

**INTERIM REPORT**  
**24 May – 11 June 2019**

**14 June 2019**

**I. EXECUTIVE SUMMARY**

Elections for mayors and councillors in all 61 municipalities are held in the context of deep political division between the governing Socialist Party (SP) and opposition Democratic Party (DP) together with the Social Movement for Integration (SMI), the latter two withdrawing from parliament in February. Opposition parties led by the DP have organized regular protests, many marred by violence, demanding the resignation of the government and the holding of early parliamentary elections. The DP and SMI as well as several smaller opposition parties are not participating in the elections. In 31 municipalities SP mayoral candidates stand unopposed. On 10 June, the President revoked the decree calling the elections. On 11 June, the SP initiated debate in the parliament related to validity of the decree on revoking elections and a potential impeachment of the president. The Central Election Commission (CEC) continues preparations for the elections.

Mayors are elected in first-past-the-post contests, and councillors under a closed-list proportional system under a legal framework largely unchanged since the last local elections of 2015. The opposition withdrew from the electoral reform process that restarted shortly after the 2017 parliamentary elections, and it did not result in any legal amendments. The Electoral Code does not provide for any specific regulations for unopposed elections.

According to the law, the government and opposition parliamentary parties are entitled to be present at all three levels of the election administration. Initially, the DP and SMI publicly refused to nominate their members to the commissions, thus leaving the CEC and the 90 lower-level Commissions of Electoral Administration Zones (CEAZs) without opposition-nominated members. Later, the CEC ruled that parties that do not stand for elections are not entitled to nominate commissioners. A subsequent appeal was dismissed by court in final instance.

Voter registration is passive, with voter lists based on data extracted from the National Civil Status Register. The Ministry of Interior undertook efforts to improve the register, including the allocation of proper address codes to voters. Some ODIHR EOM interlocutors, including one CEC voter registration auditor, raised concerns about the quality of this process. The final number of registered voters was announced on 25 May as 3,536,016.

In total, 97 mayoral candidates, including 11 women, and 544 candidate lists for municipal councils were registered by the CEAZs and the CEC. The law provides for a 50 per cent gender quota for candidate lists for local elections. Some candidates and candidate lists were rejected for missing document submission deadlines and/or not meeting the residency or gender quota requirements.

The official campaign started on 31 May. In addition to mayoral contests, two coalitions, one led by the SP and the other by the Red and Black Alliance party, as well as 14 individual parties, fielded municipal council candidates. While the overall campaign visibility remains low, public discourse is dominated by polemical exchanges and debate over whether elections can be held without the participation of the main opposition parties. The SP has publicly dismissed the President's decree aimed at abrogating the elections and continues to hold rallies in the capital and major cities.

The media environment is diverse, but the main outlets are widely perceived to be politically aligned. The use of content produced by political parties in news programming remains a concern for many ODIHR EOM interlocutors. Broadcast media's role in the campaign is highly regulated, with the Election Code specifying the amount of news coverage and free airtime for parliamentary parties based on results of the last parliamentary elections. The late appointment of the Media Monitoring Board has limited its capacity to oversee compliance of broadcast media with the legal requirements for proportional coverage.

According to the law, only political parties and independent candidates, whose rights were affected, have the right to file complaints against election administration bodies. The CEC considers complaints against decisions of CEAZs. CEC decisions can be challenged to the Electoral College of the Court of Appeals of Tirana. As of 6 June, the CEC received 14 complaints against CEAZ decisions, mostly related to candidate registration, but most of its decisions on these complaints have not yet been published. The Electoral College adjudicated 11 appeals against CEC decisions, including on candidate registration and on the right to nominate election commissioners, and upheld 8 of them. Most court decisions have not been published in full.

## II. INTRODUCTION

Following an invitation from the Government of the Republic of Albania, and based on the recommendation of a Needs Assessment Mission conducted from 19 to 21 March, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 23 May.<sup>1</sup> The EOM, headed by Ambassador Audrey Glover, consists of a 13-member core team based in Tirana and 18 long-term observers deployed on 1 June throughout the country. Mission members are drawn from 22 OSCE participating States. ODIHR requested OSCE participating States to second 250 short-term observers to observe election day procedures.

