



Demokracia në Veprim
Demokratija na Delu
Democracy in Action

Parliamentary Elections

Albania 2013

Lessons learned from Democracy in Action observers

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*Democracy in Action is a coalition of non-governmental organizations that promotes free and fair elections
- www.demokracianeveprim.org -*

I. Introduction

Democracy in Action (DiA) is a coalition of non-governmental organizations that works to promote free and fair elections in Kosovo through monitoring of the election process, voter education and advocacy for electoral reform.

With the support of the Organization for Security and Cooperation in Europe (OSCE), DiA deployed 8 short term observers for the parliamentary elections of 23rd of June in Albania. The main goal of this observation mission was to conduct an analysis of the pilot projects on the use of election technology in Albania, and to draft a brief report about the possibilities of using such technology in Kosovo in the future. DiA observers were divided into two groups, four in Tirana where the technology for voter identification would be used, and four in Fier where the technology for counting of ballots would be used.

Throughout the election process, DiA observers were mobile, covering around 15 polling centers on the election day, and 6 counting centers where the intake and counting of the ballots took place. DiA observers also visited the headquarters of the Democratic Party, Socialist Party and also visited the calling centre of the local observer's coalition, which deployed 700 observers in different polling centers throughout Albania.

This is not an official report for observing the elections, since a proper election observation requires a larger number of observers. Through this report, DiA would only like to share some lessons learned from the observation of the polling and counting process in Albania. DiA hopes that these lessons will contribute in the discourse during the electoral reform in the future in Kosovo.

II. Opening of the polls

In most of the polling centers covered by DiA observers, the opening was done in a regular manner. Polling materials were being transported through ballot boxes in a timely manner. Two ballot boxes were being transported for each polling station, one of which included sensitive materials, whereas the other box was empty – in which the ballots ought to be cast. The polling staff opened the box with the sensitive materials, tied the seals in the ballot box, signed the protocols, and opened the polls on time (07:00).

However, DiA observers noticed that there was a delay in the opening of a polling station in Tirana due to some technical and unintentional mistakes from the polling staff. At one of the schools, *Jeronim de Rada*, the polling staff had mistakenly sealed the box in which the sensitive materials were brought, and not the box in which the ballots ought to be cast. As a result, the polling staff had no additional seals for the ballot box, and requested help from the Commission of Electoral Administration Zone (CEAZ). The representative of CEAZ arrived late at 07:30. The opening of the polls was delayed, raising doubts to the voters who were waiting in line to cast the ballot. The ECAZ representative helped solve the problem, and the polling station was opened at around 08:00, allowing voters to vote freely.

According to DiA observers, in some polling stations the commissioners were sufficiently prepared for the election process. This could be due to absence in the trainings organized by election management bodies. Technical mistakes such as the one witnessed in *Jeronim de Rada*, although unintentional, could lead to annulment of results from that ballot box – therefore participation in the trainings should be obligatory. This is a problem that is often witnessed on the elections in Kosovo, for which DiA recommends removal of commissioners who do not participate in the trainings.

III. Polling

In all of the polling stations covered by DiA observers, the polling process had gone in a regular manner and without any problems that would have raised doubts about the integrity of the polls or results. The large number of polling stations 5200+ enabled voters to have easy and near access to the polls. There were no long queues during the polling process in Tirana, nor in Fier.

In most of the polling centers there was access for voters with special needs. They were exercising their right to vote without assistance. In some polling centers, there was a voting booth with a chair, which enabled the special needs voters to sit while marking the ballot. This

was a very good practice taken by the EMBs in Albania, which could be used in the future in Kosovo. On the other hand, contrary to Kosovo, the blind persons do not have a brail ballot in Albania, which enables them to vote in a secret manner.

Outside the polling centers it was mostly calm and quiet. Although the neighborhoods were full of campaign materials such as billboards and flags, the polling centers inside and out were free of campaign materials. However, in the district of Fier more so than in Tirana, DiA observers saw political party militants outside the polling centers. Although the party militants were not pressuring or intimidating voters or observers, their presence outside the polling centers was disturbing.

