

POLICY BRIEFS

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INTRAPARTY ELECTIONS IN KOSOVO

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Introduction

Literatures as well as discussions about political parties, electoral systems, party systems and democracy are almost endless. What in principle should be considered essential in the functioning of political parties and political entities it is their organization, functioning and internal regulation. The question raised here is whether there is and what kind of democracy exist within parties, so that they are truly representative and legitimate. Criticism of political parties is usually generalized, often quite severe and often covered with different prejudices.

However, the initial and particularly important issues in examining the question, such as the intraparty elections or selection of candidates, are completely overlooked. Moreover, in a country where democratic tradition is yet to be consolidated, such as Kosovo, studies and debates about the intra-party elections are in general missing. The fact that internal party elections are not covered enough by the media, and do not provoke the interest of the civil society and academic circles, does not mean that they are less important. Rather, they are decisive and at the same time indicative of the level of democracy both within the parties and the state.

This analysis¹ aims to activate public awareness, to open wide-ranging discussions within political parties, and above all serve for subsequent research in this little known area. The purpose of this study is, besides providing overview of the situation, exploring influencing factors and impact it has on society, also to raise as a subject this essential aspect for the democracy, political, electoral and party system of the country.

INTRAPARTY ELECTIONS AS A DEMOCRATIZATION PROCESS

The development of political parties in Kosovo is inseparable from the political and social circumstances of

the country, and vice versa, these circumstances are interdependent from political party development. Therefore, we can start from the premise that democracy cannot be consolidated if political parties are not democratized. In general, political parties in post-communist countries have not developed internal democracy, either through free debate and even less through internal elections operating through a close political elite or equally strict hierarchical organization of the leadership. In Kosovo, during the 90's, the political scene dominated by DLK was prone to 'top-down' organization with extremely rigid structures and management selected by the party leader. Even in post-war Kosovo, despite increased pluralism, political parties were organized around the party leader with fragile internal democracy.

Scholars like Hazen and Rideon (2010) claim that largely the internal party elections as well as the nomination and selection of candidates for elections are not legally regulated and therefore this usually remains as an internal issue of political parties. Whereas, the prominent scholar of political parties, Maurice Duverger (1964), suggested that internal party democracy may damage its stability and efficiency. But the vast majority of scholars argue that internal party elections and the way how they are conducted impact the democratization of the political system of the country. Whereas, some of the requirements of internal democracy are: the rights of members, relations between the party and its parliamentary group, the prerogatives of the president of the party, the horizontal structure of the party; autonomy of local party branches, the autonomy of local branches at the time of election, powers and procedures of election of party leaders as well as the nomination of candidates for public office and election lists (Center for Research and Policy Development, 2012: 12). The list of the above criteria can certainly be supplemented with many other requirements such as transparency, gender equality, manner of financing, accountability, consideration of appeals. But these criteria should not be seen only as a measure of internal democracy, they should be treated as prerequisites and value for the democracy itself.

¹ As part of this analysis, 4 interviews were conducted with officials of political parties in Kosovo. Questions and sub-questions were designed by the authors of this analysis. We thank Gezim Stavileci, who has gathered materials from these interviews.

TPOLOGY OF POLITICAL PARTIES

Intraparty democracy concerns the delivery of intraparty powers, the autonomy of intraparty units and bodies and the degree of inclusion of members of political parties in decision-making processes. In the table below, presented are six dependent variables and four independent variables, for analysis of the four major political parties in Kosovo.

These variables have to do with party ideology, party type, leadership, and scale of inclusion of party members in intraparty decision-making, decentralization of

branches, sub-branches and other political units, and institutionalization. The results of this evaluation are based on the statutes of political parties, in-depth interviews with officials of these parties, and un-statutory practices of organization and decision-making of political parties. Democratic Party of Kosovo, although it is practically a “catch-all” party, it defines itself as a party of the right - center. DPK is characterized by a dominant leadership, low inclusion of its members in decision-making processes, and low autonomy, respectively low decentralization of power to branches and sub-branches.