## III. BACKGROUND AND POLITICAL CONTEXT

Following the 2017 parliamentary elections, the Socialist Party (SP) formed a government headed by Prime Minister Edi Rama. On 5 November 2018, President Ilir Meta called elections of local councils and mayors of all 61 municipalities for 30 June 2019, in line with the Constitution.<sup>2</sup>

On 21 February, all but two members of parliament from the main opposition Democratic Party (DP) and one from the Socialist Movement for Integration (SMI) surrendered their parliamentary mandates after the parliament voted down their initiative on the vetting of politicians. Regular protests of opposition parties, led by the DP, have since continued and have been marred by incidents of violence. The opposition have called for the resignation of the Prime Minister and formation of a transitional government that would prepare the country for early parliamentary elections.<sup>3</sup> The Prime Minister has publicly rejected these demands.

Through public letters posted on social media in late May, the Prime Minister invited DP chairperson Lulzim Basha to enter into dialogue, affirming at the same time that elections will take place on 30 June and arguing against a precedent for rescheduling elections. The DP's response has remained unchanged and it continues to reiterate its demands.

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<sup>1</sup> See [all previous ODIHR reports on Albania](#).

<sup>2</sup> In the 2015 local elections, a coalition led by the SP and SMI won 45 of 61 mayoral positions and 66 per cent of local councillor positions. The DP-led coalition won 15 mayoral and 32 per cent of councillor positions. A candidate of the Ethnic Greek Minority for the Future Party (MEGA) was elected mayor of one municipality.

<sup>3</sup> On 23 April, opposition parties, including the DP, SMI, Party for Justice, Integration and Unity (PJIU), Republican Party (RP) and several others, reached a joint opposition party [agreement](#). Of the 10 articles in the agreement, 6 set forth conditions for participating in the local elections.

President Meta repeatedly offered to facilitate dialogue among parties and in late May expressed willingness to postpone the elections. On 10 June, citing his constitutional responsibility to protect pluralism and concerns over public safety, he revoked the decree calling the elections. On 11 June, the SP initiated debate in the parliament related to validity of the decree on revoking elections and a potential impeachment of the president.

On 29 May, the European Commission recommended that accession negotiations with the European Union be opened with Albania but noted continuing polarisation of the political environment and lack of progress in addressing ODIHR recommendations for electoral reform.<sup>4</sup>

#### IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework for local elections comprises the 1998 Constitution (last amended in 2016), the 2008 Electoral Code (last amended in 2015), other legislation, as well as CEC regulations.<sup>5</sup> In 2015, the parliament adopted the Law on Guaranteeing the Integrity of Persons Elected, Appointed or Exercising Public Functions (so-called Law on Decriminalization), which prevents some persons with past convictions from standing in elections.

Some provisions of the Electoral Code remain open to varying interpretation and have been challenged before the CEC and the Electoral College of the Court of Appeals in Tirana (Electoral College), for instance as regards the issue of legal standing to appeal CEC decisions and candidate withdrawal procedures. There are no specific provisions for the conduct of unopposed elections.

Many previous ODIHR recommendations remain unaddressed, including those concerning the impartiality of election commissions, the transparency of campaign finance, decriminalisation of defamation and election dispute resolution mechanism. The opposition withdrew in December 2018 from the electoral reform process that restarted after the 2017 parliamentary elections.

Mayors and local councils are directly elected for four-year terms. Mayors are elected in first-past-the-post contests and councillors are elected from closed lists under a proportional system. The territories of municipalities represent the constituencies for local elections. To qualify for seat allocation, parties must pass a three per cent and coalitions a five per cent threshold of valid votes cast in the respective municipality. Overall, 61 mayors and 1,595 councillors are to be elected nationwide.

