

## The Bureau of the Congress

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25 March 2020

## **Draft Information Note by the Congress high-level delegation on the visit to Tirana, Albania (4-6 February 2020)<sup>2</sup>**

Congress members:<sup>3</sup> Anders KNAPE, Sweden (EPP/CCE), President of the Congress;  
Gunn Marit HELGESEN, Norway (EPP/CCE), President of the Chamber of Regions;  
Xavier CADORET, France (SOC/G/PD), President of the Chamber of Local Authorities

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1 This document is classified as confidential until it has been examined by the Bureau of the Congress

2 Final programme attached to this document.

3 L: Chamber of Local Authorities / R: Chamber of Regions

EPP/CCE: European People's Party Group in the Congress

SOC/G/PD: Group of Socialists, Greens and Progressive Democrats

ILDG: Independent Liberal and Democratic Group

ECR: European Conservatives and Reformists Group

NR: Members not belonging to a political group of the Congress

## 1. Introduction

1. Endorsed by the Congress Bureau, meeting on 28 October 2019 in Strasbourg, the three Presidents of the Congress decided to undertake a high-level visit to Albania in early 2020, to look into the current situation of local and regional democracy in Albania, in particular into the developments since the local elections held on 30 June 2019.

2. The high-level delegation composed of the President of the Congress and the Presidents of the Chambers visited Tirana from 4 to 6 February 2020, and met with the President of the Republic, the Deputy Minister of Interior, the President of the Central Election Commission, the People's Advocate, the Chairman of the Parliamentary Group of the Socialist Party, the Chairman of the opposition Democratic Party, the Mayor of Tirana, representatives of the associations of territorial self-government, members of the Congress delegation, representatives of the diplomatic corps and international organisations as well as NGOs and civil society representatives.

3. The visit took place in the context of the ongoing period of unsettled constitutional, legal and political matters<sup>4</sup> for which several issues are symptomatic, notably:

- the incompleteness of the Constitutional Court for two years and the diverging interpretation of the President of the Republic and Government of the appointment process of high judges;
- conflicting positions of the President, the Government and the opposition regarding the so-called vetting process of judges and prosecutors in the frame of the EU-brokered reform of the judiciary;<sup>5</sup>
- the unsatisfactory situation as regards fighting entrenched corruption<sup>6</sup> and the failure to open the EU accession negotiations with Albania (and North Macedonia);
- the contested package of amendments to two media laws which were internationally criticised as undermining media freedom in Albania;
- last but not least, the worsening atmosphere around the local elections of June 2019 which evolved into a constitutional crisis and a Parliamentary motion to impeach the President of the Republic, Ilir META (Socialist Movement for Integration, LSI) due to his decrees to cancel and to postpone the local elections.

## 2. Political background at the national and local level

4. After the parliamentary election of 2013 a coalition government was formed by Edi RAMA, President of the Socialist Party of Albania (PS). The election of September 2017 brought an absolute majority for the Socialists.

5. Against the backdrop of a polarised political climate prevailing in Albania over years, early 2019, a series of protests were organised by opposition groups which culminated, in February 2019, in the call of the Democratic Party (DP), led by Lulzim BASHA, and the Socialist Movement for Integration (LSI), led by Monika KRYEMADHI, to their MPs to rescind their Parliamentary mandates.<sup>7</sup> All except two opposition MPs gave up their mandates. However, some opposition parties' representatives ignored the call of their party leadership and filled the seats vacated by their colleagues, in accordance with the Albanian law. They thus constitute a third political grouping in the country which contributes to an even more confused situation.<sup>8</sup>

6. The opposition then called for a boycott of the local elections scheduled for June 2019. The President of the Republic issued two decrees, one on 10 June 2019 to cancel the Election Day and a second one

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4. During the meeting of the Congress delegation with NGOs, the situation in Albania was paraphrased as a "cyclical crisis over the past 30 years of transition".

