



Congress of Local and Regional Authorities of Europe

Congrès des pouvoirs locaux et régionaux de l'Europe

Strasbourg, 29 January 1997
s:\delai.md\bureau3\ecgbur.52r

CG/BUR (3) 52 rev

BUREAU OF THE CONGRESS

OBSERVATION OF THE LOCAL ELECTIONS IN ALBANIA - 20 and 27 October 1996¹

Rapporteur: Baroness Farrington of Ribbleton (United Kingdom, R)

*Report approved by the Bureau of the Congress
on 18 November 1996*

Members of the Congress delegation

1st round: Mr Öhman (Finland), Mr Casagrande (France), Mr Chénard (France), Dr Zahn (Germany), Mr Paraskevas (Greece), Mr Corgi (Italy), Mrs Dini (Italy), Dr Frendo (Malta), Mr Mans (Netherlands), Mrs Wolterink-Oremus (Netherlands), Mrs Enqvist (Sweden), Mr Scacchi (Switzerland), Baroness Farrington of Ribbleton (United Kingdom), Mr McCabe (United Kingdom), Mr Buldanli (Turkey)

2nd round: Mr Corgi (Italy), Baroness Farrington of Ribbleton (United Kingdom)

¹ This is a joint report of the Council of Europe delegation composed of members of the Parliamentary Assembly and of the Congress of Local and Regional Authorities. see the composition of the delegation in Annex 1 and the programme of observation in Annex 2.

A. Introduction

1. Following the adoption of Resolution 1095 (1996) and Order 524 (1996) on the recent parliamentary elections in Albania², invitations by the Speaker of the Albanian parliament to observe the elections and an agreement between the presidents of the Assembly and of the Congress of Local and Regional Authorities, a joint delegation of the Assembly and the Congress was sent to observe the local elections in Albania on 20 October 1996.
2. The conduct of recent local elections in Albania on 20 October 1996 and with a second round on 27 October 1996 was satisfactory. The elections were sufficiently free and fair. In all phases of the electoral process there was an effort to avoid incidents that had marked the parliamentary elections on 26 May 1996.
3. The electoral campaign was calm and there were no major complaints concerning the freedom of media and in particular the access to the state radio and television.
4. It may be noted with satisfaction that the recommendations formulated by the Assembly ad hoc Committee that had visited Albania from 27-30 August 1996 had been implemented by the Albanian authorities and law on local elections had been modified in spite of very short time at their disposal before the local elections took place. It is particularly important to note that the round table, convened by President Berisha, had resulted in a constructive co-operation between the majority party and the opposition and had paved the way for a change in the composition of the electoral commission on all levels. It was evident that this change, giving the opposition the right to appoint vice-chairmen of electoral commissions, had been instrumental in the good conduct of the elections. It set a positive and encouraging precedent for next elections.
5. The observation on the polling days showed that the voting and counting procedures in the great majority of the visited polling stations were conducted properly, although some of the irregularities observed have to be carefully examined by the Central electoral commission. Political parties should control the behaviour of their local representatives.
6. A number of difficulties observed in the conduct of the elections could be remedied by changes in the law on local elections and in the instructions to the members of the electoral commissions. A number of recommendations to this effect are listed below.
7. These elections are an important step in the consolidation of Albanian democracy. All parties should continue with the political dialogue and should cooperate on the legislative reform including the preparation of a new constitution. The opposition parties should, out of respect for democratic principles, take up their seats and participate in the work of the parliament. The government should continue with the round table with the participation of all political parties in order to further strengthen the political stability in the country.

² Report by the Political Affairs Committee, Rapporteur Lord Finsberg.
Texts adopted by the Assembly on 26 June 1996 (21 Sitting).

B. Background to the elections

Elections on the 26 of May 1996

8. On 26 May 1996, Parliamentary elections were held in Albania. They were preceded by an electoral campaign, criticized by foreign observers for biased state media, harassment of independent newspapers and police intimidation at opposition rallies. Irregularities were observed on the polling day, although not to the extent that would have questioned the validity of the results, according to the report of the OSCE Parliamentary Assembly. Post-election opposition demonstrations were declared illegal by the authorities who used, especially in Tirana, excessive violence to break them up.

9. Main opposition parties, led by the Socialists, withdrew from the polling stations in the afternoon of the polling day. They boycotted the second round which was held on 2 June 1996 in nine constituencies and the partial re-run in 17 constituencies on 16 June, ordered by President Berisha after allegations of serious irregularities were made.

10. A great majority of the 140 seats in the Albanian parliament were won by the Democrats. The Socialists are not participating in the new parliament in which they had won 10 seats.

