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# Länderbericht

Albania Country Office

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## Albania Has Voted

**On 25 April, Albania voted for its next parliament and Prime Minister Edi Rama was confirmed in office. The Democratic Party under Lulzim Basha is returning to parliament and has gained additional seats. The big loser in this election is the Socialist Movement for Integration.**

*Dr Tobias Rüttershoff*

Last Sunday, just under 3.6 million Albanians were called upon to elect a new parliament, with Prime Minister *Edi Rama* having been re-elected once again. Contender *Lulzim Basha* did not succeed in preventing *Rama's* third term of office. Having said that, his Democratic Party are returning to parliament following a two-year boycott and have achieved the best result since 2009. Heavy losses were suffered by the Socialist Movement for Integration led by *Monika Kryemadhi*, however. Whereas election day in itself ran smoothly, the country experienced a somewhat violent end to the election campaign. Moreover, there were severe accusations of election fraud and irregularities before and after the election.

### An Overview of the Election Outcome

The parliamentary election in 2021 saw the election of 140 representatives via a regional list voting system for a term of four years. The election took place in twelve constituencies corresponding to Albania's various administrative regions (Qarks). The number of seats depended on the population size of the respective Qark. Ten parties, two majority party lists and five independent candidates were permitted to vote, with 1851 people having run for a post and 732 of which were women.

According to the preliminary results of the Central Election Commission (KQZ)<sup>1</sup>, 3,588,869 Albanians were eligible to vote. 1,662,253 of whom participated in the vote, which corresponds to a voter turnout of 46.32 per cent.<sup>2</sup> The Socialist Party (SP) received 768,177 votes (48.68 per cent), the Democratic Party – Alliance for Change (DP-AC) 622,234 votes (39.43 per cent), the Socialist Movement for Integration (LSI) 107,522 votes (6.81 per cent) and the Social Democratic Party (PSD) 35,476 votes (2.25 per cent). These parties will enter the new parliament. All other parties and

individual candidates did not manage to exceed the one per cent threshold. It is interesting to note the high number of 83,028 invalid votes. This constitutes five per cent of the total votes cast, and therefore well above the number during the last vote (two per cent). Many observers mainly blame this on the new ballot paper, which did not indicate the names of candidates for preferential votes, but merely numbers. This may have caused confusion among many voters.

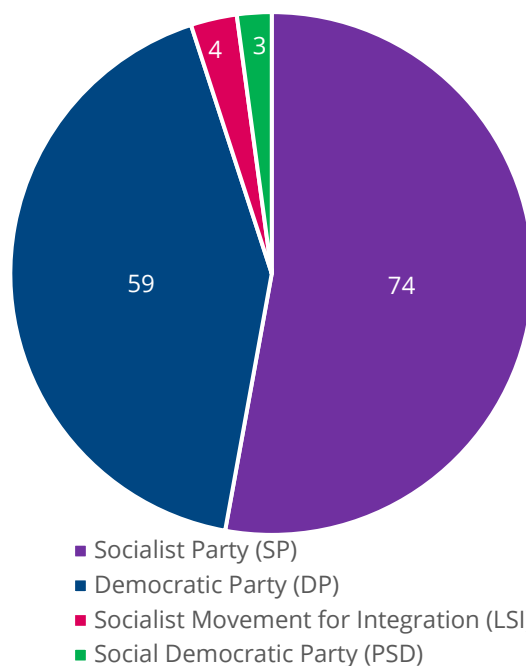
Owing to the allocation of votes, the SP received 74 parliamentary seats, the DP 59 seats, the LSI four seats and the PSD three seats. Moreover, the PSD has already announced their intention to vote with the SP to ensure the latter would gain a comfortable majority in the new parliament (absolute majority from 71 seats).

