenges and irregularities found, underscoring the necessity for a serious and deep electoral reform.

Before the 24 September Elections, the crisis within the Democratic Party deepened considerably, with the elections for the party’s chairperson, held on 29 July. In these elections Mr. Lulzim Basha

¹¹ From the communication with the Office of the President of the Republic, it was verbally announced that the official notification from the Council of Ministers had arrived at the Office of the President of the Republic on the afternoon of 10 August 2023.

The Electoral Code, in its Article 10 point 3 provides that “In the event of termination of the mandate, for the reasons provided by Article 115 of the Constitution, the elections shall be held no earlier than 30 days and no later than 45 days from the date of notification of termination of the mandate ...”.

¹² [Decree no. 186](#), dated 11.8.2023 of the President of the Republic, “On setting the date of the elections for the Mayor of Kukës Municipality”

¹³ Socialist Party, Democratic Party, Freedom Party, Christian Democratic Party of Albania, Party for the Europeanization and Integration of Albania.

¹⁴ “Together We Win” coalition.

¹⁵ The “Together We Win” coalition was registered as an electoral subject with [Decision no. 765](#), dated 7.9.2023 of the State Election Commissioner. Its composition includes the Freedom Party and the Christian Democratic Party of Albania.

¹⁶ On 5 September 2023, the opposition published a [Report on the 14 May Elections](#), with the alleged violations in these elections by this political force.

was re-elected as Chairperson of the Democratic Party¹⁷, causing an even deeper split in the party, as these elections were considered against the Statute by a significant portion of the Party's leadership, who up until that point had not become part of the faction already outlined in DP, which recognizes Mr. Sali Berisha as the party's leader. Currently, a majority of the MPs (Member of Parliament) who were elected under the DP logo in 2021 do not acknowledge Mr. Basha as the Chairperson of the DP. This crisis within the party was also reflected in the Parliament of Albania, with the claim of Mr. Basha and the other nine MPs for changing the Chairperson of the Parliamentary Group of the DP, a claim which is not accepted by the rest of the MPs elected under the DP logo in the 2021 parliamentary elections.

It appears that this crisis will also negatively impact the functioning of the Ad Hoc Parliamentary Committee for Ethical Reform, since this Committee's membership re-composition, requested by the majority of MPs elected under the Democratic Party logo, was not accepted by the parliamentary majority during the plenary session of the Assembly on 21 September¹⁸.

While the Electoral Code does have some provisions regulating partial elections, there are several unaddressed issues that are regulated through by-laws of the Central Election Commission.

In view of the Partial Elections for the Mayor of Kukës, the Regulatory Commission established a series of procedural deadlines and tasks for other institutions, on 16 August 2023¹⁹.

In total, the State Election Commissioner adopted 41 decisions and one Order, while the Regulatory Commission 5 decisions, in support of the election process, leading up to the day of the elections.

One of the issues identified within the adopted regulatory framework was the absence of a clear obligation for the Audiovisual Media Authority (AMA) to monitor the campaign coverage in the audiovisual media. Both the Electoral Code²⁰ and the Methodology for media monitoring by AMA, adopted by the Regulatory Commission²¹, require AMA to monitor media coverage of the campaign and send daily reports to the CEC. However, in Decision no. 28, which sets the deadlines for the 24 September election process, the obligation for AMA to monitor the media coverage during the election campaign was not included.

KRIIK recommended that the obligation of AMA be explicitly included in Decision no. 28. This recommendation was prompted by the precedent set during the Repeat Elections of 23 July 2023 for the Mayor of Rrogozhina²², during which the law was violated by AMA, failing to

¹⁷ Mr. Basha had publicly resigned from the leadership of the party in March 2021, a resignation which was never followed by new elections for the Chairman of the Party and therefore was not officially formalized in the Registry of Political Parties at the Court of First Instance of the General Jurisdiction of Tirana. The *de jure* Democratic Party continues to be led by Mr. Basha.

¹⁸ In the plenary session of 21 September 2023, the Assembly of Albania [decided the](#) postponement of the mandate of the Special Parliamentary Commission for Electoral reform by 6 months with the same membership.

¹⁹ [Decision no. 28](#), dated 16.8.2023 of the Regulatory Commission.

