

The Congress of Local and Regional Authorities



SPRING SESSION
CG(14)34REP
31 January 2008

STANDING COMMITTEE

Kosovo Municipal and Assembly elections (Serbia) observed on 17 November and 8 December 2007

Joe Conway, Ireland (L, ILDG)

Explanatory Memorandum
Bureau of the Congress

Summary: The Council of Europe was invited by the United Nations Interim Administration Mission in Kosovo (UNMIK) to lead international efforts to observe the Assembly and local elections held there on 17th November and 8th December, 2007. Its role was to examine closely the entire electoral process to ensure that it fully complied with international standards and that the conditions for democratic and transparent elections were met.

The elections were conducted generally in line with Council of Europe principles, as well as international and European standards for democratic elections, when considering the late call for elections and the challenge of running three elections concurrently in Kosovo's still complex political and social environment.

The elections took place in a peaceful atmosphere. Except for the Kosovo Serbs, whose participation was inconsistent and extremely low, voters from all communities participated in these elections.

The overwhelming majority of observers evaluated the voting process in positive terms, with only minor and isolated irregularities reported. However, overall voter turnout was alarming low (43% in November first round and 31% in December).

R : Chamber of Regions / L : Chamber of Local Authorities
ILDG : Independent and Liberal Democrat Group of the Congress
EPP/CD : Group European People's Party – Christian Democrats of the Congress
SOC : Socialist Group of the Congress
NR : Member not belonging to a Political Group of the Congress



Table of Contents

1.	Introduction	3
2.	The campaign.....	4
3.	Giovanni Di Stasi introduction and briefing outline	4
4.	Polling Station/Centre Staff and Procedures.....	5
4.1.	Ownership	5
4.2.	Serb Non-Participation.....	5
4.3.	Complexity of Ballot	5
4.4.	Access	5
5.	Results	9
5.1.	First Round.....	9
5.2.	Second Round	10
5.3.	Congress in Support of Democratic Development	11
6.	Conclusions	11
 <i>Appendices</i>		
	Appendix I – Composition of Congress Delegations.....	12
	Appendix II - Press statements issued by Congress delegation on 18 November and 9 December 2007	14
	Appendix III – Programme of meetings and briefings attended by the Congress delegation (12 – 13 November and 6 – 9 December 2007).....	16
	Appendix IV – Deployment areas	19

1. Introduction

1. At the end of August 2007, the UN Secretary General's Special Representative for Kosovo, Mr. Joachim Rucker, announced that elections would take place in Kosovo. These elections were scheduled for 17th November, 2007, and were to return members of the Assembly, as well as Municipalities and directly-elected Mayors.
2. For the fifth consecutive time, the Council of Europe was invited by the United Nations Interim Administration Mission in Kosovo (UNMIK) to lead international efforts to observe these Assembly and local elections.
3. This Council of Europe mission (CEEOM V) was comprised of a central team of eight international experts based in Pristina, under the leadership of Giovanni Di Stasi (Italy), former President of the Congress of Local and Regional Authorities of the Council of Europe.

The Team of the Council of Europe mission

Post	Name
Head of Mission	Giovanni Di Stasi
Deputy Head of Mission	Franck Daeschler
Field Operations Director	Fredrik Blanck
Observers Coordinator	Franck Balme
Assistant to the Head of Mission	Sophie Ashmore
Administrative and Finance Officer	Lydia Boudebouda-Doddoli
Logistics and Security Officer	Patrice Chanuel
Press Officer	François Charlier
Legal Officer	Pierre Garrone
Statistician	Hans Schmeets

4. On 8 October, fourteen Long-Term Election Observers (LTO) from ten European countries arrived in Kosovo. After a two-day training session (9-10 October), they deployed, in pairs, to six areas throughout Kosovo, while one team was based in Belgrade. Their role was to examine closely the entire electoral process to ensure that it fully complied with international standards and that the conditions for democratic and transparent elections were met.
5. In the week before the ballot, some 150 short-term observers arrived in Kosovo and had the task of observing the opening of the polling stations, the ballot itself, and the counting of the votes and the calculation of the results at all levels. This group of observers was made up of delegations from Council of Europe member states and other European institutions.
6. Congress Observers form a unique cohort in such work, as they themselves are elected democratically in their own States, and thus have a true legitimacy for observing the democratic processes in action. The delegation of the Council of Europe Congress of Local and Regional Authorities was joined by four representatives of the EU Committee of the Regions and members of the European Parliament.
7. The delegation was led by Ludmila Sfirloaga (Romania, SOC, R), Vice President of the Congress. Joe Conway (Ireland, ILDG), member of the Congress, was Rapporteur for this mission. The Committee of the Regions (CoR) was represented by Uno Aldegren (Sweden, PSE), President of the External Relations and Decentralized Co-operation Commission, Franz Schausberger (Austria, PPE), Heini Utunen Ziv (Finland, ALDE), and Uno Silberg (Estonia, UEN/AE).
8. The members of the delegation were deployed throughout Kosovo. L. Sfirloaga, J. Conway, U. Aldegren and F. Schausberger remained in Pristina, where they had meetings with representatives of international

organizations, leaders of the major political entities, and representatives of the association of Kosovo municipalities. On Election Day, they observed the polling in Pristina and the surroundings.

2. The campaign

9. The election campaign was reported to be brisk and committed. Analysts and observers noted that there was in the run-up to the elections

- More actual campaigning
- More money involved
- More people involved

There was a significant effort made by the political entities to reach people through TV and the print media. A significant focus fell on policy issues in the campaign, rather than a concentration on personality politics or the “Big Politics” issue of Status – which did not ultimately overwhelm the campaign.