The voters list was published outside the polling centers, and a help desk inside the polling centre was directing the voters towards the appropriate polling stations, although this was practiced less on Fier. First, the voters would find the names outside the polling centre, and then they would enter the correct polling stations. This was a good practice, in order to avoid the cases in which voters enter the polling station and do not find their names on the voter list, causing long queues.

The procedures inside the polling stations were similar to the ones in Kosovo. At the doorway, one of the polling staff was directing voters to the other staff that was doing the identification. Voters were walking to the commissioner with the voter list, where the identification was being done through a passport or ID card. The other commissioners would mark the thumb of each voter, give a stamped ballot and direct the voter to the booth. After marking the ballot, voters were folding it in a way which makes the stamp visible, and would be advised by the polling staff if they were not doing that. Generally, voters in Tirana understood the polling procedures better than the ones in Fier.

The polling staff was composed of representatives of political parties. The chair and the secretary of the polling stations were the representatives of the largest parliamentary parties in the Assembly of Albania. Throughout the length of the polls, the commissioners were managing the process in a regular and impartial manner. They were respecting all voters and keeping order inside the polling station. The commissioners of the two main political entities were controlling each other all the time, whereas the commissioners from other political parties had less of a role.

In all of the polling stations there was a high presence of observers from political parties, domestic and international organizations. The political party observers had the voter list printed, and were taking records of the voters that had cast the ballot. They were taking these

notes in order to measure the turnout, and also contact the persons who did not vote and invite them to vote in support of their party.

IV. Closing of the Polls

The closing of the polls was done in a regular manner in all polling stations covered by DiA observers, though it was a slow process. The chair and the secretary of the polling stations were checking outside the polling stations to ensure that there were no voters waiting to cast the ballot. The polling staff was voting at the end of the process in accordance with the legal framework in Albania, and then closing the polls as specified with the procedures.

The polling staff began counting the number of signatures on the voter list, number of damaged ballots and the number of unused ballots. All observers could see the process in a clear manner. The closing data was matching, so the commissioners were unanimously agreeing and signing protocols. In contrary to the elections of Kosovo, the protocols were rather simple and shorter – however this is because the counting in Albania is not done in the polling stations, and also there are no conditional ballots.

After the closing of the polls, the polling staff contacted the ECAZ to transport the polling materials to the counting centers. The materials were being transported with a car, in which the polling Chair, secretary, a police and ECAZ representative were present. The police were also keeping order while transporting the materials to the counting centre.

V. Intake of Materials in the Counting Centers

Following the transportation of materials, there was a parallel intake in all counting centers that were organized by ECAZ. The DiA observers saw the intake of materials in four counting centers and have concluded that the intake was being done in an un-organized manner.

The number of cars that were transporting the materials at the same time was disabling access for cars inside the parking lots of the counting centers. The materials were being picked from the cars outside the counting centers, and were not allowed immediate entry inside the counting centers, thus remaining outside for several hours. There were many people outside the polling centers, including random citizens and party militants – posing challenges for the police to keep order. Such un-organized crowds only threaten the security of the ballot boxes, which were being accompanied by the Chair and Secretary of each polling station. They were waiting with the materials outside the counting centers, while inside they were entering one by one to sign the intake protocols.

In the school *Vasil Shanto* in Tirana, the intake of materials was happening for 111 polling stations. The intake was very slow, since there were only two tables inside the counting centers that were receiving the materials. Although the data was matching, the intake process took up to midnight (00:00). In the intake table, the Chair, Secretary and the police that accompanied the transportation of materials were signing the protocols.

VI. Counting

The counting of ballots is a unique process in Albania, given that the publication of preliminary results could last 5 to 7 days after the Election Day. Knowing that countries with millions of more voters publish the results on election night, DiA considers that this delay in publication of results is unacceptable.

The counting procedures were very complicated and slow. The counting teams were composed of four persons. These teams were opening the ballot boxes, counting the number of valid and stamped ballots. After that, the counting teams were counting the ballots one by one. The ballots were also being scanned and showed in the TV screens close to the counting tables, which was ensuring a transparent view of the value of the vote, though sometimes it was difficult to tell whether it was a regular ballot.

Behind the TV screens, there were observers and media reporters, who were ensuring that each ballot reflects the will of the voter. Throughout the entire counting process, the presence of observers was so high that some counting centers were not able to accommodate all of the observers who wanted view of the screens.