²⁰ Article 85 of the [Electoral Code](#).

²¹ [Decision no. 2, dated 30.01.2021 of the Regulatory Commission](#), "On the approval of the Audio and Visual Media Monitoring Methodology", amended by Decision no. 07, dated 27.01.2022 "On some amendments and additions to decision no. 2, dated 30.01.2021, of the Regulatory Commission, "On the approval of the audio and audiovisual media monitoring methodology".

²² See [Statement of Preliminary Findings and Conclusions](#) of KRIIK for the repeated Elections for the Mayor of Rrogozhina, 25 July 2023.

monitor the media behavior throughout the campaign. **However**, three members of the Regulatory Commission voted against the recommendation. The argument for the vote against was that this obligation of AMA is inherent in the Electoral Code and therefore was not necessary. This claim appears contradictory, since a significant part of the articles of Decision no. 28 reiterate obligations which clearly derive from the Electoral Code²³. The criteria used in this case by the Regulatory Commission to decide which procedural deadlines or obligations for other institutions should be included in the decision and which should not, despite already being clearly sanctioned in the law, remain unclear, and were never explicitly clarified.

The Regulatory Commission and the Administration of the CEC did not address the concern raised by KRIIK regarding the regulation of the accreditation terms for local observers, particularly the ones with political affiliations, with the aim of their preliminary oversight and discipline.

This concern was disregarded, despite the arguments supported by the presentation of facts and prior instances of violations of the law, resulting in a regulation in violation of the CEC's own acts and the practice followed by it.

These raised concerns were confirmed again with the accreditation of political observers during this election process.

Regarding this issue, KRIIK published a Document (Public Stance)²⁴ on 15 September 2023, after finding that although the campaign had started, the AMA monitoring report for the first day of the campaign, 11 September, was not published on the CEC website. Additionally, from the information received from this date and on, it seemed that such monitoring would not be carried out for these elections as well.

Following the publication of this position, the Audiovisual Media Authority announced the start of the work²⁵ and started submitting daily media monitoring reports to the CEC. From the publications on the official website of the CEC, monitoring reports have been made available until 21 September 2023²⁶.

The elections were administered by the Central Election Commission (CEC), one Commission of Election Administration Zone (CEAZ no. 11) and 74 Voting Center Commissions (VCC). The administration of the technical aspects of the process by the Central Election Commission was efficient.

CEAZ no. 11 in Kukës Municipality was established by a decision of the State Election Commissioner (SEC)²⁷, in compliance with the legal deadlines, but in violation of the law²⁸ as for

²³Such as point 4, point 5 of the Decision, etc.

²⁴ [Public Stance](#): “The Central Election Commission must fulfill with seriousness and dedication the legal obligations for ensuring the Integrity of the Elections in the country”.

²⁵ “Intensive work of the team of the Directorate of Monitoring and Analysis and other units in the AMA, to fulfill the obligations arising from the implementation of the Electoral Code, for the monitoring of the election campaign in the audio and audiovisual media for the partial elections for the Mayor of Kukës, of 24 September”. [Post on the official facebook page of the Audiovisual Media Authority \(AMA\)](#) on 16 September 2023.

²⁶ In total, AMA submitted 11 daily reports and 2 weekly reports to the CEC. The report dated September 22 was distributed by email from the CEC, but has not yet been posted on its website.

²⁷ [Decision no. 729, dated 24.8.2023](#), “On setting up and calling the first meeting of the Zonal Electoral Administration Commission no. 11, for the partial elections for the Mayor of Kukës Municipality, dated 24 September 2023”.

²⁸Electoral Code, Article 29 point 1/ç.

the gender quota, i.e., the obligation that 30 of its members must be women, since all the members of CEAZ were men.

Initially, in the composition²⁹ of the CEAZ, in function of the appointment of the largest party of the position and the opposition, according to the reading of the law by the State Election Commissioner³⁰ and then by the Complaints and Sanctions Commission (CSC)³¹, the largest opposition party in function of the proposal of CEAZ members was the Freedom Party. CEAZ no. 11 operated with this composition until 21 September 2023.

