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IFES MISSION STATEMENT

The purpose of IFES is to provide technical assistance in the promotion of democracy worldwide and to serve as a clearinghouse for information about democratic development and elections. IFES is dedicated to the success of democracy throughout the world, believing that it is the preferred form of government. At the same time, IFES firmly believes that each nation requesting assistance must take into consideration its unique social, cultural, and environmental influences. The Foundation recognizes that democracy is a dynamic process with no single blueprint. IFES is nonpartisan, multinational, and interdisciplinary in its approach.



MAKING DEMOCRACY WORK

**Albania
FINAL REPORT**

April 1998 – September 2000

**USAID COOPERATIVE AGREEMENT
No. EE-A-00-97-00034-00**

Submitted to the

**UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT**

by the

**INTERNATIONAL FOUNDATION
FOR ELECTION SYSTEMS**

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EXECUTIVE SUMMARY

IFES involvement in the Republic of Albania dates back to 1991, when technical assistance was provided in preparation for Albania's first post-Communist elections in 1992. Beginning with the 1997 social unrest following the collapse of an investment scheme, IFES has had an increasingly significant role in stabilizing and developing democratic institutions in Albania. During the summer of 1997, IFES dispatched a team of 13 specialists to Albania to serve as part of the OSCE's technical assistance effort to support the electoral process for the June/July parliamentary elections. That project focused on voter registration and verification; voter education and media relations; election official training; commodities procurement; regional election administration; OSCE election office administration; deployment and briefing of international observers; legal analysis, advice and drafting; and advice and assistance to the Central Election Commission (CEC). IFES was simultaneously contracted by the US Department of State to recruit and train 100 American election observers for the parliamentary elections.

With the start of this Cooperative Agreement in April 1998, IFES has had a full-time office in Albania. Since that time, IFES has been the primary election support organization from the international community for the Government of Albania and the Central Election Commission. IFES has been instrumental in:

- Ensuring that a provision for an independent CEC was included in the new national Constitution;
- Serving as the primary agent for drafting a new Electoral Code;
- The creation of a national, computerized list of voters;
- The development of five nation-wide civic education programs for voters;
- The development and delivery of training programs for local election officials;
- Providing advice to the CEC on implementation of the law and administration of the elections; and
- Developing commercial relations between the CEC and suppliers of election goods.

Achieving these projects has involved a number of specific activities, many of which are reported on in this document. Others are reported on in other reports pertaining to different funding mechanisms. The activities undertaken by IFES have been based on a close collaboration with the Central Election Commission. This collaboration covers a broad range of activities including advice to the CEC; management of the Voter Registration Project; civic education and training; and the publication of election results. In addition, there has been a close collaboration between IFES and the international community especially with the OSCE, US Embassy and the Friends of Albania. The strong relationship between IFES and all of these organizations has been instrumental in the achievement of IFES work programs.

An important part of IFES Albania's activity has been the provision of advice to the CEC (corporately and individually to members and staff). It is difficult to measure the importance of this activity; however, it is also clear that this has been an important and

useful element of the project. Not only has the CEC sought to expand its relationship with IFES but individual members of the Commission also frequently seek out IFES staff for assistance.

IFES has had a direct and strong impact on the development of a democratic election process. Through assistance from IFES:

- A national computerized voter list has been created for the first time;
- First ever training of local officials has taken place and the CEC is moving to establish its own capabilities in this field;
- Successful civic education campaigns have prompted the CEC to establish its own expertise in this area;
- Modern election supplies have been purchased;
- Courts are more actively involved in settling election disputes;
- A move is underway to establish an Association of Election Officials in an effort to develop a spirit of impartiality at the local level and create a sense of professionalism;
- A national survey of election officials has been completed;
- There has been a heightened level of trust by the political parties in the ability of the CEC to undertake its responsibilities in an impartial manner;
- A comprehensive report on the local government elections was published; and
- Electoral zone boundary maps were published for the first time.

Much of these activities reflect a first step towards best practices in the field of election administration. However, collectively they have also contributed to the increased transparency of the election process in Albania and thus contributed to the fact that the last two elections (October 2000 and June 2001) were, for the first time since 1991, free of violence.

There is much more to do. Changes need to be made to the electoral code; the voter list continues to have a number of errors; local mapping is required; and more extensive training of local election officials is a continuing challenge, as is the development of greater professionalism and institutional strengthening with all parts of the CEC. These issues represent the challenges for the future and constitute the major core of current IFES activities in Albania since February 2002.

I. INTRODUCTION

This report summarizes IFES Albania program activities under USAID Cooperative Agreement EE-A-00-97-00034-00 from April 1998 through September 2000. Specific program activities referred to in this report include:

- Advice to the CEC for the special local government elections in June 1998;
- Participation in the deliberations for a new constitution;
- Civic education programming during the national referendum on the constitution in November 1998;

- Drafting of the a new Electoral Code;
- Advice and assistance to members of the constitutionally mandated CEC to become fully functional and operative in the context of the new electoral code before the 2000 local government elections;
- Electoral Assistance Project;
- 2000 Local Government Elections

II. PROJECT BACKGROUND

A. Establishment of IFES Albania: April 1998

In late 1997, IFES submitted a proposal to USAID for on-site technical assistance to follow up on the reforms begun after the June/July elections. The proposal noted that there was a window of opportunity to make significant electoral progress in Albania in the wake of the recent parliamentary elections. USAID in both Albania and Washington viewed the proposal favorably, although the project was not finally approved for several months. IFES nonetheless opened an office in Tirana, obtaining short-term funding from the OSCE. The CEC was anxious for IFES to establish a presence in Albania, and IFES deemed it important to begin work while circumstances were still favorable. Much time had already passed, and IFES feared that the window of opportunity was in danger of closing. With its funding beyond several weeks uncertain, IFES opened an office in Tirana in April 1998, hopeful that USAID would ultimately approve the project proposed.

By the time IFES arrived in Albania, much of the momentum for a unified approach to reform had been lost. The political opposition was boycotting the Peoples' Assembly, demonstrating that the elections of 1997 had not ended the deep polarization in the country. Moreover, the permanent CEC, established in May 1997, had been ignored by Albanian officials since its work on the 1997 elections had come to an end. Nonetheless, there was work to do. Internationally supported efforts at constitutional reform were ongoing, and the country was on the threshold of holding partial local elections to restore local governments that had been dissolved during the crisis of 1997.

B. The IFES Proposal for Technical Assistance to Albania

The IFES proposal to USAID addressed systemic problems in the Albanian electoral process. While it was conceived as a three-phase process, it was intentionally flexible to allow for both overlap among the phases and to permit responses to changing needs and circumstances. Phase One focused on building the institution of the new Central Election Commission; providing assistance in the drafting and development of a new Constitution and the development and implementation of a civic and voter registry. Phase Two focused on ballot and procedural reform, the training of Albanian election officials and civic education and outreach. Phase Three focused on candidate information and support services, voter education and outreach and pre-election technical support to the OSCE Presence.

III. PHASE ONE

A. Major Objectives

It should be noted that the IFES proposal to USAID proceeded on the premise that Phase One would begin in early 1998. As noted above, IFES opened its office under funding from OSCE in April of 1998. Although the proposal hadn't yet been approved by USAID, the objectives set forth in the proposal formed the basis of the IFES Albania Project in April. USAID did not officially approve the project until September 30, 1998. Unfortunately, the approval came after the severe disruptions to USAID programs occasioned by the closing of the US Embassy and the departure of Americans from Albania in August.

Keeping in mind these caveats and qualifications, employing the objectives set forth in the IFES proposal to USAID is a useful way to evaluate the activity of IFES in Albania in 1998 and to get realistic sense of likely subsequent activities. The principal focus of Phase One activities was the Central Election Commission. IFES believed that the good will it had built up on the CEC in 1997 would put it in a unique position to provide much needed assistance to this newly created body. The objective was to build the institution from the ground up - to make it more professional and less political. IFES was prepared to work with the CEC in developing proposed legislation dealing with the Commission and the independence of its members, assisting in the writing of regulations, providing for internal procedures, helping create a workable organizational structure and assessing material needs.

In addition to the work with the CEC, IFES was ready to involve itself in the process leading to a new Constitution for Albania. In this effort, IFES was prepared to work closely with the umbrella organization established by the OSCE to coordinate the efforts of international donors in assisting constitutional reform. The organization, called the Associative Center for the Coordination of Assistance and Public Participation (ACCAPP), was created to "work with Albanians and the international community to facilitate technical assistance, collect and distribute information, provide training, and organize polls and civic education initiatives." In essence, ACCAPP was to drive the process and IFES was to help in any way it could. Specifically, IFES was prepared to provide advice and assistance in the areas of legal analysis, referendum legislation, coordination with the CEC, and constitutional drafting.

Finally, Phase One included possible assistance in the development and implementation of a Civil Voter Registry. IFES did become engaged in a civic registry pilot project under separate funding from the OSCE. This work began before the opening of the IFES Albania office, and is independent of it. As it is beyond the scope of this report, it is not mentioned further.

B. Project Implementation

1. Introduction

From April through mid August of 1998, IFES worked on establishing its presence in Albania with both international and local actors; devoted considerable energies to clarifying the status of the CEC that electoral law amendments had hopelessly confused; assisted the CEC with respect to the partial local elections held on June 21 and 29; joined with the OSCE in mediating intensely partisan disputes in the CEC that threatened to derail the elections, and worked with ACCAPP and the Parliamentary Constitutional Drafting Commission in promoting the inclusion of a provision in the Constitution that would establish a single and independent CEC for all referenda and elections in Albania.

After the closing of the US Embassy and forced departure of Americans from Tirana in August 1998, IFES was forced modify its plans. For weeks, there was a significant question as to how USAID and its projects would be able to function in Albania. Only local IFES staff were in the office until the latter part of October. Ultimately, after USAID approval, the IFES Project Manager relocated to Skopje, Macedonia to run the program from there, and a third country national was retained by IFES to work with the CEC and ACCAPP on a public awareness campaign in connection with the referendum on the Constitution scheduled for November 1998.

2. The Partial Local Elections and the Two CECs

As a consequence of the civil unrest in early 1997, vacancies were created in the offices of Mayor and Heads of Commune positions in seven municipalities and nine communes throughout Albania. After much delay, on April 22, 1998 President Meidani called for by-elections to be held on June 21.

After IFES opened its office in early April, its first order of business was to establish the parameters of its technical assistance to the CEC that had been created as a permanent body by amendments to Albania's electoral laws in advance of the extraordinary parliamentary elections in June of 1997. It was this body that had requested the assistance of IFES. In the early days of the newly elected Parliament and government, the CEC tried to put the status of the CEC on the agenda. Its efforts failed. Once its work was concluded on the 1997 elections, the CEC was ignored and its modest proposals for reform languished.

Kristaq Kume, the CEC Chairman, was anxious to get started, but also wanted assurance that the CEC would indeed be the permanent body established in the 1997 legislation. There were rumors circulating in April and May that the current CEC would be replaced, and the Chairman was reluctant to call a formal meeting of the CEC until its status was confirmed. Anxious to avoid further delay, the IFES Project Manager brought the members of the CEC together for an informal meeting on May 9. It was at this meeting that the members learned of a draft proposal for amendments to the election laws that would create a new CEC to supervise the partial local elections called for by Albania's

president.

The draft became public the following week. Chairman Kume requested IFES to review the draft law and to offer its comments. This was a matter of great concern to IFES. Its principal role in Albania during Phase One of its Project was to work with the CEC and to build it as an institution. If there was to be no permanent institution to assist, IFES would have to reevaluate its program in Albania. On May 13, IFES presented its formal comments on the law, and made the following conclusions:

1. A permanent Central Electoral Commission is an important element in developing the democratic institutions of the Republic of Albania.
2. Despite the creation of a purportedly permanent CEC under 1997 legislation, there was still no effectively functioning permanent electoral commission.
3. The proposed legislation which would create a second CEC, if enacted, would cast doubt on the Republic of Albania's commitment to the concept of a permanent CEC.

The OSCE agreed with IFES' position on this issue. The amendments passed, however a good deal of controversy followed. Some supporters of the legislation took the position that the old CEC had not been replaced, and that there were now two permanent CECs, each with a different jurisdiction. At one point, the IFES Project Manager went to CEC Headquarters to meet with the Chairman of the newly established CEC in his office. After the new Chairman left for another appointment, the IFES Project Manager remained in the same office to meet with the Chairman of the previously established Commission. Both Chairmen sat at the same desk. This time-sharing arrangement continued for a while but soon gave way to the reality that the newly established commission had indeed replaced the previous one.

During this period, IFES began preliminary work on the inclusion of a provision in the Constitution that would create a single body to supervise all elections and referenda in Albania. IFES coordinated this effort with both local and international actors, including Ambassador Everts of the OSCE Presence in Albania and Scott Carlson, Project Manager of ACCAPP. The Chairmen of both CECs supported this goal, and promised to present it to their respective memberships. This effort stalled, however, as the date for partial local elections drew nearer.

3. IFES as Mediator

After the new CEC was established through amendments to the electoral laws, the opposition DP (DP) and its allies threatened to boycott the Commission. Numerous meetings were held between key Albanian players and the OSCE's Daan Everts. Ultimately a compromise was forged that would permit the local elections to go forward as scheduled.

First, the DP sought the intercession of Ambassador Everts regarding the CEC crisis relating to voting procedures on the Commission. This led to the decree signed by the Deputy Prime Minister and Minister of Local Government Fino and President Meidani calling for super-majority voting, as well as a cooling-off period and consultation with "experts and organizations engaged in the electoral process" in the event that the initial vote failed. Ultimately, a simple majority vote would suffice once consultations and cooling-off periods had taken place. The decree proved politically insufficient, whereupon the issue was taken to the People's Assembly. On May 27, the Parliament approved the compromise voting procedure for the CEC.

The CEC subsequently requested that both IFES and the OSCE make themselves available to consult under the procedures outlined above. IFES took the lead on this, and helped resolve a number of deadlocks between the Socialist Party (SP) and DP factions of the CEC. The most significant case involved the airing of a purported news program on State TV celebrating the seventh anniversary of the SP. In essence, the DP called the broadcast an illegal campaign commercial. Ambassador Everts and the IFES Project Manager attended the CEC meeting on the evening of June 15 to help mediate the dispute. At the request of the CEC, they reviewed a video tape of the broadcast and concluded, in a joint IFES-OSCE letter to the CEC, that the program had an election-influencing effect and recommended that the opposition be compensated by having time set aside on State TV to air a program on the history of the DP.

The issue was not finally resolved until after 9:45 PM two days before the elections, when the DP spot was finally aired after numerous attempts at breaking the impasse. Ultimately, the main crisis was averted when OSCE and IFES agreed to review the proposed spot to make certain that it contained no inflammatory material. IFES and OSCE insisted, for instance, that footage of political violence be removed from the finished product so as not to contribute to any election-day incidents in the still volatile atmosphere of post-1997 Albania.