Political parties/Party organization	DPK (PDK)	DLK (LDK)	SDM (LVV)	AFK (AAK)
Ideology	Right center	Right center	Left center	Right center
Party type	Electoral ‘catch-all’	Electoral ‘catch-all’	Anti-system	Electoral ‘catch-all’
Leadership	Dominant	Dominant	Dominant	Dominant
Inclusiveness	Low	Low	Medium	Low
Decentralization	Low	Medium	High	Medium
Institutionalization	Low	Low	High	Low

Democratic League of Kosovo, although it is practically a ‘catch – all’ party, it defines itself as a party of the right center. DLK is characterized by a dominant leadership, with low inclusiveness of its members in decision-making processes, and medium autonomy, respectively medium decentralization of power to branches and sub-branches. Self – Determination Movement is an anti – system party of the left center. is characterized by a dominant leadership, but with a medium inclusion of its members in the decision-making processes and high autonomy, respectively high decentralization of power to branches and sub-branches. Alliance for the Future of Kosovo, although it is practically a ‘catch – all’ party, it defines itself as a party of the right center. AAK is characterized by a do-

minant leadership, low inclusion of its members in decision-making processes, and medium autonomy, respectively medium decentralization of power to branches and sub-branches.

Of the four parties analyzed here, leads with intraparty democratization because of the degree of inclusiveness of its members in internal processes of the movement and autonomy of its local community points and centers. As for the levels of organization, DLK and AK have a medium intraparty democratization, due to the fact that internal party structures of the both parties are centralized, and the branches and sub-branches do not enjoy a real and complete intraparty decentralization. DPK is considered as a party with a higher degree of centralization, lack of inclusiveness of members in deci-

sion making processes and the lack of autonomy of its party units, respectively branches and sub-branches.

Empirical studies of the different scholars of political parties provide evidence that the electoral 'catch - all' parties are hostile towards the internal democratization of the party, whereas the anti - system parties are considered more inclusive, more decentralized, and affirmative to the transparency and internal democracy of the party (von dem Berge et.al., 2013). We define SDM as a party which is relatively anti - system, for the fact that, initially, the SDM held a position against the Ahtisaari Plan and all of its outcomes, refusing the participation in the elections because of the limitations in decision -making and the autonomy of institutions of Kosovo. Later, SDM moved from an absolutely anti - system party towards a relatively anti - system party, participating in the elections, accepting the institutional format on which elections were organized and therefore Kosovo institutions.

PARTY STATUTES

Over time, statutes of political parties in Kosovo have undergone various amendments, thus regulating internal election procedures, from the lowest level of sub-branches, up to the center level of the steering bodies and the President of the party.

DEMOCRATIC PARTY OF KOSOVO

Based on the statute of the Democratic Party of Kosovo, its central bodies are: the General Convention, the President, Steering Council, the Presidency and the National Assembly. General Convention is the highest body of the party and is composed of delegates elected proportionally with the number of votes won in the last elections. Convention is attended by members of the DPK presidency, members of the Steering Council of the DPK, Ministers from the ranks of DPK, Members of the Assembly of the Republic of Kosovo from the ranks of DPK, Presidency of the 'Democratic Youth' from the central level, Presidency of the 'Democratic Women' from the central level. The number of delegates for the General Convention is determined by special regula-

tion; however, the statute does not stipulate by whom and how is this regulation specified.

Steering Council of the DPK has 155 members plus 10 members from the Diaspora, who are elected in the electoral session of the General Convention by secret ballot. Proposal for a member of the Council may come from every delegate of the Convention. However, the ensuing paragraph of Article 39 of the Statute specifies that the President, after consultation with the Presidency, proposes half of the candidates to be elected to the Steering Council. Article 24 of the Statute of the DPK speaks about the electoral procedure in branches. According to the procedure, the assembly of the branch consists of the members of each sub-branch who are delegated by the respective sub-branch. Number of members delegated is determined by a special act of the presidency of the branch.