#### V. ELECTION ADMINISTRATION

Local elections are administered by three levels of election commissions: the Central Election Commission (CEC), 90 Commissions of Electoral Administration Zones (CEAZs) and 5,417 Voting Centre Commissions (VCCs).<sup>6</sup> Counting is conducted regionally by Counting Teams in 90 Ballot Counting Centres (BCCs), one for each Electoral Administration Zone (EAZ).<sup>7</sup>

The law foresees that the CEC is a permanent body composed of seven members, with the parliamentary majority and parliamentary opposition each nominating three members, and a

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<sup>4</sup> See 29 May 2019 European Commission's [report on Albania](#).

<sup>5</sup> Other relevant legislation includes the 1995 Criminal Code, the 2000 Law on Political Parties, 2001 Law on Demonstrations, 2008 Law on Gender Equality in Society, 2013 Law on Audio-Visual Media, 2015 Law on Local Government and 2015 Code on Administrative Procedures.

<sup>6</sup> According to the MoI, additional Voting Centres were created so that each serves no more than 1,000 voters.

<sup>7</sup> As a rule, the EAZs correspond to territories of municipalities. In 10 municipalities that have more than 80,000 voters, additional EAZs are formed. In these municipalities, candidate registration and tabulation processes are administered by the CEC.

chairperson elected by parliament through a process of open applications.<sup>8</sup> The current CEC consists of five members, with three members nominated by the SP, and one by the Republican Party.<sup>9</sup> As part of a political agreement in May 2017, the parliament replaced the CEC chairperson with another CEC member that had been nominated by the opposition.<sup>10</sup> Some ODIHR EOM interlocutors have argued that the current composition of the CEC politicizes its decision-making.<sup>11</sup>

The CEC is holding open sessions regularly, live-streamed online and attended by observers and the media. It has approved a number of instructions, including on monitoring campaign expenses, candidate registration and voter education. Although the law provides for CEC decisions to be posted on the CEC website within 24 hours, some were not published or were published with a delay.<sup>12</sup>

By law, the CEAZs are appointed by the CEC for each election and comprise seven members and a non-voting secretary.<sup>13</sup> By the legal deadline of 18 March, the SP nominated their commissioners to each CEAZ, while the DP and SMI submitted no nominations. In accordance with the Electoral Code, the CEC instead appointed members to each CEAZ in order to reach the simple majority quorum.<sup>14</sup> As a result, in 45 CEAZs the SP has four commissioners, including chairpersons.<sup>15</sup> The other 45 CEAZs are composed of three SP-nominated commissioners, one CEC-nominated commissioner, and function without chairpersons.<sup>16</sup> Several ODIHR EOM interlocutors claimed that members nominated by the CEC are inexperienced and/or in fact represent the SP. A representative of the DP informed the ODIHR EOM that the opposition discouraged their supporters from participating in the open application process initiated by the CEC.

According to the law, CEC-nominated CEAZ members could be replaced by those proposed by political parties by 31 May. On 20 May, the DP and SMI submitted a request to replace CEC-nominated members of CEAZs with their representatives. The CEC rejected the request, reasoning that parliamentary parties that do not register as electoral subjects forfeit their right to nominate commissioners at all levels of election administration.<sup>17</sup> Complaints submitted by the DP and SMI against this CEC decision were dismissed by the Electoral College.

The statutory deadline for the appointment of VCCs is 11 June.<sup>18</sup> In light of the CEC decision described above, none of the CEAZs accepted DP and SMI nominees to the VCCs. The CEC issued an open call to fill vacant position in the VCCs and the process of VCC formation is ongoing. By law,

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<sup>8</sup> Two members are proposed by the largest parliamentary majority party and two by the largest opposition party. In addition, the next largest parliamentary majority and opposition parties propose one member each.

<sup>9</sup> In October 2018, following the expiry of relevant mandates, the parliament re-appointed one CEC member and appointed a new member on the SP quota. Since then, the DP has not filled their quota for two CEC members.

<sup>10</sup> The current CEC chairperson is not affiliated with any party.

