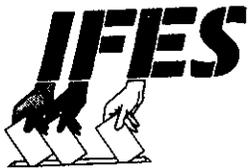


PN-ACM-706



International Foundation for Election Systems

1101 15th STREET, N.W. • THIRD FLOOR • WASHINGTON, D.C. 20005 • (202) 828-8507 • FAX (202) 452-0804

**A Pre-Election Technical Assessment
of the Republic of Albania
March 20 - 28, 1996**

by
Paul S. DeGregorio, Election Administration Specialist
and
Kimberley L. Ross, Program Assistant for Europe and Asia

This project was made possible by a grant from the U.S. Agency for International Development. This material is in the public domain and may be reproduced without permission; citation of this source is welcomed and appreciated. The opinions expressed are those of the authors and not necessarily that of USAID or the U.S. Government.

BOARD OF DIRECTORS			DIRECTORS EMERITI		
Charles T. Manatt Chairman	Patricia Hutar Secretary	Barbara Boggs	Peter G. Kelly	William R. Sweeney, Jr.	James M. Cannon
David R. Jones Vice Chairman	Joseph Napolitan Treasurer	Dame Eugenia Charles (Dominica)	Maureen A. Kindel	Leon J. Weil	Richard M. Scammon
		Judy G. Fernald	Jean-Pierre Kingsley (Canada)	Randal C. Teague <i>Counsel</i>	
		Victor Kamber	Peter McPherson	Richard W. Soudriette <i>President</i>	

Table of Contents

Executive Summary	4
I. INTRODUCTION	7
A. Scope of Project	7
B. Country Background	7
C. Previous IFES assistance to Albania	9
D. Administrative Structure of the Government	9
II. THE ELECTION PROCESS	9
A. The Revised Election Law	9
B. The Electoral System	11
1. Voter requirements	11
2. Election of the People's Assembly	11
3. Zonal boundaries	11
4. Candidate requirements	12
a. Signature requirements	12
C. The Administrative Authority for Assembly Elections	12
1. The Central Election Commission	13
2. The 115 Zonal Election Commissions	14
3. The 5000 or so Voting Center Commissions	14
4. Polling Place locations	15
5. International and Domestic Observers/Monitors	15
6. Election complaints	15
D. The Voting Process	15
1. Opening of the Polls	15
2. Voter Identification	16
3. Voting booths	16
4. Ballot design	16
5. Casting a ballot	16
6. Mobile voting	16
7. The posting of a wall chart	16
E. After the Polls Close	17
1. Determining the number of voters	17
2. Opening the ballot box	17
F. The Timetable for the election	17
G. The Candidate Verification Committee	19
H. The Political Parties	20

I.	Non-Government Organizations	20
III.	CURRENT ELECTION PREPARATION ACTIVITIES	21
A.	Interview with Mr. Ferdinand Poni	21
1.	Voter registration	21
2.	Zonal Boundaries	22
3.	Request for Materials/Commodities	22
B.	Meeting with Mr. Njazi Kosovrasti	23
C.	Date of the Election	23
IV.	SUMMARY OF MEETINGS	23
A.	Prime Minister Meksi	23
B.	Political Party leaders	24
C.	Former Election Commission members	25
D.	Local government leaders	26
E.	Constitutional court	26
F.	Local Prefect Officer	26
V.	CONCLUSION	27
VI.	RECOMMENDATIONS FOR IMMEDIATE ACTION	27
VII.	LONG-TERM (POST-ELECTION) RECOMMENDATIONS	31
A.	Improvements to electoral law	31
B.	Voter and Civic Education	33
VIII.	RECOMMENDATIONS FOR ASSISTANCE BY IFES	33

Appendices:

- a. Revised election law
- b. Verification committee (genocide) law
- c. Commodity request list
- d. Registered voters by district
- e. Recent news articles
- f. Photographs

Executive Summary

The International Foundation for Election Systems, (IFES) completed a Pre-election Technical Assessment in the Republic of Albania from March 20-28, 1996. Two IFES representatives; Program Assistant Kimberley Ross and Election Administration Specialist Paul DeGregorio, were joined on this assessment review by Jonas Rolett and Alicia Allison of the *National Democratic Institute for International Affairs (NDI)* and Gerald Mitchell of the *Organization for Security and Cooperation in Europe (OSCE)*. This assessment was the first review by IFES of the election process in Albania since sending advisors to the country in March 1992 for the last Assembly elections.

The IFES Team reviewed the newly-enacted electoral law and, in a series of extensive interviews, determined the status of preparations by administrative bodies and political parties for upcoming Assembly elections which are scheduled for May 26 of this year. The Team also spoke to former officials who served on previous election commissions during votes held in 1991, 1992 and 1994, to obtain their perspective of the election process. In addition to the capital city of Tirana, the Team traveled to the cities of Durres, Fieri, Kavaje, Lac, Peshkopi, Bulqize, and Burrell to obtain a more complete perspective.

Since 1991, Albania has been going through a steady but evolving process of making the transition from one of the most Communist and repressive governments of the world to a nation that can be recognized as a true democracy with a satisfactory human rights record. While it is clear that true progress has been made, Albania is a country that continues to need appropriate technical assistance to help achieve that goal, as well as close monitoring to determine if real progress is being made. It should be noted that as a poor country, Albania has made relatively good economic progress in recent years. Changes in economic conditions have been accompanied by a significant shift in population from the countryside to more urban districts.

Under the new election law passed in February 1996, 115 members of Parliament are to be elected by a strictly majoritarian vote in individual districts (known as Electoral Zones) while an additional 25 are selected through a nationwide proportional vote for the individual political parties. The new law made minor changes to the representation system by increasing the number of members elected by a direct majoritarian vote from 71% to 82%. The new statute also makes minor changes to the voting process, such as a revised--but not permanent--voter registration--procedure. The law establishes three levels of temporary election commissions for the election: a Central Election Commission (CEC); a Zonal Election Commission; and a Voting Center Election Commission. The most important commission, the CEC, can be appointed as late as 45 days prior to the election. Unfortunately, the Parliament did not make other changes in the law such as the introduction of a more professional and permanent central election commission as recommended by the 1992 IFES Report. In addition, the time frame to define the boundaries of the voting zones, appoint and train the commission members, select and qualify the party candidates and for citizens to determine voting eligibility was not changed and is still extremely narrow.

One of the most controversial aspects of the new electoral law regards the disqualification of candidates submitted by the political parties who appear on the "genocide law" list. Technically, this portion of the law appears not to allow appropriate time for candidates to appeal adverse decisions of a verification committee which is established to approve the qualification of candidates for parliament. Another element of concern to some political parties and organizations is the inability of thousands of Albanian citizens in other countries to participate in the election (in order to vote they are required to return to Albania to place themselves on the list and present themselves at the polling station on election day).

There is significant concern by leaders of opposition parties that the election process is too dominated by the government in power and its political party, the Democratic Party of Albania. A review of the election law does lend some credence to this argument. While opposition parties are allowed representation on the three levels of election commissions, most of the supervisory personnel at these levels are appointed by officials associated with the present government.

The Team found uniform support--from previous election officials and from current political party leaders of all political stripes--for the institution of more professional training procedures of election commission members at all levels. In addition, the presence of international professional technical advisors to the CEC and other entities involved in the election process was not only welcomed, but encouraged. International observers were deemed a necessity. Government officials also requested assistance in the area of commodity support and submitted a list of needs to the Team.

It appears that the level of political competition for this election will be high-- as will the chances for close contests in many areas. With much at stake by all parties, the possibilities for attempts at vote fraud are enhanced, as they might be in any democracy with similar conditions.

Therefore, based on this assessment, the Team strongly recommends the following immediate actions for the upcoming Assembly elections:

- Central, Zonal and Polling Place election commissions should be appointed by appropriate authorities as soon as the law allows so that preparations can begin in earnest.
- Expert technical election assistance should be given to the newly-appointed Central Election Commission to assist in the areas of procedure and regulatory development, commission training at the Central, Zonal and Polling Station level, the development and distribution of an election procedure manual, the credentialing of domestic and international observers and consulting in election law interpretation.
- A series of seminars should be held throughout the county which would be open to participation by all political parties, candidates, and independent observers and which would focus upon the new election law and how procedures are to be followed at the polling stations.

•The commodity needs list submitted by the government for this election should be audited and scrutinized. A revised list should be shared with other countries and international institutions so that potential donors can be found.

While time will not allow changes to the new election law for the upcoming Assembly election, the Team recommends the following future actions:

- establish a permanent and professional central election commission
- significantly expand the election time period to allow an appropriate interval for preparation and training
- improve the transparency of the process
- allow citizens to sign multiple candidate petition forms
- address the issue of voting by expatriates
- eliminate the candidate verification committee
- increase the opportunities for greater access to the media for opposition parties
- finalize zonal boundaries at least 90 days before the election
- establish a permanent or on-going voter registration system
- reconcile all election laws so that in each election the process is consistent
- establish and institutionalize long-term voter and civic education programs

The International Foundation for Election Systems is well prepared to provide the technical assistance identified in this report. Such support was offered and well-received by the Government of Albania and is imperative if Albania is to be successful in taking the next step up the ladder toward a truly free and democratic society.

I. INTRODUCTION

A. Scope of Project

As part of the IFES 1996 Workplan under the Cooperative Agreement with USAID/G/DG, IFES performed a Pre-election Technical Assessment of election administrative structures in the Republic of Albania as they prepare for upcoming elections to the People's Assembly - now scheduled for May 26, 1996. Early in 1996, USAID/ENI recommended IFES' assessment focus on an analysis of the new election law (then under review by the Assembly) with attention toward the voter registration of migrants. After consultations with the U.S. Embassy in Tirana, USAID/Tirana and USAID/ENI revised IFES' focus, redirecting its election law analysis toward assessing the immediate needs of the Central Election Commission.

B. Country Background

The People's Republic of Albania was proclaimed on January 11, 1946. Enver Hoxha was the most powerful leader in modern Albania, occupying at times the posts of prime minister, minister of defense and commander-in-chief of the armed forces, while continuing to serve as first secretary of the Albanian Communist Party (ACP). Hoxha's rule, 1944 to 1985, was marked with repression in all areas of life as well as isolation from the world. Albania's isolation resulted in a severe retardation in technological growth, rendering Albania economically and politically inferior to all its neighbors.

Hoxha died in April 1985 and was succeeded by Ramiz Alia, a militant follower of Marxism-Leninism who supported Hoxha's policy of national self-reliance. In an effort to improve economic efficiency, Alia introduced some economic decentralization and price reform in specific sectors. In 1986 and 1989, general amnesties brought about the release of many long-term prisoners. Alia also initiated better ties with the outside world, strengthening relations with Greece, Italy, Turkey and Yugoslavia. By the late 1980s, Alia was supporting a campaign for more openness in the press and encouraging people to talk about Albania's problems. However, Alia was unable to make changes that would end the repressive elements of the system because some members of the ACP resisted Alia's cautious program of reform, fearing they would lose their powers and privileges.

In July 1990, the Communist Party faced its most severe test when a demonstration led by young people in Tirana sought refuge in foreign embassies. The Central Committee held a plenum which resulted in significant changes in the leadership of party and state. Consequently, the conservatives in the leadership were pushed out, strengthening Alia's position. Student unrest continued and became more political as a result of the radical changes that were occurring in Eastern Europe. Their protests forced the announcement on December 11, 1990 at the Thirteenth Plenum of the APL Central Committee, that a multiparty system would be introduced in time for the general elections that were scheduled

for February 1991. The day after the announcement, Albania's first opposition party, the Albanian Democratic Party (ADP), was formed.

Albania held its first multiparty elections since the 1920s in 1991. The elections were for the 250 seats in the unicameral People's Assembly. Staff members of the Commission on Security and Cooperation in Europe (CSCE) observed the voting and counting of ballots on election day and found that the process was orderly, despite some complaints of irregularities. Turn-out was high at 98.9%, resulting in a victory for the communist party, renamed the Albanian Party of Labor (APL). Although conservatives did well in the February 1991 elections, Alia lost his seat. Prime Minister Fatos Nano, a moderate communist, did well in the elections and was able to set up a new government. His cabinet consisted of new people calling for radical market reforms in the economy. Although Nano's radical economic program was approved in May 1991, a general strike paralyzed the country and its economy. Subsequently, Nano was ousted and a "government of national salvation" was created, in which the communists were forced to share power with other parties in the executive branch. The new government, led by Prime Minister Ylli Bufi, was a coalition of communists, the ADP, the Republican Party, the Social Democratic Party and the Agrarian Party, taking office in June 1991.

Following the collapse of the coalition government in December 1991 and the ADP's landslide victory in the spring of 1992 general election, Alia resigned as president. On April 9, the People's Assembly elected ADP leader Sali Berisha as Albania's new head of state. Since its ascension to power, Berisha's government has made significant progress in the following areas: stabilizing Albania's currency, restoring public order and controlling inflation. It has encountered problems with ethnic relations and attracting foreign investment.

Berisha's government experienced a setback on November 6, 1994 when the government's proposed constitution was defeated in a referendum. Albanian citizens voted 54% against the constitution's adoption. In September 1995, the government passed the controversial Genocide Law which prohibits high-ranking communists from holding political office. According to the law, any person found to have collaborated with the Sigurimi, the former secret police, will not be allowed to work in the political, legal or media fields until 2002. Constitutionality of the law was questioned by several political parties, yet the Albanian Constitutional Court ruled against requests for appeal.

In February 1996, the Albanian Parliament passed revisions to the 1992 election law. These new revisions, along with the controversial Genocide Law, are important issues that the Central Election Commission will have to deal with in order for the May 26 parliamentary elections to be free and fair.

C. Previous IFES Assistance to Albania

In January 1992, IFES Program Officer Christopher Siddall traveled to the Republic of Albania to meet with government and political leaders and international organizations to determine technical and other election needs for Assembly elections which were expected to be called in early Spring of that year. Due to the shortness of time available to conduct the election and the instability of the political situation in the country, Mr. Siddall determined that there was a significant need for immediate assistance. After receiving an official request from the Albanian government and with funding provided from the U.S. Agency for International Development (USAID), IFES election experts Linda Edgeworth and Fabricio Soares were dispatched to provide technical and commodity assistance for the Albanian Assembly elections. The first round was held on March 22, 1992 with a runoff ballot conducted one week later on March 29. Working with the United Nations Development Program (UNDP), IFES facilitated the distribution of vital election commodities, especially those relating to ballot security. In addition, the consultants gave significant technical advice to the Central Election Commission. Upon completion of their work, the IFES team briefed USAID, U.S. Embassy, and international organizations of their findings and issued a detailed report, available in the IFES/Washington Resource Center.

D. Administrative Structure of the Government

Albania is a republic with a 140 member unicameral legislature (The People's Assembly) elected by popular vote every four years. The President of the Republic is elected by a two-thirds vote of the People's Assembly for a term of five years. The Prime Minister is appointed by the President. The current Parliament was elected in March of 1992. The President of Albania is Sali Berisha and the Prime Minister Aleksander Meksi, both members of the Democratic Party. There are 16 ministers forming the Council of Ministers who oversee everything from local governments (Interior) to the armed forces (Defense). The administrative structure of the Republic of Albania can be described as a nationalized system with developing decentralization. The country is divided into 12 prefectures who oversee 36 administrative districts (plus one in the city of Tirana). The Tirana district alone is divided into 11 municipal council districts. In each of these districts one can find cities with elected mayors and local councils, and smaller communes with elected councils. There are approximately 44 cities in Albania with populations ranging from 2,000 to nearly 300,000. The 12 prefects who "supervise" local governments are appointed by the Interior Ministry. This prefect structure is relatively new, having been formed in 1994.

II. THE ELECTION PROCESS

A. The Revised Election Law

In November 1990, a temporary but somewhat restrictive law on elections and political

parties was enacted (Law #7423). A few months later in April 1991, slight modifications were made to the law (Law #7491). In early, 1992, significant improvements to the election law were made which was widely praised by international organizations for its democratic character (Law # 7555). The 1992 changes brought the country a long way--in a short period of time--towards the realization of a system of truly fair elections. Recently, in February 1996, a revision to the law was rushed through the Assembly over the objection of most opposition parties (Law #8055). While the new 1996 law made some improvements to the election process, it did not go far enough. Unfortunately, the new law did not seem to make any significant technical improvements which would have allowed more time for election preparation.

Some of the 1996 changes to the law include:

- the requirement that candidates for the People's Assembly must be approved by a "Verification Committee" which will determine whether the candidate was involved in so-called "genocide" activities prior to 1991;
- changing the allocation of seats of the Assembly elected directly from the zones from 100 to 115; and cutting from 40 to 25 the number of deputies elected from the political party lists;
- the minimum age for deputies is lowered to 18 (from 21) years of age;
- the polls remain open two hours longer (from 07.00 until 20.00)
- zonal commissions are to have representatives from every party which nominates candidates on the ballot;
- election commissions decisions are valid if only a majority votes for enactment;
- candidates' residency was reduced to six months (from one year) but such residency must be "permanent" for that time period;
- opposition parties were given slightly more time to broadcast their message on television during the election campaign;
- gives the President the sole power to approve changes to the zonal boundaries; and
- authorizes the Zonal Election Commission Chairman to appoint the head of the local Voting Center commissions.

The Albanian law on elections has a good foundation. Compared to other emerging democracies in the region, there are more safeguards written into the technical aspects of

the Albanian electoral system. Indeed, the structural setup of the system is sound, allowing for a fair (but not quite balanced) representation of the political parties on the various commissions. Also, the duties of the various commissions are well defined. As part of a maturing process, improvements can be made in the law and in the administrative structure which would move Albania to the next step towards a more professional and balanced electoral system. Recommendations for improvements to the law and administrative process can be found in Sections VI and VII of this report. A copy of the new election law can be found in Appendix B.

B. The Electoral System

1. *Voter Requirements*

Citizens of Albania must be 18 years of age to participate in Assembly elections and must have their name placed on a local voter registration list in order to receive a ballot.

2. *Election of the People's Assembly*

Under the new election law, Albania has adopted a mixed system of electing the 140 members of the parliament known as the People's Assembly. Each of the 115 zones in the country directly elect a member under a majoritarian method whereby candidates, identified by political party or under an independent banner, must receive a majority of votes in the first round of balloting or face a runoff election between the top two vote-getters one week later. Another 25 members are elected from a party lists. Voters choose among various parties listed on the ballot and the 25 seats are allocated under a nationwide proportional system. In the party ballot, a political party must receive a minimum of 4% of the vote if it is to have representation in the parliament. If the political party is part of an alliance of several parties, then the alliance must obtain at least 4% of the total votes *compounded by 4% for each party in the alliance* to be eligible for membership in the parliament.