After the midnight, the counting centers were closed to continue working on the next day. On the next day, two counting centers of Tirana were not open until noon (12:00), since the counting teams had not arrived yet. Observers were not allowed access inside the centers, since the police were not allowing anybody until the counting teams arrive. This unnecessary delay was negatively impacting the transparency of the counting process and would further delay the publication of results. It was the same case in Fier, where the counting process was slow and with long pauses and rests for the counting teams.

Throughout the electoral reform process 2011-2012 in Kosovo, there was a discourse whether we should: 1) leave the counting inside the polling stations; or 2) do the counting in regional or central level. Both of these systems have their advantages and disadvantages. The first publishes the results faster, but could be manipulated if the polling staff have incentives, and it is difficult to be covered by observers. The second, delays the publication of results, but makes manipulations in the counting process nearly impossible due to the large presence of observers.

Regardless, DiA recommends that the counting in Kosovo remain in the polling station level, as it fits better within the electoral context of Kosovo. This system publishes the results on the election night, thus calming the tensions that may arise between candidate rivals. In addition, a delay of results for 5-7 days would further decrease the voter's trust in the credibility of the election process.

VII. Election Irregularities

During the Election Day, the media reported a number of incidents and irregularities in the election process all over Albania. DiA observers were not present during these incidents, and were not witness of any irregularities that would threaten the integrity of the polling or counting process.

However, DiA observers witnessed cases in which there was more than one person behind the booth, or in which the man would mark the ballot of a women. This shows that family voting continues to remain a problem in the elections of Albania. DiA observers also saw voters taking photos of their ballot behind the both. There were also indications of vote buying, since the party militants were staying outside the polling centers.

VIII. Election Technology

One of the key objectives of the observation of elections in Albania, was to prepare a case study report on the pilot-projects about the use of election technology in the district of Fier and Tirana. The changes in the electoral code in Albania tasked the CEC to use technology for counting of ballots in Fier, and technology for biometric voter identification in Tirana.

The legal framework had given the CEC a limited time for these projects, which required preparation for tenders, testing and implementing them on the field. The CEC selected a Spanish company "Indra" to offer this technology, but for technical reasons, the CEC decided a week before the Election Day to suspend the use of this technology.

The technology for counting of ballots was supposed to be used for counting of ballots through the scanner and publishing the results immediately. In order to do this, the CEC had developed a special ballot for the district of Fier, which could be read by these scanners. Two ballot boxes would be counted by the scanners, followed by a manual counting of these boxes to verify that the results are accurate. If the difference between the results from the scanners and the results counted manually was more than 0.5%, than the use of technology would be suspended, and the counting would be done manually. The CEC had encountered two problems while testing the project in Fier. The first problem was that the ballot was larger than the area that could be read by the scanners. The large number of registered political parties (67 candidate and party

names) running for the election had made the ballot size larger than what the scanner could read – only 42 names. The second problem was that the scanner was reading the ballot so slow, that the counting was being done far faster manually by the counting teams.

The second project annulled by the CEC dealt with the use of technology for biometric voter identification. This project would install devices in various polling centers of Tirana that would verify voter's passport or ID card. This technology would not be used if the devices would not verify voters, and manual identification through polling station staff would occur. While testing this technology, the CEC determined that the device could tell which voter has cast the ballot, but could not stop the voter from casting a ballot at another polling centre – which was the initial purpose for the use of such technology. In addition, this device could not read the passports or ID cards that were old or damaged.

Regarding the use of election technology, several lessons could be drawn from the case in Albania that would be useful for the electoral reform in Kosovo in the future. First, the legal framework should not create legal obligations for the CEC to use election technology for voter identification or counting of ballots, if there is no time for the CEC to plan, test and implement such technology. Second, the purpose for using technology should not be based on addressing election irregularities, because irregularities could occur even if technology is used. Third, before using such technology, a feasibility assessment needs to be prepared to analyze the election context in Kosovo, taking into consideration the flaws on the voter list, financial cost for use of technology, need for training of polling staff, electricity and other factors. Fourth, if technology will be used in the elections in Kosovo in the future, it must be done through a pilot project in a smaller municipality – and not be used immediately at a national level.