11. On 26 June 1996 the Assembly adopted Resolution 1095 (1996) in which it deplored the violence and irregularities during the elections. It noted, on the basis of the OSCE Parliamentary Assembly's report, that the lawfulness of the results cannot be questioned. It condemned the government for the violence and both the government and the opposition for the irregularities. It also proposed a round table between all political forces with a view to change legislation to conform to the recommendations set forth in the OSCE assembly report and to commitments entered into by Albania at the time of accession. New elections should be considered after these changes in the legislation. In Order 524' (1996) adopted the same day, the Assembly instructed the Bureau to send a delegation to Albania to provide further information on elections and to send an observer delegation, possibly in liaison with the Congress of Local and Regional Authorities, to the forthcoming local elections.

The visit of the ad hoc committee 27-30 August

12. An ad hoc Committee of the Bureau, under the chairmanship of Lord Finsberg (UK, EDG), visited Albania from 27-30 August 1996. Meetings with President Berisha, Prime Minister Meksi and members of his Government, members of the Constitutional Court and the Chairman of the Central Electoral Commission were held. The Committee had extensive talks with representatives of all political parties in order to bring the government and political parties closer together and to help to improve the political climate in the country. Participation of the opposition in the Parliament, preparation of the local elections and co-operation on a draft for a new constitution were main topics discussed.

13. A report by Victor Ruffy (Switzerland, SOC), based on the findings of the ad hoc Committee, was presented to the Bureau on 3 September 1996 and to the Assembly on 23 September 1996. It called for amendments to the genocide act, the political rights act, the political assembly act and to the media act. A number of technical recommendations on the voting procedure were made. In addition, the report recommended that vice-chairmen of the electoral commissions at all levels should be appointed by the opposition. One round table, bringing together all political parties, should be convened and chaired by the President.

The round table and changes to the electoral law

14. *The Albanian Government had implemented these recommendations in spite of very little time left before the local elections. A round table was convened by the President with the participation of all political parties. Positive outcome of this round table led to amendments to the electoral law and to the law on public meetings, passed by the Albanian Parliament on 12 September 1996. The following are some of the changes discussed at the round table:*

- *Deputy Chairman of each election commission at all levels would be appointed by the opposition*
- *broadcasting time would be divided equally between the majority and the opposition and the observance to be monitored by the Central electoral commission*
- *ballot papers would be simplified*
- *a certificate bearing a photo would be issued to serve as an identification in case of loss of identity card*
- *clear written instructions would be issued to police on their tasks during the elections*
- *no authorization would be requested for indoor meetings while procedure to obtain authorization for outdoor meetings would be simplified*
- *the anti-genocide law would be applied only to candidates for mayors and not for candidates for municipal and district councillors*
- *members of the electoral commission would be obliged to sign the protocols and risked severe sanctions if they withdrew from the commission during polling day.³*

15. *The Socialist Party, although claiming that changes did not go far enough and that there were serious problems in the implementation of the law, have shown a co-operative and constructive attitude, respecting their commitment to participate in the local elections.*

Invitation to co-ordinate the observation of the local elections

16. *On 30 July the Speaker of the Albanian Parliament invited the Parliamentary Assembly to co-ordinate with the Central Electoral Commission on the monitoring of the local elections. A delegation of the Assembly, as well as of the Congress of Local and Regional Authorities were also invited to take part in observation of the elections. The Bureau accepted the invitation to co-ordinate the monitoring at its meeting on 3 September 1996. In accordance with Order 524 (1996) it was decided to send a joint delegation with the Congress of Local and Regional Authorities, who was also invited to observe the elections. The Bureau asked two former presidents of the Assembly Louis Jung and Karl Ahrens, to act as advisors to the Bureau on this mission. The Clerk of the Assembly set up a secretarial*

³ This proposal, when adopted by the Parliament, was contested by some opposition representatives who complained to the Constitutional Court, which, on 15 October 1996, rejected the complaint and ruled in support of the constitutionality of Article 87 of the Electoral Law.

team, in co-operation with the Congress and the Directorate of political affairs, for co-ordination and preparation of observation, which was present in Albania well before the elections.

C. State of local democracy in Albania

17. On 26 July 1992, when Albania had just become a candidate country for entry into the Council of Europe, a delegation of the Congress observed the first local elections; they were declared free and fair, without major irregularities; main difficulties were caused by lack of appropriate material and by other aspects due to the very bad economical situation at that time. For further details concerning this observation, see report CPL/P (27) 27 of 31 August 1992.

18. From 15-17 May 1995, the Rapporteur for the Congress Lady Farrington visited Albania, accompanied by Nicolas Levrat, Consultant and legal expert, with a view to assess the state of local and regional democracy prior to the examination of the Albanian candidature for entering the Council of Europe that took place on 13 July 1995. For more details, see the main remarks set out in report CG/Bur (1) 80 of 27 May 1995. An emphasis was made in particular on the need for clarification of the sharing of competencies between the different tiers of government, improvement of the redistribution of resources to be in conformity with the principles of the European Charter of Local Self-Government, need for the establishment of associations representing all levels of local authorities.