3. *Zonal Boundaries*

The 115 election zones are to have an equal number of residents and are determined and announced by the President no later than 45 days before the election. By law, the boundary of the zones cannot cross a commune. Opposition parties have little--if any--influence in the process of determining the boundaries of these zones. According to information obtained during the IFES of Assessment of 1996, the 115 Zonal boundaries were near completion and were estimated to have between 17,000 - 21,000 voters (an average of 19,000). (Note: President Berisha announced the

new zonal boundaries on April 5)

4. Candidate Requirements

Candidates for the People's Assembly must be Albanian citizens who are at least 18 years old and must "live permanently in Albania" for at least six months (Article 2). In addition, candidates must be approved by the verification committee which will determine if the person is prohibited from being a candidate because of activities defined under the "Genocide Law." The election law does not specify that a candidate must live in the district from which he/she is to be elected. Candidates may be on both the zonal ballot and on the nationwide party list. Candidates must submit documentation showing approval from the verification committee, a petition signed by at least 400 voters in the zone who "support" the candidate, and an affirmation of candidacy to the zonal commission no later than 30 days before the election. If the election commission determines "irregularities" in the documents, the parties have two days to make "corrections" (or submit the name of another candidate).

Signature requirements

In order for a party-affiliated or non-affiliated candidate to have his/her name placed on the ballot, 400 voters who "support the candidate" from the zonal district must sign the candidates' petition. Voters cannot sign more than one candidate petition. Therefore, if all 13 of the political parties submit candidates in the zonal district, over five thousand voters in the district or about 25% would have to participate in the candidate petition process. Such petitions are deposited with the Central Election Commission and may be a public record. Therefore, these petitions could conceivably cause some people who signed such petitions to be subjected to undo harassment.

C. The Administrative Authority for Assembly Elections

There is no permanent government body which is charged with the on-going responsibility of overseeing the elections held in the Republic of Albania. Rather, the primary administration of Assembly elections is conducted under the auspices of a Central Election Commission (CEC) appointed as late as 45 days before the election. While there is some election-related support activity which is begun by national and local governments in anticipation of an election, the process is not fully engaged until a CEC is in place. Therefore, the 45-day period prior to the election will require intense work.

There are three levels of election commissions established under Article 34 of the election code: The Central Election Commission, the Zonal Election Commission (ZEC), and the Voting Center Election Commission (VCC). Each commission consists of a chairman, secretary and members representing the various political parties. The CEC and ZEC also have a Vice-Chairman. A majority vote is required for each commission to render a legal decision. The Chairman and Deputy Chairman of the Zonal Commissions are determined by the Central Election Commission. The Secretary, and a "non-party" person (appointed only when there is an even number of commissioners) are appointed by the Prefect (who is appointed by the government). In the runoff election, held between the two candidates receiving the most votes in the first round, only representatives of those parties are on the commission--in addition to the chairman and secretary appointed by the government. Therefore, in many runoff contests, the commissions can be heavily dominated by one political party.

Commissioners at the Central and Zonal levels are released from their jobs for the duration of the election period. CEC members are paid at a rate determined by the President while Zonal salaries are figured by the CEC. Voting Center Commissioners are given time off from their jobs (with pay) for a period beginning five days before and ending two days after the election. While performing their duties, commissioners cannot display campaign material or take part in campaign activities. Members of all commissions can be relieved of their election duties by the person/commission which approved/appointed the commissioner.

It should be noted that under a separate law, the administrative authority for referendum elections is somewhat different than the law that governs Assembly elections.

1. **The Central Election Commission** consist of 14 members appointed by the President of the Republic with the recommendation of the various political parties. The CEC is the chief election authority for the country and has considerable power over the appointment, review, and activity of Zonal and Voting Center Commissions. The CEC is ultimately responsible for the implementation of the election law. Under the law, the CEC can be appointed as late as 45 days before the election, which allows very little time for preparation--much less administrative training--for members. Members of the CEC only serve for the election period. The duties of the CEC also include:

- register all political parties and independent groups involved in the elections
- oversee the list of candidates in the zones

- set the rules for the participation of foreign and domestic observers and provides them with credentials for the election
- refer voter fraud to the proper authority for prosecution
- announce results and issue certificate of election to the deputy on party lists

2. **The 115 Zonal Election Commissions** are made up of members appointed by the government and political parties with candidates on the ballot. Because of the law, the party in power has considerable influence regarding who fulfills the leadership roles on these commissions. Zonal Commissions must be appointed no later than 30 days before the election. The Chairman of the Zone Commission, who is appointed by the CEC, picks the Chairman of each of the voting centers in his/her jurisdiction, and, no later than 25 days before the election, the Zone commissions must approve the composition of all Voting Centers Commissions (there are usually 35 to 60 voting centers per Zone). The Zonal Commissions have considerable responsibility in overseeing the election in their jurisdiction. They supervise the Voting Center Commissions, "correct" mistakes made in the voting lists, register the parties and candidates on the ballot, add the votes of all the voting centers in the zone and announces the results, reviews complaints regarding the voting centers and issues a certificate of election to the Deputy elected from the zone. The officers of the ZEC have also assisted in the training of the Voting Center Commission officers. In the past, Zonal Commissions have received minimal training from the CEC.

3. **The 5000 or so Voting Center Commissions** serve the voters at the polling place. Members are appointed no later than 25 days before the election. The Chairman is appointed by the Zone Chairman, with the Secretary of the Commission selected by the head of the Prefect. Each political party is permitted to have representation on the commission, although due to relative party strength, this does not always occur. The Chairman and Secretary of each commission are often the only two members trained in polling place procedures. According to the election law "the instructions of the Chairman of the voting center are binding for all citizens in the voting center" unless a majority of the voting center commission votes otherwise. It is estimated that there will be 30,000 to 40,000 people serving as commissioners for the upcoming Assembly election. Their duties will also include:

- conduct the election at the polling station
- keeping order at the polling stations
- suspending voting if serious violations occur (must notify CEC immediately)

- counts the votes cast at their polling station for zone deputy and party list
 - sends the official record or protocol of the voting to the Zonal Commissions
 - records and hears all complaints and issues a decision for each complaint
 - sends all required documents to the Zonal Election Commission
4. **Polling Place Locations** are determined by local district officials and must be announced twenty days prior to the election. No campaign material is allowed inside the polling station.
 5. **International and Domestic Observers** are allowed under Article 36 of the election law. Political parties and NGOs are permitted to have observers at polling centers and at the meetings of all election commissions. Observers may participate in every phase of election day activity at the polling sites. Political parties with candidates on the ballot in a zone may send observers who must first be authorized by the local zone commission. All foreign and domestic (non-party) observers must receive credentials from the Central Election Commission who also establish rules for their participation. International Observers are also governed under Articles 36, 89, and 90 of the election code. A letter was given to the Organization for Security and Cooperation in Europe (OSCE) from Prime Minister Meski's office inviting the organization to send observers to Albania for the Assembly election.
 6. **Election Complaints** are heard at all three levels of election commissions. At the Voting Center level, decisions of the commission can be appealed to the Zone; decisions of Zonal Commissions must be appealed to the Central Election Commission within three days of issue. Decisions of the Central Election Commission must be appealed to the Constitutional Court within three days. The Court then must render a decision within three days of receiving the complaint.

D. **The Voting Process**

1. **Opening of the Polls** begins at 07.00 and close at 20.00. At least one half of all Voting Center members must be present in order for the polling station to be legally opened. All ballot boxes are inspected in the presence of commissioners and observers. Ballot boxes are then sealed and stamped with the seal of the polling station. The Commission Chairman stamps the top left of all blank ballots and records the total number in the official record which is then signed by all commissioners who are present. The

number of blank ballots issued to a voting center is to be 10% higher than the total number of voters on the lists.

2. **Voting Takes Place** in the order of appearance. Every voter must show some form of identification with a picture (although this is unclear). If a voter does not have proper identification to present, then he/she is to ask the office of civil records to issue a special voting certificate. After comparing the ID with the list of voters, the voter signs the electoral list and the number of the voters' identification is written on the voter list and the identification document is then stamped (to help prevent voting more than once). The voter then receives a ballot and proceeds to vote in the secrecy of a voting booth.
3. **Voting Booths** must be in plain sight of the voting commission. Voting in the open or outside the booth is prohibited; if it does occur, then the voters' ballot is torn up and he/she is given one more chance to cast a ballot. No one can enter the booth except a person designated by the voter. All of those present in the polling station must stay at least three meters away from the booths. The number of voting booths for each voting center is determined by the number of voters on the poll list.
4. **Ballots are Designed** to be in two parts: on the left side the voter will cast his/her ballot for zonal deputy while on the right side is the ballot for the political party. Names of the candidates and parties are to be in alphabetical order. Candidates will have their respective political party listed next to their name unless they have filed as an independent. In that case the word "Independent" will be listed. All spoiled ballots must be kept for final inspection and record keeping.
5. **Casting a Ballot** is accomplished by crossing through the names of the candidates or political party for whom the voter does not want to vote.
6. **Mobile Voting** is allowed for those citizens who are unable to come to the polls because of physical condition or illness. On or before election day the voting center commission is usually notified by the voter or a relative of the need for such assistance. On election day, members of the commission will take a ballot and a portable ballot box to the home of the voter in order to facilitate the balloting.
7. **The Posting of a Wall Chart** or list of all candidates and parties involved in the election at the polling station must be done outside the room or in any other conspicuous place.

E. After the Polls Close

1. **The Number of Voters** who presented themselves and the number of unused ballots are counted. The voting list and unused ballots are then placed in a envelope that is stamped with the seal of the voting center and is turned over to the zonal commission.
2. **The Ballot Box is Opened** and the ballots counted. The vote on each ballot is to be announced publicly with the commissioner who is chosen by lot. The ballot is then shown to all members of the commission and observers and the vote properly recorded. After all ballots have been counted, the number of spoiled, valid and invalid votes are also counted. The total number of votes and ballots are compared, and, if necessary, recounted. All totals are placed in the official protocol. All ballots plus the protocol are then taken to the zonal commission where they are counted with all the protocols from the zone. The zonal commission then announces the winner from the zone and forwards the protocols to the Central Election Commission so that the deputies from the party lists can be determined.

F. The Timetable for the Election

The most impractical element of the current election law is the time allocated to implement the various facets of the election process. The appointment of the election commissions, the registration of the candidates, and the time to challenge rulings are just a brief sample of deadlines on the election calendar which leave too little time for preparation, training, registration and response. A look at the election calendar follows:

Albania Election Calendar for Assembly Elections

Deadline	Activity
45 days before	<input type="checkbox"/> Announcement of Zonal Boundaries <input type="checkbox"/> Appointment of Central Election Commission
30 days before	<input type="checkbox"/> Appointment of Zonal Election Commission <input type="checkbox"/> Posting of voter registration list <input type="checkbox"/> Last day a political party can submit the names of its approved candidates
25 days before	<input type="checkbox"/> Appointment of Voting Center Election Commission <input type="checkbox"/> Announcement of official list of candidates for the Assembly by the Zonal Commission
20 days before	<input type="checkbox"/> Voting Center locations to be announced
8 days before	<input type="checkbox"/> Last day to publish opinion poll
7 days before	<input type="checkbox"/> Last day a party may replace a candidate who has died or withdrawn
2 days before	<input type="checkbox"/> All political parties are allowed to broadcast a summary of their program (up to 5 minutes)
1 days before	<input type="checkbox"/> Last day local officials can make changes to the voter registration list <input type="checkbox"/> Campaign period ends
Election day (1st round)	<input type="checkbox"/> Polls open from 0.700-20.00
Election day (2nd round)	<input type="checkbox"/> Run-off election held
10 days after	<input type="checkbox"/> Last day for CEC to announce official results of the election.

G. The Candidate Verification Committee

Perhaps the most controversial (and politicized) section of the new Election Law is Article 2 which states that candidates for Deputy must meet the requirements of Law # 8001 which concerns "genocide and crimes against humanity committed in Albania during the communist regime on political, ideological and religious motifs" and Law #8043 involving "the control of the officials and other persons linked with the protection of the democratic state."

A seven-person "Verification Committee" appointed by the President and Parliament is charged with the responsibility to determine if a candidate is on the so-called "genocide list." The Chairman of this committee is a Member of Parliament, other members essentially come from various ministries of the ruling government.

All activity of this verification committee is to be completed in secret. According to information learned from government and political party leaders, any candidate on this list is allowed to see their file and the evidence contained therein. However, the candidate only has seven days after the decision to file an appeal of the verification committee's decision to the Cassation Court. The court then has 15 days to render a decision (which, depending on when the candidate submitted his name, the committee made an adverse decision, the candidate appealed and the Cassation Court ruled, could be very close to election day). Therefore, depending on the timing, a person seeking to be a candidate could run out of time to have his/her name placed on the ballot due to this process.

It should also be noted that several separate sources gave us different figures on how many people were on this list. The IFES Team heard everything from "tens of thousands" to "22,000" to "over 100,000." If such a list was indeed over 100,000 people, then such a list could be a cause for concern--especially because of the number of citizens who would be denied the right to be candidates in the election. Such a large number would suggest that perhaps innocent people who may have been on the peripheral of undesirable activity would be denied the right to participate in the election. Because this list has been kept secret and developed without the opportunity for challenge to its authenticity, the implementation of this Article must be accomplished carefully, if at all. While one can truly understand the horrible human and civil rights violations which took place under the communist regime, it is important to approach any denial of political participation very cautiously.

The Genocide Law (8001) does have a sunset provision and will expire on 31 December, 2001. A copy of this law can be found in Appendix C. Article 2 of the Election Law can be found in Appendix B.

H. The Political Parties

In order to be a legally recognized political party, the organization must have at least 300 members and be registered with the Ministry of Justice. There is state financing of the political parties subject to legislation setting the amount available. Parties are entitled to the "free use" of mass media to get their message across: Democratic Party 2 hours; Socialist Party 1 hour; parties represented in Parliament 20 minutes; and parties not represented in Parliament 10 minutes. Several parties have their own daily/weekly newspaper. Currently there are 10 active political parties registered in Albania. They are:

- Democratic Party
- Socialist Party
- Social Democratic Party
- Republican Party
- Union for Human Rights Party
- Democratic Alliance
- Democratic Party of the Right
- Agrarian Party
- Balli Kombetar Party
- Legalitet Movement

Current information regarding each of the political parties in Albania can be obtained from reports on file with the National Democratic Institute for International Affairs (NDI) and the International Republican Institute (IRI).

I. Non-Government Organizations

Since becoming a democracy in 1991, many non-government organizations (NGO) have been established in Albania. These NGOs are involved in many various issues ranging from the agriculture to the promotion of women's concerns.

An important NGO involved in the election monitoring process is the Society for Democratic Culture (SDC). This nonpartisan organization was formed in 1992 to monitor the Assembly elections held in March of that year. Today the organization has 32 clubs spread throughout the country and has as its primary mission the promotion of political participation and interaction between the government and the people to show that democracy can work. They publish a newsletter and regularly survey citizens to determine their needs. SDC has received considerable assistance and training from the U.S.-based National Democratic Institute for International Affairs (NDI). During the IFES Assessment Mission, the Team had the opportunity to have a series of discussions with members of this organizations from several different areas of the country. It is clear that NDI has done a commendable job in helping to develop this worthwhile organization. Since 1992, SDC

has fielded thousands of observers at both national and by-elections in many parts of the country to help monitor the process and to help prevent fraud. The organization is presently in the process of recruiting volunteers to serve as monitors for the upcoming Assembly election. SDC plans to have a series of seminars designed to train these observers regarding the new election law and will publish a bulletin which will describe the new election law and procedures. Perhaps the most significant current election project of the SDC is the media monitoring effort which is designed to track the coverage of the political parties by the mass media during the election campaign. Members of their group will make written observations and video copies of the coverage which will be included in a report they will issue after the election.

III. CURRENT ELECTION PREPARATION ACTIVITIES

During this assessment the IFES Team found that none of the election commissions had been appointed even though it is widely held that the election will be held in less than 70 days. Indeed, the commissions *could not* be appointed because at the time of this assessment, the zonal boundaries had not been finalized by the President. At the national level, the only apparent election preparation activity was being accomplished by the office of the Minister of the Interior. At the prefect and local level, the registration of Albanian citizens was being conducted mainly to obtain an accurate number of voters so that zonal boundaries could be drawn.

A. *Interview with Mr. Ferdinand Poni, Director of Local Government*

In a discussion with the Team on 26 March, Mr. Ferdinand Poni, Director of Local Government for the Ministry of the Interior, indicated that it was his charge to organize the elections and provide assistance to the various commissions that would be established to conduct the elections. At the present time, his office has a staff of ten people who are working diligently to determine an accurate count for all the voters in the country so that zonal boundaries could be drawn in an equitable manner. He said that his office works with the twelve prefectures, the districts, cities and communes to implement the election law. The State Secretary provides legal advice to his office for the election. The government wants the elections to be more progressive or improved from what was accomplished in 1992. His office wants to do everything possible to achieve that goal and welcomes any technical advice or advisors that can be given. The Director indicated that his office is not involved at all in the training of election commissions. His office does recommend the Secretary for each of the 115 zonal commissions.

Other important issues we discussed with Mr. Poni included:

1. **Voter registration.** Mr. Poni said that the process of insuring the proper

registration of all the voters began in earnest about four to five months ago (October-November, 1995). At the present time, he estimates that there are about 2.2 million voters who will be on the rolls. Registration lists are being verified by people going door to door. The local government is the final arbiter of who is to be placed on the official list of voters. If a person does not have any identification, then working with the Mayor and local commune Secretary, the local government will try to verify the person. If that fails they will find a person in the village who is a "counselor of elders" to verify the person's identity (also known as the "dignitary elder").

In mid-March, his office organized a series of meetings with officials from the twelve prefects to discuss and emphasize the importance of proper voter registration procedures. Mr. Poni said that by the end of April, each Prefecture will have all voter registration names on computer. These computers will then be linked by modem to his office. They use a *European Union* program for their voter registration compilation system. His office is beginning the process of determining if people are on multiple lists. He would like to see a permanent system of voter registration to keep track of the movement of people. In addition, Mr. Poni would also like to have a computer available in each of the 115 zones so that candidates petitions can be checked more quickly and accurately. His office plans to promote voter registration through the mass media starting 35 days before the election.

