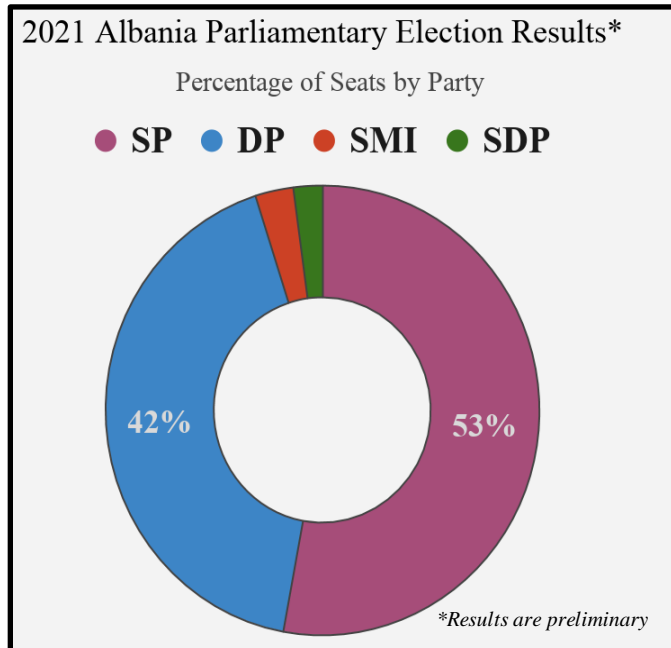


ALBANIA

APRIL 2021 PARLIAMENTARY ELECTION REPORT

Summary



Albania held parliamentary elections on April 25. Prime Minister Edi Rama's Socialist Party (SP) has earned 74 of 140 seats in parliament – the same number of seats garnered from the 2017 parliamentary elections – securing an unprecedented third consecutive term.

The Democratic Party (DP), in coalition with smaller allies, earned 59 seats – a 16 seat rise from 2017.

The Socialist Movement for Integration (SMI) ran independently, dropping to four mandates from 19. The Social Democratic Party (SDP) secured three seats. There will be ten parties represented in the new parliament which is expected to be constituted in September at the end of the

current MP mandate.

Women will hold 47 seats in the new parliament – up from 41 in 2017. Sixty-six (66) or just under 50% of the elected members of parliament (MPs) will be new to the institution.

Several other parties failed to pass the national threshold of 1% to qualify for seats. Five independent candidates, including three supported by the Vetëvendosje Movement, failed in their bids to earn a spot in parliament.

Results are preliminary as the dispute resolution process unfolds and the Central Election Commission (CEC) certifies the final vote.

Provisional turnout in the elections was 46.3%, virtually unchanged from 2017 despite the COVID-19 pandemic.

The pre-election environment was marked by partisan acts of localized violence, including one homicide. Allegations of vote-buying and voter intimidation, including SP's alleged misuse of public resources and personal data for electoral purposes, punctuated a politically tense atmosphere in the run-up to the election.

A relatively large proportion of five percent of ballots cast were recorded as invalid, as compared to rates below two percent in the 2013 and 2017 elections. Some independent candidates alleged

that the counting teams were adding extraneous marks to ballots as a means to render them invalid, and the State Election Commissioner (SEC) promised a full investigation into these claims.

At the time of this writing, it is anticipated that all parties will join the new parliament upon convocation in September at the end of the existing Parliament's term.

In the aftermath of the elections, Prime Minister Rama pledged to extend *“a hand of concrete, democratic cooperation without any prejudice to the DP... My dream is to make Albania in this decade the Balkan champion, in tourism and agro-tourism, in energy and agriculture and in fast, qualitative, incorruptible digital services.”*

DP leader Lulzim Basha said that DP entered the election *“not with a political opponent, but with a regime that did everything to destroy the fair electoral race.”* DP leadership has not conceded the election to-date. Several DP members have requested Basha's resignation.