19. In July 1996, another visit to Albania took place⁴, with Lady Farrington accompanied by Nicolas Levrat, in order to discuss progress made in the revision of the law on the organisation of local government in Albania as well as to establish contacts in view of the preparation of the local elections and the revision of the law on local elections.

20. In September, Nicolas Levrat returned once more to Albania and produced, with a contribution by Alain Delcamp, an opinion on the draft revised law on local self-government upon request from the Albanian government, concerning in particular its compatibility with the European Charter on Local Self-Government, which has not yet been signed by Albania. This opinion was forwarded to the Albanian government in late September 1996. From the most recent contacts with the Albanian Secretary of State on Local Government, it appears that the revised text is still under examination, and that most of the remarks made by the European experts have been taken into account.

21. It goes without saying that the holding of free and fair elections at local government level is an essential prerequisite for the functioning of the authorities concerned. But it is equally important that their competence, their structures and their way of operating be clearly defined in a democratic spirit based on the principle of subsidiarity. It is hoped, therefore, that the revised law can soon be adopted.

22. After the successful completion of these elections, the Congress of Local and Regional authorities of Europe is now looking forward to an increased cooperation with the newly elected mayors, presidents of kommuna councils, presidents of municipal and district councils, and with the competent government departments.

⁴ See the programme in Annex 3.

23. *It is hoped that such co-operation will in particular cover the following aspects:*

- *the designation of an Albanian delegation to CLRAE, in conformity with the principles laid down in the Charter and the Rules of procedure.*

- *the signature and ratification by Albania of major Council of Europe conventions in the field of local government such as the European Charter on Local Self-Government, the European Outline Convention of Trans-frontier Co-operation between local authorities and the European Charter on Regional or Minority Languages.*

- *legal assistance to Albanian authorities on issues such as local government finance, local government property and management, status and training of local government elected representatives and staff,*

- *co-operation, training seminars, study visits concerning all theoretical and practical fields of local government activities, including the items mentioned above, but also sensitive questions such as urban planning, local infrastructure, public transport, water and waste management, environment and landscape protection, building conservation and security, economic development and job creation.*

24. *We are aware of the difficulties local authorities in our countries experience when confronted with such difficult issues. In a country in rapid transition in many fields, it is all the more important to give help in order to build up solid political and administrative structures at local level that may help the country to master its future for the forthcoming years and decades.*

D. Observation of local elections

Preparatory visits

25. *Several preparatory visits had been carried out in preparation of the mission. During the first visit from 13-15 of September by the Deputy Clerk of the Assembly, contacts had been established with various ministries and with the Central electoral Commission.⁵*

26. *Second visit took place from 30 September to 2 October 1996. The delegation was led by a former president of the Assembly Karl Ahrens, who had been asked, together with another former president Louis Jung, to act as a consultant to the Bureau on this mission of observation. Meetings were held with, among others, President Berisha, Prime minister, Speaker of the Albanian parliament and representatives of Albanian political parties.⁶*

27. *On 13-14 October 1996, Claude Haegi, President of the Congress paid a short visit to Albania⁷. However, he was able to meet President Sali Berisha, the Secretary of State responsible for Local authorities, the Chairman of the Central electoral committee, the President of the Albanian delegation to the Parliamentary Assembly and, last but not least, representatives of the two major political forces in Albania, the Democratic Party and the Socialist Party. President Berisha undertook to reassure his host on the firm will of the*

⁵ See the programme of the observation in Annex 3.

⁶ See the of the visit programme in Annex 3.

⁷ See the programme in Annex 3.

Albanian government to ensure free and fair elections. In the various talks, items such as establishment of voters' lists, the setting up and composition of electoral committees and the training of their members, the information of the public on new electoral procedures and the opening hours of polling stations were discussed. All partners concerned were looking at these elections as a test for the democratic development of the country and were willing to contribute to their successful organisation.

28. In the days before the elections, members of the Council of Europe secretariat carried out a number of visits to different regions, including the districts of Elbasan, Fieri, Lushnje and Shkodra, during which they met with representatives of district and municipal electoral commissions, representatives of local authorities and local representatives of political parties.

Meetings of the Chairman, Vice-Chairman and the two rapporteurs of the Council of Europe delegation with the Chairman of the Central electoral commission, the Foreign Minister, President Berisha and representatives of Albanian political parties (18-19 October 1996)

29. During the meeting on Friday, 18 October, the Chairman of the Central Electoral Commission Nestor Thereska presented the preparatory work carried out by the Commission and outlined some of the difficulties encountered. Our general impression of the functioning of this body, with which the Council of Europe has developed fruitful co-operation all through the election process, is positive. The Vice-Chairman of the Commission, appointed by the Socialist party, listed some complaints, concerning mostly polling stations situated in inadequate (private) buildings and late distribution of instructions to members of electoral commissions. He stressed, however, that there had always been frank and open debate on these issues in the Central Electoral Commission. Representatives of the Democratic party have, in return, criticised the Socialist party for organising training seminars for their members of the electoral commissions, which, in their view, was not in accordance with the law.