2. **Zonal Boundaries.** The office of Local Secretary is the entity recommending to the President all zonal boundary changes for the election. It is estimated that there will be an average of 19,300 voters per zone with a range of about 17,000-21,000. The law does not set a range nor does it establish a maximum or minimum variance.
3. **Request for Materials/Commodities.** Mr. Poni provided the Team with a list of needs for the election. This list is shown in Appendix D of this report and is addressed in the recommendation section. This list has not been audited. However, a quick perusal does question some of the costs, particularly for the printing of the ballots. Mr. Poni said that the commodities donated in the 1992 election, which were installed and implemented with IFES assistance, were still being used by the government.

B. Meeting with Mr. Njazi Kosovrasti, State Secretary of Local Government.

Our meeting with the State Secretary reinforced what we learned from Mr. Poni. Mr. Kosovrasti repeated the request for commodities and also said that he welcomed any technical advisors or assistance that can be given for the election. The State Secretary was particularly interested in finding pre-made ballot boxes and voting booths (instead of having to build them). He indicated that his office has been preparing the list of registered voters since receiving the order to do so by the prime minister last October. They were taking careful steps to insure the accuracy of the list. Mr. Kosovrasti said that communications with the districts was still a problem but they were moving towards utilizing the Internet and some form of E-mail system help solve it.

C. Date of the Election

From what we could determine from our meetings with government and political leaders, the Assembly elections could be held as early as May 26, a date which has since been confirmed. However, the general consensus was that the most likely date was Sunday, June 2 with the run-off held one week later on June 9. Several opposition parties speculated that the elections may be delayed until June 16 to coincide with the Russian Presidential election so that the attention of the world would be diverted from the Albanian elections (and thus any heavy-handedness by the government would be overlooked).

IV. SUMMARY OF MEETINGS

The IFES team had approximately 33 separate meetings involving well over one hundred people during this one week Assessment. Most of the information contained in this report is the result of those interviews. The following is a summary of some of the meetings held which are not detailed in other sections of this report:

A. Prime Minister Meksi

Prime Minister Aleksander Meksi gave us the opportunity to question him regarding the new election law and preparations for the upcoming election. He told us that the Assembly election will be held as early as May 26 and that April 11 was the possible starting date for the new Central Election Commission. He added that he expected local elections to be held in September and not at the same time as Assembly elections (as some have speculated). Meksi told us that Albania "needed foreign observers" for the upcoming election and that he would write a letter of invitation to the OSCE and other groups. The Prime Minister indicated that he welcomed technical advisors and training assistance for the election and then made a pitch for commodity assistance for the election. His dismissed complaints made against the verification committee and said the screening process was important to Albania's future.

B. Political Party Leaders

We had the opportunity to meet with leaders from most of the major political parties including those in and out of power. While most of our questions revolved around the technical aspects of the elections, many of the parties wanted to talk with us about other issues. The parties will attempt to have their own training sessions for members of election commissions who represent their party. At these sessions, they point out several "tricks" to look out for to make sure that other members of the commission are not trying to commit some type of voter fraud. All of the party officials we met with said they welcomed better training procedures and clearly written training manuals for the election. Several mentioned that in the past some zones have had up to 10% invalid ballots cast due to the fact that voters were uninformed as to the proper procedure needed to cast a valid ballot. It was suggested that an improved voter education program should be instituted for the upcoming election. Some leaders told us that party observers at the local polling place had to be approved by the voting center commission at least three days in advance of the election (we could not find the three-day provision in the law which governs such observers, Article 66). Of the six political party leaders we spoke with, all agreed that a permanent central election commission would help improve the election process by developing professionals who could handle the responsibility. (It should be noted that this issue was presented to them as establishing a permanent CEC whose members would serve staggered terms so that no one party dominated the agency for a long period of time). The opposition leaders stressed to us that the election law did not allow for enough time for the parties to prepare for the election (i.e., recruit candidates, commission members, observers, etc.).

Opposition parties said that the media was dominated by the Democratic Party and that it was difficult for them to get their message heard by the general public. While the revised election law made minor improvements, they felt it did not go far enough and that the problem was not just during the campaign period but at all times. Several opposition members reported that serious voter fraud had occurred in past elections. When pressed to identify what kind of fraud they mentioned voters being left off registration lists, the manipulation of votes at voting centers and voters being intimidated or beaten. When asked where this fraud took place the district of Korce was one area mentioned.

Most of the party leaders we spoke to brought up the "genocide law list" or the issue of keeping those associated with the Communist past out of elected or appointed office. Opposition leaders charged that the government was going too far in the way it was pushing the genocide law (although they said the effect on *their* party would be minimal or none). They said the law was just an attempt by the government to eliminate any opposition. They added that the genocide list was suspect because it had been in the hands of the government--and the government controlled who was on it. Several opposition leaders said that innocent people were going to be hurt in this process and that many in the government--who had committed far worse crimes--were going to get away with them.

Many of these same leaders also complained that the government was overreaching its authority in other areas and that citizens resented this intrusion because it brought back painful memories of the regime which was in power prior to 1991.

Finally, party leaders told us that prior to 1991, voting on election day in Albania generally took place all within the first hour the polls opened. People who protested or did not vote "had bad consequences happen to them."

C. Former Election Commission Members

We had the opportunity to meet with several citizens who served on all levels of election commissions in the national elections that were held in 1992 and 1994. They indicated that the experience was one of the most rewarding of their life. They also said that because of the short time period to prepare for the election, it was not only time-consuming but, at times, very stressful. One former CEC member said that he would often work 12-14 days during his time on the commission. He also added that the technical and commodity support given by IFES and other international organizations for the 1992 election was extremely helpful.

Based on their comments, training conducted for commission members appeared to be minimal (if at all). When asked for their recommendations for what improvements should be made to the system, the former election officials suggested the following:

1. *Establish a professional pool of election experts (such as a full-time Central Election Commission).*
2. *Provide more and better training programs for those involved in the election process (and supply the funds needed to complete them).*
3. *A training manual for all commissioners would help prevent misunderstandings between election commissioners.*
4. *Allow more time for conducting the election.*
5. *Make the process of casting a vote simpler by having the voter make a mark in a box next to the name for who he wants to for (instead of crossing through the names he wants to vote against). (Note: there was not unanimous agreement on this issue; some said that changing the system might confuse the voters. One person told us there was "great" confusion at his voting center during the voting for the referendum in 1994.)*
6. *Require election commissioners to show up on time at the polling station or not*

serve at all. Some told us stories of commissioners not showing up until midday to start work at the voting center.

D. Local government leaders

We met with several people who had administrative responsibilities in local municipal governments. We learned that many were currently involved in registering people for the upcoming election. Special temporary employees had been hired to go into neighborhoods (door-to-door) to find people to register. When they register someone who has moved to their jurisdiction from another, they send official notes (with the signature of the Mayor) to notify the local government of the previous address that the person or family has moved.

E. Constitutional Court

We had the opportunity to meet with the Chairman and two members of the Constitutional Court. The court consists of nine members; five selected by Parliament and four appointed by the President. Each member serves a three-year term. Members cannot be reappointed. Terms are staggered so that every three years three new members are appointed. Judges on this court only hear constitutional challenges. There are about 100 cases filed per year with only 15 cases actually argued before the full court. It takes the court an average of three months to issue a decision.

During our one hour meeting, we had a wide-ranging discussion of election issues. The judges defended their eight to one decision upholding the genocide law claiming it affected only the "leaders" and thus relatively "few" people (a copy of their decision can be found in Appendix E). When asked if their decision regarding the constitutionality of new Election Law was being delayed for political reasons (as charged by members of some political parties), the judges strongly denied this and said that they will issue their opinion in the case on April 2, 1996. Since that date was just one day before the Assembly was to be dissolved, we asked if there was any time to rectify the law. The judges indicated that the Assembly had emergency powers and could pass revisions to the election law "up until the time the new Parliament is sworn in."

F. Local Prefect Officer

In a meeting with the general secretary of one of the prefects, we found that information regarding the new election law had not yet disseminated to that level. In fact, the secretary was clearly embarrassed that he could not answer our questions about what was in the new law because he had not seen a copy of it (even though he had asked for one). He did tell us that they were working with the local governments to check the accuracy of the voting list so the government could use the numbers to draw the zonal boundaries.

Prefects were only established in 1994. They oversee local government and enforce local laws. During the elections, it is their responsibility to work with the zonal and voting center commissions although he has not had any experience or training in this regard.

V. CONCLUSION

It is clear that since 1991 the Republic of Albania has made significant improvements to its election system which has helped to move the country a long way towards becoming a true democracy. Free and fair elections have occurred in the country since that time--albeit with technical problems and a lack of proper training. The reigns of power in this country have been turned over from one party to another peacefully, and Albanians have not experienced some of the more serious ethnic or violent problems seen by some of their neighbors in recent years. From this assessment we have learned that the progress towards a more democratic society is moving at a slower pace than what was seen in the early 1990s. Indeed, to take that next step Albania will have to institutionalize more professionalism in its election process and make the voter registration process more open. Also, it will also have to show that it is a mature democracy by giving those with opposing views more opportunities to express those opinions through a more balanced mass media. We hope that the short and long term recommendations outlined in this report will be taken seriously so that Albania can continue to be recognized by the world community as a country which is serious about democracy.

VI. RECOMMENDATIONS FOR IMMEDIATE ACTION

Administrative/Procedural recommendations for the upcoming election

Based on this assessment, it is recommended that the following immediate action be taken regarding the Albanian Assembly elections now anticipated for late May or early June 1996.

Announce Zonal Boundaries immediately

Article 29 of the election law permits the President of the Republic to wait until just 45 days before the election to decide the boundaries of the new 115 election zones of the country. These boundaries, which appear to be completed, should be announced as soon as possible to allow the political parties more time to field candidates in the districts and have them cleared by the Verification Committee and to facilitate the earlier appointment of Zonal Election Commissioners.

*note: On April 5 President Berisha announced the boundaries of the 115 zones (see news article in Appendix G)

Appoint commissioners swiftly and fairly

Pursuant to Article 35 of the election code, Central, Zonal and Voting Center election commissions should be appointed by appropriate authorities immediately so that preparations can begin in earnest. This would permit more time for training, procedure development, handling of complaints, verification of petitions and other election matters. Waiting to appoint members until the last possible day of 45 days before the election for the Central Commission, 30 days for the Zonal, or 25 days before for the Voting Center commission would make adequate election preparation difficult to achieve. Since the government has so much power in determining members of these commissions, every attempt should be made to insure diversity, as was done in the 1992 elections by the then government in power. Such diversification will go a long way towards achieving greater fairness in the process and in preventing attempts at voter fraud.

Provide technical assistance to the Central Election Commission

Expert technical election assistance should be given to the newly-appointed Central Election Commission in the following areas:

- procedure and regulatory development
- commission training at the Central, Zonal and Voting Center level
- the development of an election procedure manual to be used by all commissions
- the credentialing of domestic and international observers
- consulting in election law interpretation
- the swift processing of complaints, appeals, etc.
- the distribution of donated election commodities/materials

Provide a new comprehensive instructional manual and an improved training program for Central, Zonal and Voting Center commissioners

Based on conversations with people who have served on previous electoral commissions at all levels, there needs to be a consistent and improved training program for those serving as members of the various commissions. The Central Election Commission has the authority to provide training to various commissions. Since the law appears to give a great deal of discretion to the Chairman of the Voting Center commission, it is important that all members are equally trained to avoid an incorrect interpretation of the election law and to help prevent inconsistencies at the polls. All commissioners need written guidelines, check-off lists, and improved procedures. Rules need to be stressed. Standardized training manuals for all polling place workers and a perhaps a training video which would clearly explain and illustrate the laws, rules and procedures would strengthen the system considerably. If workers are all uniformly trained, it is more likely to prevent fraud or at least make them aware of it. Properly trained Voting Center Commissioners may feel more compelled to challenge illegal or improper activity.

Conduct nationwide training seminars for parties, candidates and NGOs

A series of seminars should be held throughout the county which would be open to participation by all political parties, candidates, and independent observers and which would focus upon the new election law and how procedures are to be followed at the Voting Centers. These seminars could be held under the direction of the Central Election Commission with the assistance of international technical advisors who could help develop proper training materials and techniques.

Determine real commodity needs; find donors

The commodity needs list submitted by the government for this election and identified in Appendix D should be audited and scrutinized. A revised list should be shared immediately with USAID and other countries, international institutions and organizations so that possible donors of cash and/or materials can be found. While the \$1 million USD cost estimated by Albanian government officials appears to be on the high side, any donation to offset the election cost to this poor nation would be a worthwhile effort in assisting the Albanians in their transition to a democratic society.

Develop voter education programs

Because of the vast migration of people from the countryside to the cities since the last Assembly election, citizens need to be informed of proper registration procedures so that they can be on the list of eligible voters on election day. In addition, voters need to know that proper identification is required in order to receive a ballot. It appears that in past elections, there were a number of ballots which were improperly marked indicating that some voters did not understand proper voting procedures or may have not been prepared for the complexity of the election. A properly developed and implemented voter education program could help give Albanians the information they need to utilize their legal right to vote. This program could be implemented under the auspices of the Central Election Commission with the assistance of the political parties and NGOs.

Computerization of poll lists

A master voter registration list of all Albanian voters should be placed in a computerized data base by the Central Election Commission. Utilizing proper software, such a list should be checked for duplicate and deceased voters. This process would help officials keep better control over the registration lists and to make appropriate corrections. It could also be used after the election to determine who voted and to compare electronically other poll lists from the zones to determine if someone voted twice.

Communications

Proper communication should be insured between the CEC and the Zonal Commissions before, during and after the elections. While telephone communications have improved since the 1992 election, it is important that telephone and perhaps fax communications be facilitated for this upcoming election. Such contact would help prevent confusion, assist in training and message delivery, and help in the quick transmission of the results.

Ballot Security

Ballots should be printed on a special paper stock with some kind of unique identifier such as a watermark or seal. This would help identify all official ballots and assist in the discovery of ballots printed from illegal sources. Unused ballots need to be kept in a secure place until they are needed and should be accounted for after the election.

Poll workers and observers need to wear identification on election day

With a large turnout of people in a polling place it can be very difficult to determine who belongs in the Voting Centers and who does not. We recommend simple disposable identification stickers or badges for commissioner and official observers in Voting Centers and the Central and Zonal commission offices.

More organized reporting procedures

The CEC needs to establish better procedures for issuing results after the election. Voting Centers should provide all commissioners and official observers with a copy of the final protocol.

Improve accessibility for handicapped and elderly voters; have a magnifier at each Voting Center.

Wherever possible, first floor rooms should be used for voting. More consideration should be given to those who have difficulty getting to the polls. Many elderly voters have trouble seeing the small print on ballots. Eyeglasses are expensive and hard to obtain for pensioners. A plastic or other type of magnifier which could be made available to those needing assistance would help insure greater secrecy (and accuracy) in voting.

Computerization of several facets of the election process would improve the system and help prevent fraud

Computers could be used in the area of: 1. Poll list development and upkeep; 2. Signature verification of the petition lists; 3. Ballot counting: Protocol examination and verification of results; 4. Ballot security areas: tracking ballot printing and usage; and

5. Word processing: producing poll worker and other administrative documents.

VII. LONG-TERM (POST-ELECTION) RECOMMENDATIONS

A. *Improvements to electoral law*

While time will not allow changes to the election law for the upcoming Assembly election, the following improvements are recommended:

<i>Law affected</i>	<i>Change proposed</i>
Article 34	Establish a permanent and professional Central Election Commission which would improve the process of administering the elections. A permanent body would help develop key personnel who would have greater technical expertise in election law. It would allow for a more efficient set up of the election process and improve the training process of commissioners at all levels. In addition, a permanent body could work with the parliament to make needed improvements to the election law. The establishment of a permanent commission needs to insure complete integrity and an unbiased approach in administering the elections.
Articles 35,32 32,29,19,16,37	Significantly expand the election time period to allow adequate time for proper preparation and training. If a permanent Central Election Commission is not established, then the law should mandate that the CEC should be appointed and in place at least 90 days prior to the election. Additionally, Zonal Commissioners should be appointed at least 60 days from the election and Voting Center Commissioners no later than 45 days.
Article 29	Finalize boundary changes to zonal districts at least 90 days prior to the election to allow candidates and election administrators more time to make necessary preparations resulting from such changes. Insure the integrity of communal boundaries during the making of zonal boundaries. Allow a new Central Election Commission (if truly multi partisan) or other multi partisan body to draw the zonal boundaries in an attempt to avoid partisan favoritism in the division of districts and the effects of gerrymandering. Finally, the law should state that zones cannot vary by more than 5% from the average voter population of all zones.
Article 14	Allow citizens to sign more than one candidate petition form to insure fairness and to avoid the potential for intimidation of citizens who are now only allowed to sign a petition for just one candidate. The present requirement is for a candidate to submit 400 valid signatures (at 2% of the voters) of voters who "support the candidate in that zone" to have his/her name placed on the ballot. However, due to

the current number of viable political parties, the potential exists that nearly one-third of the voting population of a district may be involved in signing a candidates' petition (400 signatures x 115 districts x 10 political parties= 460,000 individual voters needed to sign petition forms). Also, the signature verification process alone has the potential to be overwhelming. While the intent of the current law may be to discourage frivolous candidates, perhaps a reasonable alternative would be to lower the signature requirement to 100 voters while requiring a small filing fee by the candidate or party. In addition, a voter signing a candidates' petition may feel that they do not have the ability to change their mind during the election campaign.

Article 14 **The inability for Albanian citizens living abroad to cast a ballot needs to studied** and addressed. Thousands of citizens are effectively disenfranchised from having the opportunity to choose someone to represent their interest. This is a difficult issue to deal with since so many Albanians are in other countries--legally and illegally. Alternatives could include establishing a polling site in countries with large numbers of Albanian citizens (such as was done in Hungary in 1993 for Romanian citizens living in Hungary). Other possibilities would include a voting by mail mechanism. Obviously such procedures would be costly.

Articles
2, 13, 15

Eliminate the candidate verification committee. Because of the potential for abuse and denial of human rights, it is recommended that the verification process used to screen candidates for the 1996 Assembly elections be ended. If such a process is kept, the definition of ineligibility should be narrowed, more time should be permitted for candidacies, and a greater time for appeal of adverse decisions should also be allowed.

Article 53 While the law which establishes the time allotment to be given to the government and opposition is consistent with such laws in eastern Europe, **it is recommended that a more equitable distribution of media time be considered.**

Article 21 **The Registration of Voters needs to be an on-going process.** The current system of waiting until close to an election to develop a voter registration list presents many problems. They include an inadequate amount of time allowed for voters to make sure they are on the registry and the potential for inconsistency in voter registration throughout the country. A permanent registration system would make it easier for citizens to keep their names on the voting rolls and thus improve voter eligibility. In addition, it would keep a more accurate account of the number of voters and therefore allow zonal boundaries to be drawn more accurately. Such a registration system needs to be established fairly to ensure the voting rights of all citizens. The system needs to take into account the continuous migration of the population. Therefore, a mechanism for local governments to notify each other of changes in residency must be carefully considered. It must be made clear that the voter registration list must not be used to abuse the human and civil rights of any

citizen.