The procedure for selection of delegates, their number and mandate remains quite unclear, either in branches or in the General Convention, much like the overall electoral process itself.

DEMOCRATIC LEAGUE OF KOSOVO

On the other hand, the amended statute of the Democratic League of Kosovo, which entered into force in March 2012, lists the following governing bodies of the party: the Assembly, the General Council, the President and the Presidency of the DLK. The Assembly of DLK, as the highest body, is composed of 355 delegates elected in assemblies of branches. Article 18, paragraph 2 of the statute, stipulates: "The number of delegates by branches and their selection criteria is set by the General Council, respectively the Presidency of the DLK, under the authority of the General Council."

The Assembly elects 98 members of the General Council and the President of the party, who becomes the 99th member and also President of the Assembly, of the General Council and the Presidency of the DLK. Electoral Assembly of the DLK is preceded by electoral branch assemblies, where 101 delegates, elected in sub-branches assemblies, are elected. The President of the party is elected in the Assembly, by secret ballot and from amongst several candidates, while Article 25.1

provides that candidacy for the President is presented in the Assembly and approved by the 50 percent plus one of the delegates present.

General Council of the DLK has adopted rules of procedure for the electoral assemblies of sub-branches and branches, which define the procedures of the elections at these levels. Article 2 of the Rules of Procedure for the electoral assembly of the sub – branch specifies that the membership list of the sub – branch is also the electoral list and that every member has the right to elect and to be elected. While Article 16 states that the order of candidates on the electoral list for each of the sub-branch bodies and delegates to the Assembly of the branch is done alphabetically. Next article explains the content of the ballots, while Article 19 speaks about the vote counting procedure and announcement of results. The regulation for branch assembly elections mainly follows these same rules of election. Electoral branch assembly consists of 101 delegates elected in sub-branch assemblies and Article 14 clarifies that the order of candidates on the electoral list for each branch body and delegates for the Assembly DLK is done alphabetically, whereas the number of delegates for each branch is determined by the Presidency of the DLK.

Although these regulations significantly clarify the formal aspect of the organization and management of elections, they do not provide information about the autonomy of sub-branches and branches from the central level influence, and where irregularities during the elections can be addressed.

SELF – DETERMINATION MOVEMENT

Statute of the SDM is more complex and the longest of the four statutes analyzed here. Self – Determination Movement is organized on three levels: Council of the local community Point, Council of the Centre and the General Council. SDM is organized and operates according to the principles of direct democracy. Article 28 of the Statute regulates direct democracy. According to this article SDM members vote directly to elect the President of SDM, President of the Centre and its members, election coalitions and government coalitions, the political program of the SDM etc. SDM decisions, under Article 6, are taken by consensus, and in case of its ab-

sence, then decisions are made by the will of the majority, although nowhere in the statute of SDM the institute of secret ballot is mentioned. The number of delegates proposed for the Council of the local community Point is calculated through the number of members in each Point. Article 39.3 regulates the number of delegates' formula: 1 delegate = 7 to 15 members; 2 delegates = 16 to 30 members, 3 delegates = 31 to 60 members; 4 delegates = more than 61 members.

The second level of organization is the Center of the SDM, consisting of the Council, the Presidency, the Secretariat, the Sub-Committees and Disciplinary Committee. According to Article 46, the Council of the Centre is the highest decision making body in the second level of the SDM. Delegates for the Council of the Centre are elected according to the method: 1 delegate = 21 to 150 members; 2 delegates = 151 to 300 members; 3 delegates = 301 to 600 members; 4 delegates = 601 to 900 members and five delegates = 901 to 1200 members.