<sup>11</sup> Several decisions regarding candidate registration, complaints and composition of CEAZs split the votes of CEC members four to one.

<sup>12</sup> Most decisions on denial of candidate registration and several decisions on complaints were not posted online.

<sup>13</sup> In line with CEC decision of 1 February, three members of the CEAZs should be nominated by the SP as the only party representing the parliamentary majority, while from the parliamentary opposition, two CEAZ members should be nominated by the DP and one by SMI. The seventh member should be proposed by the SP and DP in 45 CEAZs each.

<sup>14</sup> On 18 March, the CEC published an open call for citizens to fill vacant positions in CEAZs. As per CEC instruction, if the number of applications is greater than the number of vacancies, commissioners are selected by drawing lots.

<sup>15</sup> In these CEAZs, one commissioner and non-voting secretary were nominated *ex officio* by the CEC.

<sup>16</sup> In these CEAZs, non-voting secretaries were nominated *ex officio* by the CEC. The functions of chairpersons are exercised by deputy chairpersons.

<sup>17</sup> While provisions of the Electoral Code on composition of election administration refer to political parties representing the parliamentary majority and parliamentary opposition, in its decision No. 657 from 23 May 2019 the CEC linked the right to nominate commissioners to registration as electoral subjects.

<sup>18</sup> The VCCs should comprise seven members and are appointed using a similar formula to CEAZs, but unlike in the CEAZs, VCC secretaries serve as commissioners.

counting is administered at the BCCs by counting teams that must be formed by 18 June. Counting teams must comprise four members, but can operate with only two counters. The CEC is yet to decide the manner of selecting the members of counting teams.

## VI. VOTER REGISTRATION

Albanian citizens aged 18 years or older on election day are eligible to vote, except those serving a prison sentence for committing certain crimes or legally incapacitated.<sup>19</sup> Non-citizens are not eligible to vote in local elections, irrespective of the length of their residency. The voter registration system is passive; however, voters over 100 years of age are automatically removed from voter lists and must actively confirm their records for re-inclusion. Voter lists are extracted from the electronic National Civil Status Register (NCSR), maintained by the General Directorate of Civil Status (GDCS) of the Ministry of Interior (MoI). Local civil status offices compile the voter lists for their respective voting centres.<sup>20</sup>

After elections were called, the GDCS published updated extracts from voter lists on a monthly basis, allowing voters to register any changes with local civil status offices. The GDCS reported that the quality of the voter list was improved by allocating and deleting duplicate records from the NCSR through door-to-door verifications and resolving issues of improper address codes for many voters. The law obliges local authorities to send a written notification to every voter in their respective municipality within 60 days from the first publication of voter list extracts.<sup>21</sup> Electoral subjects and political parties may request an electronic copy of the voter list in a machine-searchable format.

The CEC supervises the voter list compilation process: it appointed two auditors to assess the accuracy of voter lists. On 21 May, the CEC announced that the final number of voters is 3,536,016.<sup>22</sup> It published four separate auditor reports since February.<sup>23</sup> According to the auditors' reports, the number of entries with incomplete addresses was reduced from 284,065 in December 2018 to 727 in the final voter list. According to some of ODIHR EOM interlocutors, including one CEC auditor, given the volume of data, some addresses may have been reassigned without verification.

## VII. CANDIDATE NOMINATION AND REGISTRATION

Any eligible voter resident in a municipality can stand for election, except those whose right to stand for office has been restricted by the Law on Decriminalization.<sup>24</sup> The Constitution also lists categories of officials whose occupation is incompatible with the right to stand.<sup>25</sup> The Electoral Code provides for a 50 per cent gender quota for municipal councillors' candidate lists, with the gender alternating every second candidate. Failure to meet the gender quota can be one of the criteria for denying candidate lists registration.

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<sup>19</sup> The Law on Decriminalization suspends voting rights of citizens serving a prison sentence for committing crimes listed in some 60 articles of the Criminal Code.

<sup>20</sup> Voters are included in the voter list of the voting centre that serves their place of residence.