5 According to the Congress' interlocutors from the international corps in Tirana, the judicial reform was an important move forward but has been implemented far too slowly.

6 Corruption was described as the main issue to be addressed in Albania during the meeting of the Congress delegation with representatives of the diplomatic corps in Tirana. It was also mentioned that, over the last three years, the country in this respect, was rather moving backwards than forwards. Concerning the fight against organised crime, there was standstill rather than progress (crime groups previously engaged in trafficking cannabis, which was abolished, by and large, by the Government, have been "replaced" by gangs trafficking cocaine).

7 According to the opposition allegations of fraud and corruption during the 2017 general elections were not investigated which was reported also in foreign media and contributed to the heating up of the political atmosphere at the beginning of 2019.

8 On the surface, Albania's Prime Minister Edi Rama and his Socialist Party (PS) seem more powerful than ever – they are backed by a Parliament from which opposition parties have resigned and which is now almost completely populated by MPs supportive of Rama (either members of the PS or 'independents').

on 27 June 2019 to postpone the elections to October 2020. However, the Government, Parliament and the Central Election Commission (CEC) were opposed to this position and the CEC then decided to proceed with the original date.<sup>9</sup>

7. As a consequence, on 30 June 2019, a Socialist-led Coalition (Alliance for European Albania Coalition) ran uncontested in 31 municipalities, facing smaller parties and independent candidates in the other 30 municipalities, resulting in an absolute win by the Socialists in all municipalities except one (Alliance for European Albania Coalition: 60 mayors, Greek Ethnic Minority for the Future Party: 1 mayor).

8. Out of 1,619 seats of councillors, the Socialist-led Alliance for European Albania Coalition won 1,555, the Hope for Change Coalition 12, parties running alone 50 and independent candidates 2 seats. According to the official final result, a total of 811,727 voters, or 22.96%,<sup>10</sup> participated in the last local elections.<sup>11</sup>

9. The situation in Shkodër, the second largest city of Albania and traditional stronghold of the opposition, is of specific interest. On 15 August 2019, the elected Socialist mayor Valdrin PJETRI was forced to resign following the discovery of a past criminal record in Italy for drug dealing. He ran as the sole candidate for the city, winning 100% of the valid votes and was set to be the first ever Socialist mayor of Shkodër. According to the Albanian law, if a newly elected mayor is not able to take office, automatically the incumbent's mandate is prolonged.

10. Therefore, former mayor Voltana ADEMI from the opposition Democratic Party, despite of not having run in the June 2019 elections, currently acts as “*technical*” mayor of Shkodër and thus is the only mayor not belonging to the side of the Socialists and their allies.

### 3. The situation of municipalities further to the 2019 local elections

11. The overall confrontational political climate in Albania prevails also at the local and regional level and the Congress delegation was confronted during the visit with overall polarising statements, notably by party representatives and members of associations of local and regional authorities (which are also organised along party lines), with little hope of a rapid improvement in the will and ability to engage in dialogue between the Government and the opposition.

12. During the meeting with the Chairman of the Parliamentary Group of the ruling Socialist Party and Socialist MPs, the constitutionality of the 2019 local elections was underlined and it was mentioned that in municipalities currently without elected mayors there should be a call from the President for by-elections. The next general local elections should be held in 2023 involving all political parties as this should be also the case for the next Parliamentary elections to be organised in June 2021. Opposed to that, the Chairman of the opposition Democratic Party insisted on early local elections together with the next Parliamentary elections to be held before June next year. A “caretaker government”, following the model used in North Macedonia, could oversee these elections in order to get out of the current political impasse. Ongoing discussions on the electoral reform between the Government and the opposition could be a “door opener”.

13. While representatives from the region of Shkodër described the situation at the regional level as unsatisfactory (c.f. due to a lack of infrastructural projects in the north of the country which traditionally has been “opposition land” and because of the structural ineffectiveness of the 12 regions which do not function as a link between central Government and the municipalities), during the meeting with the

<sup>9</sup> The Congress, due to uncertainties regarding the election date, a secure deployment of its observer teams to different regions of the country and the lack of a meaningful political competition and choice for voters, cancelled its observation mission on 26 June 2019.