10. In the local elections, there was a continuous emphasis during the campaign on issues such as – Water, Electricity, Illegal Development, Infrastructure and Jobs. This was resonated in the Assembly campaign, but was further augmented by such issues as – Health, Education, Corruption and Highways. There was a Memorandum of Understanding signed by the Political Parties on October 5th, 2007, to keep the “Status Question” out of the election, and that largely worked. Unlike in previous campaigns, there were not many Albanian double-headed eagles to be seen fluttering from flagpoles around the towns. Resulting from this, there was a realism to the campaign that seemed to reflect the concerns of the Kosovan people. Opinion polls became an established feature of the campaign, with Gallup forecasting the eclipsing of the LDK by PDK.
11. There were, however, palpable soundings coming forward that there would be a widespread Serbian non-engagement with the whole electoral process when – after an initial display of interest by thirty three candidates, after October 12th, they indicated that they wanted to withdraw. Some suggestions were emerging that pensions and other payments might be curtailed, and – with much of Serbian employment being in the financial sector – the leverage was considerable.
12. In any event, close to eight thousand candidates emerged and there was good co-operation from Parties and political entities. Considering that generally five-to-six months is required for electoral organization of this magnitude, and that the election was signaled at the end of August, it was a challenge to prepare ballots for three elections and to train 25,000 personnel to effect the work. Complaints from Parties and political entities were small, with thirty-one formal complaints submitted to the Electoral Complaints Commission (ECC).

3. Giovanni Di Stasi introduction and briefing outline

13. In his opening address to STOs at a briefing in the ABC Cinema, Pristina, (13/November/2007) Giovanni Di Stasi (Head of Mission) reminded the group that they were obliged to conduct work in seven weeks that normally would take five months, such were the constraints placed upon the team. To a great extent, the European Union would see these elections through our eyes, and so would Kosovo, Mr. Di Stasi averred. He went on to underscore our wish to make a contribution to democracy, and – because we were there and were democratically-elected people – it sent a democratic message of hope to Kosovo. He reiterated how important it was that we did not make any utterance about the elections until the end, and then we would speak with one voice.
14. In the remainder of the two briefing days, STOs were comprehensively apprised of the following: CoE Kosovo activities; Code of Conduct/Do's and Don'ts; the Political Background and Political Context; Cultural Issues; Media Awareness; Training on Polling and Counting; Observation Methodology and Observation Form explanation; Security and Mine-Awareness (KFOR); Deployment. The Thursday of election-week was given over to deployment to the regions, while Friday comprised of familiarization with the territory, as well as polling centres and stations.
15. In what follows, your rapporteur is giving necessarily an amalgam of the many observers' comments, but the closeness of this report to those actual observations will engender greater perspicacity, ownership and verisimilitude in the report itself.

4. Polling Station/Centre Staff and Procedures

16. Observers who had been in Kosovo on earlier occasions remarked that the Polling Station/Centre Staff appeared much more competent and in control of the process of conducting the ballot. Though these 2007 elections were quite complex in format, nevertheless there were very few complaints from political party observers in the polling stations. An Observation Team in the Prizren area noted good competence among the polling teams but could not say the same about the Counting Team that they observed, who appeared poorly trained for their task. In Pristina, one team noted frequent inept usage of ink-spray, where the ink was cleaned from the finger immediately after application.

4.1. Ownership

17. Observers reported an overriding interest in the Assembly Election, to the detriment of the Municipal and Mayoral Election, and that there was a feeling that the ballot was not a system devised by Kosovars for Kosovars. Another CoE Observation Team in Mitrovica-North noted that OCSE personnel were prominent, and frequently intervened with the PS Chairperson.

4.2. Serb Non-Participation

18. One team visited the only PS reserved for Serb voters in Mitrovica-North, where not a single voter turned out to vote, so no counting there was necessary. Much the same was reported from Zubin Potok, Zuple and Uguire, where – because of the Serb boycott – no PCs or PSs were set up, with all polling materials stored in the Police Station. In the Prizren area, a total Serb boycott was reported by another team, but Bosniak and Turkish voters participated normally. In Kostenica, a Team reported groups threatening the mobile voting teams and preventing voting operations.

4.3. Complexity of Ballot

19. With nearly eight thousand candidates standing in the elections - for a population of 1.9 million people or thereabouts – it can be seen that the process was inevitably going to be unwieldy. One team in Kostenica noted people coming to vote with “Post-It” reminders of whom to vote for. They observed people looking for help, family voting, even people seeking help from the Observation Team itself. Many teams observed older voters being accompanied into the polling booth by younger people, and it was not uncommon for voting for individuals to be recorded as taking – in some instances – up to ten minutes.

4.4. Access

20. One of our teams observed that they noted little by way of access for the disabled in Gjilane, and noted only a small number of female candidates. Many of the Polling Centres observed in Pristina had limited or no suitable access for disabled or wheelchair access or egress. This problem appeared to replicate all over.
21. Monitoring access and all other electoral matters were also provided by Democracy in Action, who had about 2,000 monitors in approximately six hundred Polling Centres and 2,500 Polling Stations. They had a “Get Out the Vote” on the “Silent Day” (November 16th) and distributed about 150,000 door-hangers to this effect before E-Day.
22. Pristina, 18.11.2007: Since 1st October, The Council of Europe Election Observation Mission in Kosovo (CEEOM V) has been observing the electoral process leading up to the 17 November 2007 Kosovo Assembly, Municipal Assembly and Mayoral Elections. On Election Day, the Mission deployed more than 150 observers in Kosovo. A delegation of the Council of Europe’s Congress of Local and Regional Authorities and from the European Parliament also took part in the observation. Over 30% of the polling stations were visited by CEEOM V Observers.
23. The elections were conducted generally in line with Council of Europe principles, as well as international and European standards for democratic elections, when considering the late call for elections and the particularity of running three elections concurrently in Kosovo’s still complex political and social

environment. The elections were conducted in accordance with a legal framework that provided conditions for a democratic and credible electoral process. The Central Election Commission published electoral rules covering the entire process. The elections took place in a peaceful atmosphere, despite the particularly tense political context at the approach of the deadline for the negotiation process on the future status of the province. A number of features contributed to the overall positive evaluation of these elections.