Although the complaints of the DP never ceased and there were several work stoppages by DP representatives on the CEC, the elections were generally considered to have been successful. In the Joint Statement issued by the OSCE and the Council of Europe, the elections were called a "solid step forward in the consolidation of democracy in Albania."

4. The Constitutional Provision for a Permanent Electoral Commission

IFES' role in the promotion of a single provision in the new Constitution may prove to be its most lasting accomplishment of 1998. As noted above, the permanent Central Election Commission of 1997 was permanent in name only, largely ignored following the completion of the election period. Before new elections were held, a new commission was created.

Existing laws can be amended to suit whatever party is in power. Existing commissions can be ignored and new ones created by whoever is in power at a given time. In such an environment, party representatives on an electoral commission often come to see their

primary obligation as advancing the interests of their party. To build the CEC as a positive democratic institution, there must be a permanent body whose members know that their responsibility is to the law and to the people of Albania.

The existence of two CECs in Albania in the summer of 1998 provided an opportunity to create a real permanent body that could be a building block for electoral reform and integrity. The vehicle would be the constitutional drafting process. In July, IFES made a presentation to the 1998 CEC to urge the Constitutional Drafting Commission (CDC) to include a provision in the Constitution creating a permanent and independent Central Election Commission. All members of the CEC acknowledged excessive partisanship on the commission and the need for a single and permanent entity to supervise elections and referenda in Albania. The CEC voted unanimously to send a letter to this effect to the CDC. The letter concluded as follows:

We are aware your work is nearing conclusion, but we implore you to include this very important provision in the draft.

Nine members of this commission have previously served on earlier CECs. Based on this experience we strongly believe that a Constitutional provision is the only way to guarantee a single CEC's permanence and independence.

The response of the CDC staff to this letter was cool, since they did not view the issue as significant. In addition to CDC staff, IFES had discussions with ACCAPP, the OSCE, former President Berisha, President Meidani and others promoting the idea. A working group was established to submit specific language for a provision to the CDC. The group, intentionally kept small, consisted of the IFES Project Manager, Chairman Kristaq Kume of the 1997 CEC, and Chairman Daver Cano of the 1998 CEC. Mr. Kume had been appointed to his CEC as a representative of the DP, while Mr. Cano was appointed as a representative of the SP. Despite the political gulf separating their two parties, and the boycott of the CDC's work by the DP, the two Chairmen closely collaborated on a proposal that IFES formally submitted to the CDC on July 24, 1998 (See Appendix I).

On the following day, the IFES Project Manager met with Sabri Godo, the CDC's Co-Chairman to discuss the draft, and received his enthusiastic support. On July 29, the CEC chairmen and the IFES Project Manager presented their joint proposal before a formal meeting of the Constitutional Commission. Discussion was both spirited and substantive. Mr. Kume was particularly effective in stating the rationale for the proposal. Despite being a member of the DP, Mr. Kume was treated with the greatest respect and deference from this parliamentary body whose work was being boycotted by the DP. After much discussion and questioning, the Constitutional Commission agreed to include a chapter on the Central Election Commission in the draft constitution.

The IFES/CEC proposal provided for a nine-member Commission that drew upon the model of the Constitutional Council established by the French Constitution of 1958. Both European and non-European constitutions and election laws were reviewed in arriving at the proposal but the role played by the two CEC chairmen in the process

ensured that the draft reflected the Albanian reality from the perspective of people who experienced that reality. Both IFES and the CEC believed it was important to establish a single CEC to provide for continuity and stability in the supervision of elections and referenda in Albania. One of the proposal's principal objectives was to reduce the unhealthy influence of political parties on the CEC's work.

In 1997 and 1998, the partisanship on the 17-member commissions was so intense that they were severely hampered in performing even routine tasks. Under applicable law, 16 of the 17 members were proposed by political parties and coalitions. Nominally non-partisan, the 17th member represented the government. The IFES-CEC proposal called for a commission of nine voting members none of whom would represent political parties: three to be appointed by the Peoples' Assembly; three by the Constitutional Court; and three by the President of the Republic from nominations submitted by non-partisan non-governmental organizations. Political parties would have the right to propose non-voting members to the CEC in order to retain a voice. Without a vote, however, they would not be able to impede the CEC's work.

Although the CEC Chapter in the draft Constitution did not include the full draft language submitted by IFES-CEC, it retained several of its key provisions. Specifically, it provided for a permanent Commission of seven members with seven-year terms: three to be appointed by the High Council of Justice (a new and pluralistic body created by the new Constitution); two by the Assembly; and two by the President of the Republic. Consistent with the IFES-CEC proposal, representatives of political parties may have non-voting seats on the CEC.

The Constitution, including the CEC chapter, was approved by the referendum held on November 22, 1998.

5. Departure of Americans from Albania: The Macedonia Strategy

Shortly after the U.S. Embassy bombings in Africa, the US Embassy in Tirana severely reduced its presence and American personnel were ordered out of Albania. Shortly thereafter, a number of officials of the former government were arrested for alleged crimes during the unrest of 1997 in an operation that many believed to be a politically motivated witch hunt. In September, the murder of a well-known figure of the DP spurred a new round of violence and unrest that temporarily derailed the progress made on the new constitution and made this effort infinitely more complicated. Angry crowds marched on government buildings in Tirana during the days following the murder, firing weapons in the air and hurling stones at police to protest the assassination. Supporters of the DP stormed and set fire to the Prime Minister's office and, for a few hours, took control of the television building. On September 14, special police forces were able to regain control of the parliament building, which housed the offices of Prime Minister Fatos Nano and state radio and television, and reestablished control over Tirana. The government declared this uprising a coup d'etat, and Sali Berisha was reprimanded by international leaders for his attempt to worsen the already fragile political situation in Albania.

Despite these and other setbacks, the Constitutional Drafting Commission recommitted itself to plans for the nation-wide referendum on November 22. The OSCE and other international actors never wavered in their support for the referendum. What IFES' role would be, however, was fraught with uncertainty as USAID and its programs struggled to continue in the face of the continuing travel ban on American citizens working for USAID contractors. Likewise, the stability of the country remained tenuous.

Throughout the difficult days following the evacuation of Americans from Albania, IFES maintained contact with the Chairmen of the two CECs, ACCAPP, OSCE, and the Constitutional Drafting Commission through its local staff in Tirana. Local staff, in turn, was in daily contact with the Project Manager in Washington. IFES/Washington and USAID stayed in close contact to monitor developments and to find creative solutions which would allow IFES to continue its work at this critical time. In September 1998, IFES welcomed Mr. Daver Cano, Chairman of the Central Election Commission, to Washington, where he met with IFES Vice President Jeff Fischer and with IFES Project Manager for Albania Dan Blessington to discuss the important role of IFES in Albania. On September 2, IFES hosted a status report briefing, to allow Mr. Cano to share his thoughts on the drafting of the Constitution, the upcoming referendum, and the role of international organizations in the process. Among those who attended this meeting were representatives from USAID, IRI, NDI, NED, and ABA/CEELI.

In September and October, IFES hosted two meetings on the status of Albania and the implications for USAID-funded organizations operating there. Representatives of USAID led both discussions, informing the overflow crowds of developments in Albania and the status of the continuing security problems. At the second meeting, USAID presented potential strategies for continuing programs including the use of third country nationals and the establishment of temporary offices in neighboring countries.

On a separate track, IFES and USAID negotiated the entire IFES Project in Albania, which had operated since 6 August through a pre-award letter. Ultimately, USAID approved both the overall project and a short-term plan that addressed the unusual circumstances occasioned by the departure of official Americans from Albania. The so-called Macedonia Strategy was a short-term plan that placed the IFES Project Manager in neighboring Macedonia temporarily to run the program from there. In addition, IFES retained the services of a French national to run a public awareness campaign on the referendum in behalf of the Central Voting Commission (CVC), the re-named CEC created in the summer of 1998 to administer the by-elections (see Appendix I).

By the time IFES received both approvals, however, there was very little time left before the referendum, necessitating a reduction in the scope of IFES efforts. The IFES voter education specialist arrived in Tirana at the end of October, while the Project Manager arrived in Skopje a few days later. They were in daily contact with one another, and met on two occasions in Macedonia, near the Albanian border. By mid-December, both had left their respective posts, once again leaving the day to day management of the IFES office to local staff.

6. Public Awareness Campaign

a. Background

The late arrival of the IFES consultant to Tirana allowed very little time in which to conduct a public awareness campaign prior to the constitutional referendum scheduled for November 22. Moreover, the political environment had badly deteriorated. The unrest and violence of September had left Albanians and the international community edgy, and the political polarization was at its worse point since the intervention of the international community in 1997 after the collapse of the pyramid schemes. The Union for Democracy, headed by the DP and its leader, former President Sali Berisha, was calling for a boycott of the referendum. Union for Democracy members on the CVC were disrupting its work, and threatening to walk out entirely. The international community, led by the OSCE Presence, strongly supported the referendum process, and found itself unable to reach an accommodation with the referendum's opponents.

The situation was so fraught with danger that IFES seriously considered disengaging from the process. Given the importance of the referendum and the unity among international actors, however, IFES ultimately stayed the course, but it did so at a cost. Until the public awareness campaign, IFES had, like the OSCE, been able to bring factions together through mediation. In this new environment, however, the OSCE became the subject of vitriolic attacks by the opponents of the referendum process. As November 22 drew nearer, the attacks intensified. Ambassador Everts, head of the OSCE Presence, received death threats. In this poisonous atmosphere, IFES itself could not escape attacks for its role in the public awareness campaign which sought to educate the electorate on voting procedures. Union for Democracy spokesmen, even those on the CVC, made unfounded charges that IFES was violating the law by producing television spots that were designed to educate the public. Security measures were taken to protect IFES staff from potential violence. In essence, any effort that could be construed as supporting participation in the referendum was unacceptable to those advocating a boycott. The opponents challenged the legitimacy of voting, regardless of whether or not the vote was in support of the constitution. To accept the legitimacy of the referendum process, and to assist in the transparency of the process, was to be a target of the Union for Democracy.

b. IFES Activities

IFES, in coordination with all the members of the CVC's Sub-Commission for the Media (including a representative of the DP), proposed a strategy and specific content for an audio-visual campaign designed to educate the public on the referendum on the Constitution (see Appendix II). In doing so, it had to carefully approach the issue of how to consider the boycott option in the referendum. Early in this process, IFES encountered obstruction by the Union for Democracy representatives who claimed that all media efforts in connection with the Referendum process were to be considered as campaigning for a "Yes" vote.

Due to organized DP delays, the CVC voted on a platform for the radio/television coverage of the constitutional referendum campaign only on November 4. On November 14, and after close cooperation with the members of the Sub-Commission for the Media, IFES proposed to the CVC plenary session written scripts for five spots, ready to air, in order to meet a very tight deadline. The spots addressed out of country voters, first-time voters, and general information regarding the referendum. Although the scripts had been extensively edited to address the concerns of the Union for Democracy, and had been screened three times by the Sub-Commission for the Media, the CVC's DP Vice-Chairman insisted on including the boycott option in all scripts. IFES assessed that the spots were only informative, and declined to make significant concessions to the boycott option. After numerous meetings with the Sub-Commission, and with the Vice-Chairman, the CVC in plenary session approved the spots on November 17.

IFES produced five voter awareness spots for the CVC, which were broadcast on State Television. The spots were designed to reach out to various target groups by conveying traditional messages in a dynamic and creative manner. Well-known Albanian actors appeared in spots that were directed by an award-winning Albanian filmmaker.

Following the vote, the Vice-Chairman appealed to the OSCE and the American Embassy in Tirana to mediate the following alleged claim: that IFES had violated article 46 of the Law on Referendum, which prohibits foreign bodies from engaging in electoral propaganda in the territory of Albania. This claim was part of a long list of complaints by the Chairman of the CVC, which also included the following charges: the local government took over the responsibilities of the voting commissions regarding the out of country voters; the voters lists did not encompass the whole territory of Albania; the existence of double voters lists; the existence of thousands of unregistered citizens; the illegal approval of CVC decisions by the CVC Chairman and Secretary; the production of ballots prior to the announcement of voters lists; the decisions of the CVC not being followed by the State-owned TV; the approval by the CVC of IFES spots; the misuse of the CVC seal by the Chairman; and the absence of written minutes of the plenary sessions. The charge against IFES was particularly unfounded, as IFES' public awareness campaign was done at the request of the CVC and with its approval.

Again, the Union for Democracy threatened to leave the CVC if their demands were not met. With the help of the US Embassy, as well as the skillful mediation of Ambassador Everts, the IFES spots were broadcast on November 19. Despite its threats, the DP and its allies remained in the CVC until the end of the process. It did not, however, officially acknowledge the results. According to the CVC, over 50% of the electorate participated in the vote with 93.5% voting to approve the Constitution.

Despite the fact that IFES was one of the targets of the Union for Democracy in its boycott campaign, it was able to maintain a relatively cordial relationship with Union for Democracy members on the Commission. No threats were directed towards IFES or its staff, and the charges leveled against IFES paled in comparison to the attacks against other international actors. Political forces in Albania tend to pull out all the stops when

an important issue is on the line. Once the referendum passed and tensions reduced, it was possible to work with one another again. IFES still commands the respect of the various political forces in Albania because of the good relationships and reputation established since arriving in April 1998, but for the first time, it had regrettably found itself on one side in a partisan battle.

In January 1999, IFES developed its workplan for the coming year which focused on providing assistance on the implementation of two principal areas according to the Constitution: the development of a new electoral code and the creation of a new, single permanent electoral commission (see Appendix III). Both areas were central to the original IFES proposal submitted to USAID in February 1998 and are now possible in the post-referendum era because they are mandated in the new Constitution.

IFES activities in Albania were slowed from January-May 1999 for several reasons. The prohibition on American staff in Albania caused particular hardship on the programmatic strategy. While local staff maintained the day-to-day administration of the project as well as kept in close contact with Albanian government officials and other international actors in Tirana, the technical assistance that they could provide was limited by the lack of an international presence. The crisis in Kosovo, which steadily escalated throughout early 1999, also caused delays in programming activities in that government attention has become focused on that issue. As nearly 100,000 Kosovar Albanian refugees arrived in the country toward the end of the first quarter of 1999, attention turned away from democratic reform initiatives in favor of other more immediate issues.

Despite the inability of Americans to obtain clearance for travel to Albania, IFES maintained a presence in Albania through its local staff. They were in frequent contact with the Albanian government and several organizations active in Tirana. Contact remained particularly open with the OSCE as well as the Deputy Minister for Local Government, the Ministry for Legislative Reform (the ministry in charge of election legislation reform), the Council of Europe, the office of the President, former CEC Chair was mainly to receive information on developments relating to electoral reform as well as to coordinate mutual activities.