SMI leader Monika Kryemadhi stated the party would enter parliament. She conceded that the opposition's resignation of parliamentary mandates by nearly all DP and SMI members of parliament over controversies related to the last parliamentary election process, and the parties' subsequent boycott of the 2019 local elections, had led to *“the centralization of power in the hands of the prime minister and facilitated several laws in the sole interest of oligarchs.”*

President Ilir Meta, who has one year left in his term, urged the parties to show *“maturity and composure”* in the election's immediate aftermath, following his allegations of pre-election irregularities and calls to protect the vote that provoked controversy. SP has taken initial steps in parliament to impeach the President for *“taking political sides”* and alleged *“serious constitutional violations”* during the campaign.

Background

Albania's parliament has 140 seats and is elected on a quadrennial basis. The voting system is proportional based on 12 geographic regions. There is a mandate that 30 percent of party candidate lists need to be filled by the lesser-represented gender in the current parliament.

Albania has been in a political stalemate since February 2019 when DP and SMI relinquished their parliamentary mandates to protest alleged electoral fraud in the 2017 parliamentary elections. DP and SMI boycotted the 2019 local elections and, as a result, have been outside government at all levels for the past two years.

The extra-parliamentary Ad-Hoc Political Council for Electoral Reform was established in January 2020 as a venue for the opposition and ruling parties to negotiate election reform. The Council agreed to a package of reforms that was passed by parliament in July 2020. The reform divided the CEC into a State Election Commissioner (SEC) tasked to administer the electoral process; a Regulatory Commission (RC) to issue statutes in conformity with election law; and a Complaints and Sanctions Commission (CSC) to adjudicate claims. The CEC had relatively little time to implement and adapt to this new structure.

The reform package mandated the Central Election Commission (CEC) to reject a party's proposed candidate list if the party did not comply with the quota requirement.

The Special Prosecutor's Office against Corruption and Organized Crime (SPAK), an independent anti-corruption prosecutorial body was mandated in December 2020 to investigate and prosecute cases of election-related corruption.

Outside of the Political Council process, SP used its majority in parliament to amend the Constitution to introduce preferential candidate voting, and altered the election law to mandate joint candidate lists for parties running in a coalition. These changes generated controversy in being perceived as reflecting SP interests, and transgressing democratic standards mandating cross-party consensus, on substantial changes to the election system. The change to preferential candidate voting had been advocated for by the grassroots movement *Nisma Thurje* (#Initiative) supported by several individual MPs and other small parties; however, the adopted formula--that rearranges candidates' seats based on preferential voting--meant that little changed from the initial ranking of candidates by the parties.

The change to preferential voting opened a debate on ballot design. The SEC's initial decision to list candidate names on the ballots was overturned by the Complaints and Sanctions Commission, upon SP appeal, in favor of candidate numbers instead of names.

Pre-Election Environment

There were numerous allegations against SP. DP accused SP of misusing public funds slated for fighting the pandemic, funding vaccinations, and supporting reconstruction after the 2019 earthquake for electoral purposes. Videos recorded alleged exchange of cash and/or other goods between party militants and presumed voters, and there was even alleged distribution of property titles for citizens in various cities - particularly in the areas most affected by the earthquake. In Elbasan, a DP supporter shot and killed an SP activist allegedly found with identification cards of other voters and considerable cash in his car. Many of these cases have been reported to the CEC and SPAK.

An online media portal, Lapsi.al, reported that SP allegedly possessed the personal data, including voting records, of 930,000 residents in Tirana, igniting public outrage over potential misappropriation of personal data for partisan purposes. While SP said that the data had been gathered by canvassers and not obtained from any government agency, media coverage suggested that the data was obtained from E-Albania--a governmental electronic platform that offers e-services to citizens--casting doubt on SP's explanation. SPAK initially sought to seize the electronic devices of Lapsi.al but relented following legal appeals. President Meta has urged SPAK to swiftly investigate allegations involving the misuse of citizens' personal data.

At present, 33 electoral offences are undergoing investigation by SPAK, the majority of which pertain to vote-buying. Investigating and prosecuting these cases will serve as a key test of SPAK impartial, swift, and complete investigation and prosecution of corruption-related offenses. At the time of this writing, DP and SMI are also filing complaints with the CSC requesting the invalidation of the election results in nine regions.