Article 71 The election law should mandate that the CEC be required to **have a voting procedure poster stationed at all Voting Centers** in addition to a list of all candidates/parties on the ballot.

Article 40 The law should state that **a training manual and procedural list be given to all Voting Center commissioners** prior to the election. The law should mandate training sessions.

Articles
76,78

Protocols from all polling places should be made public and published. A random auditing process should be instituted to do a spot check of the ballots. It is recommended that 1% to 2% of all polling places should be randomly selected to have the ballots re-counted by an independent team. All the protocols sent to the zone commissions should be audited and recalculated to make sure that no major mistakes (or major manipulation) occurred. There are many simple computerized spreadsheet programs which could facilitate this process and provide a flagging system for discrepancies.

The Law on Assembly Elections should be reconciled with the laws for referendum and local elections so that they are consistent.

B. Voter and Civic Education

Between elections, voter and civic education initiatives need to be supported so that Albania's evolution towards democracy continues to proceed at a consistent pace. Organization such as the Society for Democratic Culture need to be encouraged and strengthened. Other NGOs should be integrated into an overall civic education program so that information regarding the importance of public participation in elections and the democracy is disseminated to the widest audience possible.

VIII. RECOMMENDATIONS FOR ASSISTANCE BY IFES

Technical Assistance to the Central Election Commission

IFES suggested placing technical advisors and election law experts in Albania who could assist the Central Election Commission and the government in dealing with the complexities of implementing a new election law for the upcoming Assembly elections. IFES advisors could have provided much of the assistance described in the Recommendations for immediate assistance which can be found in Section VI of this report. These experts could have also observed the election itself and make

recommendations for further improvements to the law and procedures.

The development of a comprehensive training manual for poll workers.

An IFES technical advisor could have assisted with the production of such a publication which would be disseminated to the estimated 30,000-40,000 people who will be serving on Zonal or Voting Center Election commissions. This manual would have been easy to understand and could have included all instructions, rules, procedures for operating a polling place. The manual would have contained pictures and other graphics to illustrate what is required and expected of the poll worker. An emphasis would have been placed on the exact requirements of ballot accountability and security. Other information disseminated in a manual could have included: question and answers for handling unusual situations; the answers to frequently asked questions; the legal rights of candidates/observers at the polls; important phone numbers; and how to challenge someone when a rule appears broken. IFES could have provided technical as well as hands on assistance encompassing: desk top publishing software and the hardware to operate; cameras; on-site assistance to help put together the manual and provide training and funds to print and distribute manuals.

Assist in the production of a poll worker training video so that all workers are receiving dependable instructional information.

It is evident that there is great inconsistency in the training of the nearly 16,000 poll workers in the country. IFES could have provided material and technical assistance which could include: video production; copying and distribution assistance; VCR, television and other equipment to show the training tape. IFES could have also provided on-site technical assistance in the development and production of the training tape.

Training of All Election Commission Members

Because of the absence of full-time professionals in election administration in Albania, it is essential that there be a mechanism for the thorough training of election officials at all levels to help prevent some of the problems that occurred in past elections. IFES advisors could have taught modern election management techniques to those at the top level of the election administration process. While there appears to be equipment needs (such as computers and software) to help modernize the election process, it may be best to tie such aid to the establishment of a permanent central election commission. Organized training seminars should be held throughout the country for all members of the zonal and voting center election commissions.

Training of Observers

It is very important that all observers--domestic and foreign--are properly and uniformly

trained. IFES could have provided observers with a copy or a synopsis of the electoral law and procedures as well as a check-off lists to help determine if proper procedures are being followed. They should also be made aware of the mechanisms used to file official complaints.

Commodity and Material Assistance

The commodity needs list submitted by the government for this election and identified in Appendix D should be audited and scrutinized by IFES. A revised list should be shared immediately with USAID and other countries, international institutions and organizations so that possible donors of cash and/or materials can be found. While the \$1 million USD cost estimated by Albanian government officials appears to be on the high side, any donation to offset the election cost to this poor nation would be a worthwhile effort in assisting the Albanians in their transition to a democratic society.

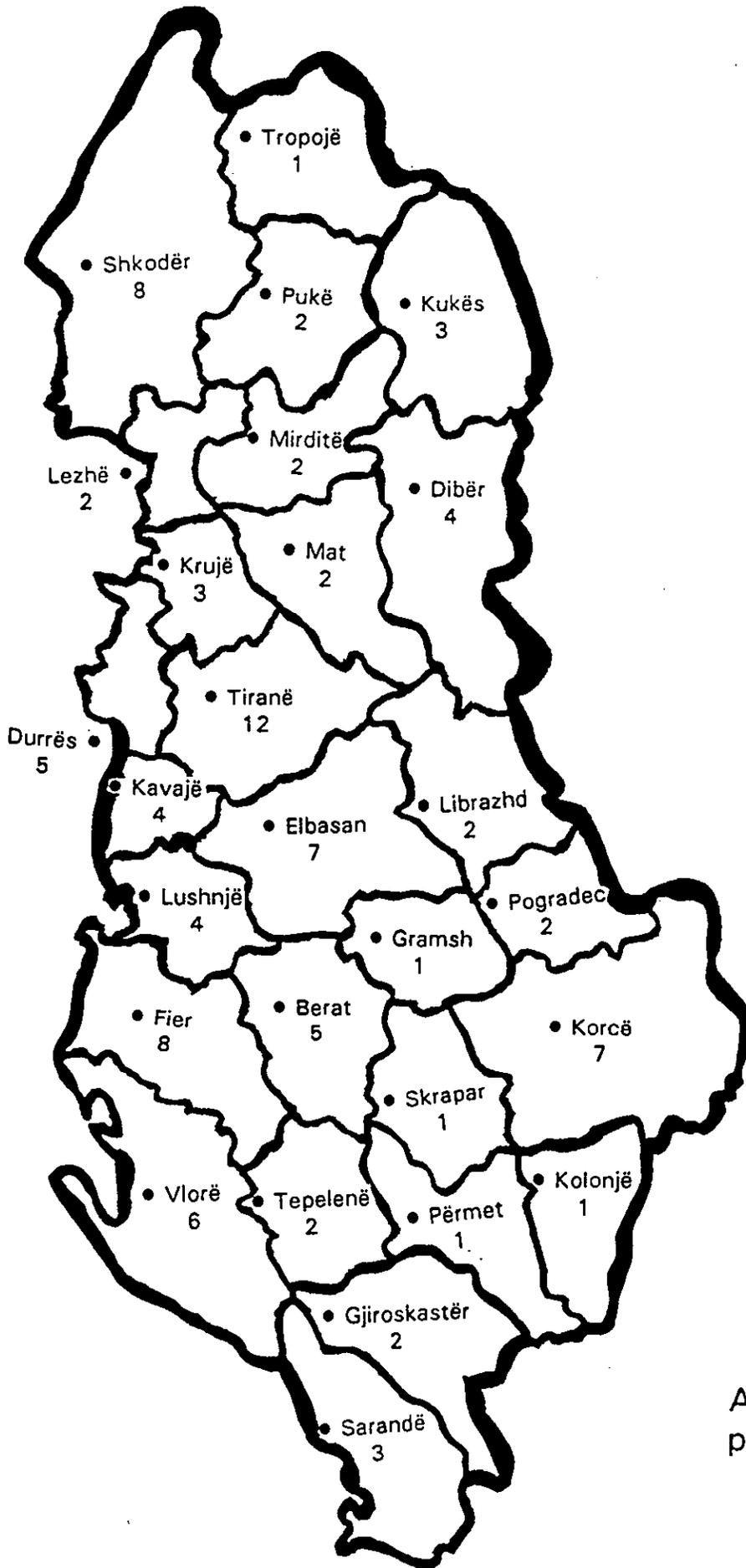
Voter Education

Ample evidence and support has been provided throughout this report to make it clear that a comprehensive voter education project needs to be undertaken on a much wider basis than has happened in the past. Such a program needs to be accomplished in a professional manner and targeted correctly for maximum penetration. IFES has the capacity to provide assistance to the government, NGOs and other groups for this important effort in future elections.

Permanent Central Election Commission

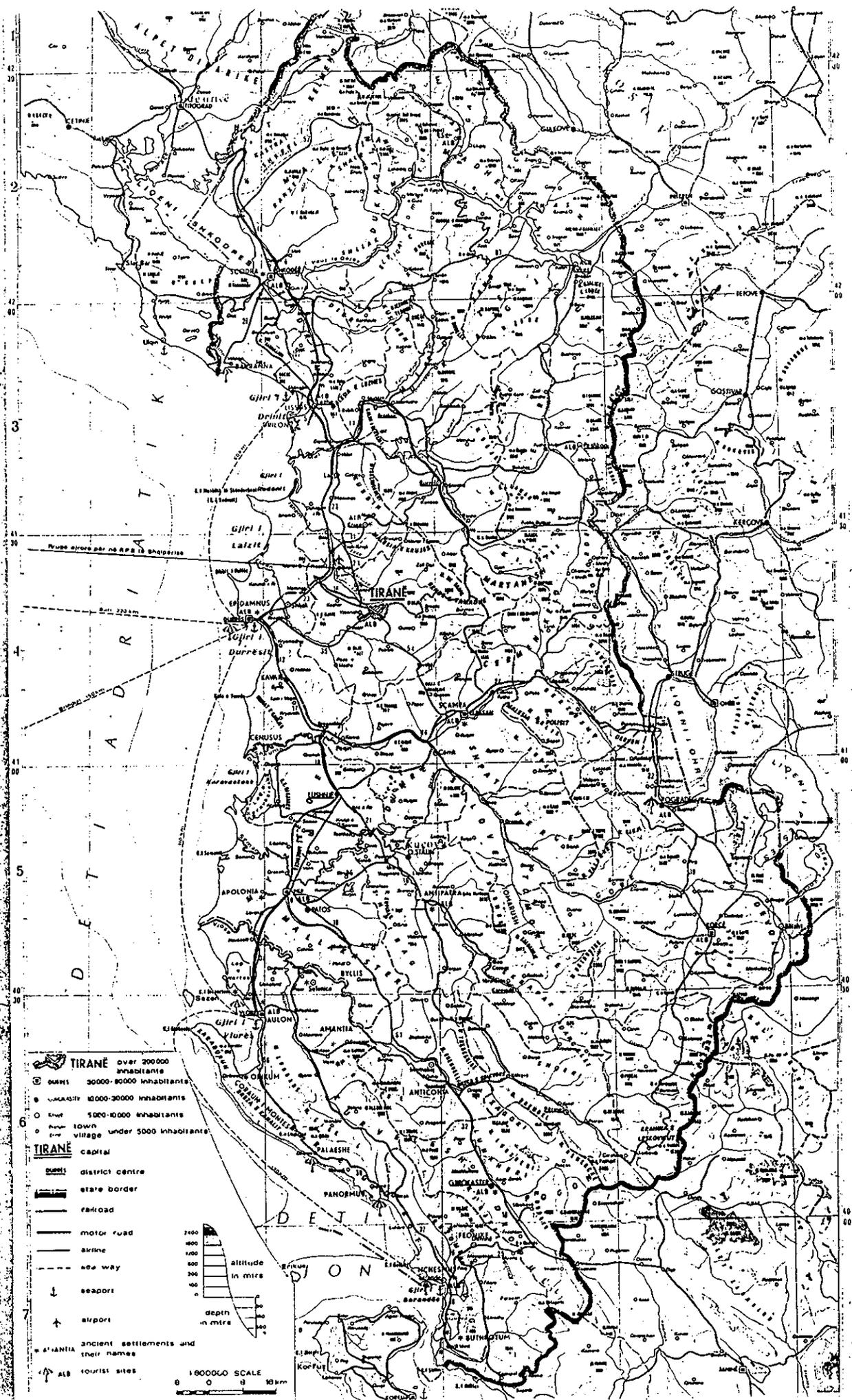
If a permanent CEC is established, IFES could have international election experts assist the administrators in the process of professionalizing their office and in meeting international standards. This proposal would give election administrators assistance in several area including the development of training and personnel manuals, checkoff lists, auditing procedures and modern management techniques.

APPENDICES



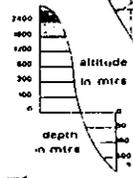
ALBANIA
population 3,300,000

BEST AVAILABLE COPY



- TIRANE over 20000 inhabitants
- DURESS 30000-80000 inhabitants
- ELBASAN 10000-30000 inhabitants
- Other 5000-10000 inhabitants
- town
- village under 5000 inhabitants

- TIRANE capital
- district centre
- state border
- railroad
- motor road
- airline
- sea way
- seaport
- airport
- AMANTIA ancient settlements and their names
- ALB tourist sites



1:600000 SCALE
0 10 20 km

APPENDIX A

**Unofficial translated copy
of the Albanian Law for Assembly Elections
(Revised February 1996)**

**LAW ON ELECTIONS FOR THE PEOPLE'S ASSEMBLY
OF THE REPUBLIC OF ALBANIA.**

On the basis of Articles 16 and 17 of Law no. 7491 dated 29 April 1991, "On the main Constitutional Provisions," the People's Assembly of the Republic of Albania resolves:

CHAPTER I.

General Provisions

Article 1

Elections for the People's Assembly deputies will take place in the territory of the Republic of Albania on the basis of general, direct, free and secret vote.

Article 2

All Albanian citizens who have reached the age of 18 as of the date of the elections have the right to vote. All those who have reached the age of 18 as of the date of elections and have Albanian citizenship, live permanently in the Republic of Albania for a period of time of not less than six months and fulfill the requests of the Law no. 8001 dated 22.09.1995 "On genocide and crimes against humanity committed in Albania during the communist regime on political, ideological and religious motifs" as well as the Law no.8043 dated 30.11.1995 "On the control of the figure of officials and other persons linked with the protection of the democratic state" have the right to be elected as deputies in the People's Assembly.

Article 3

Citizens whose right to vote has been taken away from them by court decision because they have committed a crime, persons who are judged to be mentally incompetent by a court will not be allowed to vote.

Article 4

The right of elections is exercised on the basis of the lists of voters. Voters vote in that voting center, in the voters' lists of which their name is registered. The right to vote, is personally exercised by the voter and only once, casting the ballot only for one of the candidates presented in the single zone of elections and only for one of the Political Parties that participates in the distribution of the supplementary mandates in the national scale.

Article 5

A deputy in the People's Assembly cannot simultaneously serve as an elected or nominated member of the organs of the local government and in the judicial organs.

CHAPTER II

Article 6

The People's Assembly consists of 140 deputies, out of whom 115 are elected directly from the single district list, while the other 25 supplemental mandates are given to the candidates that are on the lists of the political parties in the national scale on the basis of the votes won in the first round, according to the rule defined in article 10.

Article 7

A candidate is declared a deputy in the People's Assembly according to a single district list if he wins more than half of the valid votes in an electoral zone.

Article 8

If in the first balloting none of the candidates nominated gets more than 50% of the valid votes, than a week later the second round of elections is held in the respective zone.

The two candidates who win the greatest number of votes in the first round will run in the second round.

In the case when two or more candidates get an equal number of ballots in the first round, then the two candidates who will run in the second round are decided by casting the lot, in the case when one candidate has got the largest number of ballots and after him two or more candidates get an equal number of votes in the first round, then the other candidate is decided by casting the lot.

If an political party withdraws its candidate in the second round of balloting, he is substituted by the candidate who wins the greatest number of votes from the remaining candidates in the first round.

Candidates in the second round of balloting are announced by the electoral commission of the zone.

Article 9

In the second round of balloting the candidate that obtains the largest number of votes is elected deputy in the People's Assembly. If the candidates obtain an equal number of votes, then the deputy is selected through the lot.

Article 10

Parties that have nominated joint candidates in the election zone, together with the representation of candidates send to the election commission of the zone the ratio on the distribution of their joint votes which will be added nation-wide. A copy of this document is sent to the Central Commission.

Article 11

Supplemental mandates are distributed as follows:

a) from the distribution of the 25 supplementary mandates profit only those parties which in a national scale have not less than 4% of the votes and electoral groupings of two parties which have not less than 8% of the votes. When the electoral groupings consist of 3 or more parties, the edge of percentage increases by 4% for each party.

b) the sum of the valid ballots cast in the first round is calculated for the supplementary mandates for the Political Parties. Then the sum of the valid votes cast for each of the parties that meet the request of letter "a" is found. The number of the valid votes of each of these parties is divided with the number of valid votes cast for the supplementary mandates and the fraction that comes out is multiplied with the number 25 of the supplementary mandates.

c) each list of the parties receives as many seats as there are full numbers that belong to them according to the calculations made according to letter "b". The seats left undivided are given to the political party that has won the largest number of places from the elections in the election zone.

c) the determination of the winners from the multiname lists is done according to their line up in the lists

d) when the number of the candidates of the list is smaller than the number of the seats that belong to it, then the winner is the one that has been presented from the political party in one of the election zones, who, amongst all other candidates of this party in the election zones who have not won in the respective zone and are not apparent in the election list of the respective party, has gathered the largest number of votes. When there are two candidates, a lot is cast.

CHAPTER III

Political Parties

Article 12

Any Albanian citizen that has the right to be elected on the basis of this law, can run for a People's Assembly deputy, as a representative of any party, group of parties, or as an independent candidate.

Any candidate cannot run in more than one single-member zone.

Any candidate in a single-member district can simultaneously run as a candidate on the list of his respective party. A candidate who wins in an electoral zone is a deputy of that zone and his name is deleted from the nationwide list of his political party.

Article 13

A candidate for deputy in the People's Assembly is registered by the election commission of the zone no later than 30 days before election day. To effect the registration, the following documents are submitted:

- a) a written application from the respective political party, in which the registration of the candidate nominated for deputy is requested. The application must contain the name, the father's name, last name, birthday and residence of the candidate (2 copies)
- b) the statement of the candidate accepting the placing of his name as a candidate in the specific election zone (2 copies)
- c) the copy of the decision of the State Commission on the basis of article 9 of the law no. 8043 dated 30.11.1995 "On the control of figure of the officials and other persons linked with the protection of the democratic state".
- c) a list signed by no less than 400 voters in the respective zone, which support the candidate in that zone.