During this period, it was determined that:

1. The pace of electoral reform was very slow, although impetuses existed to continue in this direction.
2. The Ministry for Legislative Reform, headed by Minister Arben Imami, was dealing with the compilation of the new legislation required by the new constitution. This was a change from the Ministry of Local Government which was previously charged with this task.
3. Imami's ministry had begun asking for suggestions from international actors on new legislation as an initial step in the amending it.

4. The working group previously considered by the Ministry of Local Government to work on election legislation had been dropped.

In response to these developments, IFES made initial contacts with the Ministry for Legislative Reform offering support in the drafting of new legislation upon the imminent arrival of an international election expert. In addition to direct technical support to the Albanian government, another achievement was the creation of a resource center intended for public use and housing comparative materials on elections, governance, rule of law, and civil society. During this period, local staff collected numerous materials for use in the resource center.

During this time, IFES/Washington focused on the search for a new third country national to serve as project manager to oversee the next stage of IFES' program in Albania, focusing on technical and legal assistance in support of the development of a single and permanent CEC and new election legislation.

In April 1999, the Ministry of Local Government announced a large-scale reform focusing on the development of the electoral code to include federal and local election laws on elections and the creation of the new and permanent CEC. IFES Election Assessment Advisor Charlotte Souibes traveled to Tirana to assess the progress of electoral reforms since the November 1998 referendum on the Constitution and manage the transition to incoming Project Manager Dickson Bailey. She held numerous meetings with key officials involved in the election process in order to develop a comprehensive plan for IFES assistance activities.

Throughout June, the Kosovar refugee crisis peaked with approximately 800,000 to 1 million refugees having left Kosovo. The majority of these refugees went to Albania - a heavy burden for the struggling country. With the cessation of bombing, the occupation of Kosovo by NATO troops, and the commencement of the unorganized return of refugees to Kosovo, the Albanian government took an active role in Kosovar affairs by recognizing the provisional government of KLA representative Thaci.

Project Manager Dickson Bailey arrived in Tirana in May. In June, Bailey continued IFES assistance in the drafting of a new electoral code and the formation of a new CEC. Election Assessment Advisor Charlotte Souibes departed Tirana after a week of orientation for Bailey. IFES Albania staff met with Albania's President Rexhap Mejdani, the ministers of Legislative Reform and Relations with Parliament and Local Government, the Speaker of the People's Assembly, and former Chairpersons of electoral commissions in Albania. Briefings were also conducted with officials of numerous international bodies including Ambassador Daan Everts of the OSCE, Ambassador Rayhan Arkant of the Council of Europe, and the USAID Mission in Tirana.

IFES/Albania staff finalized a preliminary agreement with the Minister of Legislative Reform and Relations with Parliament, providing for the creation of an "Election Code Working Group to assist department officials in the drafting of a new election code.

The continued boycott of the DP from Parliament made it difficult to ensure that reform

initiatives solicited the productive input of others beyond governing parties. One example of this was that the boycott delayed the appointment of members of the new CEC as two members were to be appointed by Parliament (practically one representing the governing party and one the opposition). Lack of DP support for the process prevented qualified candidates from accepting appointment to the CEC fearing a difficult battle within the party.

Despite the many impediments inherent with programming in Albania under such circumstances, IFES Albania was able to help focus attention on the election code and gather momentum for the drafting process. IFES continued to meet with relevant actors, provide recommendations as to how to proceed with drafting, gather comparative resources, and begin drafting a law which could be used as the basis for discussion and comparison by the Election Code Working Group.

IV. PHASE TWO

A. Drafting the Albanian Electoral Code

From June 1999 to May 2000 the drafting of a new Electoral Code for Albania represented the most important achievement of the IFES office and staff in Albania.

1. IFES Working Group

In June 1999, preliminary work to draft a new electoral code began with regular meetings between the IFES Project Manager, Dickson Bailey, and officials of the Government of Albania. The primary contact with the government was Valentina Zace, a lawyer from the Ministry of Legislative Reform and assigned to this task by the Minister, Arben Imami. Following the signing of the Letter of Agreement between the Minister of Legislative Reform and IFES in August 1999, work on a new code began in earnest with the formalization of a working group composed of Valentina Zace (Co-Chair), Daver Cano and Kristaq Kume (both former Chairs of the Central Election Commission of Albania), Esther Dhamo (Ministry of Local Government), Vjollca Meca (a member of the new Central Election Commission) and Dickson Bailey (IFES). Under the Co-Chair of Mr. Bailey and Ms Zace (later Mr. Ylli Menjani) the Working Group met weekly and often twice a week from late August through early November 1999. During this period the group reviewed a partial draft of a new code and considered a number of issues including:

- absentee voting procedures;
- voting by the military;
- composition and powers of a central election commission and local level election commissions;
- registration of voters;
- the process of redrawing national electoral zone boundaries (the new Constitution required a reduction of electoral zones from 115 to 100);
- permanent voter lists;

- recounting of ballots; and,
- penalty provisions for violation of the election law.

In the course of the deliberations IFES provided members of the Working Group with translations of several documents from the ACE project along with relevant legislation and guidelines used in other countries with an emphasis on central and western Europe. In addition, the IFES Project Manager provided draft articles for the new code to facilitate the development of a new law. The objective of the Working Group was to submit a draft Electoral Code to the Minister of Legislative Reform for review and consultation. The goal was to forward a draft code to the Council of Ministers prior to the end of the 1999 calendar year. This schedule was designed to allow for parliamentary debate and approval in January 2000, well before the local government elections required by October 2000. The Working Group anticipated formal consultation meetings with civil society and political parties prior to any finalization of the draft code and transmittal to the Council of Ministers.

In mid September 1999, the pace of the Working Group slowed considerably due to the work load of Co-Chair, Valentina Zace, and political developments within the governing coalition. The later issue resulted in the appointment of a new Prime Minister, the amalgamation of the Ministry of Legislative Reform into the office of the new Deputy Prime Minister, and the assignment of Ylli Menjani of the Judicial Branch of the Office of the Deputy Prime Minister to replace Ms Zace. The assignment of Mr. Menjani to work on the drafting of a new Electoral Code on a full-time basis was a significant development resulting in an acceleration of the drafting process.

2. Consultation with the CEC and Civil Society

During summer and early fall of 1999 Dickson Bailey, IFES Project Manager, met regularly with members of the newly appointed CEC to inform them of progress and provide them with drafts of the working group's deliberations for comment. During this time the CEC was the only outside body consulted on a regular basis. However, two meetings between Valentina Zace and Dickson Bailey with a group of lawyers from different ministries of the Government of Albania were held in late September and early October to review initial drafts of the code.

During the month of November 1999, the Working Group completed its task by providing a first draft of a new code to officials of the office of the Deputy Prime Minister. These officials decided to distribute the draft to members of the government and civil society for comment and a consultation meeting. The meeting was held on December 13, 1999 and attended by officials of the office of the Deputy Prime Minister, IFES, UNDP, ABA CEELI, Society for a Democratic Culture, the Helsinki Committee and the Albanian Human Rights Committee. Comments received at the meeting were positive; however, there were a number of reservations expressed about the composition (method of appointments) of the Central Election Commission. In addition, there was considerable comment regarding voter registration and absentee voting procedures.

3. The CEC Law

At the time the draft Electoral Code was being finalized in November 1999, the Council of Ministers decided to proceed with a separate law to formalize the creation of a Central Election Commission so that body could begin work. To do this, the Council of Ministers lifted some articles from the section of the draft code dealing with the Central Election Commission and submitted them to the National Assembly as a draft law in December 1999. The proposed law omitted reference to the powers and responsibilities of the new institution and dealt solely with legalizing the method of commission appointments. This action on the part of the government caused considerable political controversy in the Assembly and was opposed by the international community. As a consequence, in mid December 1999, work stopped on the new Electoral Code until this issue was resolved. In late January 2000 the government withdrew the draft law on the CEC and agreed that the issue would be dealt with in a comprehensive Electoral Code subject to all party consultation and consensus prior to debate in the National Assembly.

4. Completing a Draft Electoral Code

From October to December 1999, IFES continued to build on a strong, collaborative working relationship with OSCE. OSCE has a political mandate to ensure free and fair elections in Albania and IFES was able to provide the OSCE with technical expertise. However, the IFES contribution went beyond the provision of technical assistance. Frequently IFES provided advice and information to the OSCE on how to proceed to deal with some of the most contentious political issues pertaining to membership of the CEC and many of the provisions in the draft Electoral Code. During this time the development of the new code also became more and more interrelated with the development of the Election Assistance Project (Chapter Four) and because of IFES' central role in the development of the code and the Election Assistance Project (described in detail in Section V of this report) and IFES' working relationship with the new CEC, IFES took on an increasingly important and pivotal role technically and politically.

On January 11, 2000 OSCE Ambassador Geert Heinrich Ahrens, sponsored a roundtable of political parties to secure their support for the proposed Election Assistance Project. In addition, there was an attempt to ensure that controversy around the new CEC and draft Electoral Code would not become grounds for political parties failing to support the creation of a new, computerized national list of voters. At the January meeting the Minister of Local Government committed the government to consultations with all parties on the work of the EAP and secondly, the creation of an all-party committee to review a draft Electoral Code prior to its submission to the National Assembly.

In anticipation of the creation of an all-party committee to review the draft law, IFES and OSCE came together to meet with officials from the Government of Albania to refine and finalize the current draft to produce a document that would serve as the basis for all party discussions. During the month of February, Dickson Bailey of IFES, Ylli Menjani of the Government of Albania, Darien Pavli and Kathleen Imholz of OSCE and Krenar Lolojca, a private lawyer in Tirana, met three to four times a week for three weeks to carry out a

clause-by-clause review of the existing draft. The revised draft was completed on February 22, and submitted to the IFES Working Group for their comment. On receipt of their comments the Working Group was formally disbanded. While the February draft-altered further by the Council of Ministers- was a substantial improvement over the December 1999, draft it still lacked necessary detail regarding the mechanics of the election process.

5. Political Party Consultation

During the month of February it became increasingly clear that the political climate surrounding the formation of the Central Election Commission and other issues would make it impossible for the government to call and chair an all party committee to review the draft Electoral Code. Partly at the urging of IFES and partly in response to the political debate around the proposed CEC law, Ambassador Limprecht of the United States along with the Ambassadors of the European Union and Council of Europe joined with Ambassador Ahrens of the OSCE to propose the establishment of an all- party international committee, chaired by Ambassador Ahrens to finalize a draft code for presentation to the Council of Ministers. At the instigation of Ambassador Ahrens, a meeting with the political parties and members of the international community was held on February 21, 2000. At that time the political parties agreed to participate in an all-party committee. It was also agreed that the all-party committee would meet daily to review the draft Electoral Code and by consensus arrive at a final draft acceptable to all. It was further agreed that the draft Electoral Code would be distributed to all parties by March 2 by the Council of Ministers and meetings would begin on March 8, 2000.

During this period, IFES and other members of the international community (notably Ambassadors Ahrens and Limprecht) repeatedly stressed to senior officials of the Government of Albania the need to reach an all-party consensus on a new electoral code and to proceed with its adoption quickly. In addition, the international community strongly advised the government not to proceed with early local government elections and to begin to take serious measures to address opposition concerns regarding the membership of the new Central Election Commission. This later issue was recognized by all as the major obstacle to be overcome before agreement on a new electoral code could be realized. From a political perspective, addressing the CEC issue meant encouraging the government to alter some of the CEC appointments so membership would be more acceptable to the opposition parties.

In preparation for the all-party committee meetings, the IFES Project Manager prepared a number of briefing notes regarding sections of the draft law to explain their purpose, shortcomings, alternatives and expanded wording of draft articles. These briefing notes were prepared for the OSCE and other international representatives to the all-party committee talks.

In early March, the opposition parties named the following members to the all-party committee: Ilirjan Rusmali and Nestor Tereska (alternated with Ferdinand Poni) for the DP; Shaqir Hasaani for the Legality Party (PLL); Shkelqim Baurushi for the Republican

Party (PR); and, Uran Metko for the National Front (PBK). Mr. Rusmali was the lead spokesperson for the opposition parties. Following the appointment of the opposition party members the governing coalition named their representatives: Mr Spartak Braho, SP; Gjergj Leka, Human Rights Party; Aldo Zadrima, Party of Democratic Alliance; Fluturim Gumi, Social Democrat Party; and, Pellumb Abeshi, Agrarian Party. Mr. Braho was the lead spokesperson for the government coalition parties. Official representatives from the international community included: Ambassador Ahrens of the OSCE; Kim Meyer, Director of the Legal Affairs Office of the OSCE; Dickson Bailey, Project Manager of IFES; Sirri Skare from ODIHR; Eugenio Polizzi, Pierre Garon and Bernard Owen alternating as representatives from the Council of Europe. Additional staff support was provided by Tim Bittiger, Kathleen Imholz and Darian Pavli of the OSCE and Ylli Menjani from the Government of Albania.

The discussions at the all-party committee meetings were lengthy, often difficult and always politically charged. Some of the participants were not 'experts' as requested but party militants and on many issues they were under strict political instructions. Consequently, it was not unusual for participants to be unwilling to compromise or step back from attempting to exert political influence on the election administration process. Where participants did not have strict political instructions from party decision makers, the participants were more than willing to 'accept what the internationals wanted' without considering the issues and implications of what was being proposed.

The strategy adopted by the Chair was to obtain agreement on non-controversial issues prior to dealing with those issues that would most likely bog down the process or had the potential of causing the discussions to fail. For that reason, the issues surrounding the CEC and composition of lower level electoral commissions were set aside. However, even that approach almost proved fatal. The first day of the discussions was taken up with a heated discussion as to whether the new Electoral Code should be called a code or a law. Clearly this was a 'sparring' opportunity for the participants. A major problem also arose over the time of closing the polls on election day. The opposition parties wanted the polls to remain open until 10 p.m. and the government parties wanted 6 p.m. While the international participants sought a compromise of 7, 8, or 9 p.m. neither the opposition nor government members would budge and the issue had to be set aside until the end of the discussions. In fact, in the debate in the National Assembly the government forced through an amendment providing for the close of polls at 6 p.m. for the year 2000 local government elections. (For all future elections the new code provides for the closing of the polls at 7 p.m. between October 16 and March 31 and 8 p.m. from April 1 to October 15.) After the first four days of meetings the committee had managed to consider (but not totally agree) on 14 of the 160 articles in the draft code. During the first week of meetings the opposition parties walked out of the talks because they felt the government members had violated the agreement of a press blackout on the progress of the meetings. Later in March they walked out again on issues related to the composition of the CEC.