The Electoral College³² overturned all the CEC decision-making regarding the composition of the CEAZ and ruled that the Democratic Party should be considered as the largest opposition party, in function of the composition of the CEAZ³³.

The appointment of new members, in fulfillment of this decision, was carried out on 21 September, very close to the day of the elections, thus not making it possible to train them in practice.

Regardless of the dynamics in its formation, the CEAZ operated overall in a collegial manner, but in a non-transparent and non-professional manner, especially until election day. Based on verbal communication with representatives of the Central Election Commission (CEC), the decisions taken by the CEAZ were not sent to the CEC, which goes against legal obligations. Furthermore, the CEAZ created barriers even to KRIIK observers to receive the decisions³⁴. CEAZ also showed significant deficiencies in managing the political observers, particularly during the vote counting process.

The membership of the Voting Centers's Commissions (VCCs) had the same configuration of political representation as the CEAZ. The VCCs were formed in accordance with legal deadlines set by the CEAZ. However, a significant issue arose due to frequent changes made by electoral subjects, sometimes even up to the day of the elections. This persistent problem, compounded by delayed appointments and a lack of adequate training, directly impacted the performance of VCCs on election day, as observed in numerous voting centers highlighted these challenges.

There were 45,946 voters in the list of voters. The list of voters was generated by the General Directorate of Civil Status (GDSCS) within the legal deadlines and was posted by the Municipality of Kukës in general in all the premises of the Voting Centers.

The list of voters in the special polling stations no. 0636/01 in the Institution of Execution of Criminal Decisions (IECD) of Kukës, had 16 voters at the time of its creation³⁵. In fulfillment of

²⁹4 members proposed by SP, 2 members proposed by FP and 1 member proposed by DP.

³⁰ [Decision no. 722, dated 19.08.2023](#) of the SEC.

³¹ [Decision no. 181, dated 07.09.2023](#) of KAS.

³² [Notice Decision-making of EC](#) on the appeal of Democratic Party of Albania, dated 15.09.2023.

³³ The electoral college decided: "... to change the decision of the State Election Commissioner no. 722, dated 19.08.2023, in letter "b" and "c" of point 1 thereof, as follows: b) two members are proposed by the "Democratic Party of Albania" (DPA); c) one member is proposed by the "Freedom Party" (FP)".

³⁴Electoral Code, Article 24, point ë, defines as one of the duties of the Secretary of the CEAZ: "he or she gives certified copies of CEAZ decisions or of the official records of its meetings to the electoral subjects or to third persons, free of charge and within 24 hours of the submission of their request";

³⁵According to [data of the General Directorate of Prisons](#) 46 people were serving their sentences in the IECD of Kukës during July.

legal obligations³⁶, the SEC authorized³⁷ the CEAZ to establish the Commission of the Voting Center in this special institution. On September 23, in the evening, the IECD of Kukës submitted the request to vote to the CEAZ for 18 additional individuals, who had been granted this right by a court decision, and the latter decided to accept their request and allow them to vote³⁸.

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The candidate for Mayor of the “Together we win” Coalition, Mr. Emri Vata reacted to the registration of these additional persons, claiming that they were registered in violation of the law, as they are not residents of the Municipality of Kukes.

The election campaign unfolded in a peaceful manner and without any recorded incident. In general, the campaign methods consisted of close meetings with voters. The campaign was conducted mainly by the local representatives of the electoral subjects, while there was also participation of political representatives at the central level, but not overshadowing the local candidates.

Representatives of the electoral staff for the “Together we win” Coalition alleged that there were multiple organized efforts to intimidate both public servants and the voters during the election process.

KRIIK received credible allegations of public employees being used for election campaigning purposes and of the majority party carrying out a systematic and capillary effort to influence the vote through patronage. This was manifested also on election day, through organized groups of individuals attempting to direct the vote in close proximity to the polling stations.

During the electoral process, despite the overall peaceful campaign, there were reported legal violations by representatives of the majority party. Specifically, there was an instance where the majority party and its candidate announced the organization of a concert in the central square of Kukës at the conclusion of the electoral campaign. Notably, this event was in violation of the law³⁹, and the notification of this prohibited activity was made through the social network Facebook by the candidate of the Socialist Party⁴⁰.