Article 14

The specified list with the voters' signatures must contain the title, symbol or signature of the political party nominating the candidate or indicate if the candidate is independent.

The list with the signatures of the voters should have the name, the seal of the political party that is presenting the candidate or the note that the candidate is an independent one. This list should at the same time consist of the name, father's name, last name and address, ID number with a photo and signature of the voter who must live in the zone where the candidate is nominated.

A voter does not have the right to sign more than one list. The lists are deposited with the Central electoral Commission and can be inspected with its appropriate authorization.

When the election commission of the zone determines irregularities in the application and documents submitted for the registration of candidates, it requests that Political Parties make the necessary corrections within two days. In the event this is not done, the election commission makes the appropriate decision.

Article 15

The right to present lists of up to 100 candidates for the supplementary mandates is enjoyed by Political Parties that have fielded candidates in not less than 38 election zones and in 12 districts of the country. The lists for supplementary seats may contain up to 100 candidates. When groupings of Political Parties meet the above condition, than each of the political parties which participate in the grouping, is presented in a separate electoral list. The list is attached a copy of the decision of the State Commission on the basis of article 9 of the law no. 8043 dated 30.11.1995 "On the control of the officials and other persons linked with the protection of the democratic state" as well as the declaration of the candidates on the acceptance of candidacy.

The list with the signature and stamp of the respective political party is submitted to the Central Election Commission no later than 30 days before election day.

Article 16

The election commissions of the electoral zones, when the conditions of this law are met, are forced to register all candidates for deputies in the People's Assembly. Their announcement is done from the Central Election Commission no later than 25 days before the election day, giving the name of the party that has presented it too. They send a copy of this to all candidates of the Political Parties.

Article 17

For each candidate for deputy, the election commission of the zone keeps an official registration record according to an established form. A copy of this official record is sent to the Central Election Commission along with the statement of the candidate accepting the placing of his name as a candidate in the respective zone.

Article 18

When the name of a candidate for deputy in the People's Assembly is withdrawn by his sponsors, when a candidate withdraws on his own or dies after he has been registered by the election commission, of the zone the respective party can register another candidate, but no later than 7 days before election day. If this occurs during the 7-day period before the elections, then the political party presents another candidate from the party list of candidates.

Article 19

In case when the heads of the Local Government, members of the judiciary, heads of the organs of the public order and the National information service as well as military in active duty present their candidacy for deputy, they leave their jobs 25 days before the election day.

CHAPTER IV

Article 20

The elections for the People's Assembly deputies take place on the basis of lists of voters. All citizens who have the right to vote, when the organ empowered by this law to draw up the list of voters, registers voters as temporary residents in its territory, it is required to inform the respective organ of the district of voters' permanent residence with the aim that they do not register in two places of residence. Each citizen is registered on only one voter list.

Article 21

The voter lists are drawn for each voting center. In the voter lists the name, the father's name and last name of the voter, his birthday and registration number are given.

The list of voters in the towns and countryside are drawn under the responsibility of the mayor or head of the commune and the secretary of the respective council. The list of voters after they are signed by the above persons, are sent to the respective prefecture. The prefect after he confirms them, in any case, solves any kind of disagreement in connection to them.

The voters lists are announced by the organs that have drafted them no later than 30 days before election day.

The lists of voters remain permanently in the offices of the civil records.

Council of Ministers issues the necessary sub legal acts on the exact and timely drawing of the lists, as well as the way of their protection and administration.

Article 22

The lists of voters who serve and live in military units and detachments are compiled and announced no later than 30 days before the election day, by the nearest chairman and secretaries of the municipal and commune councils in cooperation with the commands of military units and detachments.

All other military are registered on the lists of voters in their residence compiled by the organs charged by this law.

Article 23

The Albanian citizens who live permanently outside the country, who intend to stay in the territory of the Republic of Albania until election day, are registered on the lists of voters in their former residence provided that they demand this. For the above-mentioned citizens, the exercise of their right to vote is marked in their international passport.

Article 24

In hospitals, sanatoriums and other health and rehabilitation institutions, in re-education camps and in custody compiled by their directors based on the voters' identification document. These directors are required to inform the competent organ of the local government in the residence of these voters, so that corrections can be made in the lists of voters on which they were originally registered.

Article 25

When a voter is nominated as a member of an election commission or an observer in a zone or voting center and because of this he has to go away from his residence after the list of the voters is published and before election day, the competent organ, at the written request of the political party issues him a certificate to vote in the new voting center and writes the word "moved" on the list of voters. This voter is registered on the supplemental list of voters in the new voting center by presenting the voting certificate together with his identification card or any other document which replaces it.

Article 26

The organ which announced the lists of voters with the request of the interested by decision can make changes in these lists but no later than 24 hours before election day, when a citizen has died, is registered twice, is not registered, does not have a right to vote or is outside the territory of the Republic of Albania.

Article 27

Each citizen has the right to request the correction of errors and omissions in the voters' lists such as lack of registration, removal from the list, changes in the first name, father's name or last name, registration or persons who have lost the right to vote, etc. The request is made to the organ which announced the lists, which is obliged to review it within two days and issue the appropriate decision.

The decision can be appealed in the district court which within three days reviews the complaint in open judicial session and issues the appropriate decision. The court decision is announced immediately and is final and is implemented by the commission of the voting center.

Any changes made in the list of voters is announced immediately.

The election commission of the zone with the request of the citizens, intervenes with the organs that have announced the lists of voters on the correction of mistakes and shortcomings in these lists.

Article 28

The organs that have announced the lists of voters will make them available to Political Parties upon request and payment of a fee.

CHAPTER V

Article 29

For the elections of deputies for the People's Assembly, 115 zones are created, with an approximate equal number of voters. Zones should be compact, with a geographical continuation and in setting them up, no breaking-up of communes are allowed.

The number, borders, and line up of election zones are decided by the President of the Republic, with the proposal of the Council of Ministers no later than 45 days before the election day.

Article 30

Voting and counting of votes take place in voting centers, which are set up in every town, city quarter and village.

Article 31

In the villages, a voting center is set up for every 100 to 800 voters.

In towns and city quarters, a voting center is set up for every 800 voters.

A separate voting center is set up for towns or city quarters that have less than 800 voters. A separate voting center is set up if the remaining number of voters is larger than 400, while if the remaining number of the voters is less, they will be joined with the nearest voting center.

When a work center is more than 5 km from the nearest voting center, a separate voting center is set up in the work center if there are at least 50 voters.

Article 32

The voting centers will be announced no later than 20 days before the election day.

In the towns, city quarters and villages, voting centers are set up by decision of the organs that have announced the lists of voters.

Article 33

In hospitals, sanatoriums, maternity wards, rest homes, and other similar institutions, in re-education camps and in custody, voting centers are set up if there are more than 15 voters.

In health institutions that have many clinics, voting centers are set up in each clinic if there are more than 15 voters in each one.

CHAPTER VI

Article 34

The following election commissions are established for directing the People's Assembly elections:

- a) the central election commission
- b) the election commission in the zones
- c) the commissions of the voting centers.

Representatives of Political Parties as well as non party individuals serve as members of election commissions.

Election commissions are independent bodies and answer for their activity only before the law. The secretaries of the Central Election Commission and the commissions in the zones must be lawyers. The decisions of these commissions are adopted by the majority of votes.

Article 35

The Central Election Commission is composed of a chairman, deputy chairman, secretary and 14 members. The composition of the Central commission is decided by the President of the Republic based on the proposal of the Council of Ministers, political parties which have presented the electoral lists for the division of the supplementary mandates, no later than 45 days before the election day. The political parties that have no members in the Central Election Commission are entitled the right to have their observers.

Article 36

Central Election Commission carries out the following duties:

- a) it sees to the strict and equal implementation of this law during the election period in the entire territory of the Republic of Albania.
- b) it determines the methodology and inspects the activity of election commissions in the zones
- c) it reviews complaints against irregular and illegal acts and activities of election commissions in the zones.
- c) it registers and announces the participation in the elections of parties, groups of them and independent candidates and registers their symbols. After registration, no party or group of parties has the right to use the symbols of another party or group of parties,
- d) it exercises control over the registration of lists of candidates in zones for deputies in the People's Assembly
- dh) it sets the rules for the participation in the elections of foreign and domestic observers and provides them with identification documents
- e) when necessary after the elections it examines the lists of voters and when it discovers that a citizen has voted more than once it refers the case to the appropriate organ
- e) it announces the results of the elections and registers the People's Assembly deputies
- f) it issues the certificate of election to the elected deputy

Article 37

In each election zone the election commission is set up, composed of the chairman, deputy chairman, secretary and a representative from each party or electoral grouping that has candidates fielded in this zone as well as a non party person when this is an even number. The chairman and his deputy is determined by the Central Election Commission, secretary and the non party person are determined by the prefect. The Election Commission of the zone is determined as the above by the Central Election commission no later than 30 days before the election day.

Article 38

The election commission of the zone has the following duties:

- a) it sees to the strict and equal implementation of this law during the election period in the entire territory of the zone
- b) it exercises control over the activity of the commissions of the voting centers during the election period
- c) it overlooks the setting up of the voting centers according to the law
- c) according to cases the organs which have announced the lists of voters are requested to make corrections of mistakes and shortcomings observed in them.
- d) registers and announces the candidates for deputy presented in conformity to this law
- dh) registers the representatives of the candidates for deputy of various parties, of political groupings and

independent candidates and gives them the respective verification papers.

e) counts votes on the basis of the official records of the voting centers and announces the results of the elections in zones

e) reviews complaints against illegal or irregular acts or deeds of the commissions of the voting centers.

f) it issues certification of election to deputies who are elected.

g) hands over to the central election commission the acts of elections as defined by this law.

Article 39

For each voting center a voting center commission is set up, composed by the chairman, secretary and one member for each party or electoral grouping that has candidates in that zone, as well as a non party person when the number is even.

The chairman is determined by the chairmanship of the zone commission, the secretary and non party person by the prefect.

The election commission of the zone approves and announces the composition of the commission of the voting center no later than 25 days before election day.

Article 40

The voting center commission carries out the following duties:

a) it ensures the free and peaceful conduct of elections in voting centers in accordance with this law.

b) it ensures order during the elections

c) it counts the votes cast for each candidate for deputy

d) it prepares and sends the official record of the voting to the election commission of the zone

e) it records in the official record all the complaints and requests of the voters or candidates, examines them and issues the appropriate decision

f) it sends the election documents determined by this law to the election commission of the zone.

Article 41

During the elections the instructions of the chairman of the voting center commission are binding for all citizens in the voting center. These instructions can be annulled only by a decision of the voting center commission.

Article 42

The members of the election commission can be relieved of their duties on these commissions, by the organ which approved the composition of the commission, at the request of the members or upon the proposal of political parties they represent.

Article 43

Military, workers in the organs of public order and the national information service as well as candidates for the People's Assembly deputies cannot serve as members of election commissions.

Article 44

Election commissions' meeting are considered valid when more than half of the members are present. Decisions at these meetings are made by majority vote.

Election commissions' meetings are public. Observers may participate in these meetings, they may make remarks. With their request, remarks can be included in the official report of the commissions' meeting.

Article 45

Political Parties that have their representatives in the composition of the election commissions have the right to present a list with the names of their replacement. The replacement is done when the later are unable to carry out their functions. The replacement is done in the following way:

- a) for the commissions of the voting centers, with the decision of the election commission of the zone, with the request of the respective party
- b) for the commissions of the election zones, with the decision of the Central Election Commission

Article 46

Persons who participate in the Central Election Commission or in the election commissions of the zones are released from their jobs in exchange of payment since the day they are charged with this duty, while those of the commissions of the voting centers enjoy the right to be released from their jobs with pay, five days before the voting and two days after.

The above mentioned are compensated from the state budget, in the amount determined by the Central Election Commission

For the members of the Central Election Commission the compensation is determined by the President of the Republic.

Article 47

With respect to the Penal Code, all members of the election commissions are considered "persons charged with official duties" while performing their assigned duties.

Article 48

While performing their assigned duties, members of the election commissions and observers cannot display any distinguishing sign or symbol of a party or group of parties to which they belong or make or take part in election propaganda activities

CHAPTER VII

Complaints against the decisions taken by the Election Commissions.

Article 49

The decisions of the election commissions of the zones can be complained against in the Central Election Commission, within 3 days from their proclamation.

Article 50

Complaints can be filed against the decisions of the Central Election Commission in the Constitutional Court within 3 days of their proclamation.

The Constitutional Court reviews the complaint and within 3 days gives a final decision, which is announced immediately.

The decisions of the Constitutional Court that are given on complaints over the results of elections, are made known to the Commission of Mandates of the new People's Assembly.

CHAPTER VIII

Article 51

The election campaign begins with the announcing of the election day and ends 24 hours before this day.

Article 52

During the election campaign, every political party, as well as citizens have the right to make propaganda freely through meetings, rallies, radio, TV, press and other means of mass media.

Any kind of propaganda carried out in disagreement to the laws, public order to that touches the personal dignity of candidates is prohibited.

The publication of polls in connection to the elections is interrupted 8 days before the election day.

Article 53

The election campaign in the state radio television is conducted through special broadcasts. For the first round of elections, the space put at the disposal of the Political Parties, is shared between these parties according to this rule:

1. Parties that in the last elections have won seats in the people's assembly are given a general time of four hours at their disposal, half of which belongs to the parties presented in the Government and the other half to the nongovernmental parties, according to the seats in the assembly but not less than 20 minutes.
2. All the other Political Parties which have presented candidates for deputies in no less than 15 election zones, are given at their disposal a time of 10 minutes.
3. one day before the campaign is closed all these parties are allowed to make a short summary of their program addressed to the electorate, up to 5 minutes.

For the second round, the space put at the disposal of the Political Parties, in conformity with the above regulation is cut in half.

No later than 5 days after the Central Election Commission is set up, the leading organs of the Albanian TV and radio should send to it the platform and program of electoral broadcasts put at the disposal of the Political Parties.

The Central election commission organizes in the Albanian radio and TV, programs on explaining the electoral process to the population, avoiding any partisan stance.

Article 54

Candidates as well as Political Parties have the right to use various propagandistic materials as slogans, announcements, leaflets etc. in which the name of the political party that has prepared such materials appears. The damage of such materials is prohibited until the end of the campaign.

The local power organs must provide equal propaganda opportunities to every Political Parties.

Article 55

The election campaign is prohibited in military units and detachments as well as in de-politicized institutions. The commands of military units and detachments must permit members to exercise their right to use media during their free time as well as to participate in the election campaign within the territory of the election zone, but outside military units or detachments.

Article 56

Election campaigning is prohibited by persons who are not Albanian citizens.

Article 57

Local power organs as well as any other state organ do not have the right to distribute propagandistic electoral materials nor to take part in propaganda campaign.

Article 58

The state contributes to the election campaign of Political Parties as follows:

- a) 50% of the set amount is allotted to Political Parties in proportion to the candidates put up for deputies
- b) 50% of the set amount is allocated among parties in proportion to the number of votes won in previous elections in national scale

In case the political party does not win over 3% of the votes of all the election zones he has fielded candidates, he is obliged to give back to the state the sum it has financed.

The ministry of Finances is charged with the duty to issue the rules of financing, using and controlling the offered funds.

Article 59

It is prohibited to slander and offend the candidate for deputy and the electoral party

A newspaper or any other type of mass media that has published a material violating the rights of a candidate for a deputy in the People's Assembly or has in any way attacked his dignity, is obliged to publish free of charge a reply in the next issue or broadcast devoting the same place, space and time to the original material which gave rise to this reply.

Article 60

The disruption and interruption of legal electoral meetings and rallies is prohibited.

Article 61

Candidates for deputy in the People's Assembly, during the campaign when they are released from their jobs, keep their jobs and are given full pay, in the case when they work for the state and from the Central Commission in other cases.

The jobs are not held for the persons defined in the first paragraph of article 18.

Article 62

Candidates for deputy cannot be charged with crime, arrested or held in detention, except when they commit an obviously serious crime.

CHAPTER IX

Voting

Article 63

The voting for the People's Assembly deputies takes place in centers designated by the local power organs for the respective administrative units. No propagandistic material is permitted in voting places. Buildings owned by political parties or de-politicized state institutions cannot be used as voting centers.

Article 64

Elections for People's Assembly deputies take place on a day which is not a workday throughout the country. The voting begins at 07:00 and ends at 20:00. If after 20:00 there are still voters waiting to vote, the voting centers will remain open until those present have voted.

On election day, at 07:00, the chairman of the voting center commission, in the presence of more than half of the members, invites the voters to begin voting.

The voting begins with the inspection of the ballot boxes in the presence of the commission and observers. Then the ballot boxes are sealed and stamped with the stamp of the voting center, which is safeguarded.

The commission chairman stamps at the top left all ballots and their number is recorded in the official record, which is signed by all commission members present.

The stamping being over, the chairman and two representatives of different parties sign on the right side of ballot, the commission members being present.

Article 65

Voters cast their vote in the order of their appearance at the voting center.

Every voter must prove his identification by showing an identification card, a military card for the military in each case with regular picture, or an independent passport for those who have come from abroad.

When the voter does not have the identification document according to the above paragraph, then he should ask the office of the civil records of the place he lives to hand him a special voting certificate.

The military are not permitted to appear at the voting center in units or armed. Only army men on duty are allowed to appear in uniform.

After checking the identification document with the list of voters, the voter signs the electoral list. The number of the identification document being marked, the voter takes the ballot and votes. Having voted, the last page of identification document is stamped.

When it is determined that the ballot is not in order, the chairman replaces it, puts it aside, writes it down and signs it as invalid.

Article 66

The voting room can be divided into several separate booths to speed the voting process. There should be no ballots in the separate booths of the voting room.

The commission desk is placed in such a way as to permit Political Parties to move around it. The ballot boxes are put in a place that is visible to all those present.

No one including members of the commissions of the voting centers, can enter the booth, except in cases when the voter is unable to follow the necessary voting procedure and requests assistance from a person he himself selects. The selected person has the right to accompany only one voter to the booth. In such cases, the chairman of the commission of the voting center can give permission for it and this is indicated in the list of voters.

Voting in the open or outside the booth is prohibited. In such a case, the vote is considered invalid, is torn up by the commission and is not paced in the ballot box, giving the voter even more chance to cast his vote.

When there are voters in booths, other persons are prohibited to get closer than 3 meters to the booth.

If it is necessary to restore order in the voting center, the chairman of the commission of the voting center may

request the assistance of the police organs.

Armed persons are prohibited from entering the voting centers.

Political Parties, with the authorization of the election commission of the zone, are permitted to send an observer in every voting center.

