

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 388 (2015)<sup>1</sup> Observation of local elections in Albania (21 June 2015)

1. Further to the observation of local elections held in Albania on 21 June 2015, carried out by the Congress of Local and Regional Authorities based on the invitation by the Minister of State for Local Government of Albania, the Congress refers to:

*a.* Article 2 of Statutory Resolution CM/Res(2011)2 of the Committee of Ministers relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised charter appended thereto, stating that the Congress regularly prepares reports on the situation of local and regional democracy in all member States and candidate countries, and that it also prepares reports and recommendations following the observation of local and/or regional elections;

*b.* its Resolution 307 (2010) REV2 on procedures for monitoring the obligations and commitments entered into by the Council of Europe member States in respect of their ratification of the European Charter of Local Self-Government (ETS No. 122);

*c.* its Resolution 306 (2010) REV on observation of local and regional elections – strategy and rules of the Congress;

*d.* its Resolution 353 (2013) REV on Congress post-monitoring and post-observation of elections: developing political dialogue;

*e.* the Rules and Procedures of the Congress;<sup>2</sup>

*f.* the principles laid down in the European Charter of Local Self-Government (ETS No. 122), which was ratified by Albania on 4 April 2000.

2. The Congress reiterates the fact that genuinely democratic local and regional elections are part of a process to establish and maintain democratic governance, and that observation of political participation at territorial level is a key element

in the Congress' role as guardian of democracy at local and regional level.

3. It welcomes the report on the observation of local elections held in Albania on 21 June 2015, which states that progress was achieved, compared to previous elections, notably with regard to the overall campaign environment and the phase immediately after the elections during which political parties and coalitions refrained, by and large, from violent disputes. Voters were offered a choice between a range of candidates, including the required 50% quota of female candidates, and the fundamental freedoms of assembly and expression were generally respected. The Congress also endorses the basic assessment of the report, which requires Albania to make further improvements to the legal framework of elections, in particular a depoliticisation and professionalisation of the whole electoral administration.

4. Considering the issues drawn to the Congress' attention by the Chairman of the Democratic Party and the decision by the Constitutional Court of Albania of 15 December 2014, rejecting the appeal filed by the Democratic Party parliamentary faction against the Law No.115/2014 on the territorial administrative division of local government units in the Republic of Albania, the Congress:

*a.* invites its Committee on the Honouring of Obligations and Commitments by member States of the European Charter of Local Self-Government (to be known as the "Monitoring Committee") to undertake, at the very earliest opportunity, a fact-finding mission to Albania, in the framework of the Congress' post-electoral dialogue and its mechanism to assess the situation of local and regional democracy, against the background of the implementation of the territorial administrative reform in the aftermath of the 2015 local elections;

*b.* asks, in particular, that allegations of gerrymandering and malapportionment of mandates, heard by the Congress' delegation observing the local elections on 21 June 2015, be investigated.

5. It suggests that – based on the outcome of this fact-finding mission – the relevance of a new monitoring visit to Albania be examined.

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1. Debated and approved by the Chamber of Local Authorities on 21 October 2015 and adopted by the Congress on 22 October 2015, 3rd Sitting (see Document CPL/2015(29)2FINAL, explanatory memorandum), rapporteur: Stewart Dickson, United Kingdom (R, ILDG).

2. CG/2015(29)16FINAL.