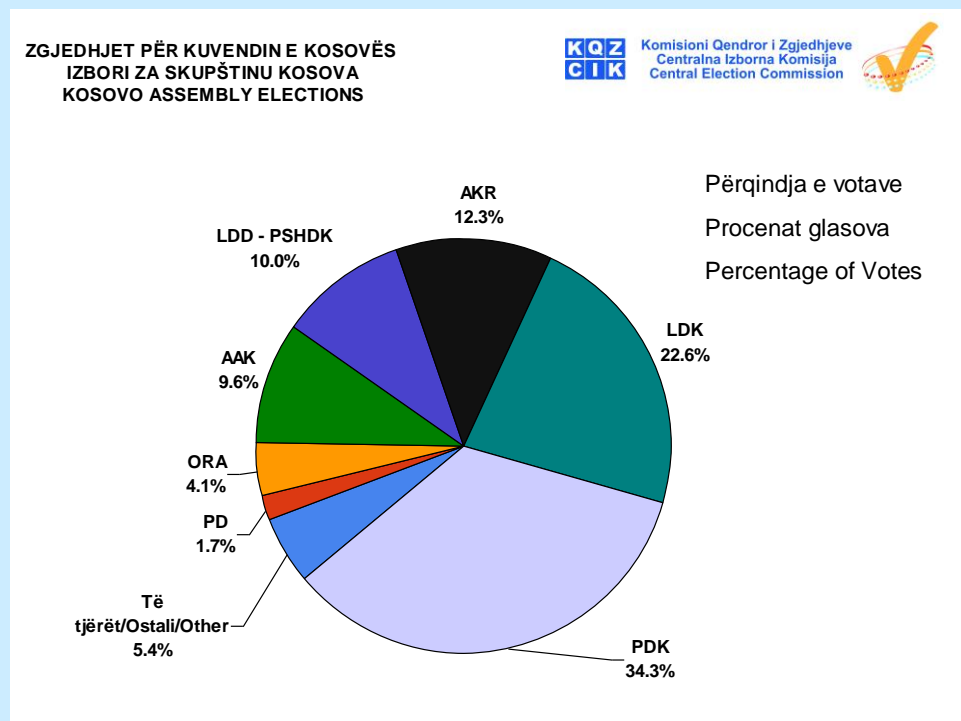
24. Despite the late call, the domestic electoral administration, together with essential support from the international community, succeeded in putting into place the necessary arrangements to enable them to hold the elections in a timely manner. An important element was the SRSG's decision to issue a waiver for the procurement for the electoral process. Political stakeholders should also be praised for their ability to adjust to new conditions and for complying largely within the set rules and timelines.
25. The electoral process was administered in an efficient manner, with a high degree of transparency. Our mission was invited to attend CEC meetings as observers. Municipal Election Commissions generally conducted their work in a neutral and professional way. The Ministry for Science and Education contributed to the success of the political campaign through its flexibility to allow political campaign events inside school buildings after school hours. In addition, safeguards and security features of the out-of-Kosovo by-mail voting are believed to be sufficient to guarantee the integrity of this process.
26. Globally, the campaign was peaceful, but rather low profile compared to previous elections, political entities preferring the massive use of posters and billboards to big political rallies. However, campaigning was more visible and active in urban areas and main cities. In addition, the main political leaders were often out of Kosovo taking part in the negotiation process on the future status. In general, political parties adhered to the "Gentlemen's Agreement" signed on 05 October contributing to a campaign environment largely free of violence or intimidation. There was a broad participation of Kosovo Albanian political entities, including parties representing most communities. Because of Serb boycott of elections, Serbian political parties were not presented.
27. CEEOM V noted an improvement in the functioning of the independent and semi-judicial body of the Election Complaints and Appeal Commission (ECAC). The Commissioner is now an international judge assisted by one other international judge and three high-ranking domestic judges. Decisions are taken by simple majority, with panels of three judges including one international. An international judge's opinion carries the same weight as that of a domestic judge, which is a major improvement in the empowerment of local institutions.
28. The overwhelming majority of observers evaluated the voting process in positive terms, with only minor and isolated irregularities reported. Polling stations generally opened and closed on time, and the vote count was conducted in an acceptable manner. There was broad access for more than 26 000 party delegates and non-partisan domestic observers accredited by the CEC, to observe the polling and counting process.
29. Whilst stressing the positive aspects of these elections, CEEOMV also noted some shortcomings that should be addressed for the further improvement of the electoral process:
Bearing in mind that the Final Voters List is not fully accurate and also includes, for example, the names of deceased persons, preliminary data indicates that overall voter turnout was just above 43%, showing a decrease from past elections considering:
 - a. that 3 elections were held at the same time; - the introduction of "open lists" for the Kosovo Assembly and Municipal Assembly elections;
 - b. the developments in the political landscape since the last elections;
 - c. all of which should have attracted more voters. The confirmation of this continuous downward trend, which started in the 2001 elections, reveals dissatisfaction among the population, begetting an appreciable frustration among voters with their regime of governance, due in the main to the lack of improvements expected following the previous four elections. To an extent, this turnout reflects a particular loss of trust due to widespread discontentment with the prevailing socio-economic situation that affects all communities living in Kosovo in their day-to-day life, and the atrophying effect of eight years administration by the United Nations.