The third level of organization is the General Council of the SDM, which is the highest decision making body. The responsibility of the Council are regulated by Article 62, under which the Council amends, supplements and approves the Statute and other documents with 2/3 of the votes of all members of the Council. Other responsibilities of the Council are related to the election of the Chairperson and Deputy Chairperson of the Council, establishing ad hoc committees, election of members of the Presidency of the SDM, approval of the budget of the SDM, oversight of the work of the SDM parliamentary group, approval of the final list of candidates for election to the SDM etc. Council meetings are held once in every three months. General Council of the third level of the SDM, consists of delegates of SDM centers, Presidents of SDM centers, Assembly members from SDM ranks, Mayors from SDM ranks, Presidency of the SDM, and members of honor. Article 68 of the Statute specifies that the Presidency of the SDM is the highest decision making body between two meetings of the General Council, and that Mayors, municipal assembly members, Assembly of Kosovo members, and members of the Government cabinet, cannot be members of the Presidency of the SDM.

President of the SDM, according to Article 72, is considered as the highest political representative of the SDM and leads the Presidency of the SDM. Members of the Presidency of the SDM are: President and two Deputy Presidents of the SDM, the Chairperson of the General Council, Organizational Secretary, Chairperson of the Parliamentary Group, the Coordinator of the Committees, and seven members nominated by the General Council. Statute of the SDM regulates that if the President of the SDM is appointed as the Prime Minister of the country, he/she must resign from the position of President of the SDM.

ALLIANCE FOR THE FUTURE OF KOSOVO

Alliance for the Future of Kosovo is organized at the level of sub-branches and branches. According to Article 4 of the Statute of AFK, main bodies of the AFK are Assemblies, Steering Councils, Extended Presidencies, Presidencies, and the Parliamentary Group of AFK, Kosovo Women's Alliance, Alliance of Kosovo Youth and Statutory Commission. Central Assembly of the AFK is the highest decision making body, which approves, amends and supplements the statute and political program of the AFK. Other competences of the Assembly are the election and dismissal of the President of AFK. Regular Electoral Assembly, under Article 14, is held once every three years. Delegation to the Central Assembly from the branches and sub-branches is made based on two criteria: each branch sends two delegates to the Assembly of the AFK, and the second criteria, branches located in an area with more than 100.000 inhabitants send three delegates. Kosovo Women's Alliance sends 20 delegates to the Assembly and the Youth Alliance also sends 20 delegates. Present at the Central Assembly of the AFK are, Assembly members from AFK ranks, Ministers and Deputy/Ministers from this party, members of the current presidency, and nine expert members of the National Council. According to Article 17 of the Statute of AFK, the highest body between two Electoral Assemblies is the Governing Council. Governing Council of the AFK is more comprehensive compared to three other parties analyzed in this paper, and consists of: President of the AFK, Vice Presidents, Secretary General, 60 members elected by the Assembly, five representatives from the Women's Alliance, and 5 representatives from the Youth Alliance.

Governing Council of the AFK has 14 powers, from the approval of the program and the draft statute of the AFK, election of vice-presidents, secretary and other members of the Presidency of AFK, to the examination of the potential coalitions between AFK and other parties and the approval of the electoral lists. Another body of the AFK, which is not foreseen in the statutes of the other parties is the Extended Presidency, a comprehensive consultative body regulated by Article 19 of the Statute, which represents and protects the interests of branches and sub-branches.

Article 23 of the Statute regulates the function and responsibilities of the President of the AFK. According to this article, among others, the President proposes the composition of the Presidency of the AFK, which is approved by the Steering Council, manages and represents the party, implements the program and the statute, and reports to the Assembly and the Steering Council. Besides Vice President, the statute specifies that AFK also has Vice Presidents, who assist the President in their areas of responsibility, and the secretary who implements the decisions of the Presidency of the AFK.

ANALYSIS OF THE ELECTIONS

Internal party elections are seen more as a procedure for the (re)election of the party leader rather than election for all internal party structures. The interest of the media or the society in general for these elections is quite low, despite the importance that these elections have for the political scene and therefore for the future and democracy of the country.