30. The Chairman, Vice-Chairman and the two Rapporteurs met with Foreign Minister Shehu on Thursday, 18 October in the evening. Main topics of the discussion were the disagreement between the Albanian Government and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The Albanian government, after inviting ODIHR to observe the elections, had limited the number of observers ODIHR was allowed to deploy, which led to the withdrawal of ODIHR and the OSCE Parliamentary Assembly. The Council of Europe delegation made a statement⁸ in which it regretted the absence of the OSCE. It is clear that the organisations invited to observe the elections should be free in deciding in which way they could best carry out their tasks.

31. In a meeting with President Berisha on Saturday 19 October 1996, the Chairman of the Council of Europe delegation expressed its satisfaction with the way Albanian authorities responded to recommendations formulated by the Assembly's ad hoc Committee in early September. The results are particularly impressive given the short time before the elections. He was critical with regard to the conflict with ODIHR and regretted their absence. President Berisha explained his position on the matter and described it as a moral question having to do with a confidence crisis that existed between ODIHR and the Albanian government. Some of the ODIHR observers had, allegedly, also been invited by the Socialist party. President Berisha criticised the ODIHR press release issued after the May elections, which had not

⁸ See the press release of 20 October 1996 in Annex 4.

mentioned the opposition boycott of the counting procedure. He was, however, optimistic for future relations between the two. He commented on some of the difficulties encountered in the run up to elections. Electoral lists were not perfect, but they were the responsibility of local authorities, which were, in more than 50%, controlled by the opposition. The change in the composition of the electoral commissions should be an effective remedy against any difficulties concerning electoral lists. Names of immigrants presently in Greece and other countries could not be deleted from the lists, as had been requested by the opposition. These people, if they showed up on the polling day, had a right to cast their vote. He encouraged full co-operation with the Central Electoral Commission and offered logistic support to enable the members of the Council of Europe delegation to investigate any allegations of irregularities. He was confident that the elections would be free, fair and calm. Boycott of any kind and in particular a boycott of the vote counting should not happen again.

32. In a meeting with representatives of Albanian opposition on Saturday 19 October the President of the delegation underlined all parties responsibilities in the free and fair conduct of the elections. He called for party representatives to follow the official procedure for forwarding any complaints to the Central electoral commission. Alleged cases where this would fail, could then be reported to the Council of Europe delegation for verification.

Co-ordination of observation and co-operation with other observer groups

33. Increased human and financial resources were needed to carry out the task of co-ordination and observation. The delegation was larger than it is usually the case in observations of elections. A larger than usual number of members of secretariat was present in Albania some time before the elections in order to provide logistic support to the mission. For the observation itself, a joint Council of Europe delegation was set up with members of the Assembly and the Congress.

34. - The Council of Europe acknowledges the financial assistance provided from the European Union's Phare Programme to support the monitoring process. It also wishes to thank the European Community Monitor Mission in Tirana, which provided valuable logistic support to our mission.

35. - The Council of Europe delegation wishes to thank the Ambassadors of the Council of Europe members states and the US Ambassador in Tirana for productive co-operation. The dinner hosted by the Ambassador of Switzerland and the presence of the Ambassadors at the briefings on Friday 18 October and Friday 25 October, allowed the members of the Council of Europe delegation to gather important additional information on the situation in the country. The Italian Ambassador hosted co-ordination meeting on 25 and 28 October.

36. The Assembly agreed with the OSCE Parliamentary Assembly to co-ordinate observation of their parliamentarians. Unfortunately, the OSCE Assembly withdrew following the dispute between the Albanian Government and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The Assembly regrets the absence of OSCE⁹ and considers that it should be left to each observer delegation to decide in which way it sees proper to carry out its tasks.

⁹ See the press-release of 18 October 1996 in Annex 4.

37. Observation activities were concerted with other observer groups present, in particular with the US National Democratic Institute and International Republican Institute, as well as with a large group of observers sent by the Italian Government and with Greek and Austrian Observers, as well as with the Chairperson of the European Parliament's Committee on Relations with Balkan States Mrs Doris Pack. Effective co-operation developed in some regions of observation, where Council of Europe observers and other observers worked together to ensure effective observation in largest possible area. Although this co-operation worked sufficiently well, the role of co-ordinator should be better defined. If the Council of Europe is, in future, to undertake the responsibility of co-ordinating an observation mission, it must be in position to determine, in advance, which observer groups will be part of co-ordination and how available resources are allocated.

Polling Day on 20 October 1996

38. The members of the Council of Europe delegation were deployed in 24 teams, covering all major cities and selected voting districts in the countryside. Areas of observation had been chosen in consultation with the diplomatic representatives of the Council of Europe members states, to cover widest possible geographic area and to include areas considered sensitive.