In response to an administrative investigation initiated by the CEC in relation to this matter following a complaint, the Socialist Party officially notified the CEC stressing that the concert was not organized by the SP or its candidate⁴¹. The published announcement was then deleted from the

³⁶Electoral Code, Article 43.

³⁷ [Decision No. 781, dated 19.09.2023](#) of the Commissioner.

³⁸Decision No. 55-2023-952, dated 23.09.2023 of the Court of First Instance of the General Jurisdiction of Kukës. It's important to highlight that during the May 14, 2023 elections, no voting center was established in the IECD of Kukës. This absence suggests that within that specific IECD, there were not a minimum of 15 individuals who were residents of the area on that date.

³⁹Electoral Code, Article 78, point 9 “Electoral subjects and their candidates shall be forbidden to organise, conduct, or cover expenditures, themselves or through third parties, for concerts, cultural and entertaining shows, or charity activities, regardless of whether they are organised during or in relation to electoral rallies, or as campaign activities or activities outside of the campaign.”

⁴⁰ [SP concert against the law in Kukës](#)

⁴¹Electoral subject “Socialist Party of Albania”, through the document of the Secretary for Electoral Affairs, Mr. Eridian Salianji, with No. extra prot., dated 20.9.2023, administered by the CEC with No. 6942/1 prot., dated 20.9.2023, with the subject “Forwarding the response”, informed that: “We are informed about your document No. 6942, prot., dated 20.9.2023, related to the activity, specifically the concert, that would take place today, on 20.9.2023, at 18:30, in Municipality of Kukës by the SP and the candidate Mr. Albert Halilaj. We inform you that the Socialist Party and its candidate, Mr. Albert Halilaj does not organize and does not hold a concert today in the city of Kukës”.

candidate's social media page. Consequently, the CEC decided to dismiss the case based on this claim.

The decision to terminate the administrative investigation, in the judgment of KRIIK, is incorrect and based on a distorted understanding of the law, since the Electoral Code clearly stipulates that the organization of such events is prohibited⁴².

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The candidate of the Socialist Party for mayor was clearly actively involved in organizing the event, as indicated by his official Facebook post inviting people to participate. The post was accompanied by a poster stating that the concert was organized in the framework of his campaign. This already constitutes a violation of the law, as the event had been initiated and publicized several days in advance, thereby benefiting from advantages which are provided by law as prohibited.

Furthermore, in the statement provided during the administrative investigation, it is acknowledged that the event would occur, but the candidate clarified that it was not organized by him. This clarification contrasts with the understanding of the State Election Commission, which subsequently led to the decision to suspend the administrative investigation.

KRIIK deems that the CEC should have imposed an administrative sanction on the candidate for organizing the concert and, in its decision-making, explicitly prohibited the holding of the event, regardless of the claims made by the party being accused.

The organization of the concert was also reported by the observer⁴³, appointed and engaged by the CEC. The deputy prime minister, ministers and officials were also present, as evidenced by the activity posts on social networks.⁴⁴

The CEC's decision to relativize the law in this case resulted in the organization of a prohibited activity, in clear violation of the law. This decision allowed for the misuse of legal technicalities to circumvent the spirit of the law, a pattern of behavior that is being repeated by the majority party and its candidates or high-ranking officials.

While the stance of the CEC regarding this specific case remains to be seen, KRIIK emphasizes that post-factum administrative sanctions, if applied to candidate Halilaj or the Socialist Party, have no real impact at this stage. The CEC's actions in this case failed to deter law violations by candidates or electoral subjects, which goes against the primary purpose of the law.

Mr. Albert Halilaj, candidate for the Mayor of Municipality of Kukës, replied via e-mail, dated 20.9.2023, where he informs that: "Being informed about your document No. 6942 prot., dated 20.9.2023 regarding the concert that will take place today, in the Municipality of Kukës, I would like to inform you that I, as a candidate for Mayor of the "Socialist Party" do not organize and conduct the concert today in the city of Kukës" .

⁴²Decision No. 783, dated 20.09.2023 State Election Commission: "Based on the legal analysis, after verifying the data, evidence and facts administered, we estimate that, in the conditions where the electoral subject "Socialist Party of Albania" and its candidate for Mayor, Mr. Albert Halilaj are committed to complying with the legal provisions of the Electoral Code and taking measures not to conduct the planned activity, we are not facing a commission of the administrative violation, according to Article 78, point 9 of the Electoral Code. The Central Election Commission will consistently observe the actions of electoral subjects".