<sup>10</sup> In some municipalities the turnout was even lower (c.f. 6 % in Shkodër).

<sup>11</sup> The OSCE-ODIHR election observation mission, in its preliminary conclusions presented on 1 July 2019, stated that the elections were held with little regard for the interest of the voters, the opposition decided not to participate, while the Government was determined to hold the elections regardless, leading to a situation in which voters often did not have a meaningful choice among political options. The ODIHR observers also referred to the politicized interpretation of electoral law and an imbalanced election management which reduced public trust in the elections. Moreover, there were credible allegations of pressure on voters from all political sides.

Deputy Minister of Interior in charge of local self-government, major achievements of the administrative-territorial reform, adopted in 2015, were highlighted, including new delegated responsibilities for the municipalities and consultation of citizens.<sup>12</sup>

14. While the Consultative Council (CC)<sup>13</sup> was praised by its Secretary as an important body to agree on all draft laws related to local and regional government prior to the adoption in Parliament,<sup>14</sup> according to the representative of the Albanian Association of Municipalities, the CC is lacking substance and does not offer a forum for in-depth discussion on decentralisation and local government issues.

15. There was general agreement among the interlocutors that the June 2019 local elections did not contribute to the further consolidation of territorial democracy in Albania and it was mentioned, in particular during the meeting with NGOs, that there was a further decline of public trust in the State institutions after these elections.

#### **4. The challenges ahead**

16. In addition to the pressing need for a functioning Constitutional Court, the internationally criticised media laws (which were vetoed by the President of the Republic and withdrawn by Parliament), there is the ongoing electoral reform high on the political agenda of Albania, which may result in a change from the majoritarian to the proportional system.

17. In January 2020, a working group on electoral reform has been created to continue negotiations between the Government and the opposition, which were interrupted in 2019 due to the opposition walk-out of Parliament, with the aim to look into the recommendations of international election observers (notably OSCE/ODIHR) and find an agreement until mid-March. The fight against electoral crimes, the accuracy of voters' lists and the improvement of electoral equipment are among the first issues to be discussed. A discussion on the electoral system is expected for March.<sup>15</sup> Since electoral reform is an important issue for the EU accession process, the success of the working group is considered essential for the possible reopening of negotiations with Albania in May.

18. Remaining open questions include also the organisation of by-elections in several municipalities which are currently without elected mayors. This includes, as mentioned, the special situation of Shkodër, but also Durres and Vora. Urged by the governing Socialist party to call for elections in these three municipalities (currently without an elected mayor due to different reasons<sup>16</sup>), the President of the Republic did not yet decree by-elections to fill these vacancies.<sup>17</sup> With regard to the June 2019 local elections, a recent request by the current technical Mayor of Shkodër to invalidate these elections (due to a registration of one party which allegedly occurred in violation of the law) has been considered admissible by the Constitutional Court.

19. An area of potential democratic development is the strengthening of citizen involvement and citizen participation in Albania. The introduction of referendums at the local level and innovative tools of deliberative democracy such as citizens assemblies were suggested, in particular, by representatives of NGOs the Congress delegation met.

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<sup>12</sup> Representatives of the diplomatic corps, at the meeting with the Congress delegation, underlined that the internationally supported territorial-administrative reform was a success story at the beginning but was at risk to turn into the contrary, mainly due to the lack of financing and the absence of youth and citizen participation in the decision-making.

<sup>13</sup> The Consultative Council, established in early 2017, through the mediation and intervention of the Congress, was meant to provide the Albanian associations of local and regional authorities the opportunity for representation on the basis of parity. It was considered as an important instrument for advancing decentralisation and territorial reform but presently lacks administrative, logistical and, most importantly, political support in order to function at an optimal level. The delegation was informed that all local and regional authorities are regularly invited, eliminating the initially envisaged internal process of analyses and political internal co-ordination within the representative structures. Additionally, as draft (electoral?) legislation was made available only on very short notice prior to its adoption, any de facto meaningful assessment by stakeholders was not possible, given the timeframe. I.