30. Voters from the Kosovo Serb community have followed the appeals not to participate that were made by Serbian Authorities, Serbian political and religious leaders, as well as from the main Kosovo Serbs political leaders and entities, who did not register to run in these elections. 6 Mobile polling stations based on trucks as well as 17 back-up Polling Station Committee teams were deployed in Serbian areas since only 54 of the 107 regular polling centres were allowed to be opened by local or municipal authorities, and therefore were not in compliance with UN Security Council Resolution 1244.
31. 33 Serbian political entities registered and were certified for the three elections. Many sent official requests to withdraw after the deadline. These withdrawals, as well as the absence of participation of the Kosovo Serbs in these elections, were certainly also a result of the statement adopted by the Association of Serbian Municipalities in its session held on 12 October, calling all Serbs not to take part in these elections. This is also the result of other official or non-official instances of pressure from Serbia and Kosovo Serb Local Authorities. In these circumstances, Kosovo Serbs candidates had almost no opportunity to conduct a meaningful campaign.
32. Although Kosovo is now in its fourth electoral cycle, there is still no consolidated electoral framework. While the elections were largely conducted in such a way that they can be considered credible and that the preliminary results so far seem to reflect the will of the people of Kosovo, international standards require that a set of electoral provisions be in place long before the call for elections. Keeping in mind that the international community has taken the lead in the four previous electoral cycles and that these elections could already be foreseen one year ago, regulations governing the Kosovo Assembly and the Municipal Assemblies were finally adopted by the SRSG as late as 7 September 2007 and 29 August respectively. The Central Election Commission had to pass electoral rules as late as 26 October with some of these rules amended as late as 12 November. Essential changes of the electoral rules should not be made less than one year prior to elections.
33. The call for these elections was very late, even though the need for elections was known well in advance, as municipal elections were due in 2006 and the term of office for the Kosovo Assembly was due to expire in late 2007. To be in line with the requirement of the International Covenant on Human and Political Rights for "genuine periodic elections", elections should never be postponed unless there are exceptional circumstances.
34. Formally, these elections are the responsibility of local institutions, primarily the CEC. However, due to the short notice, it became imperative that the international community, through the OSCE, take much more responsibility for the process than was foreseen. Notwithstanding the fact that local institutions did not plan for entirely locally run elections, it seems that the international community has not met its obligation to contribute to capacity-building in the field of elections.
35. As already recommended by CEEOM in 2004, the decision-making mechanism within the CEC should be changed. It is still the case that the Chairperson, currently the Head of OSCE Mission in Kosovo, may occasionally determine an issue against all other members. The requirement of a qualified majority could guarantee the fundamental interests of the non-Albanian communities/opposition parties which could furthermore be strengthened by a request for agreement from the communities concerned. A further complication was that the mandate of the CEC expired in the middle of the electoral period. Most of the former Commissioners were reappointed (as from 11 October). But in addition the SRSG issued a regulation modifying the composition of the CEC and thus excluded participation from the civil society.
36. Although in essence, the electoral system selected might not seem complicated, in practice, the format chosen, as well as the large number of participating political entities and the necessary design of the ballots for the Kosovo Assembly and the Municipal Assemblies proved quite difficult to handle for an ordinary voter. It resulted in a time-consuming process and in too many cases required that voters with limited abilities ask for assistance to cast their ballot, thus infringing on the secrecy of the ballot.
37. According to our observations, in 70% of cases it took more than 5 minutes from the moment the voter received a ballot to the moment that the ballot was cast into the ballot box. This, of course, had an impact on the time voters spent queuing. Even though public voter education could have been more intense and efficient, it is doubtful that it would have made much difference. The number of voters leaving the queue because of this was, however, minor and voters should be commended for their patience.

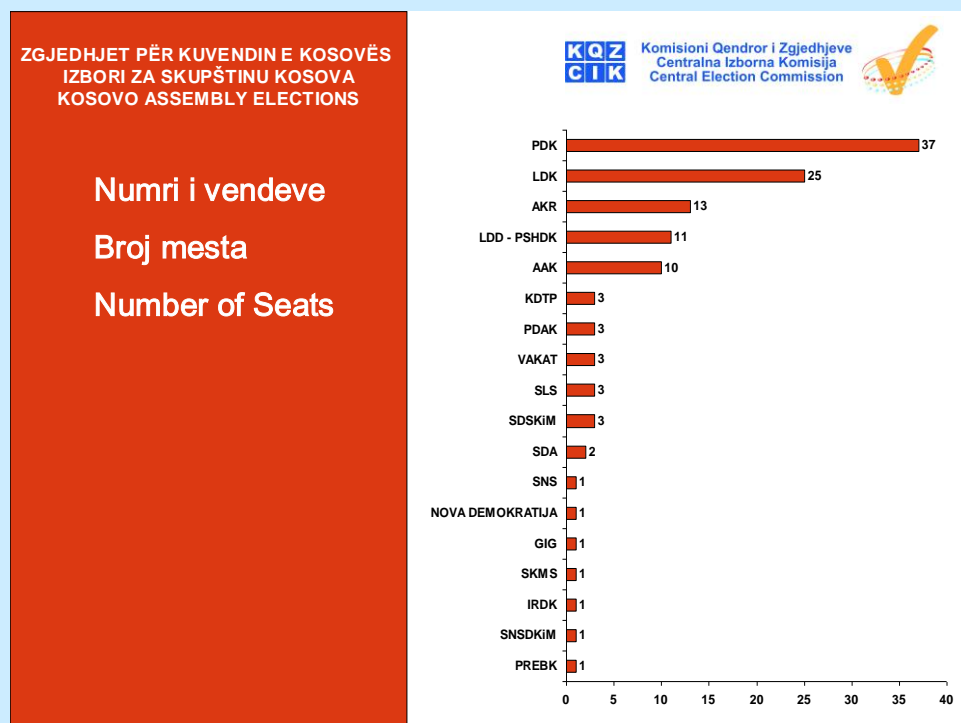
38. Concerning the election environment, observers reported that in 9% of the observations there were physical difficulties to access the polling stations, that in 16 % there were large crowds waiting to vote and that in 8 % the polling stations were overcrowded. On procedural issues it was reported that in 22% of the observations the ballots were not stamped when issued, in 10% that the provisions for spoiled ballots were not adhered to, in 7 % that the rules for assisting voters with limited abilities were not followed and in 15 % that the secrecy of the ballot was not respected. 32% of the observations included "group and family voting". 3% of the reports stated that voters were instructed for whom to vote.
39. The counting lasted many hours but only in very few cases indicated some irregularities. However, in almost 20% of the observations, the assessment was that the Polling Station Committees lacked a proper understanding of the procedures, which had an impact on the organisation of the counting and cooperation between the PSC members. It is rather worrying to note that in almost consistently 15% of the observations, safeguards during the reconciliation process were discarded. Despite focusing on the counting procedures during the training of the PSCs, cascade training provided at local level evidently was not up to the mark.
40. It is premature to evaluate the effectiveness of public information and voter education for out-of-Kosovo eligible voters since the deadline for the by-mail operation is 20 November. However, public information and voter education have been extremely low for Kosovo IDPs from all communities. Certainly, the strong position of the Serbian Authorities prevented proper public information being disseminated, and in addition, due to the short preparation time, the election administration focused its resources on organising elections inside Kosovo.
41. The Final Voter List (FVL) is an extract from the Civil Registry and is prepared by the CEC. Regrettably, the Civil Registry, which is the responsibility of UNMIK, is not updated as it should be and therefore, amongst other things, there were a substantial number of names of deceased persons still included on the list. It was not within the competencies of the Voter Services to solve the issue of the names of the deceased. During the period 27 September to 17 October, 24 119 Kosovars came forward. Out of these 6 295 asked for a change in their Polling Centre. Despite the low numbers, the process has been considered a success by the electoral authorities.
42. This preliminary statement covers the process up to the counting for the Kosovo Assembly elections and is issued before the announcement of election results and before all complaints and appeals have been addressed by ECAC. The final assessment of these elections will depend, in part, on the completion of counting and tabulation, the final announcement of results and the effectiveness of the complaints procedure. CEEOMV intends to remain in place to observe the completion of these aspects of the electoral process.
43. The Mission expects all parties and political leaders to respect the results of these elections. It stresses the responsible role that must be played by political leaders and all Kosovo Assembly and Municipal Assembly members in promoting reconciliation and the construction of democratic institutions in Kosovo.