By the week of March 20, the committee had begun to discuss the composition of the lower level commissions. Deliberately, the chair kept the issues of the CEC off the table

and outside of the meetings. In this period the US and OSCE Ambassadors undertook a series of separate meetings with the President, Prime Minister, leader of the SP and the leader of the DP in an attempt to forge a compromise which would result in the creation of CEC vacancies and the appointment of alternative members in accordance with a formula to be written into the new Electoral Code. On a second level of discussions, Kim Meyer of the OSCE undertook direct discussion with Mr. Spartak Braho, SP representative to the committee. Dickson Bailey of IFES undertook direct discussions with Mr. Ilirian Rusmali, DP representative to the committee, on the wording of a formula for CEC appointments to be included in the new code. At this time the OSCE also imposed a deadline of April 7 to conclude the committee meetings and stated that if agreement was not reached, a draft code would be completed by the international community and submitted to the Council of Ministers who could then make further changes prior to its introduction to the National Assembly.

On April 2, 2000 the opposition parties declared that they would no longer participate in the talks because there was no willingness of the government or the international community to alter the CEC in the manner they wished. The opposition parties were seeking a change which would have required a change to the constitution and the re-introduction of direct political appointments to the CEC to ensure a 50:50 political representation ratio on the CEC with co-chair (representing the opposition and government groupings) with equal power and authority. The international community had made it clear that they would not accept a change to the CEC that would require constitutional change. The opposition demands could only be accommodated by a constitutional amendment. The international community was also opposed to 50:50 parity representation on the grounds that this re-instated a formula that did not work in the past and secondly, destroyed the possibility of the CEC developing into an independent institution. The government members were quite happy to let the international community fight this issue for them and were not forthcoming on finding a way to meet the concerns of the opposition parties. However, as a consequence of the controversy and the actions of the international community, two members of the proposed CEC did resign in the first week of April to allow new members to be selected on the basis of a more transparent formula as proposed in the draft code.

With the April 2 walkout of the opposition parties committee, talks continued and a major effort was made to finish consideration of those articles not previously considered. During the course of the discussions, the IFES Project Manager redrafted several sections including polling procedures, criteria for drawing electoral zone boundaries, recounting of ballots and retention of election records. All of these issues had been removed by the Council of Ministers from the draft provided at the end of February. This revised draft was used by the all-party committee during the meetings in March and April. In addition, OSCE legal staff rewrote the referenda section of the code so it would fully conform to the requirements of the constitution. This section had been a duplication of a previously drafted law on referenda submitted to the National Assembly for debate but withdrawn to be included in the draft Electoral Code.

The all-party committee meetings ended April 7, 2000. The English version of the draft

code was completed on April 10 and provided to the Prime Minister by Ambassador Ahrens. Dickson Bailey of IFES and Kim Meyer of OSCE presented the same draft to the Chair of the Parliamentary Commission on Laws, Zamira Ceca. During this week Dickson Bailey and Kim Meyer also met with officials of the Ministry of Local Government and the Ministry of Justice to discuss the draft code. Many of the suggestions (all minor) from the two ministries were incorporated as suggested revisions to the draft. Any proposals from the ministries that ran counter to specific decisions of the all-party committee were not included. With the completion of the Albanian version of the draft code, the new Electoral Code was sent to the Parliamentary Commission on Laws by the Council of Ministers. Commission consideration of the code began on April 21 and concluded on May 3 at which time the draft code was sent to the National Assembly for debate. The Parliamentary Commission meetings were held daily and monitored by Dickson Bailey, Kim Meyer, and Ylli Menjani of the Government of Albania. The Commission rejected proposed changes from the opposition parties regarding the composition of the CEC and made some small changes to the draft.

6. National Assembly Consideration of the Draft Electoral Code

On May 3, 2000 the Draft Electoral Code was presented to the National Assembly and adopted in principle by a vote of 89 to 10. (The constitution requires that electoral laws must pass the National Assembly with no less than three fifths of the members voting in favor). From May 4 to May 8, the draft code was the dominant issue considered by the Assembly. IFES Project Manager Dickson Bailey, along with Kim Meyer and Darien Pavli, both of the OSCE, attended and monitored the entire debate of the Assembly and Ylli Menjani provided legal advice to the members during the course of the debate. During the National Assembly consideration of the new code the government introduced two contentious amendments. Both amendments were approved by the Assembly. The first altered the time of closing the polls to 6 p.m. for the local elections in the year 2000. The second was an alteration to the formation of local government election commissions (LGEC). The later amendment (Article 153) ensured that the governing coalition parties would control the commissions in each municipality and commune. The second amendment was introduced on the last evening of debate and strongly opposed by the international community.

The government's rationale for the inclusion of Article 153 was that the government would soon introduce a new law to change the boundaries of several communities and therefore the formula provided in Article 38 of the draft code was unworkable. Changes to municipal or commune boundaries were not discussed prior to the introduction of the code into the Assembly and the international community in general was of the opinion that this was a 'ruse' to enable the government to control the local commissions. Following the passage of the new code on May 8 representatives of the international community unsuccessfully attempted to have the government remove this amendment from the law. In response to the introduction of article 153, IFES, on behalf of the international community, prepared a briefing note on the impact of the amendment on the electoral process. The points made in the memo were as follows:

- The door-to-door enumeration data is organized on the basis of existing boundaries. A change would require a manual resort of the data and likely mean the deadline of August 25 to produce a preliminary list of voters could not be met
- If existing polling unit boundaries were not respected, there would be chaos on election day
- The new Electoral Code already prohibits changes to national electoral zone boundaries less than six months prior to an election. The same principle should be followed for local elections.

In the end, the legislation to change local boundaries was introduced and approved in August 2000, but consisted only of establishing boroughs within the City of Tirana based on existing administrative districts of the city.

During the Electoral Code debate in the National Assembly the opposition parties participated on selected articles and in many instances voted on specific articles. They refused to vote on any articles related to the CEC or the composition of lower level commissions. In the end, only the members of the DP refused to vote on the acceptance of the entire code while other opposition parties voted against the new code. A copy of the Electoral Code as adopted by the National Assembly of Albania on May 8, 2000 is found in Appendix IV.

7. Conclusion

The drafting of the new Electoral Code was a highly charged political exercise. Despite the best efforts of the international community it was not possible to achieve a new law that was acceptable to all parties. However, the efforts of the international community, particularly through the all-party talks in March and April, along with the 'behind the scenes' political meetings, contributed greatly to the decision of the parties to participate in the elections, and in the end (with the exception of the DP) accept the final results.

Through the development of the new Electoral Code, along with the implementation of the EAP and the conduct of the elections in October 2000, the political immaturity of the political parties became very apparent. Political party maturity as measured by a willingness to accept the results of a democratic electoral process is an important part of strengthening democratic systems. A well structured Electoral Code is, on its own, insufficient. While the new Albanian Electoral Code has, like any new law, many shortcomings, it is a significant and major step forward and has been recognized as such by the international community. The continued sustainability of this code, which has strong provisions to separate the administration of elections from political interference, depends on the willingness of the political parties to refrain from attempting to control the process. Sustainability also depends on the strength and ability of the CEC to identify and follow a neutral course and fully involve the parties in a consultative process.

In advance of the June 2001 national elections, IFES and the international community had to work hard to preserve, strengthen and move forward the agenda for a fully modernized democratic election code and process in Albania. This included resisting

attempts to change the Electoral Code and allowing for its 'newness' to become familiar to the parties, election administrators and the general public. For the CEC, it meant entering into renewed consultative processes with political parties to develop trust in the new electoral system and the CEC as an independent, neutral state institution.

B. Establishing the Central Election Commission

As reported above, focusing on the establishment of the new Central Election Commission was a major priority of the IFES Project Manager Dickson Bailey when he arrived in Tirana in May 1999.

1. Initial CEC Appointments

Following the passage of the new constitution by the National Assembly of Albania, the High Council of Justice appointed three CEC members in February 1999. These members were: Mr. Fotaq Nano, Mr. Maks Shimani and Ms Vjolca Meca. The appointments by the High Council of Justice were followed by two presidential appointments in June 1999. These appointments were Mr. Adrian Klosi and Mr. Pandeli Varfi in June. Also in June 1999, the National Assembly elected Mr. Shahin Bistri to the CEC, leaving one other position open for a nomination by opposition parties. The second appointment by the National Assembly did not take place until July 2000, with the election of Mr. Gasper Koka.

2. June 1999 to March 2000

In June 1999, IFES Project Manager, Dickson Bailey, started informal meetings with the newly appointed members of the CEC. The purpose of these meetings was to:

- Review the roles and responsibilities of the CEC members;
- Begin planning for the upcoming local government elections; and
- Enable the new CEC to participate, in a consultative manner, in the drafting of the new Electoral Code. Ms. Volca Meca represented the CEC on the IFES Electoral Code Working Group.

While the CEC members were appointed in early to mid 1999, the government did not provide legal, financial or administrative resources to the new body. For this reason, meetings were held in the IFES Albania offices and chaired by the IFES Project Manager. All members of the CEC had day time jobs; consequently, all meetings were held 'after hours'.

From the outset it became clear that for the CEC to become functional it would be necessary to pressure the government to provide resources to the CEC. Continually, IFES suggested that the members make representation to the President and the Council of Ministers to establish a start-up date, designate office space and confirm salary and other administrative arrangements. In addition, the IFES Project Manager recommended to the members that they seek clarification on the nature of their appointment: e.g. were they appointed as full-time or part-time members? What was the salary range? What office

space was available? What administrative budget was to be made available? Informally, members of the commission began to inquire and found that these questions had not been considered by the government and no provisions had been made. Further, it became clear that the government was unwilling to pursue any matter that required financial expenditures until a new Electoral Code had been adopted by the National Assembly. It was obvious, however, that the members of the commission were under the clear impression that they were appointed to a full-time position with the same status as members of the High Court. A second but unstated reason for the reluctance of the government to proceed with the formalization of the new body was the political controversy surrounding the creation of a non partisan, independent CEC. This criticism was directed towards method of appointment as provided for in the new constitution, as well as the individuals appointed in the first six months of 1999.

Criticism of the new CEC was lead by the DP, the main opposition party in Albania. The DP had boycotted the national referendum on the new constitution and particularly singled out the creation of a constitutionally based CEC for criticism. The party went so far as to say, after the constitution had been approved through a national referendum in November 1998, that they refused to recognize the legitimacy of the new CEC. Their concern was based primarily on the method of appointment claiming that the President of the Republic (former head of the SP) controlled too many appointments. Under the provisions of the Constitution the President is required to appoint two members of the CEC. Since the President also chaired the High Council of Justice, which appoints three members of the CEC, the DP contended that there was too much control in the hands of the President. The DP also stated their concern that the President would appoint individuals close to or sympathetic to the SP. Further, the DP leadership advocated the creation of a CEC where there was a 50:50 balance of membership between parties of the governing coalition and the opposition, that appointments to the CEC be made directly political parties, and that the CEC have Co-Chair (one from the governing coalition and one from the opposition) with equal powers.

The model of 50:50 representation on the CEC had been imposed by the international community in response to the collapse of the DP government and widespread civil unrest. The model was used for the 1997 national elections, the special local government elections in June 1998 and the constitutional referendum in November 1998. This model, however, was designed to deal with a crisis situation and did not provide for an independent election administrative body (the Ministry of Local Government did the day-to-day administration of the elections). In addition, this model perpetuated a CEC that was highly politicized to the detriment of the continued development of an electoral system that would meet international standards and, in particular, assist Albania in attaining membership in the European Union. Nevertheless, the DP leadership interpreted the method of creating a new CEC, and the particular people appointed, as a means by which the governing party could 'rig the elections'. Attempts to assuage the concerns of the DP and other opposition parties on this particular issue became a major focus of the all-party talks on the new Electoral Code and during the parallel political meetings held by Ambassadors Ahrens and Limprecht.

In the first six months of 1999, there were attempts by the President to consult with the opposition parties regarding the two presidential appointments to the CEC. There was no consultation undertaken by the High Council of Justice. It was, however, clear that some of the concerns of the opposition parties regarding specific appointments were well founded. Two of the new members were highly visible partisans of the SP: one was a cousin of the leader of the SP, a former SP appointed member of the CEC (1996 and 1997) and the second a relative of the Director of the secret police and known vocal opponent of the DP. A third member, elected by the National Assembly, was a known supporter of the SP, the SP appointed secretary of the CEC in 1998 for special local government elections and the cousin of the Minister of Local Government.

During the latter half of 1999, criticism of the method and appointments to the CEC became very strong and clouded any discussion of the draft election code. The situation became more difficult when the Council of Ministers decided to proceed with a new law to establish a CEC in December 1999. The purpose of the new law was to enable the CEC to begin to function but the law was ill conceived. The provisions of the proposed CEC law were lifted directly from the December 1999 draft of the Electoral Code used for consultation purposes with civil society agencies. The provisions taken from the draft code only dealt with the establishment of the CEC to enable the new members to be paid. Articles of the draft Electoral Code respecting CEC powers, responsibilities, reporting, removal and replacement procedures were omitted from the proposed law on the CEC. A direct consequence of this action was to heighten the already difficult political debate and make it more difficult for the government and the international community to consult with the political parties on the proposals contained in the draft Electoral Code and on matters related to the development of the Election Assistance Program (EAP). Both of these initiatives required political party co-operation to allow them to proceed successfully.

After the introduction of the proposed CEC law in the National Assembly, the international community began to exert pressure on the government to withdraw the law and to concentrate on the new Electoral Code instead. In late January the government withdrew the proposed law indicating that it would be 'subsumed' into the new Electoral Code. During this time the CEC continued to be a major source of political controversy and concern for the opposition parties. The participation of the opposition parties at the all-party talks on the draft Electoral Code talks during March and April of 2000 was partly secured on the knowledge that the appointment procedures for members of the CEC would be on the agenda. In addition, implications were made that some of the members of the CEC would be changed.

During the later months of 1999 and the first five months of 2000, the IFES Project Manager continued to meet informally with members of the CEC to review progress on the drafting of the new Electoral Code to obtain their input and to keep them informed of the progress of the EAP. In addition, one of the CEC members (Fotaq Nano) represented the CEC on the Management Board of the EAP.

One of the ongoing objectives of IFES was to facilitate educational and training

opportunities for CEC members. With the assistance of World Learning, IFES was able to sponsor two members of the CEC (Shahin Bistri and Vjollca Meca) to attend the annual meeting of the Association of Central and East European Election Officials (ACEEEO) in Bratislava, Slovakia in October 1999, and Shahin Bistri and Fotaq Nano in Warsaw, Poland in June 2000.

With the commencement of the all party discussions on the new Electoral Code in March 2000, the IFES Project Manager maintained continued contact with the CEC members on issues being proposed for the new code. However, as the issue of appointments to the CEC was a continuing problem at the talks, and the fact that it was known that there was pressure by a number of national and international bodies to have changes made to the CEC, little was done in the way of assisting the CEC to prepare itself for the coming local government elections.