⁴³ [Monitoring report](#) of the observer K.Z.

⁴⁴ [Albert Halilaj](#) Official website; The official website of the deputy Prime Minister and Minister [Belinda Balluku](#).

During the entire period of the election campaign, only one activity was reported on the CEC interface⁴⁵ which was organized by institutions at the central or local level, in the area of Municipality of Kukës.

Based on KRIIK's findings, there was at least one more public activity that was conducted without being reported⁴⁶.

One complaint was submitted and subsequently reviewed by the CEC⁴⁷. After examination by the Commissioner, the case was ultimately dismissed.

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The observer appointed by the CEC⁴⁸ submitted three monitoring reports during the observation period. KRIIK notes as problematic the non-verification of the observers by the CEC and selecting individuals not residents of the areas they are assigned to monitor. This selection approach has raised concerns as it can make it objectively challenging, if not impossible, for these observers to fulfill their legal duties effectively.

The electoral silence period was generally respected by both electoral subjects and the media. However, KRIIK notes that the practice of candidates giving interviews or making public statements on the day of the elections is problematic as it can be seen as constituting an electoral campaign. This is because the mere presence of candidates in the media on election day is inherently linked to their campaign and any calls to vote by the candidates on this day can be perceived by voters as an indirect form of campaigning.

The Audiovisual Media Authority monitored 20 television channels and submitted 12 daily reports to the CEC⁴⁹ as well as one nine-day monitoring report⁵⁰.

Based on figures presented in the reports, it appears that there was a general dominance in media coverage for the “Together we win” Coalition and their candidate, Mr. Emri Vata.

The monitoring methodology, just like the previous elections, is primarily quantitative, only recording the duration of coverage dedicated to each subject. This method lacks data regarding the tone of the media coverage; absence which makes it challenging to form an accurate assessment of media impartiality in their campaign coverage.

Referring to AMA's monitoring reports, electoral subjects have not broadcasted advertisements in audiovisual media.

Regarding advertising on other platforms, KRIIK monitored the advertising library of the company Meta, which includes political ads on the social platforms Facebook and Instagram, and there were no ads related to the campaign for the Partial Elections in Kukës.

The extensive media coverage of the election day and its issues is positively evaluated.

KRIIK has expressed concern about the limited involvement of local civil society organizations and international actors in observing the electoral process for the partial elections for the Mayor

⁴⁵ [Reported activity](#) from the Council of Kukësi District “Constitutional meeting”.

⁴⁶ [Minister Balla presents the new Prefect of Kukës.](#)

⁴⁷ Denouncement of the Organization “Civic resistance” for banning the activity of the candidate of the “Socialist Party of Albania”, Mr. Albert Halilaj.

⁴⁸ [Decision No. 737 dated 25.08.2023.](#)

⁴⁹ From 11 to 21 September 2023.

⁵⁰ For the period from September 11 to 19, 2023.

of Kukës, noting a very low number of domestic observers⁵¹ and the absence of accredited international observers.

Election day was calm and without any incidents. The main problems were related to: the presence of unauthorized persons near the voting centers, who in a significant number of cases were equipped with voter lists and checked who showed up to vote; cases of organized transport of voters, family voting or failure to mark the hand of the voters.

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KRIIK observers noted varying levels of preparedness and knowledge among the commissioners. In some rural areas, the level of knowledge and preparation was notably low, with commissioners frequently requiring assistance and guidance from the CEAZ or CEC staff.

During the election process, four out of eight voting centers⁵² where KRIIK observers were present for the opening were opened late, due to the commissioners' inadequate preparation. Additionally, in many voting centers, voter information materials were only posted one to two hours after the voting had commenced.

According to members of the CEAZ, the low attendance of voting center commissioners in training sessions, coupled with last-minute changes in personnel, may have been significant factors contributing to their lack of knowledge and inadequate preparation for their roles.