Most recent elections within the DPK were held from November 2012 until January 26, 2013. This was the sixth electoral Convention where, without any counter-candidate and by acclamation, Hashim Thaçi was re-elected as the President of the party. While the recent intra-party elections within the DLK were held during April and May 2015 ending with the eighth Electoral Assembly. President Isa Mustafa initially was challenged by counter – candidate Vjosa Osmani , who announced her candidacy, however, her candidacy was not approved by the DLK delegates. Therefore without any opponent, through acclamation, with only two vote

against, President of the Party was re-elected Isa Mustafa. Other statutory violations were also observed during this electoral process, such as the election by acclamation of some Presidents in some branches in Pejë, Gjilan and the fourth branch in Prishtina. During 2015, the Self-Determination Movement also organized its internal elections. The only candidate for the President of the SDM, Visar Ymeri, was elected as President with over 97% of the votes. Although voting was under the principle of one member one vote, the electoral race run without a single counter-candidate tarnished the democratic process. Currently internal party elections are taking place in AFK.

As part of this analysis interviewed were Basri Musmurati from DPK, Armend Ibrahim from DLK, Ahmet Isufi of AFK, and Boiken Abazi from SDM.

Intraparty democracy:

Basri Musmurati from DPK claims that internal democracy is present in his party, as the electoral process is conducted in a democratic race with many candidates" (Murmurati, 18.05.2015). According to Musmurati, each candidate presents his draft program by which he is running for the relevant structures. Also, it is noted that the representation of women by 30% in the structures of the party is in accordance with the Law on elections and intraparty democracy. Even DLK links the internal democracy with the electoral process which takes place at 3 levels of the party and which is assessed as fair and democratic (Ibrahim, 15.05.2015). In the SDM internal democracy is understood and applied through these three forms; (1) democracy by representation, (2) participatory democracy and (3) direct democracy. It is further noted that "secret ballot, the one activist - one vote principle, as well as limiting the term to three years, and that a leading position cannot be held by the same activist for more than two consecutive terms" (Abazi, 14.05.2015) are considered as the basis of genuine internal democracy. On the other hand, the answer of the AFK was that democracy within the party is suffering from the consequences of the past and that it depends on the profiling of the parties (Isufi, 22.05.2015).

Decision -making:

According to Musmurati, decision making within the DPK is regulated by the statute of the party, where the Convention, which consists of 600 to 800 delegates is the highest body. Decisions in the party are made by consensus, whereas "final decisions are of the President because he approves and signs them, Musmurati, 18.05.2015). Also the DLK, as well as the SDM and the AFK, calls upon the statutory regulation of the decision making process.

Selection of the candidates:

DPK officials explained that the process starts from the local actives then to the sub-branches and branches to be completed at the Election Convention of the Party. There are 777 sub - branches and 553 actives in the DPK. In DLK, as well as the SDM, this procedure is regulated by specific regulations for elections in sub-branches and branches. According to data from interviews, DLK has 1,200 branches, while the SDM has 400 local community points. We have not received an answer from AFK on this issue.

Review of complaints:

For this question also, almost all parties claim that there are committees for reviewing complaints and deny that the elected candidate may be rejected by the party President or the Presidency. On the question how many of your party branches Presidents were replaced from all branches of the party, our interviewees emphasized that in the last elections in DPK 11 from 38 Presidents of the branches were changed, in DLK 13 or about 35% of the Presidents of the branches, and in the SDM they claim that two-thirds (2/3) of all the Presidents of Centers (branches) were changed. While AFK is still in the electoral process but so far from three current Presidents of the branches, two have already been changed.

Membership list:

According to DPK, the most recent membership list includes over a hundred thousand members, but evidence is not provided of whether there is a database of

members and by whom and how it is managed. Similarly, DLK and AFK did not seem to have a genuine list of membership since no concrete answer to this question was provided. According to SDM they have a database which is regularly updated and currently has 19,700 registered members.