5. Results

5.1 First Round



The above pie-chart shows PDK (Partia Demokratike E Kosoves) coming in with 34.3% of the vote, followed by LDK (Lidhja Demokratike E Kosoves) with 22.6%, and AKR (Aleanca Kosova e Re) with 12.3%.



The above shows the number of seats in the Assembly taken by the main parties:

- 37 by PDK
- 25 by LDK
- 13 by AKR
- 11 by LDD-PSHDK
- 10 by AAK

The turnout reached 628,630 (40.1%) voters which includes eligible voters residing within and outside Kosovo. The turnout for Kosovo only was 622,397 which is 42.8% of the electorate. The total number of valid votes cast in the by-mail programme was 6,233.

5.2. Second Round – Kosovo Mayoral Elections

44. The second round of municipal mayoral elections took place on 8th December 2007. The observation of the second round was done by Congress delegation headed by Mrs Ludmila Sfirloaga (Romania), Mr Joseph Borg (Malta), Mrs Véronique Moreira (France), Mr Michael Neureiter (Austria), Mr Paolo Rondelli (San Marino) and Mrs Dominique Ronga, (France) and a representative of the Committee of the Regions of the EU, Ms Heini Utunen Ziv (Finland). The delegation observed the elections in Pristina, Mitrovica and Prizren, altogether in about 80 polling stations, mainly urban schools, but also a few rural polling stations.
45. Regulations require that a candidate may only win the seat if they gained 50% of the valid votes cast plus one vote. Should this not be the case then a second round is required which is won on a simple majority basis. The second run-off concerned only 23 municipalities. The official campaign period started on Tuesday 4 December just after the release of the provisional results and terminated on Friday 7 December at midnight.
46. The overall estimation of the delegation is that elections were well organised despite the short notice. Nevertheless several shortcomings persisted, such as lack of accessibility to the polling stations, handwritten messages found in the voting booths, power cuts which hampered the electoral process and a number of ballot boxes which were not sealed properly. There seemed to be a lack of information about the elections in some remote areas. In some stations the election committees were not complete and caused delays in the voting process.
47. According to the preliminary results announced by the CEC and OBSCE, the PDK won in 17 municipalities, LDK in 7, and AAK in 3. CEC officials announced that the turnout was 31% and that 14,000 conditional and by-mail votes were not included in the preliminary results. The results in five municipalities with either majorities or significant populations of Kosovo Serbs were annulated due to the low participation of the Kosovo Serbs and the need to ensure fair representation of non-Albanian communities in institutions. So, this is a concern how local life will be organised in these five municipalities, it is not clear when will be the next municipal elections their.

5.3. Congress in Support of Democratic Development

48. Congress rejoices in the encouragement of meaningful and responsive local and regional government. In these, it sees the will of peoples in the ascendant and the reciprocation of empowerment as a result. Conversely, Congress is bound to delineate instances where it sees evidence that all is not well, democratically-speaking.
49. With a voting percentage of under 43% in the election in Kosovo, and a subsequent lower figure in the Mayoral Second Round, clearly there is a systematic lowering of the democratic imperative with people in Kosovo, as witnessed by a declining figure at each election. This disengagement was described as “alarming” by the Observation Mission, and it alarms Congress. It represents signal evidence that the relevance and rectitude of local and regional government has not established itself with the people of Kosovo. The other factors of low participation were the frustration of voters over their government, existing socio-economic development and weak effect of eight years administration by the United Nation. Political self-determination and a stronger participation of the Kosovars itself in the voting process would be highly desirable.