Campaign Finance

Political parties are obliged to report campaign income and expenditures within 60 days after final election results are announced. The election reform package extended a similar requirement to individual candidates. Citizens may file complaints to the CEC regarding political finance issues and abuse of state resources. Facebook revealed social media spending on its pages for the first time in this election cycle. Related data produced by the Balkan Investigative Reporting Network Albania (BIRN/Albania) showed that political parties and candidates spent a collective \$300,000 on Facebook advertisements during the 30-day official campaign, with SP spending the most. There have been persistent calls for parties to report income on an iterative basis during the campaign. This was not included in the electoral reform package.

Voting and Ballot Counting

Election Day occurred without major incident despite the tense pre-election climate. For the first time, electronic voter identification in Albania's 5,199 polling stations was enacted, utilizing both biometric identity cards and thumbprints. Polling stations in one administrative unit in Tirana debuted electronic voting, which was generally well-utilized, but some voters required family assistance to complete the electronic ballot.

COVID-19 protocols were not followed nor enforced in many polling stations that credentialed NDI observers assessed. According to the Ministry of Health and Social Protection, there were approximately 23,000 confirmed active cases of COVID-19 on Election Day. The CEC did not take measures in advance to facilitate hospitalized or self-isolated persons to cast their votes.

According to a [preliminary statement](#) by the Tirana-based Coalition for Reforms, Integration and Consolidated Institutions (KRIIK), the voting process was generally well-administered but marked by instances of unauthorized party presence in seven percent of polling stations, so-called "family voting" in 24 percent, and electronic voter identification malfunction in 20 percent.

The counting of ballots for electoral subjects and candidates was concluded on April 29. As in previous elections, the counting process is centralized in 92 centers and can be delayed owing to fatigue and replacement of tabulators.

KRIIK released a second [statement](#) assessing the counting as less transparent and efficient than the voting, and calling for an investigation into the higher percentage of invalidated ballots amidst accusations of partisan markings of ballots during the counting process.

DP and some independent candidates have requested that the CEC release video recordings of the ballot count as the party considers a formal complaint on ballot fraud. The SEC noted that the CEC would release footage upon requests by political parties, as per the law.

Gender and Minority Representation

Forty percent of parliamentary candidates were women, marking the first election cycle in which the 30% gender quota in candidate lists was respected by all major parties. Despite this milestone, sexist and derogatory language toward women candidates persisted. Based on NDI's preliminary conversations with some women candidates, it appears that equitable access to finance for campaigning was particularly challenging. Media coverage of women candidates during the

campaign was much lower compared to their male counterparts. BIRN/Albania reported that, as of April 11, women candidates occupied 15% of airtime on nationwide news programs.

Qëndresa Qytetare, a youth advocacy group supported by NDI, noted that SP, DP, and SMI had a combined 54 candidates under the age of 35, of whom 35 were women – half the number of under-35 candidates registered in the 2017 elections.

None of the major parties conducted perceptible outreach to marginalized groups. According to the Institute of Romani Culture in Albania, Roma youth representatives stated that they were being pressured to vote in a certain way by political actors or lacked an identification card required to vote. The CEC publishes voter education material in minority languages, but its actual dissemination and impact is not measured.

Conclusion

Albania needs a clear, transparent, and adjudicated process to assess and confirm the results of the parliamentary elections in order to seat the new government, prepare for the next parliament's mandate, progress toward membership negotiations with the European Union, and address the multitude of economic and social reforms awaited by citizens, not least recovery from the Covid-19 pandemic. Essential to completing the election process will be the capacity of SPAK to investigate allegations of misconduct swiftly and fully, prosecuting perpetrators accordingly.

Fundamental will be the ability of the political parties to engage in meaningful political debate and forge consensus on governmental, parliamentary, and electoral reforms, thus demonstrating to the public that political processes contribute to, and do not impede, the country's governance agenda. For this to occur, government and opposition must build the institutional framework of parliament to exercise its legislative, representation, and oversight duties and expand opportunities for civic society organizations to join with them in transparent public discourse on governance and reform.

As part of its long-term democracy programming in Albania, NDI supported institutional, civic and media actors in this election cycle, including the CEC to bolster its political finance oversight institutional capacity, and CSOs to monitor electoral misconduct and implement voter education and awareness campaigns.