



# KOMITETI SHQIPTAR I HELSINKIT ALBANIAN HELSINKI COMMITTEE

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Tirana, July 2, 2019

## PRESS CONFERENCE

### PRELIMINARY FINDINGS AND CONCLUSIONS OF THE MONITORING OF THE ELECTIONS FOR LOCAL GOVERNMENT BODIES ON JUNE 30, 2019

The Albanian Helsinki Committee (AHC) is one of the domestic organizations that monitored partially all electoral processes that were conducted in the country since 1996.

115 short-term and long-term AHC observers, accredited by CEC, observed the elections for local government bodies of June 30, 2019, in 8 cities, namely Tiranë, Shkodër, Durrës, Elbasan, Fier, Vlorë, Gjirokastër and Korça. This monitoring process was realized in the context of the implementation of the initiative “Guaranteeing free and fair elections through monitoring Local Government Elections in Albania – June 30, 2019,” with financial support from the Federal Republic of Germany.

AHC has realized partial monitoring of the pre-election period, election day, and the vote counting process. Out of 5417 voting centers established across the country, we observed only 182 voting centers or 3.4% of the total number. The monitoring of the counting process extended to 12 ZEACs of 90 such across the country. As a result, the findings and conclusions reflected in this report do not reflect a full and comprehensive view of the process. However, it is our opinion that these data may serve in the future for a more rigorous implementation of the law and even for recommendations regarding amendments to the Electoral Code, taking into consideration also OSCE/ODIHR recommendations.

With regard to the pre-election process, it appears that the written notification of voters in their places of residence by local government bodies was not carried out within legal deadlines, while representatives of local government units said that they did not possess the necessary funding from the Ministry of Interior. In the overwhelming majority of monitored ZEACs, it appears that legal deadlines for posting final voter lists were respected.<sup>1</sup>

The electoral campaign took place in a very politically polarized situation and at times was accompanied by violent actions that harmed order and created obstacles in the administration of the electoral process. It is not the mission of AHC to evaluate the resignation of parliamentary mandates by opposition MPs. However, this influenced the creation of a tense political environment that was accompanied by violent incidents, which escalated a few days before the voting. Also, as a result of this situation, there were no opposition opponents in 31 municipalities.

AHC deems that the electoral subjects registered for the local government elections should have highlighted during the campaign the criteria they used for the candidates they had selected for mayors or members of municipal councils. This not only in the context of the

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<sup>1</sup> In 2 centers in suburban areas in Shkodra, such as in Gur i Zi and Rrenc, the posting of final voter lists did not take place.



# KOMITETI SHQIPTAR I HELSINKIT ALBANIAN HELSINKI COMMITTEE

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principle of transparency but also because the regional proportional system of closed lists continues to be used in the country.

AHC monitored partially also the activity of the highest electoral administration body, the Central Election Commission (CEC). In the circumstances of lack of representation of opposition forces in other electoral bodies, the CEC was faced with a great volume of work and difficulties in its activity. However, in these elections too, it is worth highlighting the failure to implement the OSCE/ODIHR recommendation for the depoliticization of all election administration bodies, including the CEC. CEC decisions, which in some instances were appealed to the Electoral College, appeared to be published on the CEC website without the minority or parallel views of its members. AHC deems that it is not orderly or ethical that the spokesperson of this institution is contradicted by the CEC Chairman about data made public during the voting day and during the counting process. This undermined the principle of transparency to the public and created confusion among citizens. Furthermore, we deem that the CEC and the Media Monitoring Board should have been more proactive and vigilant toward the violation of Electoral Code provisions that envisage deadlines for the start of the electoral campaign as well as the deadlines that prohibit the publication of electoral opinion surveys.

Unlike the last days of the pre-election process that were accompanied by violent incidents by some protesters toward ZEACs and VCs in some cities, the voting day was characterized by a calm atmosphere, free from violent incidents inside and outside VC premises.

Based on partial data that AHC possesses so far, it appears that 25% of the monitored VCs were opened late, for reasons linked with organizational deficiencies, errors in the conduct of legal procedures by commissioners, relocation of voting centers, late arrival of some commissioners, etc.