50. Congress has shown itself assiduously committed to building and fostering meaningful democratic development and empowerment in the Balkans. It must be given the scope to work in Kosovo and other areas, where democracy is nascent but frail. In the absence of such commitment, we should not be at all surprised if future elections give evidence of popular disengagement and apathy on the scale we have seen recently here. If such an outcome was to become prevalent, the partial vacuum thus created could become pernicious in the extreme.

6. Conclusions

51. As an overall conclusion of the Kosovo elections, the Congress observers particularly stress the alarmingly low percentage of the voter turnout. Serious weight of consideration needs to be given to the above-mentioned reasons for such a low participation – in view of the unalterable fact that no group of observers can ever claim to have a totally comprehensive analysis as to *why* turnouts are low in *any* election. The full local ownership of the election system must be the next step in moving towards an increased participation and confidence amongst the local people.
52. The members of the delegation note positively that the local electoral committees were fully cooperative and informative/welcoming towards them. This underscores the responsibility of the European community towards the consolidation of democracy in Kosovo, and embedding the principles of the European Charter of Local Self Government.
53. The number of Conditional Ballots issued is still unacceptably high (33,791, or 5.43%). In consideration of the fact that this percentage of votes would have put a Political Entity above the qualifying representational threshold of 5%, it would appear basically unsound that such qualifying ballots could theoretically return six members of the 120-seat Assembly.
54. The imposed timeframe for these elections placed an inordinate stress on the logistics of organizing the vote. Adequate and apposite timeframes are a *sine qua non* in the proper execution of any plausible and democratic electoral contest. In future elections, every effort should be made to ensure that democratic processes are not potentially compromised by truncated preparatory and run-in periods.
55. The Open-List format of balloting would appear to have engendered a very unwieldy electoral process. With approximately 8000 candidates competing for the voting choices of roughly 600,000 voters, [in round figures, one candidate for every seventy-five eventual voters], the ballot was bound to tend towards complexity, even fragmentation. Observers reported clear problems for voters, and long voting-times. Such a system, if it persists, is unlikely to positively address the clear difficulty of voter disengagement or apathy.
56. Low participation of women candidates in the election should be an issue of concern and for improvement.
57. The Council of Europe must be commended for its ability to mobilize, at such relatively short notice, an Observation Mission that was as responsive as it was complex. Despite the great demands placed on it by the time-factor, and a lacuna of uncertainty about the regulation of the Elections in the run-up, the Council never lost focus on the task in hand and its responsibility to the democratic process in Kosovo.
58. The Council of Europe, the Congress and other European institutions have to continue to provide a great support to the development of the democratic civil society, local and regional government, to work with governmental and non-governmental organisations such as Associations of local authorities of Kosovo on the permanent basis.

APPENDIX I

COMPOSITION OF CONGRESS DELEGATION: FIRST ROUND ON 17 NOVEMBER 2007

- **Mrs Ludmila Sfirloaga**, Vice-President of the Congress, Councillor, Prahova County Council (Romania, SOC, R) – **Head of the delegation**
- **Mrs Violeta Alarova**, Mayor, Municipality of Centar/Skopje (“the former yugoslav Republic of Macedonia”, ILDG, R)
- **Mr Joseph Borg**, Councillor Mellieha Local Council (Malta, EPP/CD, R)
- **Mr Jan Brons**, Association of Polish Cities (Poland, ILDG, L)
- **Mr Joe Conway**, Councillor, Tramore Town Council (Ireland, ILDG, L)
- **Mr Ott Kasuri**, Mayor of Harku Municipality (Estonia, ILDG, L)
- **Mr Hannu Kemppainen**, Member, City Council of Kajaani (Finland, ILDG, L)
- **Mrs Britt-Marie Lövgren**, Vice-Mayor, Umea (Sweden, ILDG, L)
- **Mr Lorenc Luka**, Mayor of Shkodra (Albania, NR, R)
- **Mr Nigel Mermagen**, Councillor, South Somerset District Council (United Kingdom, ILDG, L)
- **Mr Albert Moens**, Member of the Provincial Executive of Nord-Holland (The Netherlands, SOC, R)
- **Mrs Véronique Moreira**, Regional Councillor of Rhône Alpes (France, NR, R)
- **Mr Michael Neureiter**, Vice President, Regional Parliament of Salzburg (Austria, EPP/CD, R)
- **Mr Paolo Rondelli**, Municipal Councillor of San Marino (San Marino, SOC, R)
- **Mrs Dominique Ronga**, in charge of the interregional relations and the decentralised co-operation, Vice-President of the Regional Council of Lorraine (France, SOC, R)
- **Mrs Tatiana Shvedova**, Head of the City of Neftekumsk, Neftekumsk district, Stavropol territory (Russian Federation, SOC, L)

Committee of the Regions

- **Mr Uno Aldegren**, President of the External Relations Commission, CoR (SE/PSE)
- **Mr Franz Schausberger**, Member of the External Relations Commission, CoR (AT/PPE)
- **Ms Heini Utunen Ziv**, Member of the External Relations Commission, CoR (FI/ALDE)
- **Mr Uno Silberg**, Member of the External Relations Commission, CoR (ET/UEN-EA)

National associations of local and regional authorities

- **Ms Mariana Kancheva Ivanova**, Union of Bulgaria Black Sea Local Authorities (Bulgaria, R)

Accompanied by:

- **Ms Antonella Cagnolati**, Director of the Congress
- **Ms Larissa Kireeva**, Administrator to the Congress
- **Ms Gönül Koçak**, Congress Secretariat