3. Replacements to the CEC

In response to the pressure for changes to the CEC, two members resigned in early April 2000. One member had been appointed by the President and the second member had been appointed by the High Council of Justice. It had been rumored and anticipated that a third member would also resign, however, that did not take place. Nevertheless the two resignations did provide an opportunity for their replacement appointments to be done in accordance with the consultation procedures outlined in the new Electoral Code after it was approved by the National Assembly. Consultation on the new appointments did take place but there was criticism that the consultation process was not sufficiently extensive and many of the suggested names did not receive proper and due consideration. Until the new appointments were made, the IFES Project Manager did not meet with the CEC in the period of April and May 2000.

At the end of May 2000, President Mediani appointed Mr. Klement Zguri to the CEC to replace Adien Klosi. The High Council of Justice appointed Mimoza Arbi to replace Volja Meca. In early June, the President convened the first formal meeting of the CEC as provided for in the new Electoral Code and on June 10, Mr. Fotaq Nano was elected Chair. Following that meeting, the CEC moved into their office space in the Palace of Congress.

4. A Functioning CEC

With the formalization of the CEC, through the election of the Chair, IFES Project Manager Dickson Bailey began regular meetings with individual members and the commission as a whole. During the month of June, Mr. Bailey worked closely with the new commission to establish an election budget election and made several recommendations (some of which were accepted) regarding the internal structure and staffing of the commission. The IFES proposal for structuring the CEC included the following:

Commissioner Responsibilities

- Chair to assume direct responsibility for relations/co-ordination with government bodies and international organizations, media relations, oversees the work of the Secretary and Press Officer for the Commission and is the primary focal point or consultation with political parties
- One Commissioner to be responsible for the Voter Registry Directorate and liaising with the Election Assistance Project
- One Commissioner to head a Legal Department with the objective of ensuring that actions of the CEC were in accordance with the laws of Albania; electoral complaints, disputes and legal challenges were investigated and dealt with quickly and fairly; and registration of political parties
- One Commissioner responsible for drafting forms, instructions and regulations
- One Commissioner responsible for civic education and training of election officials
- Two Commissioners responsible for the establishment and liaison with all local election commissions

Staff

- Appointment of a Secretary with clear responsibility for the administrative procedures (including budget development), structures of the CEC and the distribution of election supplies
- Appointment of a Press Officer for the CEC who would also be responsible for relations with the international organizations
- Appointment of a Director of Finance
- Appointment of an Executive Secretary
- Appointment of field representatives (one per district or one per prefecture) to serve as liaison between the CEC and local commissions.

The draft election budget prepared by IFES totaled \$3.3m. The draft budget was submitted to the government by the CEC in July, and in August the commission was provided with a budget of \$2.3m and designated in-kind services (office and warehouse space primarily) in lieu of cash.

In what became almost daily meetings, the IFES Program Director encouraged the commission Chair, Secretary and members to begin work on a number of fronts including the formation of local election commissions, ordering of election supplies, preparation of forms, instructions and training materials and to establish a consultative process with the political parties. Mr. Bailey also encouraged the chair of the CEC to become more involved and knowledgeable about the voter registration process of the EAP.

During June and July, the CEC was reluctant to hold formal meetings on the grounds that they had to await the selection of a commission Secretary and the election of the seventh member by the National Assembly. In late June, the commission hired Mr. Pauli Xhello as Secretary. This decision was reversed two weeks later on the grounds that he was hired improperly. A new competition was held for the position and Mr. Sokol Shazi was hired in mid-July. On July 24, the National Assembly elected Mr. Gasper Kokha as the seventh member of the commission.

Through regular meetings with CEC members, it was possible to get some of them closely engaged with IFES to prepare instructions for local officials, training materials and a civic education campaign. However, it quickly became apparent that the commission had severe internal difficulties and suffered from extremely poor internal coordination and communication. Members did not tell each other what they were doing and the Chair failed to use regular meetings of the commission as a means of coordinating work and passing information to each other. While members were assigned tasks, they were given no terms of reference, no requirement to report back and no authority to take action or make decisions. Meetings were at the call of the Chair and occurred on an irregular basis. There was no set time of the day for meetings, no set agenda and meetings were frequently delayed for hours after they had been called. It also became quickly apparent to outside observers (political party representatives and international observers) that a proposal presented to the Chair, accepted by the Chair and supposedly forwarded to the members (and according to the Chair approved by the members) in fact carried no weight. Frequently, members objected to proposals on the grounds that they had not been 'officially' informed (meaning the Chair had not circulated material for their review although they may have had the material from another source for some time). This happened with the development of the IFES agreement with the CEC, the establishment of a training program for local election officials, the formalization of the ballot design, the decision to purchase ink to mark voters fingers on election day, the use of free time for civic education purposes prior to and during the election and the procedures for voting on election day. These issues are discussed further in the local government election section of this report.

5. Direct IFES Assistance to the CEC July- September 2000

From July to September 2000, IFES provided other direct assistance to the CEC. This assistance included the donation of office supplies, the rental of a photocopier, five computers and two printers, donation of two fax machines and a television and VCR. In June, with the assistance of World Learning, IFES sponsored two members of the commission to attend the annual meeting of the ACEEEO in Warsaw. In July, IFES sponsored a trip for the Chair of the CEC to Slovenia to meet with the Central Election Commission of Slovenia and to visit the CETIS printing plant in Celje regarding the printing of ballots in the manner required by the new Electoral Code.

In the summer months of 2000, IFES was able to secure an additional grant from the United States State Department for the purchase of election supplies. This grant, from the peacekeeping fund of the State Department, combined with the budget provided by the Government of Albania, enabled the CEC to purchase, for the first time, new ballot boxes (transparent), voting screens and other necessary supplies. In fact, it was possible to purchase sufficient supplies for the local elections and the national election in 2001.

6. Conclusion

The task facing the CEC was a formidable one. Their credibility was questioned by the

opposition parties. There were internal difficulties between the members. There was a lack of resources for the election and the new Electoral Code which demanded much more of the CEC than had been the case in the past. In many respects, the members of the commission should be congratulated for the job they were able to do. However, it is also clear that the CEC could have been much more effective with the application of good management, decision-making and communication techniques and through the development of trust amongst the members and with the political parties.

From the very beginning the CEC was a highly controversial body. Political concern was expressed with the method of appointment of the members and with the specific individuals. During the all-party discussions on the draft Electoral Code it was hoped that most of the controversy could be mitigated with a clear statement of the appointment procedures, required qualifications and some resignations of existing members to allow for new appointments reflecting the provisions of the new Electoral Code. There were two resignations and while the new appointments were made on the basis of the provisions of the new code, the consultation process, the number of resignations, and the replacement appointments were insufficient. Consequently the controversy and lack of trust in the members of the CEC continued through the election period and contributed to a lack of trust between the members of the CEC as well.

During the election period the inexperience of the CEC members in the areas of management, organization and planning, election administration, information technology and consultation techniques also became evident. These deficiencies contributed to post election demands of many of the parties that the composition of the CEC be changed. In the post election period these demands increased significantly.

In partial response to the internal administrative difficulties of the CEC, IFES approached the Secretary of the Commission following the local government elections, to propose a training program for CEC staff in the area of office administration and computer literacy. While the proposal was received favorably decisions were reserved to the early months of 2001. This and other CEC training activities are reported on in the CEPPS 1 final report submitted to USAID.

V. PHASE THREE

A. Electoral Assistance Project

The Electoral Assistance Project (EAP) began in the fall of 1999 under the Europe and Eurasia Cooperative Agreement and continued under CEPPS 1 from May – August 2000. Because this project was covered under two distinct funding mechanisms, this chapter provides an overview of the entire project and provides detail only on those aspects of the project covered under the E&E Cooperative Agreement.

1. Overview

The EAP was a joint project of UNDP, Ministry of Local Government, IFES and OSCE to prepare new, national computerized voter registry and to prepare and distribute voter identification cards to all eligible voters in Albania. The UNDP provided the lead role for the international community and the Ministry of Local Government was the implementing agency on behalf of the Government of Albania.

There were four primary factors that resulted in the establishment of the Electoral Assistance Project:

1. A recognition by IFES that the issue of a new voter list and methodology needed to be incorporated into a new Electoral Code to address many of the international and national concerns regarding the conduct of past elections in Albania. IFES Project Manager, Dickson Bailey, first raised this matter with officials of the Government of Albania and Minister Arben Imami, Minister of Legislative Reform in early July 1999. At that time, Mr. Bailey also met with the Democracy Officer of USAID in Albania and received verbal support to begin to design a project to undertake a new voter registry for the country.
2. Strong interest and commitment on the part of OSCE to ensure that there was an accurate list of voters and that the existing civil registry structure in Albania was modernized. This commitment of the OSCE extended back to a special pilot project in 1998 sponsored by OSCE, to which IFES provided consulting support to computerize the civil registry in six locations and demonstrate how the registries could be used to produce the voter list.
3. Strong desire by the Ministry of Local Government to create the data and information center within the Ministry to maintain the voter list and to provide for the national data center that could be used to provide future voter lists and serve as the basis for the national civil registry database. Prior to the passage of the new Electoral Code the Ministry of Local Government had been responsible for the creation of voter lists for local and national elections and all referenda.
4. Parallel initiative of the Parliamentary Commission on Public Order, chaired by Mr. Neritan Ceka, to establish the national, all-inclusive, citizen identification card.

In September 2000, the UNDP agreed to take a lead role in the development of the project proposal and hired a consultant for that purpose. During October 1999, the project proposal was developed in close consultation with the Ministry of Local Government, IFES and OSCE. An IFES team of consultants continued reviewing the proposal through early December and made a series of recommendations regarding implementation (see Appendix V).

In January 2000, the Government of Albania and UNDP formally signed an agreement to implement a modified version of the Election Assistance Program proposal. Under this agreement the Ministry of Local Government was designated as the implementing agency

on behalf of the Government of Albania, and Mr. Blendi Klosi, Vice Minister of the Ministry, was named National Project Manager. In March, the UNDP named Mr. Don Campbell as Chief Technical Advisor and Mr. Celio Santos as a consultant responsible for the voter identification cards. During March and April national staff were hired to work directly in the area of administration, enumeration, voter cards and the development of a data center. Under the agreement IFES assumed responsibility for providing consultative advice for the enumeration process, civic education and the development of a data center. For those purposes, Mr. Enrique Saltos began work in late January 2000 on the development of a database and data center, and Mr. Shawn Pollock arrived in February to work on the enumeration component. In the area of civic education, Mr. Joaquin Bernardo began in April and was followed by Mr. Christopher Shields in late May.

After numerous delays, door-to-door enumeration began on June 5, 2000 and continued in major centers until early August. The enumeration process was highly controversial throughout the country but was completed nonetheless. Due to the delays in conducting the door-to-door enumeration, not all program objectives could be met before the local government elections scheduled for October 1, 2000. As a result, the CEC continued the initial verification of the names contained in the national voter registry data base and maintain an aggressive program to distribute voter identification cards prior to the national elections in June 2001.

2. Implementation

The months of April, May and June 2000, proved to be very difficult for the EAP. There were:

- Continued procedural disagreements between the national and international staff;
- Weak leadership from the Chief Technical Advisor and the National Director;
- Slow and contrary decision-making on enumeration procedures on the part of the national staff and political delays by local officials in verifying the Social Insurance data base;
- Postponement in the enumeration procedures;
- Difficulty in obtaining international financial contributions was difficult and contributions were slow in arriving, causing a further delay in the finalization of the voter identification card order; and
- The project lost two international consultants. Civic Education Specialist, Joaquin Bernardo from IFES died on May 8, and Enumeration Specialist Shawn Pollock terminated his contract with IFES the following week.

In May, the enumeration process continued to be delayed. Part of the delay was caused by slowness in finalizing the database and in part caused by the death of Joaquin Bernardo as well as the departure of Shawn Pollock. Joaquin Bernardo was replaced by Christopher Shields in the first week of June to work primarily in the area of civic education. In July, Connie Kaplan joined the IFES team to work primarily in the area of election officials training. As the time to commence door-to-door enumeration quickly

approached, it was necessary to alter and change the civic education plans at the last minute to respond to changing directions from national authorities. This problem was also encountered in the finalization of the enumeration manual, which was constantly changed to reflect changing decisions. Consequently, there was a delay in printing of the manuals and in the end there were discrepancies between the Albanian and English versions. A third difficulty that occurred at this time was the failure to reach any agreement with national authorities regarding the training of enumerators. IFES had made prior arrangements for training to be delivered by the newly created Albanian Institute for Election System Development. Work had begun to develop a training program with the Institute; however, it was only partially completed at the time of the death of Jaoquin and Shawn's departure. In addition, there developed a strong opposition by the Government of Albania on the use of the Institute for political reasons. As a consequence, while some training took place for the district leaders, very little training took place for door-to-door enumerators.

Door-to-door enumeration officially began on June 10. The project staff quickly learned, however, that there was no effective infrastructure to keep 'on top' of the activities of local officials. In many cases, local enumeration teams began and finished a door-to-door enumeration before the database was provided to them. Voter identification card coupons were not always distributed and very little control was exercised on their distribution. There was no consistency in how to mark the database sheets and due to the political squabbles between some community leaders and the central government there was a refusal of some community authorities to cooperate with the project. Consequently, what was scheduled to be a uniform enumeration across the country over a three week period extended over ten weeks not finishing until August 4 with the last of the enumeration data sheets forwarded to the project on August 10.

The long delay in completing the enumeration had serious ramifications for the completion of the project. Because of the enumeration delay it was impossible to properly verify the voter registry through crosschecking for duplicates, correcting spelling errors or by adding missing information prior to the legal deadline to provide the new Central Election Commission with a preliminary voter list by August 25, 2000. Because verification was not completed on time there were parallel difficulties with the voter identification card. To enable the card to be used for the local government elections it was necessary to have the cards printed from the preliminary voter list, which was known to contain a large number of errors. At a meeting of the international partners on August 11, 2000, IFES put forward a recommendation to delay the issuance of the cards until after the election when the list was completely cleaned and verified. This option, while receiving serious consideration, and raised with the CEC, was not pursued further for political reasons.

In light of the difficulties encountered in the implementation of this project, the OSCE undertook an enumeration monitor project. The monitoring took place in June and July 2000, involving 27 international monitors. In addition, the European Monitoring Commission field staff and OSCE field staff provided regular reports reviewing the issues and progress of the enumeration process in the field.

By the end of July, the city of Durrës had not yet commenced door-to-door enumeration and the capital city, Tirana, had just begun. In the City of Lushnje there was a blockage of the entire process due to the political disputes between the two largest parties: SP and DP. In all of these cases international bodies were involved in resolving disputes at the local level so the enumeration could continue and be completed. On August 14, the final set of enumeration data was obtained from the City of Tirana.