<sup>21</sup> Notification should include the location of the voting centre and the voter's sequential number on the voter list. This information is also publicly available within the voter lists posted at voting centres. In a number of EAZs voters claimed that they did not receive these notifications. Moreover, deputy mayor of Skoder informed the ODIHR EOM that this is CEAZ's responsibility to distribute voter notifications, while in EAZ No 30 (Tirana) notifications were distributed with a help of SP volunteers.

<sup>22</sup> After the voter list becomes final and up to 24 hours before election day, changes or inclusion can be made only through a district court decision that a voter must bring to a voting centre.

<sup>23</sup> Auditor reports were issued on 2 February, 4 March, 4 April and 1 June.

<sup>24</sup> This includes citizens convicted for certain crimes or deported, even in the absence of a final court decision, from an EU Member State, Australia, Canada, and the United States, as well as those under an international warrant.

<sup>25</sup> This includes the president, high state officials, judges, prosecutors, military, national security and police staff, diplomats and members of election commissions.

Within the legal deadlines, 36 political parties, 2 coalitions and 6 groups of voters registered as electoral subjects.<sup>26</sup> Subsequently, 97 mayoral candidates, including 11 women, and 544 candidate lists of 2 coalitions and 14 individual parties with altogether 9,842 candidates, were registered by the CEAZs and the CEC.<sup>27</sup> Parties and candidates should submit supporting signatures of no less than one per cent of voters from the respective municipality. Parties or candidates represented in parliament or municipal government for a period of at least six months are exempt from this requirement, but the law does not specify how this period should be calculated. While none of the electoral subjects registered by the CEC had to collect signatures, some ODIHR EOM interlocutors questioned the Democratic Conviction (DC) party's exemption from this requirement.<sup>28</sup>

The CEC and CEAZs rejected several candidate lists and independent candidates, but did not publish the majority of these decisions. According to published decisions, grounds for rejections included noncompliance with the requirements of the Law on Decriminalization, missing deadlines for submission of documents and failure to meet the residency or gender quota requirements. Responding to complaints against rejections of candidates by the CEAZs, the CEC reinstated 10 candidates as well as one candidate in Berat, following a decision of the Electoral College.<sup>29</sup> The Electoral Code prohibits changes to candidate lists after their final approval and does not regulate withdrawal of candidates. The CEC rejected several withdrawal requests; these candidates remain on the ballot.<sup>30</sup>

The current mayors in 27 municipalities are members of opposition parties that opted not to participate in the elections.<sup>31</sup> The SP has put forward mayoral candidates in all 61 municipalities, who stand unopposed in 31 of them.

## VIII. CAMPAIGN ENVIRONMENT AND CAMPAIGN FINANCE

The 30-day campaign period officially started on 31 May and will end at midnight on the Friday preceding election day. The visibility of the campaign has so far been limited and the ODIHR EOM observed only few campaign visuals, such as billboards and posters, or campaign offices in most parts of the country.<sup>32</sup> Many contestants have told the ODIHR EOM that they plan to campaign using social media, but also through door-to-door visits and small-scale meetings with voters. During rallies observed by the ODIHR EOM, candidates have focused predominantly on local issues, especially infrastructure, job-creation, corruption and professionalism of local administrations.

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<sup>26</sup> Parties and coalitions had to register as electoral subjects with the CEC by 22 April and 1 May respectively. Groups of voters comprising at least nine voters had to register with their respective CEAZ by 22 April.

<sup>27</sup> The SP-led "Alliance for European Albania" includes 21 parties, and the "Hope for Change Coalition", led by the Red and Black Alliance Party, includes 7 parties. Six independent candidates are standing for mayor in six municipalities, and 11 independent candidates are standing for councillor in 9 municipalities. Two women candidates, nominated by SP and DC, are competing for mayor in Durrës, Albania's second-largest city.