Article 67

Voting is done according to the prescribed types of ballots, a sample of which is attached to this law. Ballots are the same in format, size, color, and paper content. The election commissions of the zones are given a number of ballots which is 10% higher than the number of voters registered in the respective voters' list

The ballot is divided in two parts. On the left the votes for the candidate for deputy are given, while on the right the votes for the Political Parties are given. On the left the: title of the party, the names of the candidates according to the alphabetical order and the name of the political party that they belong to. For independent candidates the ballot is marked "Independent candidate". On the right the title and names of the Political Parties which participate in the distribution of the supplementary mandates with their titles given according to the alphabetical order of the parties is given.

Article 68

The left part of the ballot paper, where it is voted for the candidate for deputy who is directly elected in the zone, is valid when the voter leaves only the name of the candidate for whom he votes and crosses out all the other names. The right part of the ballot paper, where it is voted for the Political Parties which participate in the distribution of the supplementary mandates, is valid when the voter leaves only the name of the party for which he votes.

Article 69

All ballots filled out incorrectly, torn up, damaged or used are kept for the final inspection.

Article 70

When there are serious violations of the voting process, the commission of the voting center can suspend voting until the violations are corrected. The Central Election Committee is immediately notified of this decision.

Article 71

The names of the candidates for deputies in the zone and the lists of nation-wide candidates are posted outside the voting room or in any other conspicuous place.

CHAPTER X

The results of the Elections

Article 72

Immediately after the polls close, the chairman of the voting center in the presence of the commission and authorized observers:

a) declares that the voting is concluded

b) counts voters that have cast their vote according to the lists, which must be signed by the chairman and secretary of the commission and by any representative of the Political Parties that may desire to do so.

The lists are placed in an envelope that is stamped with the same stamp of the voting center. The envelope itself is signed by the chairman and secretary of the commission and by any representative of the Political Parties that

may desire to do so.

The envelope is handed over to the election commission in the zone where it takes the respective certification. Counts the unused ballots, which are handled in the same manner as indicated above in the second paragraph of the section b.

These actions must be completed according to the above mentioned order, and by indicating this in the final official record.

Article 73

Following the completion of the above mentioned activities:

- a) the ballot box is opened and a member of the commission selected through the lot removes ballot and gives it to the chairman, who in a loud voice declares whether the ballot is valid and to which candidate and party it belongs. The ballot is shown to all members of the commission and observers. Only after the results have been recorded and the ballot placed at the specified place, can the next ballot be removed from the box.
 - b) the ballots used, and valid and invalid votes are counted.
 - c) the number of votes is compared with the number in the official record and if necessary they are recounted.
- These actions are completed in the order described above and are marked in the official records.

Article 74

Ballots are invalid:

- a) when they are not according to the format, size, color, paper content. Contents, seals, signatures and do not belong to the electoral zone.
- b) when in the ballot paper other names are given.
- c) when it is so damaged that it is not clear what it says.
- c) when there are notes, signs which make it possible to identify the voter.

The vote is evaluated by the commission of the voting center. Questionable votes are examined initially and then valued. Any opposition on the part of the members of the commission is marked in the official record and these ballots are kept separately.

2. The vote for the candidate for deputy is invalid when in the left part of the ballot more than one name appears or when no name is left uncrossed.
- The vote for the political party is invalid when in the right part of the ballot more than one party is left uncrossed or all parties have been crossed out.

Article 75

After the voting, the evaluation and counting of the ballots is over, the respective official record is filled out. In the official record it is given:

1. the number of the zone
2. the time the voting started and finished
3. number of voters in the election list
4. number of voters in the supplementary list
5. number of voters according to the information in the voters list
6. number of invalid ballots
7. number of valid ballots
 - a) for each candidate
 - b) for each party
8. number of invalid ballots
 - a) for each candidate
 - b) for each party
9. number of invalid ballots before the voting

10. number of unused ballots
11. number of copies in which the official record is kept.
12. various remarks motivated by the members or special observers.

The information of the points from number 3 to 11 are given in figures and words. The official record is signed on each page, any subsequent correction is signed adding the words "correction". Any Political Parties has the right to obtain a copy of the official record.

Article 76

The commission of the voting center sends to the election commission of the zone the copies of the official records with the voting results (at least in two copies, from which one is for the Central Election Commission), as well as the ballots, seals, ballot boxes and any other materials.

All these documents are delivered personally by the chairman and secretary of the voting center commission accompanied by any representative of the Political Parties.

Article 77

The election commission of the zone issues the results of the voting on the basis of the data of the official records of the voting centers and announces the results in the form of an official record, which consists of:

1. number of the zone
2. number of the voting centers.
3. the voting centers which have handed over the official records
4. number of voters according to the voters lists
5. number of voters in the supplementary lists
6. number of voters according to the information in the voters lists
7. number of invalid votes
8. number of valid votes
 - a) for each candidate
 - b) for each party
9. number of invalid votes
 - a) for each candidate
 - b) for each party
10. number of invalid ballots before the voting
11. number of unused ballots
12. number of copies in which the official record has ben kept
13. name, name of father and family name of the candidate who wins, and when the second round is needed, the name and the name of the father and the family name of the first two candidates.
14. remarks, complaints and decisions on them.

The data in the points from 4 to 12 are given in numbers and words.

Article 78

The election commission of the zone must be sent to the Central Election Commission a copy of its official report as well as reports it has received from the voting center commissions.

The election commission of the zone sends to the respective prefecture the envelopes, ballots, and any other material it has received from the voting center commissions.

The above mentioned materials are delivered by the chairman and secretary of the election commission, accompanys by any representative of political party that may desire to do so.

Article 79

The Central Election Commission announces no later than 10 days after the end of the second round the results of elections and publishes them in the Official Gazette.

No later than 10 days after the elections are over and solutions of possible conflicts, all materials of the central election commission, as well as ballots, seals, collected by the prefectures are sent to the archives of the People's Assembly.

After the verification of the mandates from the Commission of the Mandates and Immunity of the new legislature of the new People's Assembly, its chairmanship decides after it takes the opinions of this commission in connection to the deadline within which the ballots are preserved and which is not longer than 4 years.

CHAPTER XI

The termination of the mandate of the People's Assembly Deputy.

Article 80

The mandate of the deputy of the People's Assembly is four years long, with the exception when the assembly is dissolved before its mandate on the basis of the Main Constitutional Dispositions. It begins with the first session of the legislature and ends the day when the new assembly convenes. After the dissolution of the People's Assembly it can be recalled with a decree of the President, with the proposal of the Council of Ministers.

The mandate of the deputy of the People's Assembly terminates before its period in these cases:

- a) when the deputy resigns
- b) when the deputy is declared guilty by a final verdict of a court on having committed a crime
- c) when the deputy refuses to take the oath of the office as foreseen in the regulations of the People's Assembly.
- c) when the deputy loses the right to be elected on one of the above mentioned reasons of this law.
- d) when the deputy dies

Article 81

In cases when the mandate of the deputy elected by the electoral lists of the political party terminates before the regular period, the Commission of Mandates of the People's Assembly replaces the deputy, whose mandate has terminated, choosing among the candidates of the electoral list of the respective political party, who have not profited from the distribution of the supplementary mandates according to the electoral list in the national scale, the following candidate.

When such candidates are not available then this mandate is given to the candidate presented by the political party in one of the election zones, who, among all other candidates of this political party in the election zones, who have not won in these zones and do not appear in the electoral list of the respective party, has collected the largest number of votes. When two such candidates exist then the lot is cast.

In case of the untimely termination of the mandate of the deputy elected in the election zone, within two months from the date his mandate has terminated, elections are held in the zone from which the replacing deputy is elected.

When a deputy receives another job which is incompatible with his mandate, his replacement is done according to the first paragraph of this article.

CHAPTER XII

Article 82

Anyone who for personal interest or for interests of others offers money, jobs or other favors in any form in order to obtain signatures to support a candidate, to vote against or for, or to abstain from voting, is sentenced with deprivation of freedom from 6 months to 3 years.

These sentences also apply to the voter, who in return for the above mentioned services accepts money, a job or other favors.

Similar sentences are also handed down against those who threaten or force voters to perform the above mentioned services.

Article 83

Anyone who for personal interest or for the interests of others, distributes in any form during the election campaign and on election day, money, consumer goods or other gifts in order to effect the elections, is sentenced with deprivation of freedom from one to 3 years.

Article 84

Anyone who violates the provisions of this law must pay a fine of 10,000 to 50,000 leks, except in cases when the violation is a penal offense.

Article 85

In cases of the violation of the provisions regarding the safekeeping and proper administration of ballots, lists of voters, ballot boxes and official records of voting, the fine increases 50,000 to 100,000 leks, except in cases when the violations are penal offenses.

Article 86

Persons performing duties on the basis of this law who do not implement provisions included in articles 84 and 85, must pay a fine of 100,000 to 150,000 leks, except in cases when the violations are penal offenses.

Article 87

Decisions regarding the payment of fines for administrative violations are handed down by the election commissions of zones or by the Central Election Commission.

Final decisions regarding the payment of fines must be carried out and cannot be appealed.

CHAPTER XIII

Transitional and Final Provisions

Article 88

The central Election commission gives special instructions for the implementation of this law.

Article 89

For the purposes of this law, the following are recognized as observers.

- parliamentary representatives of OSCE member states, Parliamentary Assembly of COE, the European Parliament and of other organizations that deal with the issue of human rights.
- representatives of foreign political parties and movements and individuals invited by parties or groups of parties.
- representatives authorized by local and foreign organizations specialized in the field of elections.

Article 90

The observers in elections, reporters and representatives of mass media accredited in our country should be provided with a special certificate by the Central Election Commission.

The observers in elections have the right to move freely in the territory of the Republic of Albania and follow and observe the course of the activities carried out both during the election campaign and on the election day. They have the right to ask, gather information and give opinions publicly, being impartial.

Article 91

Albanian citizens that live permanently outside the country or have lived abroad for more than a year and when they are in Albania and request to take part in voting they use the international passport they possess as proof of their identification. They have to issue a statement, declaring that they do not possess a valid identification card within the Republic of Albania.

Article 92

The Council of Ministers is charged with providing the material and financial basis and adopting the organizational measures for the implementation of this law.

Article 93

Law no. 7423, dated 13.11.1990 "On the elections for the People's Assembly" and any other disposition that comes contrary to this law, is abrogated.

Article 94

This law enters into force immediately.

APPENDIX B

Verification (Genocide) Law

PART I - LEGAL ACTS PUBLISHED IN FLETORJA ZYRTARE ISSUE 21 OF 1995

Law 8001 For genocide and crimes against humanity committed in Albania during the communist regime for political, ideological and religious reasons

Date approved: 22.9.1995
Year, Vol. & Page: 1995 21 923
Date published: 10.10.1995
Number of pages: 2

The aim of this law is to identify and punish all crimes against humanity committed by the former communist system. Article 1 authorizes the Prosecutors' Office to begin immediately, and with priority, to investigate crimes against humanity committed in Albania during the communist regime for political, ideological and religious reasons. Article 2 defines that the persons who committed crimes established in article 1 of this law will be investigated and judged according to the new Penal Procedure Code. Article 3 establishes that persons convicted of conceiving, initiating and executing crimes against humanity and who occupied positions described below cannot be elected to central and local government institutions, or appointed to senior positions in the Government, judicial system or mass media before 31 December 2001. Investigations will be limited only to persons who have been, up to 31 March 1991, members of the Politbureau and the Central Committee of the Labor (Communist) Party, ministers, members of Parliament, members of the Presidential Council, heads of the Cassation Court, General Prosecutors, first secretaries of the Labor Party in districts, employees of the Intelligence Service, as well as testifiers for the state against accused persons in political processes conducted through the court system. The Council of Ministers has authority to prepare legal acts and to approve implementing regulations and instructions until 15 December 1995. This law comes into force immediately.

Decision 245 For increasing pensions

Date approved: 22.5.1995
Year, Vol. & Page: 1995 21 926
Date published: 10.10.1995
Number of pages: 1

This decision decides to increase, at the rate of 10%, all types of pensions up to 4,000 leks, received according to law no. 4171, date 13.9.1966 and law no. 7703, date 11.5.1993. Pensions over 4,000 leks will be increased up to 4,400 leks. Persons eligible to receive pensions as of 31.12.1995 will receive this increase. The following will be also increased at the rate of 10%: monthly addition over pensions received according to decision no. 326, date 21.6.1995; pensions defined according to decree no. 758, date 1.2.1994. Persons who, according to article 96 of law no. 7703, date 11.5.1993, do not meet conditions defined by law no. 4171, date 13.9.1966, do not receive this pension increase. The maximum pension will remain at 4,400 leks per month. Financial effects of this decision are equal to 81 million leks monthly. The Social Insurance Institute will increase benefit expenditures by 650 million leks until 31.12.1995. The Council of Ministers will cover this amount from the reserve fund of 1995. The Social Insurance Institute will receive an additional 6 million leks of which 3 million will be used to compensate permanent employees of the Institute who will work more than the normal work week, and 3 million for salaries of temporary employees. The Ministry of Labor, the Social Insurance Institute, and the General Directorate of the Savings Bank have authority to implement this decision and to issue relevant instructions. This decision comes into force immediately and financial effects begin 1.5.1995.

In support of the article 16 of the law no. 7491, dated 29.04.1991, "On the main constitutional provisions" to guarantee the cleanness of the democratic life of the state during the period of post communist transition, with the proposal of the Council of ministers, the People's assembly of the Republic of Albania decided:

Article 1

The organs and the functions for which this law defines conditions to serve in them are :

- a) deputy in the people's assembly of the republic of albania.
- b) president of the republic , the elected by the parliament and the nominated by the president of the republic.
- c) members of the government, state secretaries, their deputies, general directors and directors of the directorates of the offices and the ones equal with them in other state structures.
- c) in the presidency, administration of the people's assembly and council of ministers, ministries and other central institutions, constitutional court, cassation court, state controle commission, general prosecutor's office and in lower ranks than the ones mentioned in point "c", if the authority judges this to be in defense of the state and its official data.
- d) governors, deputy governors and directors of the banks of albania.
- dh) in the armed forces of the republic of albania for officers, the organic function of whom includes high grades (general and colonels), the command of independent units.
- e) prefects, chairmen and members of the district councils, mayors and heads of communes and the members of respective councils.
- e) in SHIK
- f) in the guard of the republic
- g) heads of police, employees of criminal police and other special branches
- gj) judges, assistants to them, prosecutors, and officers in the judicial police
- h) diplomatic representations of the republic of albania
- i) journalists and employees of high tasks in newspapers of a circulation bigger than 3000 copies.
- k) in leading functions in economic entities, state financial and insurance institutions and in state banks.
- l) rectors and directors in universities and higher schools.

ARTICLE 2

To serve in the organs and functions mentioned in article no.1 of this law, it is needed that the person during the period 28.11.1944 to 31.03. 1991:

a) should not have been member or candidate of politbyro, secretary, member of the central committee of PPSH, first secretary of the party committee in districts and in analogue levels, employee of the sector of satte sigurimi in the central committee of PPSH, with the exception of the cases when they have acted against the official line or have publically left the post.

b) member of the government, member of the high presidential council, head of supreme court, general prosecutor, deputy before the elections of march 1991, with the exception of cases when they have acted against the official line or have publically left their office

c) not to have worked as an officer in the satte sigurimi (legally or illigally) in the wards of "chasing" or those of the defense of personalities.

c) not to have been registered in the materials of the sigurimi as a colloborator (informers, agent, resident or shelter giving) or not to have cooperated with the sigurimi in a concious way (having been in possession of an apartment and having put the apartment at the disposal of the sigurimi)

d) not to have been a denouncer, false witness or one who has made heavier the position of the accused in political processes.

dh) not to have worked as an officer in the structure of camps or prisons of political prisoners.

e) not to have garduated the high school of the ministrey of the interior and its previous analogues, in the profile of sigurimi, or 3 month courses of the same profile, or their analogues abroad.

e) not to have participated as an investigator, prosecutor, judge or assistant to him in special political processes

f) should not have been or be colloborator of any foreign service or their analogue.

ARTICLE 3

In special cases, but always with the approval of the chairman of the council of ministers, minister of defense, minister of the interior and head of shik, on behalf of their organ can not abide by the conditions given in points "c, c, dh e," of article 2, when its implementation affects important state interests and when the goal of this law is not violated.

ARTICLE 4

To verify the facts mentioned in article 2, a state commission consisting of the chairman, deputy chairman and five members, honest citizens with personality and who are not members of parliament is set up..

the chairman is nominated and released from the duty from the parliament. The deputy and one member of the commission is nominated and released from the council of ministers, while the others are nominated and released from their duty from the ministry of justice, ministry of the interior, ministry of defense and shik.

The members of the commission may be only the ones who have not carried out activities foreseen in article 2 of the law. the control of the candidaturships is done jointly by the chairman of the council of ministers, minister of justice and head of SHIK.

Membership in the commission is nonreplacable. The salary of the members of the commission is set by the council of ministers. before nominating some one as a member of the commission the opinion of the candidate is considered.

ARTICLE 5

The activity of the commission becomes legitimate when the chairman or the deputy are present, and at least 4 of the members. The work of the commission is done with closed doors and the decisions taken with majority of votes.

ARTICLE 6

The commission can make investigations to prove the facts mentioned in article 2, and can call the interested person for clarifications.

Investigations are done in conformity with the rules of the code of penal procedure on calling witnesses, experts etc. In case of refusal to witness or false witnessing or expertise, persons are held responsible according to the penal code.

ARTICLE 7

The commission begins the procedures when there is a request by the :

- a) the person who wants to put its candidaturship for election in one of the functions of article 1.
- b) work centers mentioned in article 1
- c) from the person who will work in one of the duties or organs mentioned in article 1 (paragraphs b to l) accompanied with the proposal of the nomination.
- c) from the interested person, who is accused by the press or the public, or by his relatives, when he does not live, when the decision is needed for rehabilitation purposes, restoring personality or paying off damages.
- e) from the courts or prosecutor's office, when due to trial or

investigations such facts coem into open.

ARTICLE 8

The commission takes decisions within 30 days from receipt of the request. In the decision it is explained if the person meets or does not meet the requests of the law in connection to the functions mentioned in article 1. When in the decision it is verified that the citizen is not one of those mentioned in article 2, this fact should be shown in all his documents.

ARTICLE 9

Every person who wishes afterwards to put his candidaturship for elections in one of the functions in article 1, should have taken before the decision of the commission that he has not participated in any of the functions included in article 2. When he does not meet the conditions to be a candidate in the next elections but nonetheless presents its candidaturship for registration, his electorate subject is told of this, the public opinion and the central election commission which registers him as a candiadte.