COMPOSITION OF CONGRESS DELEGATION: SECOND ROUND ON 8 DECEMBER 2007

- **Mrs Ludmila Sfirloaga**, Vice-President of the Congress, Councillor, Prahova County Council (Romania, SOC, R) – **Head of the delegation**
- **Mr Joseph Borg**, Councillor Mellieha Local Council (Malta, EPP/CD, R)
- **Mrs Véronique Moreira**, Regional Councillor of Rhône Alpes (France, NR, R)
- **Mr Michael Neureiter**, Vice President, Regional Parliament of Salzburg (Austria, EPP/CD, R)
- **Mr Paolo Rondelli**, Municipal Councillor of San Marino (San Marino, SOC, R)
- **Mrs Dominique Ronga**, in charge of the interregional relations and the decentralised co-operation, Vice-President of the Regional Council of Lorraine (France, SOC, R)

Committee of the Regions

- **Ms Heini Utunen Ziv**, Member of the External Relations Commission, CoR (FI/ALDE)

Accompanied by:

- **Ms Lilit Nikoghosyan**, Co-Secretary of the Institutional Committee
- **Ms Gönül Koçak**, Congress Secretariat

APPENDIX II
PRESS STATEMENT ISSUED BY THE CONGRESS DELEGATION
ON 18 NOVEMBER 2007

Congress/Committee of the Regions observation mission stresses the importance of Kosovo elections for local democracy in the region

Pristina, 18.11.2007 – A delegation of the Council of Europe Congress of Local and Regional Authorities, which has been joined by four representatives of the EU Committee of the Regions, participated in the Fifth Council of Europe Elections Observation Mission, and observed the elections for the Assembly, municipal councils and mayors of Kosovo on 17 November.

The delegation was led by Ludmila Sfirloaga (Romania, SOC), Vice President of the Congress. The Committee of the Regions (CoR) was represented by Uno Aldegren (Sweden, PSE), President of the External Relations and Decentralised Co-operation Commission, Franz Schausberger (Austria, PPE), Heini Utunen Ziv (Finland, ALDE), and Uno Silberg (Estonia, UEN/AE). Joe Conway (Ireland, ILDG), member of the Congress, is Rapporteur on this issue

The members of the delegation were deployed throughout Kosovo. L. Sfirloaga, J. Conway, U. Aldegren and F. Schausberger remained in Pristina, where they had meetings with representatives of international organisations, leaders of the major political entities, and representatives of the association of Kosovo municipalities. On Election Day, they observed the polling in Pristina and the surroundings.

A press release and a general statement on the observation mission have been issued at a press conference held on 18 November. Congress and CoR representatives underlined the importance of these elections for local democracy and development of the region.

This joint mission of the Congress and of the Committee of the Regions responds to the commitment of the two European Assemblies of local and regional elected representatives to strengthening local and regional democracy in Europe. It is also a concrete demonstration of the implementation of the Memorandum of Understanding signed by the Congress and the CoR in 2005.

As part of its mission for monitoring local and regional democracy in European countries, the Bureau of the Congress will adopt a report on the observation of the elections in Kosovo at its meeting on 17 December. Subsequently, in the framework of a general debate on the situation in Kosovo, a resolution and a recommendation will be adopted at the Congress Spring Session (March 2008).

On the other hand, the Committee of the Regions will evaluate the outcome of this mission on the occasion of the 4th meeting of the Working Group on Western Balkans which will take place on the Committee of the Regions' premises in Brussels on 20 November. The experience the CoR observers will contribute to the drafting of the future opinion concerning the region of Western Balkans.

The Congress will be observing the second round of mayoral elections on 8 December 2007.

Contact: Dmitri Marchenkov, Head of the Congress' Communication Unit
Tel. +33 3 88 41 38 44, mobile +33 6 75 65 03 49

PRESS STATEMENT ISSUED BY CONGRESS DELEGATION ON 9 DECEMBER 2007

Kosovo Mayoral Elections, 2nd round: in line with international standards, but lack of participation remains the main concern

Strasbourg, 10.12.2007 - The Congress of Local and Regional Authorities of the Council of Europe observed the second round of the municipal mayoral elections in Kosovo, on 8 December 2007. The observation was carried out by a delegation headed by Ludmila Sfirloaga (Romania), and composed of Joseph Borg (Malta), Véronique Moreira (France), Michael Neureiter (Austria), Paolo Rondelli (San Marino) and Dominique Ronga, (France) and a representative of the Committee of the Regions of the EU, Heini Utunen Ziv (Finland). The delegation, which had already observed the first round, was deployed in Pristina, Mitrovica and Prizren, in about 80 polling stations in all, mainly urban schools, but also a few rural polling stations.

The delegation appreciates the fact that despite the short notice for holding the second round of elections the Central Electoral Commission (CEC) was able to organise them in an efficient and systematic manner. The overall estimation is that the elections were well organised. Nevertheless several shortcomings persisted, such as lack of access to the polling stations, handwritten messages found in the voting booths, power cuts which hampered the electoral process and a number of ballot boxes which were not sealed properly. There seemed to be a lack of information about the elections in some remote areas. In some stations the election committees were not complete and caused delays in the voting process.

As an overall conclusion to the Kosovo elections, the Council of Europe Congress and the EU Committee of the Regions observers particularly stressed the alarmingly low percentage of voter turnout. Serious considerations must be given to the reasons for such a low participation. The full local ownership of the election system must be the next step in increasing participation and confidence amongst the local people.

The members of the delegation noted positively that the local electoral committees were fully cooperative and informative/welcoming towards them. This stresses the responsibility of the European community towards the consolidation of democracy in Kosovo and the principles of the European Charter of Local Self-Government as far as the Congress is concerned.