Transparency:

According to Musmurati, every party member has the right of access to documents of the party, whereas SDM officials point out that SDM activists have access to any documents, including records. What is noteworthy here is that only SDM has published its financial reports on its website. Interviewed officials of DLK and AFK also emphasize that their parties are transparent and that their meetings are public and open to the media. However, from a basic search, we can see that AFK currently have no website at all.

Election of the President:

Regarding the election of the Presidents of their respective parties, the interviewees stated as follows. President of the DPK is elected by the Electoral Convention. The mandate is limited to 4 years. President of the DLK is elected by the Electoral Assembly with 50% + 1 vote of the delegates present, with a 4-year mandate. To be a candidate for the President of the SDM, signatures of 1/5 of the members of the General Council, or 1/5 of the entire base of activists, should be collected. Voting for candidates is made according to the one member - one vote principle, from entire base of activists. The mandate of the President of Self Determination Movement! as well as Presidents of centers and local community points is 3 years, with the restriction to two consecutive terms. The same restriction in years and the number of mandates is also for Presidents of the Centers. In AFK, the President is elected via a "secret ballot, but also with acclamation." The term is 4 years. However, related to the powers of their party President, they commented as follows: according to Musmurati, decisions in DPK are jointly discussed in presidency of the party and consensual position is obtained. According to him, decisions are taken by the DPK structures. According to Ibrahim, DLK has a consensual approach and the DLK presidency consults its branches in the

process of achieving the consensus. According to Abazi, in SDM, there have been many cases where proposals of the President were overruled by the Presidency or the General Council.

CONCLUSIONS

Interparty democratic consolidation still remains a challenge for political parties in Kosovo (Beha/Balijqi, 2014). Despite the formal rules (statutes and regulations for internal elections) where the electoral process is decentralized and autonomous, influence exerted by the party center renders the result to be in line with the demands and expectations of the leader and the party leadership. This phenomenon of lack of interparty democracy where "power is centralized and powerful leaders rule in autocratic manner with little participation by members" is easily identifiable in the region. (Karasimeonov, 2005:6 cit. Daskalovski, 2012:39).

Low participation in the elections, namely increasingly high abstention of voters, clearly speaks for the distrust that citizens demonstrate towards political parties and their leaders. The fact that candidates, whether in local or national elections, are mainly loyal and favorites of the Presidents, as well as the fact that despite the election results, the President of the party or Presidents of other structures continue to exercise mandates without carrying political accountability in the form of resignation, testifies autocratic tendencies within the parties.

RECOMMENDATIONS FOR POLITICAL PARTIES

General recommendation:

- Political parties and civic initiatives should be democratized in order to meet the expectations of citizens. The distribution of interparty power among members and central branches of political parties and the distribution of power between the party central bodies themselves should be based on inclusiveness of members in decision-making and autonomy of their local community points, sub-branches, and branches..
- To meet these objectives, political parties and civic initiatives should change their founding regulations, including their statute and program. Tolerance for different opinion, respect for diversity of solutions offered by supporters, members and officials who have political party functions, strengthens intraparty democratic debate.

Specific recommendations:

- Ensure full financial transparency by publishing annual financial reports on their websites.
- Voting at all levels should be secret and based on free will.
- Suspend the status of party members who are under investigation for corruption, organized crime and other criminal offenses.
- Determine adequate mechanisms for resolving intraparty conflicts and issue specific acts through which the scope of these mechanisms is regulated.
- Election race should not serve for elimination or marginalization of groups and competing candidates after the election.
- The mandate, scope and principles upon which Interparty Disciplinary Committees operate, should be transparent, and decisions must not be arbitrary.
- Establish and strengthen mechanisms for the involvement of members in intraparty decision-making.

- Increase the decision-making autonomy of respective party units, respectively of local community points, sections, sub-branches, and branches.
- Provide information channels for membership and Kosovo's citizens for decisions taken within political parties.
- Decentralize compilation of electoral lists and refrain from interfering in the lists at the municipal level.

The views expressed in this paper are the personal views of the author and do not necessarily represent the views of the Konrad Adenauer Foundation.

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