When the person does not fulfil the conditions requested to work in one of the functions mentioned in article 1 (paragraph b to 1), he is removed from his job within 15 days of notice of the decision of the state commission.

The employees with status who are removed from their jobs according to this law lose the financial rights they are entitled to.

the persons who are checked according to this law and have resulted not to be in the functions included in article 2, when they repeat the duties foreseen in article 1 during the time that the law is in force, are not rechecked.

ARTICLE 10.

The person can complain against the decision of the state commission within 7 days from the day of communication to the cassation court which should decide within 30 days.

ARTICLE 11

It is prohibited that the facts foreseen in the decisions of the commission and the decision itself be made known public without prior written concent of the interested person, with the exception of the case mentioned in article 9, first paragraph.

ARTICLE 12.

Requests to verify the chairmanship of the political parties and associations, present in the political and social life of the

country, can be presented by the minister of justice and the chairmanship themselves, which are let known on the results. In case the persons continue to stay in these structures, then the public opinion is informed!

ARTICLE 13

The state commission, in the function of fulfilling the tasks charged by this law, has the right to request that archive material be placed at its disposal, including the documentation of the PPSH, from which data can be taken on the activity of the sigurimi and special persons, connected to the implementation of this law.

Interior ministry, SHIK, courts, prosecutor's offices, general directorate of archives, are obliged to present immediately to the commission, upon presentation of the request, all archive materials requested.

The commission, with its request, should be given all duplicate of the above mentioned documents that are linked with the activity of sigurimi, with its working platform or with special citizens.

ARTICLE 14

If the state commission or organs appointed with the protection of the constitutional order during their activity see data on the persons defined in article 1, they announce this to the official of the respective structures, who then act according to this law.

ARTICLE 15

Keeping and public use of any documents or facsimiles out of the archives, mentioned in article 13, as well as hiding, destroying, forging and any other means of manipulations of the documentations of the state sigurimi and other institutions given as an object in this law, as well as false public charges against the individual, consists a penal crime and are punished to 5 years in prison.

ARTICLE 16

In absence of other legal dispositions, it is prohibited the contact with the documentation which is the object of this law on decisions that are linked with the persons after the year 2001 till 2025. To protect the archive it is SHIK the interior ministry and general directorate of state archives that are charged with this task.

ARTICLE 17

For persons who will be punished for crimes against the independence and constitutional order, crime in their working place and crimes against state property, being in the tasks foreseen in article 2 is a circumstance that weighs against them

ARTICLE 18

Council of ministers is charged to draft the necessary regulations for the implementation of this law.

ARTICLE 19

This law enters into force immediately and is revoked on december 31 2001. with the exception of articles 14 and 16.

APPENDIX C

Commodity Request List

UN-official translation Waa

LIST OF MATERIALS AND OFFICIAL DOCUMENTS NECESSARY FOR THE ELECTORAL CAMPAIGN AND FOR THE VOTING PROCESS

Name	Qty	Unit Price	Total
Voter Lists	300,000	0.2\$	\$60,000
Announcement for candidate registration (majoritarian)	6,000	1\$	6,000
Announcement for candidate registration (proportional)	50,000	1\$	50,000
Ballots (round 1)	2,500,000	0.2\$	500,000
Ballots (round 2)	750,000	0.2\$	150,000
Voting Center Protocols (round 1)	30,000	0.5\$	15,000
Voting Center Protocols (round 2)	6,000	0.5\$	3,000
Voting Centers			Total 237,500
Voting booths	10,000	10\$	100,000
Ballot boxes	12,000	5\$	60,000
Commission office supplies	6,000	5\$	30,000
Typewriters	200	100\$	20,000
Stamps/Seals	5,500	5\$	27,500
Other			Total 29,000
Computers/Printers	10	2,500\$	25,000
Paper	2000 kg	2\$	4,000
GRAND TOTAL			\$ 1,050,000

Request for Financial Support

Thanking you in advance for your interest and engagement, further to our discussion we have attached our request for financial or material support that you can provide for the best possible development of the electoral campaign and voting process throughout the parliamentary election period. Emphasizing the engagement of the State Institution which I direct for the success of the elections, I would request a positive and clear response as quickly as possible. Thank you.

APPENDIX D

**Number of Voters by District
(1993 and 1995 figures)**

DISTRICT	MUNICIPALITY	MUNICIPALITY POPULATION	POPULATION OF COMMUNES	TOTAL DISTRICT POPULATION
Berat	Berat	45720	91219	136939
Bulqize	Bulqize	9791	33572	43363
Delvine	Delvine	3455	26471	29926
Devoll	Bilishti	5424	32320	37744
Diber	Peshkopi	11020	80898	91918
Durres	Durres	86376	66460	162847
	Shijak	10011		
Elbasan	Elbasan	87711	116226	215240
	Cerrik	11303		
Fier	Fier	55574	119784	208647
	Patos	26995		
	Roskovec	6294		
Gjirokaster	Gjirokaster	22080	36155	60546
	Libohove	2311		
Gramsh	Gramsh	8623	33463	42086
Has	Krume	6568	14703	21271
Kavaje	Kavaje	24275	54093	85120
	Rrogozhine	6752		
Kolonje	Erseke	6194	16100	25090
	Leskovik	2796		
Korce	Korce	65451	105754	171205
Kruje	Kruje	12330	47667	59997
Kukes	Kukes	15905	62157	78062
Kucove	Kucove	23458	16677	40135
Kurbin	Lac	20682	30030	50712
Lezhe	Lezhe	11607	53467	65074
Librazhd	Librazhd	5193	70105	75298
Lushnje	Lushnje	35876	100990	136866
Malesi e Madhe	Kopliku	2834	41090	43924
Mallakaster	Ballsh	5666	30621	36287
Mat	Burrell	11871	63566	75437
Mirdite	--		49901	49901
Peqin	Peqin	6586	23245	29831
Permet	Permet	8558	28421	36979
Pogradec	Pogradec	21242	50961	72203
Puke	Puke	4947	42674	47621
Sarande	Sarande	23039	30691	53730
Skrapar	Corovode	7471	27972	44339
	Polican	8896		
Shkoder	Shkoder	82097	113328	195425
Tirane	Tirane	250219	133789	384008
Tepelene	Tepelene	6386	30053	42364
	Memaliaj	5925		
Tropoje	Bayram Curri	7843	36918	44761
Vlore	Vlore	71069	100063	171132

NUMRI I POPULLSISE DHE I FAMILIEVE PER QDO RRETH
(me 1.1.1993)

1	Berat	159 293	37 254
2	Bulqize	50 691	11 446
3	Delvine	33 088	8 645
4	Devoll	40 732	9 398
5	Diber	118 463	25 523
6	Durres	187 029	48 147
7	Elbasan	245 016	60 162
8	Fier	232 005	57 368
9	Gramsh	50 299	10 981
10	Gjirokaster	71 609	17 391
11	Has	25 794	5 613
12	Kavaje	101 276	23 471
13	Kolonje	27 564	6 257
14	Korce	191 971	49 135
15	Kruje	66 699	17 060
16	Kucove	43 221	11 070
17	Kukes	91 475	20 073
18	Kurbin	61 893	16 405
19	Lezhe	73 997	18 681
20	Librazhd	82 282	18 410
21	Lushnje	160 069	38 815
22	Malesi e madhe	50 981	13 095
23	Mallakaster	49 311	10 336
24	Mat	88 083	18 866
25	Mirdite	54 846	14 113
26	Peqin	35 781	8 251
27	Permet	40 972	10 227
28	Pogradec	80 878	22 818
29	Puke	54 853	14 008
30	Sarande	67 027	17 300
31	Skrapar	50 599	12 380
32	Shkoder	218 118	61 177
33	Tepelene	52 000	12 589
34	Tirane	141 982	35 825
37	Bashkia Tirane	310 251	100 383
	REPUBLIKA	3 653 622	925 080

Numri i zgjedhësve sipas

Rrethete

✱ For 96

Organet e Pushtetit lokal	Numri i zgjedhësve më			Te dhena per votim, 1+3-2"
	22.03.1992	26.07.1992	06.11.1994	
Rr. Berat	79412	81570	85209	93941
Rr. Kuçovë	15512	24590	25165	29460
Rr. Skrapar	25051	21058	26830	27478
Rr. Dibër	52045	52569	56628	60427
Rr. Mat	43937	43652	46278	48278
Rr. Bulqizë	22103	25057	25257	29233
Rr. Gjiroka	44644	41803	36111	49980
Rr. Tepelenë	28947	21291	27460	30393
Rr. Përmë	23850	23861	24179	24402
Rr. Durrës	106016	105766	103650	127954
Rr. Krujë	37918	37030	39060	41772
Rr. Korçë	117222	116842	114495	125240
Rr. Kolonjë	16837	16709	16300	16008
Rr. Devoll	25379	25932	25626	26792
Rr. Pograd	44269	44747	45069	50832
Rr. Lezhë	40461	39688	42480	48076
Rr. Kurbin	27369	30689	32469	40028
Rr. Mirditë	26135	35862	28168	31089
Rr. Shkodër	124963	124368	123883	141776
Rr. Pukë	25536	26333	25877	28811
Rr. Malësi e Madhe	28142	28022	29211	31016
Rr. Elbasan	127690	125962	132158	148916
Rr. Librazhd	41089	38770	43571	46501
Rr. Gramsh	22862	23825	24678	27111
Rr. Peqin	18025	18288	19932	20862
Rr. Vlorë	113284	111137	98660	130695
Rr. Sarandë	34745	35334	26004	47478
Rr. Delvinë	19481	19630	14562	22407
B. Tiranës	191592	184309	191690	270573
Rr. Tiranë	82682	79537	85744	90565
Rr. Kavajës	55567	55807	55139	61931
Rr. Fier	123810	129771	129713	146316
Rr. Mallak	23641	22879	21013	28278
Rr. Lushnje	85677	86420	89145	103917
Rr. Kukës	42399	41701	40110	42492
Rr. Has	11275	11395	11678	12534
Rr. Tropojë	25422	25647	24524	26504

1 = Reg done by Local Govt in Civil Registry for those 18 by end May

2 - Those who have left the zone + moved elsewhere

3 - People who are newly arrived in the zone

included "illegals"

APPENDIX E

**Recent News Articles regarding
the upcoming Albanian Elections**

News Articles courtesy of the Albanian Times

(taken off the Internet)

Albanian Elections Set for May 26

TIRANA, April 10 - President Sali Berisha has set May 26 as general election date, Albanian Television reported on Wednesday night. A presidential decree confirmed the end of the parliament's term and the kick off of the election campaign. Berisha's Democratic Party, fresh from a two-day convention, insist the Socialists, the renamed heirs of the former communists, are unwilling to reform and want to take the country back to old days. The Socialist accuse the Democrats as corrupt and want them removed from power. A law approved in December last year, bars former communist officials and former members of secret police from power until 2002. A state commission is scrutinizing the lists of candidates presented by the political parties to check if they comply with the law. Leftists parties are said to be doubling the number of listed candidates as a precaution in case some of them are dropped out by the commission. (Albanian Times)

Berisha Announces Division of Election Zones

TIRANA, April 5 - President Sali Berisha has officially announced the administrative division of electoral zones ahead of the general elections. The country will have 115 constituencies from 100 in the last ballot. Each constituency will be made of about 20,000 voters. In the new division, a series of factors were considered, including the geographic and traditional homogeneity of different areas, to guarantee free and fair elections, an official announcement said. President Berisha will open consultations with the political parties to decide on the date of the elections, which are widely expected to be held in early summer. (Albanian Times)

Albanian Democrats Elect Party Chairman

TIRANA, April 5 - Albanian Democratic Party has elected its secretary general Tritan Shehu as the Party's new chairman. Shehu, 47, a medical doctor, who has served as health minister in the Meksi government, was elected by a national convention of the Party that opened Thursday in Tirana. The newly elected chairman was competing against another candidate, party's political secretary, Ferdinand Xhaferri. The Democratic Party had remained without a chairman since the ousting of its former head Eduard Selami more than a year ago. The convention ended Friday pledging victory in forthcoming elections. It promised strong economic growth, high speed privatisation and NATO membership by the year 2000. The opposition socialists held their own convention late last month calling on the opposition forces to achieve more than 50 percent of the vote in the elections. (Albanian Times)

Democrats Call to Prevent Return of Former Communists

TIRANA, April 6 - The newly elected chairman of the Democratic Party called on the Albanian electorate to prevent former communists from returning to power. Tritan Shehu, 47, said the party convention which ended on Friday, has confirmed the "Union for Democracy" an alliance between right-wing and centrist parties aimed at foiling the attempts of the opposition Socialists to win this year's general elections. A number of small rightist parties and political associations have promised to join. "The Democratic Party, convinced in its victory, is ready for alliances, cooperation and compromises with these forces, it is open for post-election coalitions with them," Shehu told a news conference on Saturday. "There is no doubt we'll win more than 50 percent. This is shown by our achievements, our alternatives for the future, as well as the support of the people and Europe," Shehu said. The Socialists have predicted a victory of opposition forces by more than 50 percent in the coming elections. The Socialist Party held its own convention late last month promising market reforms, jobs and tax reliefs for farmers. President Berisha will open consultations with the political parties to decide on the date of the elections, which are widely expected to be held in early summer. (Albanian Times)

Berisha Asks Mayors to Verify Voter Registration Lists

TIRANA, March 19 - Albanian President has called on all mayors to verify ballot lists ahead of national elections later this year. Voter registration lists will serve as a basis for the division of the constituencies. Berisha met Tuesday in Tirana with the country's mayors in an effort to avoid major shifts in voter lists from one constituency to another, which was noticed in the 1992 parliamentary elections. Berisha has yet to set a date for the national vote due to take place in late May or early June. (Albanian Times)

Europe's Conservatives Accept Albanian Party as EDU Member

(March 15) The Democratic European Union accepted Albanian Democratic Party as a new member in its one day-meeting in Paris on Wednesday. Party chiefs from 29 European countries, including President Sali Berisha, pledged stronger efforts to counter the resurgence of communism in central and eastern Europe. Democratic Party's admission was signed by its General Secretary Tritan Shehu. A statement of the meeting expressed support for Albania's "European orientation" and wished Berisha success in the upcoming national elections. European conservative leaders also blasted Russia saying it had no right to veto former East Bloc countries' membership of NATO or to claim special status on human rights or the use of force. The Gaullist Juppe told a news conference that western European countries had themselves partly to blame for a re-emergence of communist movements in the former East Bloc. Albania remains one of the few East European countries where the former communists are not in power. UDE member parties have been paying special attention to Eastern Europe since the fall of the Berlin Wall in 1989, helping and advising conservative parties emerging in former communist countries. Fourteen of the 37 parties represented are East European. (Albanian Times/Reuter)

MEMBERSHIP ADDRESS: ...
POSTAL SERVICE INTERNATIONAL PRESS DEPT.
ALBANIAN JOURNAL STARA 1/26/77 B TIRANA
TELEPHONE: 042/235 02 FAX: 042/382 23

Albanian

Daily News

Thursday, March 28, 1996

N° 244 Evening Report of Albanian Economic Tribune Lek 200

Elections Will Be Free and Correct

- said Albanian Premier -



Primer Aleksander Meksi
Albanian Prime Minister, Aleksander Meksi, promised Tuesday to representatives from the OSCE office of democratic institutions

and human rights, the American Democratic Institute for international affairs, and the international foundation for election systems, elections in Albania will be free and democratic.

Meksi guaranteed his government is committed to free elections and in full accordance with the law, said the government spokesman. The Premier denied pre-electoral allegations for manipulations expressed his full conviction that the

elections will be free and correct. "This is only used by the SP and its allies to excuse their inevitable defeat in the coming elections," he said.

On the other hand, representatives from the international institutions welcomed the Meksi's invitation to observe the coming elections and assured the presence of representatives from a number of well-known institutions during the coming elections in Albania.

Socialists Hand Out Forms to the Examination Commission

- Islami proposes his candidature for President -

Socialist candidates to run for office in the next elections have handed out forms to the seven member Governmental Commission responsible for examining political and official figures.

The fact that the Commission has distributed the forms to be filled by would-be candidates of all parties means it has already been established and started work. Until now the make up of the commission, besides its chairman, is not yet known.

(continued on page 3)

Number of Voters Unknown as Yet

The registration deadline for the coming elections will be April 10th, 1996, said a government decree sent to all of the local government offices throughout Albania. The aim of this registration is to find out exactly the number of voters in order to divide up the electoral zones more fairly for the new Parliament, which will be made up of 115 members.

Citizens who have changed their place of residence must have a certificate issued by the civic status office of their new place of

residence, according to the decree. The ownership documents of the house or a copy of the rent contract should be presented at the civic status office. In certain cases where the citizen does not have such documents in their possession, they must then have a certificate issued by the head of the village, quarter or city. People who present false documentation will be charged in accordance with the law.

The number of voters is estimated to be similar to that which voted for on the referendum for the Constitution. Presently, 80

percent of the electorate live in the west of Albania. The expected number of voters is expected to exceed 1.5 million, which included the fact that five percent of the 600,000 Albanian emigrants may return home to Albania to vote, and another 200,000 young voters have come of age to vote.

Other figures have been published by a number of different sources, such as 1.2 million or 1.8 million. So it is hoped that by April 10th the true number of the Albanian electorate will have been decided upon.

Ministry of Justice Denies Registration to New Party

The Ministry of Justice turned down this week the request for registration by the steering committee for founding the Farmers' League. The Ministry turned down the request for the registration of the new party on the grounds that there is an excessive number of parties in Albania.

It seems this was the only reason the new party was denied registration as its program, according to the Ministry of Justice sources, was not counter to the present law for political parties.

DP Preparing for Elections Campaign

Shehu holds talks with local leaders

The DP has taken another step forward in the electoral campaign. The secretary general of the ruling Democratic Party, Tritan



Tritan Shehu

Shehu, received a number of local representatives in his office to discuss the coming electoral campaign.

"For victory in the run up to the elections, we need to strengthen our dialogue with the electorate," suggested Shehu. "We must be loyal to the alternatives offered by the DP further to the launch of the electoral campaign".

Only recently did the DP close its political activities throughout the country. The aim of these activities was to appoint delegates to its Conventions which is due to be held on April 4th. At this

congress the DP will discuss its political alternatives in the run up to the election as well as elect the new leadership and party chairman.

Shehu once again emphasised how important it is to talk with the people on the ground. "Besides we ought to explain to our electorate what we have achieved and what our vision for the future is."