For more information http://www.coe.int/t/dc/files/events/2007_kosovo/default_en.asp

Press Contacts:

Dmitri Marchenkov, Head of the Congress communication unit

Tel. : +33 3 88 41 38 44 ; Mobile +33 6 75 65 03 49 ; congress.com@coe.int

APPENDIX III

PROGRAMME OF MEETINGS AND BRIEFINGS ATTENDED BY THE CONGRESS DELEGATION ON 12-19 NOVEMBER 2007

Monday, 12 November

Arrival of the delegation and staff members – welcome at the airport by CEEOM staff

Transfer to: Grand Hotel

Mother Theresa, Pristina

Tel: +381 38 220-210

Fax: +381 38 248-138

19h00 Delegation de-briefing and practical issues
Grand Hotel Meeting Room

Tuesday 13 November (09h00) – Wednesday 14 November (17h30)

Short Term Observers Training (ABC cinema Pristina)

Thursday, 15 November

Deployment of the observers

Meetings programme for the Head of Delegation:

Composition of the Delegation:

Mrs Ludmila SFIRLOAGA
Mr Joe CONWAY
Mr Uno ALDEGREN
Mr Franz SCHAUSBERGER
Mrs Antonella CAGNOLATTI
Mrs Larissa KIREEVA

Departure from the Grand Hotel

09h00 Meeting with Mr Steven Schook, United Nations Principal Deputy Special Representative of the Secretary General (SRSG), Head of UNMIK
UNMIK Headquarters

09h45 Meeting with Ambassador Tim Guldemann, Deputy SRSG, Head of OSCE Mission in Kosovo and Hugh Fulton Elections Technical Adviser
OSCE Headquarters

10h30 Meeting with President Fatmir Sejdiu (also President of LDK)
President's Office, Govt Building

11h15 Meeting with Mr Renzo Daviddi, Head of European Commission Liaison Office in Kosovo
European Commission Liaison Office

12h00 Meeting with Fatmir Limaj, deputy head of Democratic party of Kosovo, PDK
DK Headquarters

12h30 ***Lunch break***

- 14h00 Visit to E-Medicine Centre
- 16h00 Meeting with the Serbian member of Assembly.
Assembly of Kosovo
- 17h00 Meeting with Mr Ismet Beqiri, Mayor of Pristina Municipality, the Association of Kosovo Municipalities
and Mayors
Pristina Town Hall
- 18h00 Meeting with Giovanni Di Stasi (HoM) and Franck Daeschler (DHoM), CEEOMV
CEEOM Headquarters, Camp Charlie, Pristina

Saturday, 17 November

OBSERVATION E-DAY

Sunday, 18 November

- 11h00 - 12h00 Meeting with CEEOM HoM, DHoM and Heads of Delegations (CLRAE + EP) Finalisation of the
preliminary statement
Council of Europe Office (6th Floor UNHCR Building)
- 14h00 Press Conference
ABC Cinema

Departure of the members

Monday, 19 November

Departure of the members

**PROGRAMME OF MEETINGS AND BRIEFINGS ATTENDED
BY THE CONGRESS DELEGATION
ON 6-9 DECEMBER 2007**

Thursday, 6 December

Arrival of the delegation and staff members – welcome at the airport by the Council of Europe staff in Pristina.

Transfer to:

AFA Hotel
Ali Kelmendi Nr. 15
10000 Pristina, Kosovo
Tel: +381 38/225 226
Fax: +381 38 24 46 82

18h00 Delegation de-briefing and practical issues
AFA Hotel lobby

Friday, 7 December

12h00 Deployment of the observers (Mitrovica and Prizren)

Meetings programme for the Head of Delegation:

Composition of the Delegation: Mrs Ludmila SFIRLOAGA
Mrs Lilit NIKOGHOSYAN
Mr Paolo RONDELLI

Departure from the AFA Hotel

14h10-15h00 Meeting with **Mr. Joachim Rucker**, Kosovo SRSG/UNMIK
Venue: UNMIK HQ

15h00-16h00 Meeting with **Mr. Marku Lamannen**, OSCE Mission in Kosovo
Venue: OSCE HQ, 5th floor, room 509

18h00 Dinner with **Mr. Sazan Ibrahim**, Executive Director of the Association of Kosovo
Municipalities
Venue: Restaurant "Pishat"

Saturday, 8 December

OBSERVATION E-DAY

Sunday, 9 December

10h00 De-briefing and preparation of press release
Venue: AFA Hotel

14h00 Departure of the members

APPENDIX IV

DEPLOYMENT AREAS on 1st Round – 17 November 2007

Team	Deployment Areas	Team Composition
1	Pristina	Mrs Ludmila Sfirloaga Mr Uno Aldegren
2	Pristina	Mr Franz Schausberger Mrs Antonella Cagnolati
3	Pristina	Mr Joe Conway Mrs Larissa Kireeva
4	Mitrovica (South)	Mrs Mariana Kancheva Ivanova Ms Gönül Koçak
5	Mitrovica (South)	Mr Ott Kasuri Mrs Tatiana Shvedova
6	Mitrovica (North)	Mr Joseph Borg Mrs Heini Utunen Ziv
7	Prizren	Mr Hannu Kemppainen Mr Nigel Mermagen
8	Prizren	Mr Albert Moens Mrs Britt-Marie Lövgren
9	Peja	Mr Paolo Rondelli One member of the European Parliament
10	Gjilane	Mr Lorenc Luka One member of the European Parliament
11	Gjilane	Mr Jan Brons One member of the European Parliament
12	Gjilane	Mrs Véronique Moreira Mr Uno Silberg
13	Gjilane (Strepce)	Mr Michael Neureiter Mrs Dominique Ronga

DEPLOYMENT AREAS on 2nd Round - 8 December 2007

Team	Deployment Areas	Team Composition
1	Pristina	Mrs Ludmila Sfirloaga Ms Lilit Nikoghosyan
2	Pristina	Mrs Véronique Moreira Mrs Heini Utunen Ziv Mr Paolo Rondelli
3	Prizren	Mr Michael Neureiter Mrs Dominique Ronga
4	Mitrovica (South) and Vushtrii	Mr Joseph Borg Ms Gönül Koçak