39. Statistical data on observation shows that 291 polling stations with almost 200 000 registered voters were visited¹⁰. Voting procedure was good in 68% of the visited polling stations, satisfactory in 29% and bad in 3%). With regard to the counting, the procedure was good in 60 % of the cases, satisfactory in 38% and bad in 2%. At one polling station the irregularities observed were serious enough to warrant invalidation of the results at that polling station.¹¹

40. The most serious irregularity was observed in a polling station in Tirana where more ballots than the number of people that had voted were found in the ballot boxes. According to the reports of the observers deployed by the Italian government, the incidents involving ballot stuffing occurred also in two polling stations in the districts of Vlora and Berat.

41. Other irregularities observed were on the whole of much less serious nature and have not had any significant consequences on the outcome. They involved late opening of polling stations, failure to count and sign the ballots before the opening of the station, husbands and wives voting together, voting without proper identification papers - occurring mostly in small villages - failure to publish the results at the polling stations immediately after the count, late updating of the electoral lists etc. Although some of these irregularities carried the risk of possible manipulation, this danger was effectively reduced by the presence of the opposition vice-chairmen and representatives in the electoral commissions. It has to be stressed however, that in future, in order to eliminate the risks of manipulation of results, the letter of the law should be more strictly observed. Certain changes in the electoral law, which would make the procedures clearer, more transparent and practical, are necessary in order to allow this.

¹⁰ See map in Annex 5

¹¹ See the rest of statistical data in Annex 6.

42. It should also be said that our observers had many reports on alleged serious irregularities, involving mostly intimidation of opposition members in the polling station commissions. The cases that were verified proved these reports were largely exaggerated or plainly untrue, although it may not be excluded that some incidents of this nature did occur.

Second round of local elections, 27 October 1996

43. The second round of local elections in Albania took place in 31 districts in which no candidate had obtained the required majority on 20 October. The observers of the Council of Europe delegation, deployed in 7 teams, visited 8 out of 21 districts where international observers were present. The results of the observation was generally satisfying¹², although several irregularities, including some incidents involving attempts by some party representatives to interfere with free and fair voting process, were observed and should be carefully examined by the Central electoral Commission.

44. The delegation identified two main sources of irregularities during the second round. Firstly, a number of errors were made caused by lack of knowledge and experience in implementing the law on elections.

45. Secondly, a number of incidents were caused by direct and excessive interference by local representatives of political parties during the voting. such interference ranked from attempts to influence voters and members of polling station election commissions, to intimidation.

46. However, the delegation concluded that apart from these isolated incidents, in the districts which we visited, the polling was sufficiently free and fair to be accepted as a reliable expression of the voters' preference.

E. Recommendations to improve the electoral law and election procedures

47. Clear and precise instructions for members of the electoral commissions and members of police on their respective tasks should be prepared and distributed sufficiently in advance. Proper training should be provided.

48. A number of procedures, and in particular stamping and signing of ballots before opening of the polling station, counting of votes and production of protocols and their copies, should be revised in order to make them more practical and easier to implement.

49. The electoral lists should be improved to avoid omitting names or listing the same person twice or more. They should be prepared in alphabetical order, which would also facilitate the work of the polling station committee. The official deadline (48 hours) for changes to the electoral list should be strictly respected. Rules on identification of voters should be strictly respected. In future, when necessary administrative conditions exist, a single type of identification paper, or even a voters card would be recommendable.

¹² The observers visited 75 polling stations, with a total of 44 813 registered voters. The voting procedure was good in 77%, satisfactory in 16, bad in 4% and unacceptable in 3% of cases.

50. Voting of conscripts, prisoners, students and patients in hospitals creates some problems as it may have, in particular in smaller communities, a decisive impact on the outcome of local elections and at the same time deprives these voters of voting in their areas of origin. Possibilities of proxy voting should therefore be considered.

51. Changes in composition of electoral commissions at all levels, with chairmen being appointed by the government party and vice-chairmen by the opposition, had a very positive influence in the conduct of these elections. This could be further improved by chairmen of electoral commissions being appointed by the party that has the majority in the local authority concerned. Vice-chairmen would then be appointed by parties that are in local opposition. Alternates should be designated in order to avoid last minute appointments for replacement.

52. Polling stations should be situated only in public buildings and not in private buildings. They should be easily accessible and sufficiently large to allow for normal conduct of the voting procedure.. The rule that the ballot boxes should be at least 3 meters from the table of the polling station commission should be strictly respected. Sealing of ballot boxes with plasticine was inadequate and should be improved.

53. The maximum number of voters per polling station should be reduced to 500 or 600.

54. Lists of candidates should be clearly posted, in an equal and official manner, at the entrance or inside the polling station.

55. The secrecy of voting should be improved, in particular by ensuring that there are not several people in the same polling booth.