Regarding administrative concerns, the most alarming issues included the insufficient readiness of voting center commissioners regarding the voting procedures, commissioners failing to respond to unauthorized individuals near voting centers⁵³, a lack of action in addressing instances of family voting⁵⁴, cases of voters not being marked before voting⁵⁵, and concerns related to voter influence⁵⁶.

The presence of unauthorized individuals near and sometimes even inside voting centers, including the internal areas of public buildings where the voting centers were situated, as well as the surrounding areas⁵⁷, remains a concerning issue in these elections, mirroring a recurring problem from previous elections.

The presence of these persons near the polling stations is illegal⁵⁸, while it clearly affects the will of voters, as voters may feel intimidated to participate or vote freely under such conditions of being constantly controlled and under surveillance.

⁵¹ CEC accredited 25 local observers from four organizations, 12 of which were accredited by KRIIK. Meanwhile, 64 media representatives were accredited.

⁵² VC 0623/01, VC 0610, VC 0634, VC 0609.

⁵³ KRIIK observers reported that they found the presence of unauthorized persons in the vicinity of almost every VC.

⁵⁴ A very widespread phenomenon, especially in rural areas.

⁵⁵ QV 0595, QV 0665, QV 0664, QV 0606, QV 0611, QV 0633, 0630, QV 0647, etc. When questioned about this illicit practice, some commissioners explained to KRIIK observers that they believed everyone in the area was known, and as a result, they did not consider the stamping of voters.

⁵⁶ VC 0622, the observer of the subject Socialist Party orientated all voters inside the VC who to vote for.

⁵⁷ QV 0650, QV 0651, QV 0634,

⁵⁸ [Order No. 106, dated 22.9.2023](#) "On the implementation of some rules for the persons present in the territory of the electoral facilities where the voting centers are located, for the partial elections for the Mayor of the Municipality of Kukës on September 24, 2023".

In many instances, unauthorized individuals positioned near the voting centers were found to have voter lists, granting them access to comprehensive information about those arriving to vote. This, in conjunction with the information provided by members of the Commissions of the Voting Centers or political observers within them, allowed representatives of political parties to maintain a thorough record of who had turned up to vote and who had not.

KRIIK observers received information on multiple occasions indicating that individuals positioned outside the voting centers were public employees. In at least one instance⁵⁹, KRIIK observers even noted members of the Commission of the Voting Center (CVC) directly involved in organizing transportation for individuals who did not show up to vote.

KRIIK observers also observed organized voter transportation to several voting centers, mainly in rural areas.

Both phenomena are intricately connected during Election Day and illustrate the operation of a system rooted in political patronage and capillary control of the vote. This system remains a significant issue, not only unaddressed and disregarded as a concern, but actively embraced as a fundamental value by the majority, leading to its continued development and expansion.

It was found that the Electronic Identification Device (EID) operated normally in all observed VCs.

The voting process concluded at 19:00 in accordance with legal requirements. Subsequently, the process of delivering election materials began at approximately 19:30 and concluded around 22:00.

While the transportation of election materials to the CEAZ was conducted smoothly, an elevated and unjustified presence of political observers became a hindrance and resulted in disorder, causing an approximate delay of one hour between the completion of election material delivery and the commencement of the vote count.

CEAZ found it necessary to seek assistance from the State Police to remove certain political observers before commencing the vote counting process, which eventually began around 11:00 p.m.

The continued presence and behavior of political observers posed a significant and ongoing issue, raising concerns about the smooth progression of the electoral process. The lack of effective control and enforcement of the law from the moment of their accreditation meant that the obligations and other regulatory mechanisms established for political observers remained largely symbolic and without any practical functionality.

During the counting process, there was again an increased and uncontrolled presence of representatives and observers from the electoral subjects both inside and outside the Vote Counting Center, but there were no problems to be noted.

The counting process generally proceeded quickly and correctly. It closed at around 12.00 PM on Monday, 25 September 2023.

Throughout the day of the elections and the vote counting process, KRIIK observed a significant presence of support staff from the Central Election Commission (CEC), including high-ranking officials, assisting the CEAZ and the CVC. KRIIK expressed the view that this level of support

⁵⁹VC 0623.

was excessive and considered it unjustifiable for what should be a normal electoral process, especially for a partial election.

Tirana, on 25 September 2023!

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