AHC observers did not have limitations in access to voting centers, but in some instances, when they submitted written complaints, obstacles were created in protocoling them or there were unethical reactions by commissioners. Although in minority, there were cases when remarks by our observers were taken into consideration and they prevented addressed violations. It is disturbing that in Durrës, the AHC observer faced intimidating threats by a party observer when he submitted written reservations to the VCC.

AHC observers noticed the presence of unauthorized persons in internal VC premises and in external premises, but inside the perimeter of buildings where these VCs were located. Particularly outside school yards, we noticed groups of young people identified as representatives of political parties, who oriented voters or just oversaw voters entering and exiting the buildings. In Gjirokastra, unauthorized persons introduced themselves as party observers and were informed about the list number of the voting person, which is not permissible because that seeks data to identify those who vote and those who do not. The same happened in the city of Tirana, at VC 18311.

It is our opinion that not all VCC members in the cities where the monitoring extended were trained properly and in a timely manner. In some instances, that led to violation of vote secrecy, allowing family voting in about 8% of the observed VCs, failure to cross out voters in the list of voters after they were given ballots, failure to mark the finger of voters, disrespect for procedures for voters who for physical reasons could not vote themselves but



## KOMITETI SHQIPTAR I HELSINKIT ALBANIAN HELSINKI COMMITTEE

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needed the help of a companion, etc. However, such data is preliminary and will be concretized with examples in the final monitoring report of AHC.

AHC observers reported low voter turnout in some VCs or a marked decrease in the flow of voters in some others. In this regard, AHC did not collect or analyze statistical data that would create a clear picture or the influence that the unprecedented environment in which the elections were held had on this matter. However, it is our opinion that cases of voter intimidation, both to vote and to not vote, violent incidents, unethical rhetoric containing elements of hate speech, and mutual political accusations constantly conveyed by the media to citizens during the pre-election period, led to a loss of citizens' trust in fulfilling their highest interest by exercising their fundamental constitutional right to vote.

The closing of VCs across the country was done mainly at the established time, namely 19:00. In the absence of proposals for VCG members by opposition parties, the CEC followed the same practice as in the case of ZEACs and VCCs by appointing mainly persons who expressed an interest in the published call. AHC noticed that there were delays and disrespect for legal deadlines in the establishment of vote counting groups (VCGs).<sup>2</sup> In most of the monitored ZEACs, their training was conducted within a short time window of 15-45 minutes.

The counting process began generally late only a bit before midnight or after. The process continued at a slow pace. Aside from the mentioned factors, the fact that VCG commissioners were tired and high temperatures inside VCGs had an impact. Therefore, there were breaks of the process or replacement of VCG members that worked on shifts. The process pace improved around midday on July 1<sup>st</sup> in some ZEACs, which enabled the conclusion of the counting process for mayors in Shkodra, Durrës, and Elbasan.

AHC observers noticed different percentages of invalid votes compared to valid ones, which varied between 7 and 12% of the total number of ballots counted until the time of the report. The main reasons for invalidity were drawings or marks on the ballots or marks outside the respective boxes for the candidate or the checking of more than one box.

The final report with the more complete findings and conclusions from the monitoring of the electoral process by AHC observers will be published in approximately one month.

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<sup>2</sup> Teksa vëzhguesit e KShH-së prisnin të fillonin procesin e numërimit të votave, në disa prej KZAZ-ve të monitoruara, grupet e numërimit rezultojn të paplotësuara ose të patrajnuara. GNV-të në qytetin e Durrësit, përkatësisht në KZAZ nr. 24 janë ngritur rreth orës 07.41 të mëngjesit të datës 1 Korrik 2019, kohë në të cilën është realizuar dhe trajnimi i tyre. GNV-të në rang vendi janë përbërë nga 3-4 anëtarë, ndërkohë që në KZAZ nr. 2 në qytetin e Shkodrës është konstatuar se 7 GNV-të e ngritura përbëhen nga 2 persona.