56. Voting hours from 8.00 till 21.00 were unnecessarily long and the polling stations could be closed earlier, at 19.00.

57. Excessive formalism was often applied in assessing the validity of ballots. Their invalidity at many polling stations was very high. In our opinion they should be declared valid if the voter's intention is clearly identifiable. Putting political party symbols on the ballot papers could facilitate voting for illiterates.

58. After the count is completed and the protocols signed, the results should immediately be published outside the polling station. Electoral commissions at higher levels should publish preliminary results immediately upon receiving the protocols. This publication, which is an essential element of democratic transparency, in no way preempts any consequent revision of results due to complaints or other reasons.

59. Political parties should accept responsibility for the behaviour of their representatives in local elections and should prohibit any intimidation or interference during polling.

60. Given the difficult technical conditions, the time between the first and second turn should be extended to at least two weeks, in order to give sufficient time for preparation.

61.

F. Press release, Tirana, 22 October 1996

TIRANA, 22.10.96 - The COUNCIL OF EUROPE delegation which monitored the elections in Albania on 20 October 1996 is satisfied with the conduct of the elections, although it regrets that there were some instances of irregularities serious enough to warrant careful examination by the Central Electoral Commission.

The delegation believes that the elections were free and fair.

They reflected the will of the electorate and were also the product of thorough administrative and technical preparations that very largely complied with the requirements laid down by the Parliamentary Assembly in September 1996.

The most important of these requirements, taken on board by the President of the Republic of Albania, was to convene a Round Table with all political parties, which has determined the climate of the elections.

The delegation notes that these elections were preceded by a peaceful election campaign free of any significant incidents, and that co-operation within the polling stations on polling day was generally good.

The Council of Europe delegation hopes to have made a contribution to the consolidation of democracy in Albania. It welcomes the fruitful co-operation with the Central Electoral Commission and all political parties.

The Council of Europe delegation draws attention to the support from several other election-monitoring delegations present in Albania with which effective co-operation developed.

A joint report by the Council of Europe delegation will be presented to the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe. It will give a detailed assessment of the monitoring and set out constructive proposals on how certain shortcomings identified can be overcome.

62.

G. Press release, Tirana, 29 October 1996

TIRANA, 29.10.96 - The COUNCIL OF EUROPE Observer delegation is generally satisfied with the conduct of the second round of elections on Sunday 27 October, as was the case of the local elections on 20 October, although it regrets that again there were some instances of irregularities serious enough to warrant careful examination by the Central Electoral Commission.

"These irregularities", said Andreas GROSS, member of the Swiss Parliament and spokesman of the delegation, "cause concern to the Council of Europe, with its responsibility for monitoring the democratisation process in Albania."

"There are two major areas of concern. The first relates to individual errors in the implementation of the electoral law and the need to improve the presentation of the list of voters."

"The second area of concern relates to certain serious incidents regarding the behaviour of some representatives of parties. Blatant attempts to interfere with a free and fair election process are totally unacceptable even in such a small number of cases."

Lady FARRINGTON, Rapporteur for the Congress of Local and Regional Authorities of Europe, added, "In a democracy, party representatives taking part in official proceedings should obey the law at all times and any grave breaches of this trust must be dealt with. Political parties should accept responsibility for the behaviour of their official representatives in local elections".

The delegation concluded that apart from these isolated incidents in the districts visited the polling can be said to have been sufficiently free and fair to be accepted as a reliable expression of the inhabitants' preference for their future mayor or head of commune, and agreed that these elections are a definite step in the right direction.

Out of the 31 districts where no candidate had obtained the required majority on 20 October, 21 were visited by international observers, including the Council of Europe's own delegation, which consisted of members of the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe.

A detailed assessment of the monitoring of both electoral rounds will be made in a joint report to be presented to the Council of Europe's Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe. The report will also set out constructive proposals on how certain shortcomings identified in the local elections could be overcome.

Annex I

Composition of the joint delegation

Bureau's ad hoc Committee:

Victor Ruffy	Switzerland	SOC	Chairman of the joint delegation
Sir Russell Johnston	United Kingdom	LDR	Rapporteur for the Assembly
Dumeni Columberg	Switzerland	EPP	
Ali Dincer	Turkey	SOC	
Angelo Dionisi	Italy	UEL	
Andreas Gross	Switzerland	SOC	
Lisbeth Fehr	Switzerland	LDR	
Ana Guirado	Spain	SOC	
Birger Hagard	Sweden	EDG	
Anatoliy Khunov	Ukraine	UEL	
Vicenzo La Russa	Italy	EPP	
Jean-Pierre Masseret	France	SOC	
Andrejs Pantelejevs	Latvia	LDR	
Francesco Parisi	Italy	EPP	
Pilar Pulgar	Spain	EPP	
Enrico Serra	Italy	LDR	
Juris Sinka	Latvia	EDG	
Sir Keith Speed	United Kingdom	EDG	
Süha Tanik	Turkey	EDG	