<sup>28</sup> Concerns were raised with regard to DC's representation in parliament for six months. The registration of the DC as an electoral subject was also challenged by Albanian Democratic Union party. The applicant claimed that, contrary to the law, at the time of submission of documents for registration as an electoral subject, the DC was not yet registered as a political party. The appeal was dismissed by the Electoral College.

<sup>29</sup> Some of these decisions were made with the opposing vote of the CEC Chair who argued that they contravened the Electoral Code. Only several decisions were published, some without reasoning.

<sup>30</sup> Representatives of DC informed the ODIHR EOM that some of their candidates withdrew because of DP pressure (in Kamza, Kavaja and Lezha) and one because of SP pressure (in Skrapar).

<sup>31</sup> These mayors include 16 from the DP, 9 from SMI, and 2 from the PJIU.

<sup>32</sup> Following 2017 amendments to the Law on Political Parties, stationary campaign materials, including flags and posters, can only be placed within five meters of party campaign offices. An April 2019 decision of the CEC requires that electoral subjects notify mayors in writing of the correct addresses of campaign offices no later than 35 days before the elections.

The political environment remains polarized. The question whether elections can be held without the participation of the main opposition parties has dominated the wider political discourse. The language used by political opponents at rallies, in social media and broadcast and print media is often recriminating and inflammatory.

Campaigning in public facilities is prohibited.<sup>33</sup> In an effort to limit potential abuse of administrative resources, on 10 May, the Council of Ministers issued decisions prohibiting political activity by civil servants during working hours and temporarily suspended procurement procedures by municipalities.<sup>34</sup> Opposition and contesting parties have alleged in the media and to the ODIHR EOM that voters, especially those employed in public administration, have been under direct and indirect pressure to demonstrate a political preference.<sup>35</sup> As part of its campaign, the DC has assured the public that it will not hold rallies in order to avoid an atmosphere of pressured participation.

According to the law, electoral campaigns may be financed from public and private funds, including loans.<sup>36</sup> Donations from both citizens and legal entities, including in-kind, are capped at ALL 1 million, and contributions above ALL 100,000 must be made through a designated bank account. Total campaign expenses may not exceed some ALL 408 million and ALL 20.4 million respectively for political parties and independent candidates.

Each electoral subject must register the amount of donations received, as well as other donor identification data, in a special register approved by the CEC. Political parties are obliged to make public and submit reports on their campaign finances and expenditures within 60 days from the announcement of election results. On 8 May, the CEC approved a standardized format for campaign finance reporting for the elections, as well as guidelines on campaign finance reporting by mayoral candidates and political parties. The CEC should appoint auditors after the announcement of the results to audit the contestants' final campaign finance reports. The CEC may impose fines on contestants for non-compliance with the campaign finance rules.

## IX. MEDIA

The media environment is diverse and characterized by a high number of outlets operating in a limited advertising market. Most ODIHR EOM interlocutors expressed concerns about major media outlets serving as lobbying platforms for their owners, thus challenging their editorial independence and inducing self-censorship. Television remains the leading source of political information. The recently completed process of digitalization resulted in one family controlling three of the five privately-owned nationwide television frequencies.<sup>37</sup>

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<sup>33</sup> The prohibitions are governed by the Electoral Code, the Law on the Rules of Ethics in Public Administration and the Law on Civil Service.

<sup>34</sup> See the 10 May 2019 Council of Ministers' [Decision](#) on Measures and Monitoring Activity, Relief or Use of Human, Financial and Logistic Resources of State Administration During the Election Process for 2019 Local Elections, as well as the [Decision](#) on Temporary Suspension of the Start of Procurement Procedures in 2019.

<sup>35</sup> For example, shortly after the 3 June SP rally in Lac, teachers were invited to a meeting chaired by the SP mayoral candidate. The ODIHR EOM has received reports that municipal employees in Rrogozhine have been pressured to attend protests. Civil society representatives who monitored the use of administrative resources in Elbasan (SP mayor), Kavaja and Kukes (both DP mayors) told the ODIHR EOM that they noted several cases of public administration employees being asked to participate in party and electoral activities.