The enumeration material constituted the database from which the preliminary voter list was developed.

3. Preliminary Voter List

The population of Albania is estimated at 3.5 million people. It was assumed, therefore, that the final list of voters should have no more than 2.4 records (voting age population was estimated to be 60% of the total population). This meant that the newly developed database, with the total of 3.5m records, had approximately 1.2m more records than it should. Following the receipt of the final records of the enumerators the project was required to 'clean' the database by finding duplicates and incorrect entries. As a result of the delays in the earlier processes of the project there was not enough time to complete this task properly prior to the August 25 legal requirement of transferring the preliminary list to the CEC. A comprehensive verification of the database at the end of the project was not part of the original work plan envisaged by the international consultants. It had been assumed that verification would be undertaken at each step of the project:

- After the printing of the SII database;
- After the update by the civil registry offices;
- Following the door-to-door enumeration; and finally,
- After the voluntary revision of the voter lists as provided for in the Electoral Code.

Using these stages as points for verification of the database and preliminary voter list would have made the project much simpler.

During the early/mid summer months, difficulties respecting the quality of the list and the potential problems this created for the printing and distribution of the voter identification cards were recognized and became a major concern for IFES and other international EAP partners. In response to this concern IFES called a meeting of the international project partners and outlined a number of potential actions. The meeting was held on August 11. Following this meeting the international participants stepped up their pressure on the Ministry of Local Government and the CEC to consider various options regarding the lack of proper verification of the preliminary voter list and the voter identification cards. Decisions of the CEC on these issues did not come until late September. The original voter identification card distribution schedule was maintained.

On August 25, the preliminary list of voters was transferred to the CEC and included 1.9m verified records and 600,000 unverified records. The list of 1.9m records was used

to print the voter identification cards. The lists, organized by polling unit, were sent to the Local Government Election Commissions to provide for citizen-initiated revision of the list. In the meantime, the project continued to match the additional 600,000 names with the verified records in order to eliminate duplications.

At the end of the revision process (17 days prior to voting day) the verification ended and the names from revision were added to the list. At this point the voter list had 2.335m verified records with an additional 450,000 unverified records. The large number of unmatched names presented significant policy and voting procedure challenges for the CEC.

4. Conclusion

The implementation of the EAP was very difficult. The project encountered several problems including:

- Securing adequate financial resources;
- Slow and indecisive (or incomplete) decision-making;
- Weak project leadership;
- Strained working relationship between the national and international project staff; and
- A failure to adhere to the strategic plan and timetable of the project.

In addition, there were significant political blockages at several stages of the project. In order to address these problems and to produce an accurate and complete voter list, free of strong political challenges, USAID approved a new Voter Registry Project, which was implemented in the early months of 2001 under the direction of IFES. The VRP is covered in the CEPPS 1 final reported submitted to USAID.

B. Local Government Elections 2000

On July 23, 2000 the President of the Republic of Albania issued a Decree for Local Government Elections establishing voting day as October 1, 2000. Second round voting for the position of Mayor in municipalities and communes was set for October 15, 2000. The pre-election period is described briefly in this report. The majority of IFES involvement in the local elections is reported on in the CEPPS 1 final report submitted to USAID.

1. Memorandum of Agreement with Central Election Commission

In August, IFES and the Central Election Commission formalized a Memorandum of Understanding which provided for IFES to offer advice to the new CEC on matters pertaining to organization and administration, civic education, training, forms and regulations and other matters as mutually agreed to. In addition to the Memorandum of Agreement, IFES entered into an Agreement for Donations of Election Supplies with the CEC. This agreement was made possible with a special grant to IFES from the US State Department. A copy of this MOU is attached as Appendix VI to this report

2. Election Preparation with the CEC

During the 30-day election period, IFES Program Manager Dickson Bailey met daily with the Chair of the CEC, attended most meetings of the CEC, and frequently met with individual members of the CEC regarding their duties and responsibilities under the new Electoral Code. Other IFES international and national staff frequently met with CEC members as well. In addition, Mr. Bailey met with representatives of political parties to deal with specific concerns they had regarding the election process and the list of voters. Mr. Bailey often facilitated resolution of issues and problems between the parties and the CEC. He also served as a liaison between the international community and the CEC on specific issues such as the list of voters, voting procedures for election day, and the composition and chairpersons of local government and voting center election commissions.

Both the OSCE ODIHR and the Council of Europe sponsored international election monitors. IFES Project Manager, Dickson Bailey met with them on a number of occasions providing information regarding the election process and issues. In addition to the 150 international monitors, the Albanian Society for a Democratic Culture and Albanian Helsinki Committee on Human Rights deployed another 1,500 domestic monitors.

IFES played a unique role in the 2000 election preparation process in Albania. This involved the writing of a new election code and election preparation in close consultation and collaboration with national authorities, political parties and the international community. IFES was able on many occasions to serve as an 'intermediary' between these groups providing technical and 'political' advice. In the highly polarized and acrimonious environment of Albanian politics, this was important in ensuring that the election could be held on October 1 and that the CEC was able to carry out the responsibilities assigned to it in the new Electoral Code of Albania.

In August at a special briefing for the international community called by Fotaq Nano, Chair of the CEC, Mr. Nano made the following comments in his opening speech:

"I would like to forward our special thanks to the International Foundation for Election Systems for their assistance as well as the correctness with which its representatives have co-operated with the Central Election Commission. We highly appreciate the IFES assistance and its consistent valuable suggestions to the Central Election Commission. I avail myself of the occasion to express my special thanks to IFES representative in Albania, Mr. Dickson Bailey."

IFES continued to provide direct assessment of election readiness and related issues to the US Embassy, OSCE and the Friends of Albania this quarter. Through a direct request IFES was also able to find additional financial resources for the CEC that assisted them in introducing new election supplies such as security ballots and new ballot boxes. The work of IFES in consultation with the CEC and the international community had a

continuing, positive impact on the administration of the election.

Based on the experience of the 2000 election IFES is prepared further recommendations on how the administration and management of the CEC could be strengthened in preparation for the 2001 national elections. Areas of specific concern included: delegation of authority and responsibility; clearer identification of job requirements and staffing needs; communication linkages; internal co-ordination of activities; record keeping; conduct of meetings and decision-making, and greater exposure to how elections are managed in other jurisdictions.

VI. PROJECT IMPACT

IFES technical assistance under E&E Cooperative Agreement EE-A-00-97-00034-00 had a large impact in addressing systemic problems in the Albanian electoral process and the development of democratic elections. As described in the previous chapters IFES had a direct impact during three specific periods of developing a democratic electoral system in Albania: drafting of the constitution and the constitutional referendum in 1998; drafting of a new Electoral Code; and the development of a national, computerized voter list through Election Assistance Project.

Stage One:

In the summer of 1998 IFES concentrated on drafting provisions, for submission to the Parliamentary Commission drafting a new Constitution, which provided for a permanent, independent Central Election Commission. These provisions were drafted in collaboration with the two most recent Central Election Commission chairmen. The provisions drafted by IFES were partially included in the new Constitution but the important concept of a Central Election Commission as an independent state institution was adopted and constitutes one of the most important impacts of IFES during this period. In addition, IFES actively participated in the Associative Centre for Co-ordination of Assistance and Public Participation. This was an umbrella organization which provided assistance to the constitutional drafting commission and the electoral commission responsible for administering the referendum on the constitution in November 1998.

In the fall of 1998 IFES undertook a major public information campaign to encourage people to become familiar with the provisions of the proposed constitution and to participate in the November referendum. The audio visual campaign was difficult and controversial because of the decision of the opposition parties to boycott the referendum. However, a total of five spots were produced and shown over national television.

The role IFES played during this period was instrumental in laying the groundwork for IFES involvement in the second stage of development: drafting a new electoral code. However, work on a new electoral code was delayed for several months due to the evacuation of American personnel in the fall of 1998.

During this phase IFES established relations with the Ministry of Legislative Reform, which was responsible for drafting the new legislation. In addition to the direct technical support, another achievement was the creation of a resource center intended for public use. This center houses material on elections, governance, rule of law, and civil society, and has served to support IFES' and civil society's work in civic education.

Stage Two:

During the constitutional drafting process IFES established a good working relationship with the co-chair of the commission who was also the Minister of Legislative Reform. In early spring of 1999, as IFES was re-establishing its role in Albania, an approach was made to the Minister regarding a formal co-operation agreement between the ministry and IFES to work together on the drafting of a new electoral code. A formal agreement was not signed until late July; however, a working group representing IFES, the Ministry of Legislative Reform and others was established in early June. The working group continued until December 1999. A draft electoral code produced through the working group was circulated to various government departments. Further revisions were made and in March 2000 through the auspices of the OSCE all party discussions began to develop a consensus on the proposed electoral code prior to its submission to the National Assembly. All party talks continued, daily, until the second week in April without full party agreement, however, the proposed electoral code had the agreement of the international community and was submitted to Parliament for debate and approval. It was approved by the National Assembly, with the required 60% support of the parliamentarians, on May 8, 2000.

IFES was the prime author of the new electoral code through the work of the original Working Group and as a key participant in the all party negotiations. The new electoral code revised many of the electoral processes of the past and has established the basis on which election authorities can administer national elections that would meet international standards of fairness and transparency, providing the political parties co-operate in achieving that goal.

The new electoral code for Albania has been the major contribution of IFES during the period under review. As the work on the electoral proceed, however, IFES along with OSCE and UNDP initiated another major activity in partnership with the Ministry of Local Government. This project was called the Election Assistance Project and constitutes the third stage of IFES activities.

Stage Three:

During the drafting of the electoral code it became obvious that the issue of a national voter list had to be included in the new law but a new voter list was also required for the local government elections scheduled for October, 2000. In October 1999 the IFES Project Director met with the OSCE to discuss this issue and subsequently with the Minister of Local Government. These meetings lead to discussions with UNDP and the formalization of a major project between the international community and the Ministry of Local Government to develop a national, computerized voter list and voter identification card. At the request of IFES and OSCE, UNDP agreed to take the lead international role

for this project. IFES agreed to provide technical expertise and funding for civic education programs. Despite many difficulties encountered during the implementation of this project, there are some important achievements such as the national voter registry data base and the recognition of Albanian authorities of the need for a major overhaul of the civil registry system. The methodology used to establish the voter list through this project was included in the new electoral code to provide the new Central Election Commission with the necessary direction and guidance for ongoing maintenance of the voter registry.

While IFES played an important role in the EAP, and in the fall of 2000 assumed full responsibility for further work in this area, the most significant contribution IFES made in this period was assisting the new Central Election Commission during the local government elections period. Through a formal Memorandum of Understanding between IFES and the new Central Election Commission IFES became very involved in the administration of the elections from advice to the Chair and members to the purchasing of election supplies. In addition, IFES played a key role with the international community by providing technical advice on matters of political controversy (voter lists) and forging a working relationship between the international community and the CEC in very difficult political circumstances. The role IFES played during the summer and fall of 2000 was instrumental in ensuring that the election process in October did not break down totally and provided a basis for a stronger, more competent CEC in the future.

VII. FUTURE ACTIVITIES OF IFES IN ALBANIA

This report on IFES activities in Albania has been prepared to fulfill the requirements of USAID under the Europe and Eurasia Cooperative Agreement funding mechanism. The report covers a series of programs which, while primarily funded through the E&E Cooperative Agreement, cannot be totally divorced from other funding mechanisms.

Program activities of IFES Albania need to be seen in the context of a continuum. Following the 2000 local elections and 2001 national elections, IFES concentrated on programming activities related to strengthening the CEC of Albania and the electoral process based on 'best practices' and lessons learned from the local elections of the year 2000. Prior to and following the national elections in June 2001, IFES staff began to look at the type of activity and programming that could be pursued over the coming years. This resulted in a separate funding request to USAID which focused on supplies for the national elections and immediate follow-up. In addition, in response to a request of USAID Albania, IFES prepared a work plan for January 2002-March 2004 that was formally approved in February 2002. This programming in Albania is funded through the Consortium for Election and Political Process Strengthening (CEPPS 2) Associate Award and includes:

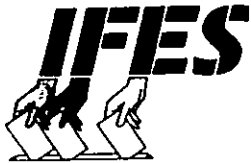
- Survey of election officials (completion of analysis)
- Survey of the judiciary

- Establishment of an Association of Election Officials
- Ongoing training of local officials and promotion of election observation missions and/or exchanges with election officials from other countries
- Further development of a training program for the judiciary
- Review of the Electoral Code and regulations
- Mapping of polling units in major urban areas
- Election law curriculum for the Faculty of Law
- Provision of election supplies for the local elections in 2003
- Professional training of CEC members and senior staff
- Development of a strategic plan for the CEC
- Professional development of IFES staff
- Development of an IFES Albania strategic plan.

The above program represents an ambitious list of tasks, however, each task represents an important contribution to strengthening of democratic election procedures and a democratic culture in Albania.

APPENDIX I

**Recommended Constitutional Provision on a Permanent and Independent Central
Election Commission Presented to the Constitutional Drafting Commission by the
International Foundation for Election Systems**



International Foundation for Election Systems
1101 15th Street, N.W., 3rd Floor Washington, D.C. 20005
PHONE (202) 828-8507 FAX (202) 452-0804

**Recommended Constitutional Provision on a Permanent and Independent
Central Election Commission
Presented to the Constitutional Drafting Commission by the
International Foundation for Election Systems
24 July 1998**

Article I - Permanent and Independent Central Election Commission

The power to supervise, direct and control all aspects of the electoral process for all elections and referenda in the Republic of Albania shall be vested in a permanent and independent Central Election Commission.

Article II - Composition, Method of Appointment, Criteria for Membership

1. The Central Election Commission shall be composed of nine voting members from which three members are appointed by the Peoples' Assembly, three members by the Constitutional Court and three members by the President of the Republic.
2. The three appointments by the President shall be made from proposals submitted by non-partisan non-governmental organizations dedicated to fundamental civil and political rights.
3. All members of the Commission must have a university degree or its equivalent, and have the right to vote.
4. A voting member of the Commission cannot be an active member of a political party.
5. Before taking office, voting members of the Commission will be required to take an oath declaring their allegiance to the State, and proclaiming their independence from all political forces in carrying out their official duties.

Article III - Officers

1. The Chairman and Vice Chairman of the Commission shall be selected from among its nine members by majority vote at the Commission's first meeting.
2. The term of office of Chairman and Vice Chairman shall be determined by the Commission membership.

Article IV - Term of Office, Reappointment, Removal, Vacancy

1. The term of office for a member of the Commission shall be nine years.

2. Members are eligible for reappointment.

3. A member may not be removed from office prior to the expiry of his or her term except in like manner and on like grounds as a judge of the Constitutional Court.