Advisors to the Bureau:

Karl Ahrens	Germany
Louis Jung	France

Delegation of the Congress of Local and Regional Authorities:

Alain Chénard,	France	SOC	Vice-chairman of the joint delegation
Lady Farrington,	United Kingdom	Labour	Rapporteur for the Congress
Mehmet Buldanli	Turkey	ANAP	
Claude Casagrande	France	UDF	
Corrado Corgi	Italy	Cristiano sociali	
Patrizia Dini	Italy	PDS	
Eva Enqvist	Sweden	Centre Party	
Henry Frendo	Malta	Nationalist Party	
Jan Mans	Netherlands	PVDA (Social Democrat)	
Thomas Mc Cabe	United Kingdom	Labour	
Folke Öhman	Finland	Swedish People's Party	
Ioannis Paraskevas	Greece	Pasok	
Diego Scacchi	Switzerland	FDP	
Marie-Rose			
Wolterink-Oremus	Netherlands	CDA (Christian Democrat)	
Karl-Christian Zahn	Germany	CDU	

Consultant to CLRAE:

Patrick Asheri

Director, Votation Department, Geneva

Annex II

Programme of the observation

Thursday, 17 October 1996

Dinner with Ambassadors of the Council of Europe member states and the Ambassador of the United States, hosted by the Swiss Ambassador

Friday, 18 October 1996

- | | |
|---------|--|
| 10 h | Meeting of the joint delegation of the Parliamentary Assembly and the Congress of Local and Regional Authorities |
| 11 h 30 | Briefing for all accredited observers |
| 16 h | Meeting with the Chairman, the Vice-Chairman and the members of the Central Electoral Commission |
| 22 h | Meeting with Foreign Minister Mr Shehu |

Saturday, 19 October 1996

- | | |
|-----------|---|
| 10 h 30 | Meeting with President Berisha |
| afternoon | Meetings with representatives of Albanian political parties |

Sunday, 20 October 1996

Observation of the elections

Monday, 21 October 1996

- | | |
|---------|---|
| 16 h 30 | Debriefing and preliminary evaluation of the observations |
| 20 h | Meeting with representatives of other observer groups ¹³ |

¹³ National Democratic Institute (US), International Republican Institute (US), EU Commission Delegation in Tirana, EC Monitor Mission, observer group sent by the Greek Government and Parliament, a group of Austrian observers, US Embassy and Ambassadors of several Council of Europe member states.

Tuesday, 22 October 1996

Press conference given by the Chairman, Vice-Chairman and the Rapporteurs for the ad hoc Committee and for the Congress of Local and Regional Authorities

Friday, 25 October 1996

17.30 Meeting of the delegation for the observation of the second round of the local elections

Sunday, 27 October 1996

Observation of the second round of the local elections

Monday, 28 October 1996

12.30 De-briefing

Annex III

1. Programme of the visit by the deputy Clerk of the Parliamentary Assembly, 13-15 September 1996

Meetings with

- the Minister of Foreign Affairs, Mr Tritan Shehu
- the Minister of Justice, Mr Kristofor Peci
- the Minister of the Interior, Mr Halit Shamata
- the Secretary of State for Local Government, Mr Njazi Kosovrasti
- the Chairman of the Central Electoral Commission, Mr Nestor Thereska

2. Programme of the visit of the former President of the Parliamentary Assembly, Mr Karl Ahrens (30 September - 2 October 1996)

Meetings with

- the President of the Republic, Dr Sali Berisha
- the Prime Minister, Mr Aleksander Meksi
- the Speaker of the Parliament, Mr Pjeter Arbnori
- the Secretary of State for Local Government, Mr Njazi Kosovrasti
- 10 main Political Parties
- the Members of the Central Electoral Commission
- the Members of the Parliamentary delegation to the Council of Europe
- the Ambassadors of Switzerland, the United Kingdom, France, Italy and the United States of America

3. Programme of the visit of Lady Farrington, CLRAE Rapporteur for the Congress, 24-27 July 1996

Meetings with :

- . the Prime Minister, Mr Aleksander Meksi
- . the Secretary of State for Local government, Mr Njazi Kosovrasti
- . a member of the Democratic Party, Dr Spahia

- . members of the Socialist Party
- . the President of the Human Rights Party, Mr Melo
- . Mayors of Towns and Communes, Presidents of District Councils and Prefects

4. Programme of visit of the CLRAE President, Mr Claude Haegi, 13-14 October 1996

Meetings with :

- . the President of the Republic of Albania, Mr Sali Berisha
- . the Secretary of State for Local Government, Mr Njazi Kosovrasti
- . the Chairman of the Central Electoral Commission, Mr Nestor Thereska
- . the Leaders of the Democratic Party and the Socialist Party

Local elections in Albania : the Council of Europe regrets the absence of the OSCE observers

TIRANA, 18.10.96 - Victor RUFFY (Switzerland, SOC), the Chairman of the COUNCIL OF EUROPE delegation for the observation of the local elections in Albania regrets the absence of the 37 observers proposed by the Office for Democratic Institutions and Human Rights (ODIHR) who have not been accredited by the Albanian government.