Socialists Hand Out Forms to the Examination Commission

(continued from page 1)

Besides asking for a curriculum vitae of each would-be candidate, the forms want also information on what the candidate is expected to run for.

Several Socialist figures expected not to be allowed to run for office according to recent laws passed by parliament "On the figure of politicians" and "Anti-Genocide", have filled the forms, anyway.

Senior Socialist MP,

Kastriot Islami, former Minister of Educations for a month prior to the first pluralist elections in March 31, 1991, the speaker of the first pluralist parliament dominated by former-communists, and an outspoken critic of the DP leadership, wrote under the heading "The position you wish to run for": "I offer my candidature for President, MP, Premier, Minister etc".

The law does not allow former government

officials prior to March 31, 1991, to run for office until 2002. As he has no chance to be allowed by the Commission to run for parliament, it seems Islami wants to be a contender for the position of president, as Socialists have pledged to abrogate the laws "On the figure of the politician" and "Anti-genocide" if they win elections.

Islami has high qualifications. Besides intensive political activity, he has graduated for physics, got a Masters Degree in Physics in France (1982-1983) and also successfully completed an intensive course in nuclear physics. Later he got a PHD in the field in France (1983-1985). He also was awarded a Humboldt scholarship in Germany (1993-1994).

Top Socialist Official Meets Republican Institute Representatives

Socialist Party Vice-chairman Luan Hajdaraga met Monday Peter Dickinson, representatives of American Republican Institute in Tirana.

Hajdaraga reported on political developments in Albania, the Second Congress of the SP, and the engagement

of SP in the forthcoming electoral campaign, where SP has unfolded clear alternatives to win.

The ARI representatives are making a round of visits to all Albanian parties on the eve of the elections.

Albanian Daily News 3-27-96

Many Albanians to Vote Presenting the Birth Certificate

TIRANA - The majority of Albanians, who will vote in the forthcoming election will not prove their identity through the use of identity cards, but through displaying their birth certificate, which will also contain their photograph. Statistics from the Ministry of Justice estimate that the number of voters whose birth certificates will bear the election stamp will exceed 700,000.

This figure includes more than 35 per cent of the total number (2,100,000) of Albanians, who have the right to vote. The main problem is that Albania's Registration Offices have not issued identity cards for more than ten years.

According to the press office of the Ministry of Justice, "It is an administrative problem, which arises out of the bureaucratic methods followed by the relevant institutions, i.e. Local Power and the Interior Ministry, because the necessary funds have already been allocated elsewhere".

The number of Albanians, who will use their birth certificates as a form of I.D., which should include a photograph will increase, if one takes into account the fact that Albanian citizens under the age of 25 have not been provided with an identity card, including those who have lost old I.D. cards. Besides the daily usage of

I.D. cards, the voting procedure has made their necessity inevitable.

The saga of the I.D. cards can be traced back to 1986, when the Registration Offices no longer issued I.D. cards to Albanian citizens, who reached the age of 16. The issuing of a new format for the Albanian I.D. cards turned out to be the main reason for this problem. In the following years, I.D. cards were not issued either, due to bureaucratic reasons.

Whereas international passports were issued in the middle of 1990 and recently a new format has been issued due to the change of the state emblem in 1992.

The fact that birth certificates can now be used as a form of identification, has facilitated their manipulation.

Because of this there has been an opening for the forgery market. This resulted in the fact that the admissions competition conducted for university admissions was widely abused, at the registers of social assistance etc.

For the fourth time within four years, the Albanian people will vote, while using their birth certificates as a form of I.D.. The lack of I.D. cards is considered by the opposition as an act, which favours the manipulation of the forthcoming elections.

Former Communists Aim at Wining Absolute Majority Next Elections

Socialists for Pre-electoral alliances

TIRANA - Socialist Party aims to get more than 50 percent of the vote in forthcoming elections, said SP vice-chairman Servet Pellumbi said in a press conference after his party's congress that.

"We believe that a victory of 50 percent of vote in the coming elections is simply a desire by a conclusion drawn by the chairmanship of the Socialist party," Pellumbi said.

"Considering the free democratic polls due to be held in Albania, we hope SP will score more 50 percent of vote in polls."

Pellumbi said that the congress set the idea of cooperation with other political forces in Albania.

"The Socialist Party has already shown that it knows how to cooperate with other political forces in Albania," he said.

"The congress came out with clear message that the Socialist party will form pre- and post-election coalition with different political forces."

Pellumbi said that the basis for cooperation with the Social-Democratic Party and the Democratic Alliance was some common ground in the programs of those parties, such as the approval of the constitution, the role of president and the establishment of market economy, as well as the judicial system.

"Technical issues of cooperation are being discussed," Pellumbi

said.

The congress set out the Socialist party election platform, prepared by central commissions of the party made up of experts for a year.

Pellumbi pointed out the support of European socialist and social-democratic parties given to the Albanian Socialist party.

Election Lists

Servet Pellumbi said that according to the concept by the Socialist Party, there was no need of forming a commission made up of ascetics and purifying Turkish baths, referring to the one created to see whether politicians are touched by the genocide law. SP Secretary General Gramoz Ruci said the congress has already approved the candidacies and "we are ready to present them to the commission, although we oppose the law on elections."

Candidates and programmes by various political parties should unravelled to public, and people in turn judge upon them.

"We will give an end to political revenge and will respect judicial state and its institutions," said Gramoz Ruci with regard to Berisha's outcome in case the Socialist party wins the coming elections.



Servet Pellumbi

Berisha Says Socialists Should Be Voted Out

KAVAJA - President Sali Berisha attacked harshly Tuesday the electoral victorious message of the Socialists in a political rally in Kavaja, the city which elected him an MP by 98 percent of the vote four years ago.

Berisha called the Socialist program "a threat to democracy" and said that the people should avoid that by voting them out next elections.

He added that Socialist promises in their electoral program were

smaller than what the ruling Democratic Party has achieved last four years.

Berisha was attending a commemorating meeting on the sixth anniversary of anti-Communist protests by the local population.

The president was advised by the German Konrad Adenauer Foundation to participate in the election campaign, to be announced in April.

SDP Leader Confident Opposition will Win Absolute Majority

SHKODER - The Social Democratic leader, Skënder Gjinushi, was confident the opposition parties will win absolute majority in the coming general elections, during a meeting with supporters in the northern city Sunday.

"There is no doubt that the DP and Berisha will lose the forthcoming elections," said Gjinushi and added: "The president wants the SP to win the absolute majority of votes, in order that he will have the possibility to

put a spoke in the wheels of the Socialist government, an act which may lead to the re-election of Berisha," declared Gjinushi.

He accused the regime of President Berisha as similar to the one party state and the communist party.

SDP leader turned down ruling Democratic Party accusation that his party is part of the so-called "red front" by underlining the importance of fighting against the "red methods used by the DP and Berisha."

Our Beautiful Coastline in Process of Demolition

- said Republican leader -

Republican leader Sabri Godo on an electoral tour of the South of Albania, reminded the people the Albanian coastline is being destroyed.

"Our beautiful coastline is in the process of demolition. The valleys which were full of orange trees have been abandoned and have been turned into pastures. Little has been constructed along our

coastline due to the fact that it has not been legally possible," said Godo in a meeting with villagers of Nivica, Saranda.

Their discussions focused on the land law, the program of the Republican Party and other political issues.

Godo visited also the village of Piqerasi, Saranda.

Press Review

ZERI POPULLIT **The Constitutional Court Suspends Its Ruling**

The Constitutional Court has not yet reached a final ruling, further to a complaint lodged by the Socialist party parliamentary group over the "Law on Elections in the Republic of Albania".

The final ruling by the Constitutional court is expected to be announced on April, 2nd, at 12:00 a.m..

The suspension of the final verdict will be of no surprise considering the age-long "fermenting" of the Constitutional court.

The constitutional court has shown on a regular basis that it has been serving faithfully the ruling democrats to the detriment of its own dignity.

Meanwhile, the announcement

that the final verdict in relation to the "Law on Elections in Albania" will be two days further to the dissolution of Parliament, appears to be as a result of the fermentation stemming from hot debates waged by constitutional judges over the law.

Spectacles performed by the Constitutional Court towards justice in general and the opposition party in particular has left the Albanian public remaining doubtful.

We would like to remind the "honoured" Constitutional court judges that a decision in black and white lasts longer than their posts will last in the Constitutional Court.

The Constitutional Court Delays Its Decision

The Constitutional Court has delayed its decision on the electoral law until a later date. The verdict was expected to be reached on Monday, but it has been put off until April.

Therefore the Socialist could not get a response further to them objecting against the existing electoral law. However, the highest-ranking Albanian Constitutional court has issued no reason why the case was postponed until April, 2nd. The socialist deputies were very annoyed about this decision and said that they had anticipated such a decision. "We will not expect a more concrete result on April, 2nd, since we do not expect much from this court as it is similar to the Democratic Party," said the SP deputy Nndre Legisi, who had supported the demands of the Socialist parliamentary group in a

series of Parliamentary sessions.

So the duel between the opposition and the party in power on the electoral law remains open. In the meantime all political parties are ill at ease about the electoral campaign, and a round table discussion has been organised together with the President on the month that the elections will be held, the law that determines the structures of the elections has not been made law as yet. The law had become the central part of a serious debate, even after it had been approved by Parliament further to a session of disagreements between the opposition and the government.

While the opposition deputies have expressed their dismay at such a decision, the other deputies continued to approve each article of the draft. Right after the law had

ROJA JOLU
Ruling on Electoral Law Postponed

The Constitutional Court is expected to give a decision not only on procedural violations over a law on "Elections in the Republic of Albania", but it will also rule over the following three main items which constitute the above law: indifference towards an alternative draft law by the opposition party; President's judicial right to define the electoral constituencies as well as lifting of parliamentary immunities of deputies affected by the laws on "files" and "genocide" following the dissolution of parliament.

The Constitutional Court announced the postponement Monday of the final decision on the Electoral Law without releasing any further details.

GAZETA SHQIPTARE

been approved the parliamentary group of the Socialist Party brought it to the Constitutional Court, claiming that three of its articles are unconstitutional.

So the enigma of the constitutional legitimacy of the electoral law will be determined on April, 2nd, only one day before the Parliament which approved it, will be dissolved.

SDP Leader Departs for France

- Meetings with the various French political parties -
The Social Democratic leader Skender Gjinushi has departed for France, where he was invited by the president of the Socialist International movement (SI), Pierre Maurois, said SDP spokesman.

During his stay in France, Gjinushi will hold meetings with the president and the leader of the Party of Socialist Europeans, Jean François Vallin. He will also hold a number of meetings with the French Social Party leaders.

Such issues as the present situation in Albania on the eve of the electoral campaign will be the core of these discussions.

Arbnori Meets with the Swiss Ambassador

The chairman of the People Assembly, Pjeter Arbnori received the Swiss Ambassador, Thom. Voller. They discussed the possible expansion of relations between the two countries and about concrete collaboration in different fields of the economy and mainly in the promotion and extension of Swiss investment in Albania.

Tory Campaign Experts to Help Ruling Party

TIRANA - Four Tory experts from Great Britain on electoral field and party organization arrived in Albania Monday to assist on the organization of the campaign of the Democratic Party for the elections this year. Linda Brook, Nail and Andrew Johnson and Simon Turner were received in a special meeting by the Secretary General Tritan Shehu.

They will afterwards go in many local DP branches to assist organization of branches there.

DP is also being assisted by Konrad Adenauer Stiftung, German conservative foundation linked to that country's Christian Democrats.

Albanian

Daily Weekend, March 23-24, 1996 *News*

N° 241

Evening Report of Albanian Economic Tribune

Lek 200

Biggest Opposition Party Holds Electoral Congress

TIRANA - The Socialist Party holds Saturday its second congress claiming a major support from the Albanian electorate and promising they are capable to take the country a head towards market economy and the establishment of the state of law.

Socialists call on other opposition forces for cooperation to the best of the country. "Cooperation for important issues of democracy is not only possible but also necessary," wrote Socialist daily *Zëri i Popullit* in an editorial on the eve of the congress Friday.

(Continued on page 4)



Opera Hall, where SP Congress will be held.

Biggest Opposition Party Holds Electoral Congress

(Continued from page 1)

The congress will be conducted in two parts. The first part, also called the electoral congress, will deal mainly with the electoral platform of the party, strategies and tactics during the elections, as well as the approval of the lists of candidates to run for parliament. The second part, to be held following the elections, will elect the new party leadership as well as define the directions the party will take depending on the results of the general elections.

The Socialists claim they have cut off any links with the former Party of Labour of Albania, since the tenth congress of the PLA where they change the name to Socialist Party. The reform wing of the party expelled all the former leaders of the PLA and approved a social-democratic programme as well the new name of the Party,



said SP vice-chairman Servet Pellumbi in a recent TV interview. "Those that did not accept this alternative, left the party and founded the Communist party that was latter outlawed."

The first Congress of the SP, held in June 1992, defined the party's social-democratic program

inspired by the best achievements of European social-democracy including the establishment of sound foundations of the state of law, embarking on the road of market economy, integration of Albania in the world and the respect of human rights, wrote *Zëri i Popullit*.

The Socialists turn down ruling Democratic Party accusation it been a destructive opposition, underline the party and its leaders were a serious political force responsible for the fate of democracy in Albania. The party claims it has able people to take the reigns of government following the elections they confident they will win.

The Socialists promise "to take Albania out of the economic collapse it is plunged in because of corruption, theft and incapability of the DP ruling... offer prosperity to people, new jobs, tranquillity and security in life by eliminating psychological terror as a result of organized crime." In the foreign policy, the party promise to integrate the country with the Euro-Atlantic structures, reach an association agreement with membership in NATO, a Ban without visas like Europe.

President consults political parties on Election Day

Meeting Was a Farce, Opposition Said

SDP and AD frustrated they were not invited

Main opposition parties agreed the meeting the president called Wednesday with representatives of several political parties to discuss elections was a farce, and not serious, and several major parliamentary parties were frustrated they were not invited at all.

"The meeting was a facade in order that the president create the impression he is taking the opinion of the political forces on elections," said Socialist senior leader Servet Pëllumbi after the meeting. Pëllumbi was concerned that "the president was not serious."

The Social Democratic Party, with six MPs, was not represented

in the meeting as the president had "arbitrarily picked up the person to represent" the party, said SDP vice-chairman Paskal Milo. "This was a provocation," he added.

President had not called in the meeting any representative of the parties, but had forwarded nominal invitations for specific persons and did not give the parties

(continued on page 3)

**90 Percent of Kosovo
Albanians Support
Independence**

see page 6

March 22, 1996

BEST AVAILABLE COPY

The Meeting Was a Farce, Opposition Said

(continued from page 1)

any choice to select their own representative.

"We consider the meeting simply political game ... to create a false impression that the President is allegedly concerned for the approval of the election mechanisms," said Milo and added: "He (the president) wants to create an alibi to justify his actions in the future."

Although the Democratic Alliance has four MPs it was not invited in the meeting. "DA wants to have its place in such serious meetings," said its leader Neritan Ceka. DA was founded by a rebel fraction that split from the ruling Democratic Party soon after last elections because of dissatisfaction with Berisha's handling with an iron hand of the party.

"The meeting was simply a TV propaganda," said Ceka and added: "I call Berisha not a serious president as he has not yet defined the elections day and the constituencies."

Opposition parties are concerned the president is using his legal right to define the limits of the constituencies and their distribution to favour his Democratic party in the elections. "Not defining the constituencies has turned into an obstacle for the political forces to prepare for elections and determine their candidates," said Pellumbi. He was also concerned that the pre-election procedures, including the verification of the candidates and registration, would take too long and asked the president to give the parties more time for preparations.

The commission for the verification of candidates to run for office, as provided by the new election law passed recently by parliament, is ready to start work, said Premier Aleksandër Meksi in a televised interview Thursday. But Pellumbi fears still the procedures will take long and the parties will not have enough, if at all, time to properly prepare.

The president promised to the parties elections will be fair and free, and guaranteed the procedures will be within the legal deadlines. He promised to announce the Election Day soon after the parliament is dissolved on April 3 when its mandate ends.

The most probable date will be May 26th, or June 2nd.

Commission to Verify Would-Be Albanian Politicians Ready to Start Work

- said Premier Meksi -

A commission to check the credentials of those candidates running for parliamentary seats has been approved by the Albanian parliament and is ready start work,

said Albanian Prime Minister Aleksander Meksi in a TV interview Wednesday.

This commission will have to scrutinize a mountain of documents, which are piled up in the state archive in order to prove that those candidates running for election are suitable for such a position according to a controversial recently approved law "on the examination of the figure of the politicians."



The commission consists of eight members, and they will be responsible for the approval of the political continuation of Albanian politicians, said Meksi. The files of

future Albanian politicians will be substantiated by this commission.

However, all is not lost for those potential politicians who are not approved by this commission. They are entitled to appeal to the court against such a decision. So in other words it is the Court that will give the final decision in relation to those political figures who are seen as suitable to run for parliamentary election in the forthcoming elections.

Registration of Electorate Under Control

- said secretary for local government -

TIRANA - Now, local government leaders know how to handle the possible movements of the Albanian population on the eve of coming elections and the registration procedures are well under way, said secretary for local government Njazi Kosovrasti in a TV interview Wednesday.

President Berisha discussed with local government leaders Tuesday the preparations for elections laying the stress on the proper registration of the electorate and the fair distribution of constituencies in order to avoid big disproportions in the number of electorate in each zone.

Registration of new settlers, displacements inside and outside

a region, dead people and the expected voters constitute some of the elements of the "gross" mechanism that prefects should know how to dismantle, said Kosovrasti.

This seems to make a big worry to Kosovrasti along with possible mistakes resulting from disorientation of local government officials.

A recent government decree makes possible the registration of the population at civil status offices in their new settlements. There are even "sanctions" on the people who avoid registration, he said.

Of great concern is the registration of temporary residents. A massive correspondence is expected to be established between

prefects of south and north Albania. All new settlements and displacements will be jotted down in special note-pads, called otherwise displacement note-pads. The accuracy of all displacements will depend on the seriousness of the mayors, said Kosovrasti.

"Situation appears to be quite different on the even of new elections from that created in 1992," said Kosovrasti. During the last general elections there were big disproportions, some time one to four, among the constituencies. "The experience of 1992 elections and the accurate directives given to prefects ensure that we have a different situation," said Kosovrasti.

APPENDIX F

Photographs



Albania, March 1996

Top left: Meeting with local leaders in Fieri

Left: Party political banners hung in the Tirana
Town square. (promoting party congress,
concerts, youth program)

Top: Meeting with local leaders in Durres

84