If we make a comparison with the last elections in 2017, the SP were able to retain both their percentage of votes and the number of seats in parliament. The DP, which in February 2019 had returned their mandates in the former parliament following a discovery of a vote-buying scandal involving the SP, were still able to gain ground. In 2017, they only received 29.1 per cent of the votes and 43 parliamentary seats.<sup>3</sup> The

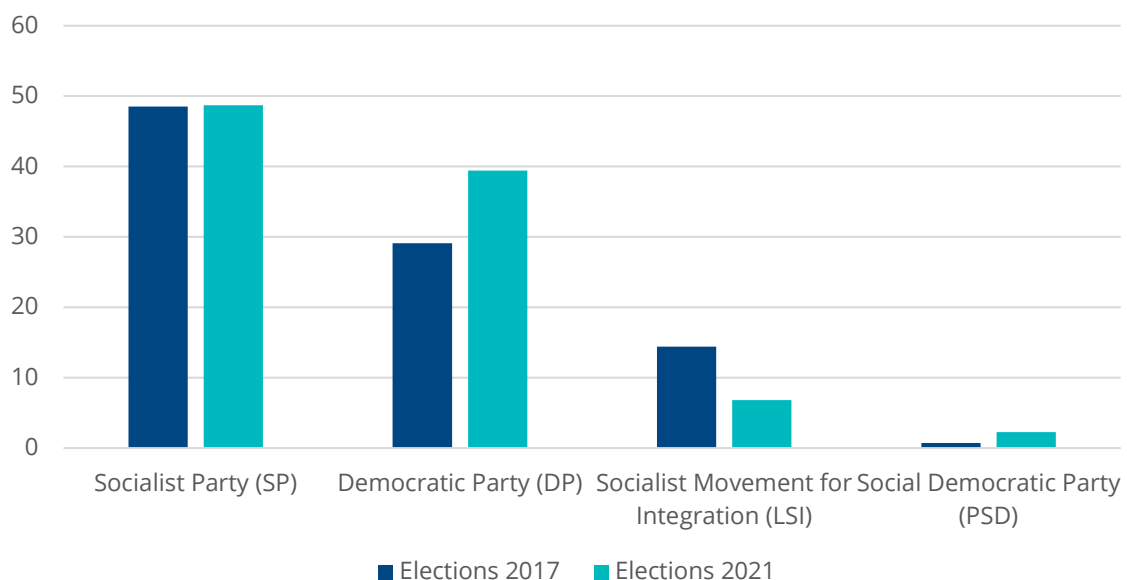
current result is therefore tantamount to an increase of 10.2 percentage points or 16 parliamentary seats. The LSI is without doubt the big loser in this election. During the last election, it had achieved 14.4 per cent and thus 19 seats.

This meant a loss of 7.56 percentage points or 15 parliamentary seats. The PSD increased their percentage of votes from 0.7 per cent to 2.24 per cent, or from one to three parliamentary seats.

Number of seats after the 2021 election (total: 140)



Elections in 2017 and 2019 in Comparison (Data in Per Cent)



## Economy, Infrastructure, and the Vaccination Campaign as Topics of the Election Campaign

It was under the slogan “Albania wins” (Shqipëria fiton) that *Lulzim Basha* presented himself as a leading candidate working for the people as a grassroots leader. An exemplary family-man and pro-European. This said, he often used the words “normal” and “commitment” in political communication, which was accompanied by photos on social networks showcasing the family and model citizen.

As for his political opponent, *Basha* described PM *Rama* as someone who does not keep his word, who works for himself and the oligarchs, as well as accusing him of arrogance and bullying. He depicted him as a man who has not delivered on any promises, and that what he failed to do in two mandates, he would also fail to do in a third.

The opposition strategy focused on voting the SP and *Rama* out of office, whom they portrayed as the greatest evil in Albania. As regards content, the DP’s election manifesto primarily emphasised the topics of economy, education, European integration, and the fight against corruption. They focused on supporting the middle class as the most important engine of social development, as well as the Albanian youth, with the aim of halting the phenomenon of mass migration. To this end, the DP promised to create a more favourable business climate, such as through lower taxes for small enterprises and foreign direct investment. They also proposed a “flat tax” of nine per cent on personal income as well as for all Albanian companies with an annual turnover of less than 10,000 euros.