4. If a vacancy on the Commission occurs due to removal, resignation or death, the unexpired term will be filled by appointment by the same institution in the same manner as the original appointment.

Article V - Electoral Subjects' Representation on the Commission

1. Electoral subjects may be represented on the Commission in a manner to be determined by law.

2. Members of the Commission representing electoral subjects shall enjoy ex officio status, e.g., they may participate in Commission deliberations and discussions, but will not have the right to vote.

Article VI - Jurisdiction

The Central Electoral Commission shall:

1. Administer, organize, supervise and conduct free and fair elections based on a comprehensive electoral code providing for all elections and referenda held in the Republic of Albania;

2. Coordinate the activities of the government with respect to voter registration and the supply of material needs for the conduct of elections;

3. Promote conditions conducive to free and fair elections;

4. Determine and certify the results of elections, and to certify to what extent such elections have been free and fair;

5. Conduct civic and voter education; and

6. Make and enforce regulations to fulfill its responsibilities under this Constitution and applicable law.

Article VII - Independence of the Commission

1. In carrying out its constitutional responsibilities, the Commission shall be independent from the control of other units of government.

2. The Commission will be provided an annual budget adequate to accomplish its responsibilities in a manner it shall determine.

APPENDIX II

Voter Awareness Campaign Assessment



International Foundation for Election Systems

1101 15th Street, N.W. · Third Floor · Washington, D.C. 20005 ·
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VOTERS AWARENESS CAMPAIGN ASSESSMENT

Introduction

In order to maximize informed and affective participation in the Albanian voting process for the Referendum on the Constitution, the International Foundation for Election Systems [IFES] has been charged with conducting an audio-visual campaign informing eligible Albanians about their rights and responsibilities. This non-partisan effort has been undertaken in cooperation and coordination with local entities including the Central Voting Commission, the Albanian State Radio Television [TVSH], independent media outlets, NGOs, marketing agencies, production companies, Ministry of Legislative Reform and Relations with the Parliament, Ministry of Culture and Youth, the Albanian Telegraphic Agency [ATASH]. This document forms the strategic framework for the mass media campaign and is the product of consultations with political parties, NGOs, journalists, election officers, ACAAP, the OSCE, ABA-CEELI, ODIHR, the American Embassy, USAID, and the Friends of Albania Group. It takes into account the very highly politicized climate surrounding the voting process in Albania.

Production company

Through a competitive bidding process IFES selected the Kkoci Production Company to produce its audio-visual media campaign. Kkoci Production was formally constituted in 1997, and produces films, documentaries, videos, music video-clips, commercials, promotion videos, and audio productions. The team is comprised of dynamic, avant-garde creative professionals, working with high-tech facilities. The Agency's director is well attuned to the social and cultural context of Albania, and enjoys a very good reputation as the best and most inventive film director in Albania.

The credentials of the technical team are summarized below:

Fatmir Koci: Graduated the Academy of Fine Arts in Tirana, and Film School in Tirana. His filmography includes: "A Third One" [short fiction], "Ballad through Bullets" [fiction], "Necrology" [feature movie], "Alternative Head" [documentary], "Superbalkan" [documentary]. In 1996, F. Kkoci received the award for the best first feature film at the Montreal World Festival; and Alternative Head has been honored with the best documentary prize at the Meridien Festival in France, as well as the Video Liege International Grand Prix in Belgium.

Spiro Ilo is the Associated Press cameraman in Albania.

Provision of airtime

As per conditions set forth by the Central Voting Commission's Sub-Commission for the media, IFES secured free airtime on TVSH in its production of audio-visual spots. TVSH is the only television outlet covering most of Albania's territory, leaving out some remote northern regions only. Its newscast, even though largely mistrusted, remains the primary source of information for Albanian voters.

The November 22, 1998 Referendum

The Referendum on the Constitution in Albania was scheduled for November 22, 1998. Since the fall of the communist regime, Albania has been among the few post-communist countries to remain without a proper constitution. The former President, Sali Berisha, had made a previous attempt in proposing a draft constitution to the Albanian voters in 1994. It failed miserably, and was rejected by the majority of Albanians [53.8% voted "no"]. In an unprecedented effort, representatives of the International Community [OSCE, Council of Europe, Venice Commission, the Friends of Albania Group, and IFES] helped in the drafting of the Constitution proposed by the government coalition [headed by the Socialist Party], and unanimously supported the electoral process. Meanwhile, the main opposition party [Sali Berisha's Democratic Party] set itself outside of the political process, boycotting the Parliament and all other Institutions. It joined in the Central Voting Commission, although extremely reluctantly, and only in early November. It used obstructionist tactics in the CVC, and inflammatory and false public statements in describing its opponents and events surrounding the Referendum. All this took place in a highly-charged atmosphere in which personal death threats were made to Albanian political opponents and to members of the International Community.

Theme

The theme used to identify all messages of the media campaign, is "It is time to say your word". In Albanian and in the Albanian cultural context, the phrase calls on to voters to express themselves not through bullets and guns [e.g., riots in March-April 1996, attempted coup d'Etat in September 1998], but through the peaceful and legal voting process. Since the Democratic Union [Democratic Party and its allies] had joined the CVC on and off, IFES had to take into consideration the position of the latter bloc, reflected in the Platform for the Media issued by the CVC [November 5, 1998]. Therefore, IFES decided to prepare soft motivational spots, all designed to help voters register and be aware of the Referendum date. The Democratic Union, in tactics designed to obstruct the work of the CVC, constantly threatened IFES, the OSCE and ODIHR to walk out of the CVC, over all sorts of issues, including minor ones. Under that form of pressure, IFES refused, in accordance to its own code of ethics and in agreement with the other members of the CVC, to include a "boycott option" in its voters awareness spots.

Methodology

General: In order to inform voters that are still confused about the date of the

Referendum [November 28 being Independence Day, November 29 Liberation Day, depending on the political party], a dynamic spot was Produced that targeted all eligible voters. Furthermore, the alarmingly low turnout in the June 1998 elections made it even more crucial to cover the entire eligible population.

Youth: The most apathetic segment of the population, which also makes up the majority of immigrants, will have to be reminded that voting is their right and duty. For this, and given the extremely strong family ties in Albanian culture, a humorous spot was produced to encourage first time voters to vote.

Women: Albanian society being particularly patriarchal, women of all ages are often left behind in the political process. Spots include familiar female characters in positive situations in an attempt to restore their voting power.

Traditional/General: It was necessary to address the expectations of older voters, so that they do not feel alienated from the non partisan effort. Keeping in mind the traditional spots familiar to older Albanians, as well as the new provisions in the Law on Referenda regarding voting procedures, traditional spots were done in cooperation with TVSH, the Central Voting Commission, and IFES. Their delivery was contingent upon the provision of free broadcast time from TVSH. The Sub-commission for the media [\$1,000] covered some of the postproduction costs.

Eligibility and Registration

Internal migrants

Objective: To safeguard against the disenfranchisement of eligible voters as a result of the embroiled Voter's registration list.

Need: No voter's registration has been totally completed in Albania since the fall of communism. The chaotic state of Albanian Institutions, as well as the massive internal migration that followed the 1996 riots aggravated inaccuracies in the voter's registration lists. It is estimated that a huge amount of eligible voters in Albania are double registered, if at all.

Media solution: Audiovisual spots. In order to appeal to the internal migrants to re-register themselves, the media spots will utilize a realistic setting and characters, close to the Albanian daily life, with a humorous twist.

Message: Albanian citizens, with temporary and permanent residence: confirm your name on the voters list, posted in all public places. If you do not read your name, and if you wish to be able to vote, you will have to go to the voters' registration Commission in your commune, municipality, or administrative unit, with an identity document, and asked to be registered. The deadline is 48 hours before polling day.

Out of country voters

Objective: Inform Albanian voters living abroad of the necessary administrative steps needed to take part in the Referendum for the Constitution.

Need: An estimated two thirds of Albanian voters live outside Albania, the largest communities being in Greece and Italy. According to the Council of Ministers' decision dated 19 October 1998, Albanian immigrants do not have the possibility to vote outside of the Republic of Albania. To vote, they will have to come back to their country of origin, register themselves and then vote.

Target audience: General, with an emphasis on family ties. Usually, Albanian immigrants take the opportunity to visit their families on voting day. To this effect, the spot targeting of immigrants' registration will reflect a familiar scene of Albanian daily family life.

Media solution: audiovisual spots.

Message: Please advise your sons and daughters over 18, living outside of Albania, that in order to vote, they need to come back to Albania and register themselves at the voters' registration Commission in the commune or municipality where they will be staying on polling day. In order to be able to vote they have to enter their names, with a valid identification document, at the very latest 48 hours before polling day. The last day to register is November 19, 1998.

You will have to carry one of the following documents:

International passport

Internal passport

Military booklet

Birth certificate with a picture

Youth/first time voters

Motivational/soft informational/educational

Objective: To maximize first time voters' participation on Referendum day.

Need: The local elections of June 1998 clearly showed a collapse in voters' participation, especially among first time voters. Young/first time voters show an alarming degree of apathy, and by their own inattention or inaction, some actually disenfranchise themselves. The 18-25 target group is less likely to participate than the older.

Target audience: Families, with an emphasis on young/first time voters, e.g., women.

Media solution: audiovisual spot.

Message: November 22, 1998, "It is time to say your word".
Article 4 on the Law on Referenda.

General

Objective: How to vote, with an emphasis on the new referendum procedures.

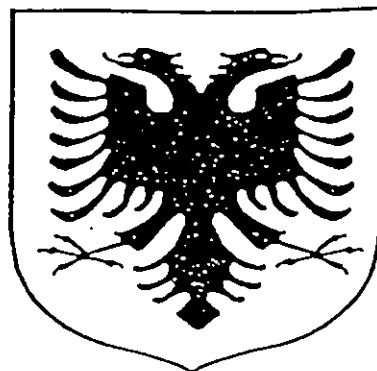
Target: General electorate.

Media solutions: audiovisual spot.

Message: The procedure of voting.

APPENDIX III

1998 Constitution of the Republic of Albania



CONSTITUTION OF THE REPUBLIC OF ALBANIA

*Approved in its entirety by the
People's Assembly of the Republic of Albania on
21 October 1998
and to be voted upon in a referendum on
22 November 1998*

F Clifton White Resource Center 6/98
International Information Systems

*Translation by Kathleen Imholz, Esq.,
Krenar Loloçi, Member of the Technical Staff of the Constitutional Commission,
and ACCAPP*

Prepared on 26 October 1998

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We, the people of Albania, proud and aware of our history, with responsibility for the future, and with faith in God and/or other universal values,

with determination to build a social and democratic state based on the rule of law, and to guarantee the fundamental human rights and freedoms,

with a spirit of religious coexistence and tolerance,

with a pledge to protect human dignity and personhood, as well as for the prosperity of the whole nation, for peace, well-being, culture and social solidarity,

with the centuries-old aspiration of the Albanian people for national identity and unity,

with a deep conviction that justice, peace, harmony and cooperation between nations are among the highest values of humanity,

We establish this Constitution:

PART ONE--BASIC PRINCIPLES

Article 1

1. Albania is a parliamentary republic.
2. The Republic of Albania is a unitary and indivisible state.
3. Governance is based on a system of elections that are free, equal, general and periodic.

Article 2

1. Sovereignty in the Republic of Albania belongs to the people.
2. The people exercise sovereignty through their representatives or directly.
3. For the maintenance of peace and national interests, the Republic of Albania may take part in a system of collective security, on the basis of a law approved by a majority of all the members of the Assembly.

Article 3

The independence of the state and the integrity of its territory, the dignity of the person, his rights and freedoms, social justice, the constitutional order, pluralism, national identity and inheritance, religious coexistence, and coexistence with, and understanding of Albanians for, minorities are the bases of this state, which has the duty of respecting and protecting them.

Article 4

1. The law constitutes the basis and the boundaries of the activity of the state.
2. The Constitution is the highest law in the Republic of Albania.
3. The provisions of the Constitution are directly applicable, except when the Constitution provides otherwise.

Article 5

The Republic of Albania applies international law that is binding upon it.

Article 6

The organization and operation of the organs contemplated by this Constitution are regulated by their respective laws, except when this Constitution provides otherwise.

Article 7

The system of government in the Republic of Albania is based on the separation and balancing of legislative, executive and judicial powers.

Article 8

1. The Republic of Albania protects the national rights of the Albanian people who live outside its borders.
2. The Republic of Albania protects the rights of its citizens with a temporary or permanent residence outside its borders.
3. The Republic of Albania assures assistance for Albanians who live and work abroad in order to preserve and develop their ties with the national cultural inheritance.

Article 9

1. Political parties are created freely. Their organization shall conform with democratic principles.
2. Political parties and other organizations, the programs and activity of which are based on totalitarian methods, which incite and support racial, religious, regional or ethnic hatred, which use violence to take power or influence state policy, as well as those with a secret character, are prohibited pursuant to the law.
3. The sources of financing of parties as well as their expenses are always made public.

Article 10

1. In the Republic of Albania there is no official religion.
2. The state is neutral on questions of belief and conscience and guarantees the freedom of their expression in public life.
3. The state recognizes the equality of religious communities.
4. The state and the religious communities mutually respect the independence of one another and work together for the good of each and all.
5. Relations between the state and religious communities are regulated on the basis of agreements entered into between their representatives and the Council of Ministers. These agreements are ratified by the Assembly.
6. Religious communities are juridical persons. They have independence in the administration of their properties according to their principles, rules and canons, to the extent that interests of third parties are not infringed.

Article 11

1. The economic system of the Republic of Albania is based on private and public property, as well as on a market economy and on freedom of economic activity.
2. Private and public property are equally protected by law.
3. Limitations on the freedom of economic activity may be established only by law and for important public reasons.

Article 12

1. The armed forces guarantee the independence of the country, and protect its territorial integrity and constitutional order.
2. The armed forces maintain neutrality in political questions and are subject to civilian control.
3. No foreign military force may be situated in, or pass through, the Albanian territory, and no Albanian military force may be sent abroad, except by a law approved by a majority of all members of the Assembly.

Article 13

Local government in the Republic of Albania is founded upon the basis of the principle of decentralization of power and is exercised according to the principle of local autonomy.

Article 14

1. The official language in the Republic of Albania is Albanian.
2. The national flag is red with a two-headed black eagle in the center.
3. The seal of the Republic of Albania is a red shield with a black, two-headed eagle in the center. At the top of the shield, in gold, is the helmet of Skanderbeg.
4. The national anthem is "United Around Our Flag."
5. The National Holiday of the Republic of Albania is Flag Day, November 28.
6. The capital city of the Republic of Albania is Tirana.
7. The form and dimensions of the national symbols, the content of the text of the national anthem, and their use shall be regulated by law.

