



**Report of the Canadian Parliamentary Delegation
respecting its participation at the Election Observation
Mission of the OSCE Parliamentary Assembly in Albania**

**Canadian Delegation to the Organization for Security and Co-
operation in Europe Parliamentary Assembly (OSCE PA)**

**Albania
June 25 – 29, 2009**

Report

On June 28, 2009, Senator Consiglio Di Nino, Head of delegation, Senator Percy E. Downe, Mr. Peter Goldring, M.P. and Mr. François Michaud, secretary, took part in the International Election Observation Mission (IEOM) for the parliamentary elections in Albania. The IEOM was a joint undertaking of the OSCE Parliamentary Assembly (OSCE PA), the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Parliamentary Assembly of the Council of Europe (PACE), and the NATO Parliamentary Assembly (NATO PA). The following report is mainly based on the “Statement of Preliminary Findings and Conclusions”, as published by the IEOM on June 29, 2009.

On June 28, 2009, some 395 short-term observers were deployed throughout Albania, observing about 1,375 polling stations out of a total of 4,753. Participating in the IEOM were 36 members of the OSCE PA delegation, 22 from PACE and 5 from the NATO PA, the other observers being from 38 OSCE participating States. The OSCE/ODIHR Election Observation Mission opened in Tirana on 8 May with 12 experts in the capital and 26 long-term observers deployed throughout Albania. Mr. Wolfgang Grossruck (Austria), Vice-President of the OSCE Parliamentary Assembly and Head of the OSCE PA delegation, was appointed by the OSCE Chairperson-in-Office as Special Coordinator to lead the short-term OSCE observer mission. Senator Di Nino acted as one of his six Deputies and as member of the mission’s Advisory Group.

The elections were assessed for their compliance with the OSCE and Council of Europe commitments for democratic elections, as well as with Albanian legislation. The “Statement of Preliminary Findings and Conclusions” was published prior to the completion of the election process, which means that the final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. A comprehensive and final report will be issued by the OSCE/ODIHR approximately eight weeks after the completion of the election process.

The “Preliminary Post-Election Statement of the International Election Observation Mission” offered the following analysis:

“The 28 June 2009 parliamentary elections in Albania marked tangible progress with regard to the voter registration and identification process, previously a contentious issue, and the legal framework, adopted in a consensual manner by the two main parties. These improvements were overshadowed by the politicization of technical aspects of the process by political parties and violations observed during the election campaign which undermined public confidence in the election process. Election Day was overall calm and peaceful, and the atmosphere was improved.

The voting process was assessed slightly more positively than in previous elections although procedural violations were observed. It is premature to make a definite assessment since the vote count and tabulation, essential elements of the electoral

process, are yet to be completed. The final assessment will depend to a significant extent on the conduct of these stages of the election process.

Following longstanding recommendations, the Government undertook significant efforts to establish a digitalized civil register and to provide each eligible voter with a new ID card. Overall, 1,321,376 ID cards were distributed, including to voters who do not possess a passport, the only other valid means of voter identification. About 81,000 ID cards remained uncollected by Election Day. However, the late start of the ID card distribution, the lack of administrative capacities and technical deficiencies contributed to this endeavour being one of the most contentious issues surrounding these elections. Instances of undue interference by Democratic Party (DP) activists occurred. Opposition parties, in particular the Socialist Party (SP), claimed the process was compromised by politically motivated manipulation, often without substantiating their claims; in a number of cases these seemed to be unfounded.

The legal framework, which introduced the new system of regional proportional representation, provides a thorough technical foundation for the conduct of democratic elections, if implemented in good faith by the authorities and the political parties. Nonetheless, further improvements are needed to bring the Electoral Code fully in line with OSCE commitments and Council of Europe standards.

The election campaign took place in a highly polarized political environment and, as in previous elections, was characterized by a large number of allegations made against the governing parties about electoral violations. The campaign was active and lively, and the range of parties contesting the elections offered voters a genuine choice. The campaign environment was mostly calm, with some violent incidents and use of harsh language.