The motto of the electoral campaign under the Socialists was “Albania – Our Future” (Shqipëria e ardhmja jonë). *Rama* attempted to paint a picture of himself as someone who achieves great things during difficult times. The electoral campaign was strongly tailored towards his character. He highlighted his role as “doer” by showing as many pictures as possible in the election campaign and on social media of the reconstruction (following the November 2019 earthquake), and the

vaccination campaign against COVID-19. While also pledging to make progress on a few major infrastructure projects such as ports (in Durrës and Porto Romano), airports (Kukës and Vlora) and roads. *Ramas’* argument was that much of the work already underway on these projects has not been completed due to two natural disasters (earthquake and Corona pandemic), which is why he needs the third term in order to see them through. Still, the socialists, in contrast to the DP, placed very little emphasis on their election manifesto.

“Negative campaigning” was part of the socialists’ electoral campaign, too. *Rama* called his opponent *Basha* a puppet of the former Prime Minister *Sali Berisha* and State President *Ilir Meta*, a “good boy”, but who did not work and was lazy/sleepy.

## Tense Final Stage of the Electoral Campaign

In recent years, Albania’s political landscape has already been shaped by a strong polarisation of opposing political camps and several scandals. For instance, recordings from a public prosecutor’s investigation aired by *Voice of America* (VoA) in January 2019 bore witness to a strong collaboration between local criminals and the socialist mayor of Durrës, *Vangjush Dako*, in vote-buying activities and vote-intimidation during the 2017 elections. In what was a contentious step, the opposition, thus, decided to hand back their mandates in February 2019, and, barring a few exceptions, left the parliament.

In June 2019, the *Bild* newspaper published official audio tapes from the public prosecutor’s office documenting discussions between SP ministers and senior civil servants with persons involved in organised crime. These recordings were made prior to the 2017 parliamentary election. In view of this, the opposition decided not to participate in municipal elections, instead calling for new elections. The SP ran for office alone in the first single-party elections in Albania since the end of communism. The 2019 municipal elections were also characterised by

irregularities. A few SP mayors had previous convictions and were unable to take office.

This longstanding dualism between political opponents was also reflected in the electoral campaign. In addition to the above-mentioned, at times fierce and personal disputes, Albanians experienced several scandals, attempts at vote-buying and violent conflicts, which unfortunately even claimed someone's life, in the weeks running up to the election.

Just short of two weeks before the election, the news portal lapsi.ai reported on how the SP had gathered detailed information about the total of 910,000 voters in Tirana between the ages of 19 and 99. It was claimed that citizens' personal data, which included mobile and personal identification numbers, numbers of polling stations as well as party preference, were taken from the portal *e-Albania* [online citizen services]. What is more, the SP had allegedly ordered that each person on the list be monitored by a so-called "patron". The DP has filed a lawsuit at the Special Prosecution Office (SPAK) to that end. The SP argued that the SP's database with voter information is based on longstanding contacts and communication with the residents of Tirana, and that the published database does not belong to the SP.

Violent conflicts erupted in the cities of Kavaje and Elbasan in the week prior to elections. On 19 April, a DP supporter was injured in the election office after being shot in the leg. The motive for the crime is still unclear. The arrested offender claimed to have acted for personal reasons. However, images of him with representatives of the local SP appeared on the internet shortly after the crime. On 21 April, *Pjerin Xhuvani*, a supporter of the SP in Elbasan, was killed by a firearm and four people were injured. Here, too, it is important to clarify the precise background of investigations. The alleged gunman, *Arbër Peplekaj*, a former policeman with a warrant to carry a weapon, was part of the DP's "election protection" team. It was not long before he

turned himself over to the police and claimed to have shot in self-defence after *Xhuvani* had been caught for attempting to buy votes, and he wanted to detain him before the police arrived. The events were instrumentalised on both sides. International representatives in Tirana called for moderation and for a full investigation of the incidents.

## Calm Election Day Under the New Electoral Law

The 2021 parliamentary election was the first vote to take place under the new electoral law.<sup>4</sup> Despite political polarisation in the country, on 5 June 2020 the various actors successfully agreed upon an electoral reform. This was welcomed on all sides in Albania and across the world, albeit a few retrospective amendments to the constitution attracted much criticism.