<sup>36</sup> On 16 May, parliament allocated ALL 65 million (EUR 0.53 million; EUR 1 equals approximately ALL 122 (Albanian *Lek*)) for campaign purposes. On 10 June, the CEC allocated some ALL 41 million to the SP, and the rest money to other 35 parties contesting the elections. Independent candidates are not entitled to public funding.

<sup>37</sup> According to the [National Business Centre](#), the Hoxha family owns 100 per cent of Top Channel and 50.98 per cent of DigitAlb. The latter owns 100 per cent of ADTN. Each company holds one national license.

Campaign coverage in audio-visual media is regulated in detail by the Electoral Code. According to the law, each party that won over 20 per cent of seats in the last parliamentary elections should receive twice the amount of news coverage that other parliamentary parties receive. News coverage of non-parliamentary parties is at the discretion of the editors but should not exceed that of the parliamentary parties.

On 30 May, in line with the law, the CEC allocated the SP 60 minutes, Social Democratic Party 30 minutes, all other non-parliamentary parties contesting the elections 10 minutes and independent candidates 5 minutes of free airtime on the public RTSH.<sup>38</sup> The Electoral Code limits the total amount of paid airtime on each television station for the whole campaign to 90 minutes for parliamentary and 10 minutes for non-parliamentary parties and independent candidates. While the law requires broadcasters to submit to the CEC price lists three days before the start of the campaign, only seven outlets did so, including one that broadcasts nationwide. Many pricelists indicate that space is offered on news and current affairs programmes.

Media outlets' compliance with legal requirements, including political party coverage quotas in news programming, are supervised by the Media Monitoring Board (MMB). While this ad-hoc body should be established by the CEC 40 days before the start of the campaign, it was formed only on 28 May. Together with the Audiovisual Media Authority (AMA), a regulatory body for broadcast media, the MMB started to monitor the media on 1 June and is to report to the CEC daily. During its first meeting on 29 May, the MMB requested that the CEC clarify whether the news coverage requirement applies to all parliamentary parties or only those contesting the elections. In the absence of an official clarification, on 3 June the MMB has decided to focus only on the contesting parties.

The assistance initially provided to the MMB by AMA allowed continuous monitoring of only five media outlets. On 3 June, the MMB requested that the CEC authorize the recruitment of an additional temporary staff to increase the sample. The board is yet to establish monitoring activities in the regions. The first results of monitoring of 14 channels were published on 7 June. The CEC is yet to review the results.

The usage of content produced by political parties in news programming remains an issue of concern for many ODIHR EOM interlocutors, who see it as challenging editorial independence and limiting voters' access to impartial information. While this practice is not regulated outside of the campaign period, the Electoral Code allows broadcasters to air such material as long as it is explicitly labelled. On 3 June, the MMB has called on the media to label all electoral campaign coverage.

On 31 May, the ODIHR EOM started to monitor primetime coverage on five television stations (public RTSH-1 and private News 24, Top Channel, *TV Klan* and *Vizion Plus*) and two online sources (*Panorama* and *syri.net*). The ODIHR EOM is also following the campaign on social networks.

## **X. PARTICIPATION OF NATIONAL MINORITIES**

The Constitution provides for full political, civil and social rights for national minorities, and the Electoral Code guarantees the right to vote and to stand for election to all citizens regardless of ethnic background, race, religion or language. In 2017, the parliament adopted the law on the Protection of National Minorities, which removed the distinction between national and ethno-linguistic minorities, thus addressing equality concerns, and increased the number of recognized national minorities to nine.<sup>39</sup> The law re-confirmed the right of persons belonging to national minorities to establish and join

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<sup>38</sup> The order of appearance was determined via a lottery on 5 June, with first free advertisements airing on 8 June.

<sup>39</sup> Law No. 96/2017, in force since 24 November 2017, recognizes the Aromanian, Bosnian, Bulgarian, Egyptian, Greek, Macedonian, Montenegrin, Roma and Serb national minorities.



political parties, associations and other civil organizations, as well as the right to be elected to representative bodies at central and local level.

