

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 377 (2015)¹ Observation of local elections in Albania (21 June 2015)

1. Following the invitation by the Minister of State for Local Government of Albania to observe the local elections held in the country on 21 June 2015, the Congress of Local and Regional Authorities refers to:

a. Article 2, paragraph 4 of the Committee of Ministers' Statutory Resolution CM/Res(2011)2 relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised charter appended thereto;

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

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

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

2. It 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. The Congress welcomes the progress achieved, compared to previous elections, in respect of the campaign environment and that the local elections held on 21 June 2015 were carried out in an overall calm and orderly manner. This applies also to the phase immediately after the elections during which political parties and coalitions refrained, by and large, from violent disputes.

4. It notes with satisfaction that the authorities continued their efforts to improve the legal framework, which, in principle, could have provided the basis for democratic elections.

5. The Congress welcomes, in particular, the new requirement of a 50% quota of female candidates for the candidate lists to municipal councils, which was also well implemented.

6. The Congress suggests that further improvements can be made in respect of the electoral legislation and the

practical side of electoral management and therefore invites the Albanian authorities to:

a. revise the modalities of appointment and dismissal of members of electoral bodies at all levels, in order to achieve de-politicisation and ensure professionalism of the whole electoral administration;

b. overhaul the provisions related to independent candidates and parties running outside big coalitions, in order to ensure the right to stand, on an equal basis, to all subjects who intend to run for election, in particular with regard to requirements for candidates' registration and public funding;²

c. reinforce bodies in charge of complaints and appeals procedures, in order to solve disputes as soon as possible, especially for cases filed before election day and which have a potential influence on its outcome;

d. regulate the presence and the role of partisan observers within and in the vicinity of polling stations so as to ensure the secrecy of the vote and to avoid pressure on voters;

e. reinforce the training provided to Election Commission members at all levels in order to increase their knowledge of the procedures and strengthen confidence in the elections among citizens and stakeholders;

f. allocate more resources to the counting process in order to speed it up and lower political tensions – and the related risks of unrest – created by its length.

7. In addition, the Congress encourages the Albanian authorities to revise the legal provisions on residence requirements for voter registration at local level, in the light of the Congress recommendation on electoral lists and voters residing *de facto* abroad.³

8. Finally, the Congress encourages the Albanian authorities to overhaul specific legal provisions related to the media in order to ensure independent, sustainable and balanced journalism. In particular, the revision of the competencies and the composition of the Media Monitoring Board could foster its ability to monitor media in a more effective and impartial manner during electoral campaigns.

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. Recommendation 375 (2015) and Resolution 382 (2015) on criteria for standing in local and regional elections.

3. According to Article 7 of Recommendation 369 (2015) on electoral lists and voters residing *de facto* abroad,

“7. The Congress recommends that the Committee of Ministers invite the governments of member States to ensure that:

a. the right of nationals to participate, as voters or candidates, in the election of members of the council or assembly of the local authority in which they reside is recognised by law and as a minimum requirement; *b.* the right of other persons to so participate, in accordance with the respective constitutional order and international legal obligations, is implemented with the necessary safeguards, so that effective electoral management, the integrity and transparency of electoral processes and the prevention of fraud or manipulation during local and regional elections are guaranteed.”