As regards the electoral reform, the following points were particularly relevant for the 2021 election:

- **Election threshold** – In order to qualify for an allocation of seats in parliament, parties needed to pass a one percent threshold across the country. There was still a three-per cent threshold in the previous election in 2017.
- **Preferential votes** – Voters voted between their preferred party or coalition and cast a vote for their preferred candidates from the selected list. Candidates then win parliamentary seats in accordance with the order of the list. To improve their own position on the list, a candidate needs to win more preferential votes than the average number of votes that the party has received per seat in the region. As already mentioned, however, the ballot paper did not include the names of candidates, but merely a number. Voters therefore had to note down the number of their preferred candidate in advance.

- **Coalitions** – Party coalitions were obliged to submit a joint list of candidates prior to elections, which means that they were unable to participate – with separate lists – as was the case during previous elections.

The introduction of a biometric registration and verification of voters, as well as electronic coordination and counting to prevent or impede electoral fraud, as also envisaged in the electoral law, were also awaited with bated breath. For time and technical reasons, the electronic vote was at first only tested in one project constituency in this year's election.

Despite some initial misgivings, the process of casting a vote ran smoothly and without major incidents for the most part. According to the preliminary report by the International Election Observation Mission of the OSCE and the Council of Europe (IEOM)<sup>5</sup>, electronic identification was essentially carried out as normal, however, a few polling stations opened with a delay. This was mainly due to problems with implementing the electronic identification devices. Added to this, there were some voters who had to be registered with paper voter lists owing to malfunctioning electronic identification devices or the lack of technical personnel.

Despite its smooth voting overall, isolated incidents occurred that were also noted by the international electoral observers. In several regions, the IEOM observed groups of young men who gathered in front of polling stations and appeared to be monitoring the area to find out who voted. In the Shkodër region, observers saw how one person dragged someone into the polling station and instructed them on who to vote for. It was in the same region that the IEOM witnessed money being distributed to voters in close proximity to a polling station.

According to the information we have to date, the counting of votes was also transparent and without incident for the most part. Having said that, the IEOM did observe how some counting teams were only appointed and trained on the very night of elections. The transparency of

processes was temporarily compromised by observers being too far away from the counting tables, and counting teams not presenting papers to the camera long enough to ensure public scrutiny. A fight broke out between those observing the counting at a polling station in Tirana. The police immediately intervened and took eight people into custody. The counting of votes was resumed a few hours later.

## Accusations of Vote-Buying and Voter Influence

Despite a calm election day, both international observers and the opposition levelled accusations of election rigging in its aftermath. Of the total 50 lawsuits filed at the SPAK, 32 cases linked to vote-buying were opened for investigation by the authority. Furthermore, 130 lawsuits, mainly from the DP, were filed at the local prosecutor's office, 91 of which have thus far been subject to investigation. According to reports and accusations made by candidates, when counting the votes there were several cases in which poll workers intentionally invalidated ballot papers.

In addition to these accusations concerning the election itself, there were also irregularities regarding possible voter influence as well as misuse of funds in the run-up to elections. In relation to the data scandal (see above), the IEOM expressed concern that leaking sensitive personal data, including citizens' political preferences, makes voters vulnerable. A further problem was restricting certain groups in their right to vote; for instance, the (substantial) Albanian diaspora were not afforded the opportunity to vote in this election via letter or embassy ballot.

A IEOM report stated that several members of the government also continued to campaign in their official function, contrary to the rules of the electoral law intended to prevent the misuse of state funds. This, together with the launch of several major, state infrastructure projects prior to elections, and the increased public sector

employment in violation of these legal provisions, gave the ruling SP party a “distinct advantage”.

In a statement, *Aleksander Pociej*, Head of the Delegation of the Parliamentary Assembly of the Council of Europe (PACE) commented on the accusations raised:

*Despite general improvements to framework conditions, accusations of widespread vote-buying practices during the entire election campaign continue to pose a serious problem in Albania, negatively impacting on public perception and trust in the election process. The same applies to the incentives offered to and pressure exerted on public officials.<sup>6</sup>*

## Summary

The Albanian parliamentary elections on 25 April 2021 will go down in history in that *Edi Rama* was the first prime minister since the end of communist rule 30 years ago to successfully secure a third mandate. In doing so, Albanians have also approved *Rama's* political course, which has certainly been marred by controversy and associated with many a scandal in his administration over recent years.