According to the 2011 census, approximately 1.5 per cent of the population self-declare as members of a national minority; a figure thought by many ODIHR EOM interlocutors to understate the reality.<sup>40</sup> In municipalities where national minorities make up over 20 per cent of the population they are to be provided with information on the electoral process in their own language. According to the CEC, information will be made available in the languages of all nine recognized national minorities.<sup>41</sup> The CEC reported to ODIHR EOM that together with several NGOs it has implemented voter information and education programmes for the Roma and Egyptian communities, adapted to their specific needs.

Several parties representing national minorities chose not to field candidates, in line with the non-participation by the opposition. On 30 May, the Electoral College rejected a complaint from a member of the Greek national minority who was denied registration as a mayoral candidate in Himara based on the Law on Decriminalization.

## XI. COMPLAINTS AND APPEALS

The Electoral Code provides that any political party or independent candidate has the right to complain to the CEC against CEAZ decisions that affect their legal interests. The CEC considers all complaints against CEAZ decisions and must reach its decision within two days. CEC decisions can be appealed before the Electoral College, within five days by electoral subjects whose legal interests were affected. Decisions of the Electoral College are final.

The Electoral College, the highest authority on electoral disputes, consists of eight judges selected through a draw conducted by the High Council of Justice. As a result of the vetting of judges, the Electoral College is currently staffed with only six judges.<sup>42</sup> While this is sufficient to adjudicate in panels of five judges, several hearings had to be postponed because of insufficient number of judges to form a quorum.

By 6 June, the CEC received 14 complaints against CEAZ decisions, mostly on candidate registrations issues, and the Electoral College adjudicated 11 appeals against CEC decisions, of which it upheld 8 and rejected 3.<sup>43</sup>

## XII. CITIZEN AND INTERNATIONAL OBSERVERS

The Electoral Code provides for citizen and international observation at all levels of the election administration. Parliamentary parties and coalitions may appoint permanent representatives to the CEC, while other parties have the right to appoint representatives for the electoral period only.<sup>44</sup> Contestants are entitled to appoint one observer to each relevant CEAZ, VCC and a BCC table.<sup>45</sup>

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<sup>40</sup> Fourteen per cent of the population refused to answer the question on ethnicity during the 2011 census.

<sup>41</sup> See the 1 February 2019 CEC [Strategy for Electoral Education of Citizens in Local Elections](#).

<sup>42</sup> The nation-wide vetting of judges and prosecutors, which is part of the ongoing judicial reform, evaluates the integrity, assets and professionalism of all judges and prosecutors. The vetting has impacted the functioning of many courts and prosecution offices, leaving in particular the Constitutional Court and the High Court of Justice without quorum necessary to operate.

<sup>43</sup> The cases adjudicated by the Electoral College concerned the right of the DP and SMI to nominate members to election administration bodies, the registration of Democratic Conviction Party, other candidate registration issues and withdrawal of registered candidates.

<sup>44</sup> The right to appoint observers representing coalitions rests solely with the coalition, not the political parties of which they comprise.

<sup>45</sup> Only party observers are entitled to receive copies of the results protocols at the BCCs and CEAZs.

International organizations can apply for registration of observers up to 72 hours before election day. The deadline for applications to be registered as citizen observers is 15 days before election day. To date, the CEC registered 152 citizen observers, from 6 organizations.

### **XIII. ODIHR EOM ACTIVITIES**

The ODIHR EOM opened in Tirana with a press conference on 24 May. The ODIHR EOM has met with the government authorities, the CEC, representatives of political parties, regional election administration, media, civil society, the OSCE Presence in Albania, and the international community.<sup>46</sup> For election day observation, the ODIHR EOM will join efforts with a delegation of the Council of Europe's Congress of Local and Regional Authorities.

*The English version of this report is the only official document.  
Unofficial translation is available in Albanian.*

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<sup>46</sup> The ODIHR EOM and the OSCE Presence in Albania operate separately under their specific mandates.