<sup>14</sup> This opinion was shared also by the interlocutors from the Association of Albanian Regional Councils.

<sup>15</sup> The mayor of Tirana, in a meeting with the Congress delegation, confirmed the openness of the Government to changes proposed by the opposition. During a meeting with the diplomatic corps, it was made clear vis-à-vis the Congress delegation that the electoral reform process was a huge step forward but this was to be seen mainly in the interest of the two major political parties of Albania and that smaller parties could be left aside, as this has been the case in the past.

<sup>16</sup> In Shkodër and Vora the elected Socialist mayors were pressured to resign, due to alleged criminal activities in the past, while the Durres mayor resigned after an unfortunate public statement made after the earthquake that hit Durres in November 2019.

<sup>17</sup> During the meeting with the Congress delegation, the President of the Republic mentioned that by-elections would not be "useful" in the present context and he referred to the need of a political solution based on the proposals made by the German Bundestag.

20. The described political conflicts prevailing at the national and the local level need to be seen against the backdrop of a major exodus of young Albanians lacking a perspective for their future and therefore leaving the country. This massive brain drain has been described to the members of the Congress delegation as the real underlying issue for the future of Albania.

## **5. Conclusions**

21. As foreseen by the 2020 workplan, the Congress will carry out a Monitoring mission to assess the implementation of the European Charter of Local Self-Government in Albania mid-June. Xavier CADORET, President of the Chamber of Local Authorities, who participated in the high-level visit, will be one of the Rapporteurs. The according draft report will be presented to the Monitoring Committee in October 2020 and the Recommendation will be discussed and adopted by the Congress at its 40<sup>th</sup> Session in spring 2021. The Congress monitoring exercise has been described by the representatives of the diplomatic corps in Tirana as an important element for the evaluation of the country in view of the EU accession process and, more generally, for the further European integration.

APPENDIX

**CONGRESS HIGH-LEVEL VISIT TO ALBANIA**  
**4 – 6 February 2020 – FINAL PROGRAMME**

**Tuesday, 4 February 2020**

- 02:00           Arrival in Tirana
- 09:00 – 09:45    Briefing with the Head of the Council of Europe Office in Tirana,  
**Ms Jutta GÜTZKOW**  
*Venue: Hotel Rogner, Tirana, Room London*
- 10:00 – 11:00    Meeting with the President of the Republic of Albania, **Mr Ilir META**  
*Venue: President's Office,  
Presidential Palace, Bulevardi Dëshmorët e Kombit, Tirana*
- 12:30 – 13:15    Lunch
- 13:30 – 14:30    Meeting with Chairman of the Democratic Party of Albania, **Mr Lulzim BASHA**  
*Venue: Chairman's office, DP Headquarters, Zhan D'Ark Bulevard no 11, Tirana*
- 15:00 – 16:00    Meeting with **Ms Greta BARDELI**, President of the Regional Council of Shkoder,  
and **Mr. Maxhid CUNGU**, former Vice President of Region  
*Venue: Hotel Rogner, Tirana, Room London*
- 16.15 – 17.00    Meeting with Secretary General and Chairman of the Parliamentary Group of the  
Socialist Party, **Mr. Taulant BALLA**  
*Venue: Parliament of Albania offices, Blv Deshmoret e Kombit*
- 17:15 – 18:00    Meeting with **Ms Voltana ADEMI**, Mayor of Shkoder  
*Venue: Hotel Rogner, Tirana, Room London*
- 19:00            Informal dinner