On the other hand, the opposition led by the DP will come back to the political arena of parliament after returning the mandates and boycotting the 2019 local elections. This is clearly to be welcomed, as the past two years have shown that effective opposition work is not possible outside of parliament. Even though this did not suffice for the DP (together with the LSI) to become the ruling party, the DP not only made significant gains compared to the previous election but were also able to secure the most parliamentary seats since 2009. This gives them a clear mandate for a strong opposition role in parliament. Although disappointment within the DP is currently high, and some people are calling for *Basha* to step down, there is still no alternative to him as party leader.

A clear loser in the election is LSI, which lost over two-thirds of its parliamentary seats. It is obvious to see that voters did not appreciate the at times aggressive intervention of President *Meta* (husband of the LSI chairwoman *Kryemadhi*) in the electoral campaign. As a result, he has already announced his resignation from the presidential office by the end of term in August 2022.

We should welcome the fact that it was possible to carry out a peaceful election despite some violent conflicts from the outset. Overall, the election day was well organised by the CEC, as also confirmed by OSCE/ODHIR. The electoral commission that was newly formed after the reform adopted extensive new responsibilities. Despite a few delays, including with the adoption of important provisions, the launch of a voter awareness campaign and the training of electoral staff, the election commission managed to fulfil most of its obligations. It worked in a transparent way and held public sessions broadcast by live stream and in which all participants were able to attend. The electoral administration enjoyed the confidence of participating actors.

The introduction of the biometric registration and identification of voters proved a success despite initial technical difficulties. By the same token, electronic voting in the test constituency in Tirana ran smoothly. This should now be implemented as quickly as possible, at the next election throughout Albania. It guarantees faster results within a few hours, while also limiting possibilities for election rigging during counting.

The numerous accusations of vote-buying, voter influence and election rigging urgently need to be clarified and, where necessary, prosecuted under criminal law. Authorities established to that end as part of the justice reform, such as the SPAK, not only have the relevant powers and qualified personnel, but can also rely on the trust of participating actors as well international observers.



All political powers must now ensure the effective and democratic functioning of the country's institutions. That includes the responsibility to observe the democratic principle of respecting the election result. However, the election winner, *Rama*, must now show that he can turn his words

about being a prime minister for all Albanians into a reality.

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<sup>1</sup> See final results of the Central Election Commission of Albania, <http://results.kqz.gov.al/results/results2021.htm>

<sup>2</sup> N.B.: All Albanians over the age of 18 are registered in the electoral roll. A large proportion of these 3.6 million people (approx. 1.4 million) are living abroad. Since, as mentioned, there was no opportunity for a diaspora vote, and travelling to the country to cast their vote was seriously impeded by the Covid-19 pandemic, the voter turnout of those people actually living in Albania was considerably higher, at around 70 to 75 per cent.

<sup>3</sup> Although in the 2017 election we also need to take account of the minor party "Party for Justice, Integration and Unity" (PDIU). At that time, this party was already running in an electoral alliance with the DP; yet it did so with its own list owing to the former electoral law. The PDIU won three seats at that time. During the 2021 election, the PDIU was part of the DP-AW electoral list.

<sup>4</sup> A reform of electoral law according to recommendations by the Organisation for Security and Cooperation in Europe (OSCE) and its office for democratic institutions and human rights (ODIHR), also constituted one of the six preconditions of the German Bundestag and the Council of the European Union for opening EU accession talks with Albania.

<sup>5</sup> See International Election Observation Mission Republic of Albania – Parliamentary Elections, 25 April 2021, Statement of Preliminary Findings and Conclusions, <https://www.osce.org/files/f/documents/2/7/484688.pdf>

<sup>6</sup> See press release of the OSCE-PA's Election Observation Mission, Tirana 25 April <https://www.oscepa.org/documents/election-observation/election-observation-statements/albania/press-releases/4190-2021-parliamentary-2/file>

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