The Council of Europe, who for its part did not spare any effort to favour the participation of OSCE in the observation of the elections, relied on its presence. It deplores that, due to conflict on the number of observers, the ODIHR has not been in position to properly carry out its task.

The Council of Europe delegation considers that the withdrawal of OSCE renders the observation process more difficult but decides to continue its mission in close cooperation with all European and American observers.

It feels that the presence of international observers is a guarantee for free and fair elections, which are essential for the continuation of a democratic process and to maintain stability in the country.

Elections locales en Albanie : le Conseil de l'Europe regrette l'absence des observateurs de l'OSCE

TIRANA, 18.10.96 - Victor RUFFY (Suisse, SOC), Président de la délégation du CONSEIL DE L'EUROPE pour l'observation des élections locales en Albanie regrette l'absence des 37 observateurs proposés par le Bureau des Institutions Démocratiques et des Droits de l'Homme de l'OSCE (BIDDH) et qui n'ont pas été accrédités par le gouvernement albanais.

L'Assemblée parlementaire du Conseil de l'Europe, qui pour sa part n'a pas ménagé ses efforts pour favoriser la participation de l'OSCE à l'observation des élections, comptait sur sa présence. Elle déplore qu'en raison d'une contestation portant sur le nombre de ses observateurs le BIDDH ait été privé de la possibilité d'accomplir sa tâche.

La délégation du Conseil de l'Europe estime que le retrait de l'OSCE rend le processus d'observation plus difficile mais décide de poursuivre sa mission en coopération étroite avec l'ensemble des observateurs européens et américains.

Elle considère, en effet, que la présence d'observateurs internationaux est une garantie pour assurer des élections libres et équitables, indispensables à la poursuite du processus démocratique et au maintien de la stabilité du pays.



Consolidation des rapports des observateurs
du Conseil de l'Europe

Résultats définitifs

1. Renseignements généraux sur l'observation

Nombre de locaux visités :	291
Nombre des électeurs inscrits dans les locaux visités :	197'533
Total du temps d'observation :	251,75 heures

2. Procédure de vote

Conclusion des observateurs :	
<i>bon :</i>	68 %
<i>satisfaisant :</i>	29 %
<i>mauvais :</i>	3 %
<i>inacceptable :</i>	0 %

3. Dépouillement

Quantité, qualité des irrégularités
constatées :

*des irrégularités limitées
et légères ont été constatées
dans 3 locaux de vote*

*des irrégularités importantes
et graves ont été constatées
dans 1 local de vote*

Remarques générales sur le dépouillement :

<i>bon :</i>	60 %
<i>satisfaisant :</i>	38 %
<i>mauvais :</i>	2 %
<i>un seul dépouillement inacceptable</i>	

Details of the Council of Europe's observations

Organisation of the polling station/voting procedure

Situation and access to the polling station:

easy	90%
satisfactory	6%
difficult	4%

Opening hours for voting:

adhered to	92%
not adhered to	8%

Polling station adapted to needs (size, equipment, etc):

yes	90%
no	10%
totally unsuitable	0%

Ballot box(es) sealed:

yes	99.7%
no	0.3%

Political composition of the electoral board:

in compliance with the regulations	98%
not in compliance with the regulations	0%
in compliance with regulations to a certain extent	2%

Police present in the vicinity:

yes	97%
no	3%

Police present inside the premises:

yes	4%
no	96%

Intimidation of voters:

extreme	0.00%
considerable	0.03%
average	0.20%
slight	0.20%

non-existent	99.57%
--------------	--------

Propaganda or disturbances:

yes	0.05%
no	99.95%

Manner in which voters are registered on the electoral list:

identity no. and signature	84%
identity no. or signature	12%
other system	2%
not indicated	2%

Were voters given assistance in voting if necessary and, if so, were they able to choose who assisted them or not?:

yes/free to choose	85%
yes/could not choose	14%
no	1%

Remarks on the identification of voters - identity document requested:

for all voters	95.5%
all, but some exceptions	0.9%
at random	1.8%
not requested	1.8%

General remarks on the voting procedure:

law not complied with	6.5%
law complied with	93.5%

Overall evaluation:

good	68%
satisfactory	29%
bad	3%
unacceptable	0%

Annex VII

Final official figures provided by the Central Electoral Commission¹⁴

Town halls (64)

Democratic Party	58	(90 %)
Socialist Party	4	(6 %)

Communes (310)

Democratic Party	267	(86 %)
Socialist Party	15	(5 %)

Regional councils (36)

Democratic Party		(53 %)
Socialist Party		(31 %)

¹⁴ Reuter, 4 November 1996