**Wednesday, 5 February 2020**

- 09:00 – 10:00    Meeting with Mayor of Tirana and Head of the Albanian Delegation to the Congress,  
**Mr Erion VELIAJ**, and members of the Congress Delegation  
*Venue: City Hall, Sheshi "SKËNDERBEJ", 2, Tirana (by car)*  
*Contact: Blerina BESHKU (Tel: + 355 67 457 0847)*
- 11:00 – 12:00    Meeting with **Mr Eduard NDRECA**, Vice-President and **Ms Elidiana CANAJ**,  
Executive Director, Association of Albanian Regional Councils  
*Venue: Hotel Rogner, Tirana, Rooms London and Paris*

- 12:15 – 13:30 Meeting with **international and domestic NGOs**
- **Mr Dritan TAULLA**, KRIIK
  - **Ms Esmeralda HOXHA**, Coalition for Free and Fair Election
  - **Ms Miriam ANGONI**, Albanian Helsinki Committee
  - **Ms Gazmend AGAJ**, Coalition for Free and Fair Election
  - **Mr Kristaq KUME**, Albanian Institute for Election System Development (AIESD)
- Venue: Hotel Rogner, Tirana, Rooms London and Paris*
- 13:45 – 15:15 Working lunch with **Ms Erinda BALLANCA**, People's Advocate  
*Venue: Restaurant, Hotel Rogner, Tirana*
- 15:30 – 16:30 Meeting with **representatives of the diplomatic corps in Tirana**
- France, **Ms. Christina VASAK**, Ambassador
  - Germany, **Dr. Johannes DIETRICH**, Deputy Head of Mission
  - Greece, **Ms Vallia PENTARVANI**, First Councillor, Deputy Head of Mission
  - Italy, **Mr. Fabrizio BUCCI**, Ambassador
  - Sweden, **Ms. Elsa HÅSTAD**, Ambassador
  - Switzerland, **Mr. Adrian MAÎTRE**, Ambassador
  - United Kingdom, **Mr. Duncan NORMAN**, Ambassador
  - EU-Delegation, **Ms Monica BYLAITE**, Deputy Head of Mission
  - OSCE
  - United Nations, **Mr Brian WILLIAMS**, Resident Coordinator
- Venue: Hotel Rogner, Tirana, Rooms London and Paris*
- 16:45 – 18:00 Meeting with **Ms Romina KUKO**, Deputy Minister of Interior and **Mr Bekim MURATI**, Director General of the Agency Supporting Local Self-Governance, Secretary to the Consultative Council  
*Venue: Ministry of Interior, Blv. Deshmoret e Kombit*
- 18.15 – 19.00 Meeting with **Mr Agron AXHIMALI**, Executive Director of the Albanian Association of Municipalities  
*Venue: Hotel Rogner, Tirana, Rooms London and Paris*
- 19:30 Working dinner with former Congress Vice-President **Ms Julia HOXHA**

**Thursday, 6 February 2020**

- 09.00 – 10.00 Meeting with the Chair of the Central Election Commission of Albania (CEC), **Mr Klement ZGURI**  
*Venue: CEC Headquarters, Rruga Dritan Hoxha, Tirana*
- 10.15 – 10.45 Meeting with the Executive Director of Association of Local Autonomy of Albania (ALAA), **Ms Adelina FARRICI**, **Mr Armando SUBASHI**, **Mr Dritan LELI**, **Ms Majlinda BUFI**, **Mr Sotiraq FILO**  
*Venue: Hotel Rogner, Tirana*

## Delegation

### **Congress Members**

**Mr Anders KNAPE** (EPP/CCE, Sweden), President of the Congress

**Mr Xavier CADORET** (SOC, France), Chamber of Local Authorities, President

**Ms Gunn Marit HELGESEN** (EPP/CCE, Norway), Chamber of Regions, President

### **Congress Secretariat**

**Mr Andreas KIEFER**, Secretary General

**Ms Renate ZIKMUND**, Acting Head of Service, Department of Statutory Activities

**Ms Eleonore PARK-EDSTRÖM**, Senior Adviser to Mr KNAPE