There were many allegations of pressure on public-sector workers and students to attend DP campaign events or desist from opposition activities. Several of these were substantiated. Such action would contradict Paragraph 7.7 of the OSCE 1990 Copenhagen Document. The Government repeatedly used official events for party campaign purposes, as did the SP leader in his capacity of Mayor of Tirana, to a lesser extent. There were allegations of misuse of administrative resources by the ruling DP, some of which were confirmed. This is in contradiction with the Electoral Code and violates Paragraph 5.4 of the OSCE 1990 Copenhagen Document, which calls for a clear separation between political parties and the state.

The following positive aspects of the election process were noted:

- The Central Election Commission (CEC) administered the technical preparations of the elections professionally and mostly within legal deadlines.
- The registration process of candidate lists of political parties, as well as one independent candidate, was conducted in an inclusive manner.
- Voters were provided with a plurality of views due to a large number of broadcast and print media which gave political parties opportunities to get their messages across. The public broadcaster fulfilled its legal obligation to provide free airtime to all political parties.
- The Electoral College adjudicated appeals during the pre-election period in an impartial manner, thus providing effective and timely remedy.

- Newly enacted legal provisions establish quota requirements for the presentation of women as candidates and members of mid-level election commissions for the first time.
- A number of parties representing national minorities participated in the elections, and such parties were represented in most electoral coalitions.
- The level of transparency of these elections was enhanced by the CEC's functioning in an open manner as well as the presence of a large number of domestic election observers, including party observers, on Election Day.

The following issues of concern were also noted:

- The CEC was divided on most contentious issues and frequently voted along majority/minority party lines. The representatives of the two main parties at the CEC often made political statements that added to the tension.
- The work of the CEC was negatively affected by the failure of local governments to submit information necessary for logistical preparations and of parties to provide lower-level election commission members within the legal deadlines. This resulted in the late establishment of Commissions of Electoral Administration Zones and of Voting Center Commissions as well as in problems to provide training to all commission members.
- Controversy arose because many local governments failed to allocate public spaces for campaign posters, or did not inform parties accordingly. In some places, campaign stands and tents were removed by local authorities.
- The Ministry of Interior provided apparently contradictory figures on the progress of the ID card application process which decreased public confidence in the reliability of information provided by the Government, and thus fuelled allegations.
- The monitored broadcast media were biased in their coverage of the main parties and provided limited coverage of other contestants. There was a lack of editorial independence of most media outlets, especially TV stations, compounded by the absence of transparency regarding ownership.
- The Media Monitoring Board (MMB) at times made assessments which showed a lack of independence and used an inadequate methodology to discharge its duties as set out in the Electoral Code. The MMB generally failed to propose compensatory measures for "smaller" parties to receive the amount of airtime they are entitled to under the Electoral Code.
- Loopholes in the legal provisions to ensure representation of women as candidates created opportunities for parties to circumvent their intent, thus diminishing their impact.
- The lack of transparency in campaign finance is a matter of serious concern.

Overall, election day was overall calm and peaceful, without major incidents or violence, although tension was evident in isolated cases. Generally, IEOM observers assessed the voting process positively in a large majority of voting centers visited. However, they noted procedural violations, including with regard to inking procedures and widespread family voting as well as the late opening of voting centers. The closing of voting centers

and receipt of election material at Ballot Counting Centers was assessed overall positively. It is premature to assess the vote count which is still ongoing in all regions.”¹

Respectfully submitted,

The Honourable Senator Consiglio Di Nino,
Director
Canadian Delegation to the Organization for Security and Co-operation
in Europe Parliamentary Assembly (OSCE PA)

¹www.oscepa.org/images/stories/documents/election_observation/2009_election_observations/AlbaniaStatement290609.pdf

Travel Costs

ASSOCIATION	Canadian Delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly (OSCE PA)
ACTIVITY	Election Observation Mission of the OSCE Parliamentary Assembly in Albania
DESTINATION	Albania
DATES	June 25 – 29, 2009
DELEGATION	
SENATE	Senator Consiglio Di Nino and Senator Percy Downe
HOUSE OF COMMONS	Mr. Peter Goldring, M.P.
STAFF	Mr. François Michaud, Delegation Secretary
TRANSPORTATION	\$11,792.58
ACCOMMODATION	\$3,232.81
HOSPITALITY	\$317.80
PER DIEMS	\$1,417.89
OFFICIAL GIFTS	\$0.00
MISCELLANEOUS / REGISTRATION FEES	\$0.00
TOTAL	\$16,761.08