PART TWO--FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS

CHAPTER I--GENERAL PRINCIPLES

Article 15

1. The fundamental human rights and freedoms are indivisible, inalienable, and inviolable and stand at the base of the entire juridical order.
2. The organs of public power, in fulfillment of their duties, shall respect the fundamental rights and freedoms, as well as contribute to their realization.

Article 16

1. The fundamental rights and freedoms and the duties contemplated in this Constitution for Albanian citizens are also valid for foreigners and stateless persons in the territory of the Republic of Albania, except for cases when the Constitution specifically attaches the exercise of particular rights and freedoms with Albanian citizenship.
2. The fundamental rights and freedoms and the duties contemplated in this Constitution are valid also for juridical persons so long as they comport with the general purposes of these persons and with the core of these rights, freedoms and duties.

Article 17

1. Limitations of the rights and freedoms provided for in this Constitution may be established only by law, in the public interest or for the protection of the rights of others. A limitation shall be in proportion to the situation that has dictated it.
2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights.

Article 18

1. All are equal before the law.
2. No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or parentage.
3. No one may be discriminated against for the reasons mentioned in paragraph 2 without a reasonable and objective justification.

Article 19

1. Everyone born of at least one parent with Albanian citizenship gains Albanian citizenship automatically. Albanian citizenship is gained also for other reasons provided by law.
2. An Albanian citizen cannot lose his citizenship, except when he relinquishes it.

Article 20

1. Persons who belong to national minorities exercise the human rights and freedoms in full equality before the law.
2. They have the right freely to express, without prohibition or compulsion, their ethnic, cultural, religious and linguistic belonging. They have the right to preserve and develop them, to study and to be taught in their mother tongue, and to unite in organizations and associations for the protection of their interests and identity.

CHAPTER II--PERSONAL RIGHTS AND FREEDOMS

Article 21

The life of the person is protected by law.

Article 22

1. Freedom of expression is guaranteed.
2. Freedom of the press, radio and television is guaranteed.
3. Prior censorship of means of communication is prohibited.
4. The law may require authorization to be granted for the operation of radio or television stations.

Article 23

1. The right to information is guaranteed.
2. Everyone has the right, in compliance with law, to obtain information about the activity of state organs, and of persons who exercise state functions.
3. Everyone is given the possibility to attend meetings of elected collective organs.

Article 24

1. Freedom of conscience and of religion is guaranteed.
2. Everyone is free to choose or to change his religion or beliefs, as well as to express them individually or collectively, in public or private life, through cult, education, practices or the performance of rituals.
3. No one may be compelled or prohibited to take part in a religious community or its practices or to make his beliefs or faith public.

Article 25

No one may be subjected to torture, cruel, inhuman or degrading punishment or treatment.

Article 26

No one may be required to perform forced labor, except in cases of the execution of a judicial decision, the performance of military service, or for a service that results from a state of war, a state of emergency or a natural disaster that threatens human life or health.

Article 27

1. No one's liberty may be taken away except in the cases and according to the procedures provided by law.
2. The liberty of a person may not be limited, except in the following cases:
 - a. when he is punished with imprisonment by a competent court;
 - b. for failure to comply with the lawful orders of the court or with an obligation set by law;
 - c. when there is a reasonable suspicion that he has committed a criminal offense or to prevent the commission by him of a criminal offense or his escape after its commission;
 - ç. for the supervision of a minor for purposes of education or for escorting him to a competent organ;
 - d. when a person is the carrier of a contagious disease, mentally incompetent and dangerous to society;
 - dh. for illegal entry at state borders or in cases of deportation or extradition.
3. No one may be deprived of liberty just because he is not in a state to fulfill a contractual obligation.

Article 28

1. Everyone whose liberty has been taken away has the right to be notified immediately, in a language that he understands, of the reasons for this measure, as well as the accusation made against him. The person whose liberty has been taken away shall be informed that he has no obligation to make a declaration and has the right to communicate immediately with his lawyer, and he shall also be given the possibility to exercise his rights.
2. The person whose liberty has been taken away, according to article 27, paragraph 2, subparagraph c, must be brought within 48 hours before a judge, who shall decide upon his pre-sentence detention or release not later than 48 hours from the moment he receives the documents for review.
3. A person in pre-sentence detention has the right to appeal the judge's decision. He has the right to be tried within a reasonable period of time or to be released on bail pursuant to law.
4. In all other cases, the person whose liberty is taken away extrajudicially may address a judge at any time, who shall decide within 48 hours regarding the legality of this action.
5. Every person whose liberty was taken away pursuant to article 27 has the right to humane treatment and respect for his dignity.

Article 29

1. No one may be accused or declared guilty of a criminal offense that was not provided for by law at the time of its commission, with the exception of offenses, which at the time of their commission constituted war crimes or crimes against humanity according to international law.
2. No punishment may be given that is more severe than that which was contemplated by law at the time of commission of the criminal offense.
3. A favorable criminal law has retroactive effect.

Article 30

Everyone is deemed innocent so long as his guilt is not proven by final judicial decision.

Article 31

In a criminal proceeding, everyone has the right:

- a. to be notified immediately and in detail of the charges against him, of his rights, and to have the possibility created to notify his family or relatives;
- b. to have sufficient time and facilities to prepare his defense;
- c. to have the assistance of a translator without charge, when he does not speak or understand the Albanian language;
- ç. to be defended by himself or with the assistance of a legal defender chosen by him; to communicate freely and privately with him, as well as to be provided free defense when he does not have sufficient means;
- d. to question witnesses who are present and to seek the appearance of witnesses, experts and other persons who can clarify the facts.

Article 32

1. No one may be compelled to testify against himself or his family or to confess his guilt.
2. No one may be declared guilty on the basis of data collected in an unlawful manner.

Article 33

1. Everyone has the right to be heard before being sentenced.
2. A person who is evading justice may not take advantage of this right.

Article 34

No one may be sentenced more than once for the same criminal offense or be tried again, except for cases when the re-adjudication of the case is ordered by a higher court, in the manner specified by law.

Article 35

1. No one may be compelled, except when the law requires it, to make public data related to his person.
2. The collection, use and making public of data about a person is done with his consent, except for the cases provided by law.
3. Everyone has the right to become acquainted with data collected about him, except for the cases provided by law.
4. Everyone has the right to request the correction or deletion of untrue or incomplete data or data collected in violation of law.

Article 36

The freedom and secrecy of correspondence or any other means of communication are guaranteed.

Article 37

1. The inviolability of the residence is guaranteed.
2. Searches of a residence, as well as premises that are equivalent to it, may be done only in the cases and manner provided by law.
3. No one may be subjected to a personal search outside a criminal proceeding, with the exception of cases of entry into, or exit from, the territory of the state, or to avoid a danger that threatens public security.

Article 38

1. Everyone has the right to choose his place of residence and to move freely to any part of the territory of the state.
2. No one may be hindered from leaving the state freely.

Article 39

1. No Albanian citizen may be expelled from the territory of the state.
2. Extradition may be permitted only when it is expressly provided in international agreements, to which the Republic of Albania is a party, and only by judicial decision.
3. The collective expulsion of foreigners is prohibited. The expulsion of foreign individuals is permitted under the conditions specified by law.

Article 40

Foreigners have the right of asylum in the Republic of Albania according to law.

Article 41

1. The right of private property is guaranteed.
2. Property may be acquired by gift, inheritance, purchase, or any other classical means provided by the Civil Code.
3. The law may provide for expropriations or limitations in the exercise of a property right only in the public interest.
4. Expropriations or limitations of a property right that amount to expropriation are permitted only against fair compensation.
5. In the case of disagreements related to the amount of compensation, a complaint may be filed in court.

Article 42

1. The liberty, property, and rights recognized in the Constitution and by law may not be infringed without due process.
2. Everyone, to protect his constitutional and legal rights, freedoms, and interests, or in the case of charges against him, has the right to a fair and public trial, within a reasonable time, by an independent and impartial court specified by law.

Article 43

Everyone has the right to appeal a judicial decision to a higher court, except when the Constitution provides otherwise.

Article 44

Everyone has the right to be rehabilitated and/or indemnified in compliance with law if he has been damaged because of an unlawful act, action or failure to act of the state organs.

CHAPTER III--POLITICAL RIGHTS AND FREEDOMS

Article 45

1. Every citizen who has reached the age of 18, even on the date of the elections, has the right to vote and to be elected.
2. Citizens who have been declared mentally incompetent by a final court decision do not have the right to vote.
3. Convicts who are serving a prison sentence have only the right to vote.
4. The vote is personal, equal, free and secret.

Article 46

1. Everyone has the right to organize collectively for any lawful purpose.
2. The registration of organizations or associations in court is done according to the procedure provided by law.
3. Organizations or associations that pursue unconstitutional purposes are prohibited pursuant to law.

Article 47

1. The freedom to have peaceful meetings, without arms, and to participate in them is guaranteed.
2. Peaceful meetings in squares and places of public passage are held in accordance with procedures provided by law.

Article 48

Everyone, by himself or together with others, may address requests, complaints or comments to the public organs, which are obliged to answer within the time periods and under the conditions set by law.

CHAPTER IV--ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND FREEDOMS

Article 49

1. Everyone has the right to earn the means of living by lawful work that he has chosen or accepted himself. He is free to choose his profession, place of work, and his own system of professional qualification.
2. Employees have the right to social protection of labor.

Article 50

Employees have the right to unite freely in labor organizations for the defense of their work-related interests.

Article 51

1. The right of an employee to strike in connection with labor relations is guaranteed.

2. Limitations on particular categories of employees may be established by law to ensure essential social services.

Article 52

1. Everyone has the right to social security in old age or when he is unable to work, according to a system set by law.
2. Everyone who is without work involuntarily, and has no other means of support, has the right to assistance under the conditions provided by law.

Article 53

1. Everyone has the right to marry and have a family.
2. Marriage and family enjoy special protection of the state.
3. Marriage and divorce are regulated by law.

Article 54

1. Children, the young, pregnant women and new mothers have the right to special protection by the state.
2. Children born out of wedlock have rights equal to those born within marriage.
3. Every child has the right to be protected from violence, ill treatment, exploitation and from performing any work, especially under the minimum age for child labor, which could damage his health and morals or endanger his life or normal development.

Article 55

1. Citizens enjoy in an equal manner the right to health care from the state.
2. Everyone has the right to health insurance in accordance with the procedure provided by law.

Article 56

Everyone has the right to be informed about the status of the environment and its protection.

Article 57

1. Everyone has the right to education.
2. Mandatory education is set by law.
3. General high school public education is open to all.
4. Professional high school education and higher education can be conditioned only on merit.
5. Mandatory education and general high school education in public schools are free of charge.
6. Pupils and students may also be educated in non-public schools at all levels, which are created and operate on the basis of law.
7. The autonomy of institutions of higher education and academic freedom are guaranteed by law.

Article 58

1. The freedom of artistic creation and scientific research, their application, and the benefits from their achievements are guaranteed for all.
2. Copyright is protected by law.

CHAPTER V—SOCIAL OBJECTIVES

Article 59

1. The state, within its constitutional powers and the means at its disposal, and to supplement private initiative and responsibility, aims at:
 - a. employment under suitable conditions for all persons who are able to work;

- b. fulfillment of the housing needs of its citizens;
 - c. the highest possible standard of physical and mental health;
 - ç. education and qualification of children and the young, as well as unemployed persons, according to their abilities;
 - d. a healthy and ecologically adequate environment for the present and future generations;
 - dh. the rational exploitation of forests, waters, pastures and other natural resources on the basis of the principle of sustainable development;
 - e. care and help for the aged, orphans and persons with disabilities;
 - ë. the development of sport and recreational activities;
 - f. health rehabilitation, specialized education and integration of disabled people into society, and continual improvement of their living conditions;
 - g. the protection of national cultural heritage and particular care for the Albanian language.
2. Fulfillment of social objectives cannot be claimed directly in court. The law defines under what conditions and to what extent the realization of these objectives can be claimed.

CHAPTER VI--PEOPLE'S ADVOCATE

Article 60

1. The People's Advocate defends the rights, freedoms and legitimate interests of individuals from unlawful or improper action or failure to act of the organs of public administration.
2. The People's Advocate is independent in the exercise of his duties.
3. The People's Advocate has a separate budget, which he administers himself. He proposes the budget pursuant to law.

Article 61

1. The People's Advocate is elected by three-fifths of all members of the Assembly for a five-year period, with the right of reelection.
2. Any Albanian citizen with higher education, and with recognized activity and knowledge in the field of human rights and law, may be the People's Advocate.
3. The People's Advocate enjoys the immunity of a judge of the High Court.
4. The People's Advocate may not take part in any political party, carry on any other political, state or professional activity, or take part in the management organs of social, economic and commercial organizations.

Article 62

1. The People's Advocate may be discharged only on the reasoned request of not less than one-third of the deputies.
2. In this case, the Assembly makes a decision with three-fifths of all its members.

Article 63

1. The People's Advocate presents an annual report before the Assembly.
2. The People's Advocate reports before the Assembly when so requested, and he may request the Assembly to hear him on matters he considers important.
3. The People's Advocate has the right to make recommendations and to propose measures when he finds violations of human rights and freedoms by the public administration.
4. Public organs and officials are obligated to provide the People's Advocate with all the documents and information requested by him.

PART THREE--THE ASSEMBLY

CHAPTER I--ELECTION AND TERM

Article 64

1. The Assembly consists of 140 deputies. One hundred deputies are elected directly in single member electoral zones with an approximately equal number of voters. Forty deputies are elected from multi-name lists of parties or party coalitions according to their ranking.
2. The total number of deputies of a party or a party coalition shall be, to the closest possible extent, proportional to the valid votes won by them on the national scale in the first round of elections.
3. Parties that receive less than 2.5 per cent, and party coalitions that receive less than 4 per cent, of the valid votes on the national scale in the first round of elections do not benefit from the respective multi-name list.

Article 65

1. The Assembly is elected for four years.
2. Elections for the Assembly are held 60 to 30 days before the end of the mandate and not later than 45 days after its dissolution.
3. The mandate of the Assembly continues until the first meeting of the new Assembly. In this interval, the Assembly may not issue laws or take decisions, except when extraordinary measures have been established.

Article 66

The mandate of the Assembly is extended only in case of war and for so long as it continues. When the Assembly has been dissolved, it re-convenes.

Article 67

1. The newly elected Assembly is called to its first meeting by the President of the Republic no later than 20 days from the conclusion of the elections.
2. If the President of the Republic does not exercise this power, the Assembly shall convene within 10 days from the end of the term provided in paragraph 1 of this article.

CHAPTER II--THE DEPUTIES

Article 68

1. Candidates for deputy may be presented only by political parties, coalitions of parties, and by voters.
2. The rules for the designation of candidates for deputy, for the organization and conduct of elections, and for the definition of electoral zones and the conditions of validity for elections are regulated by the electoral law.

Article 69

1. Without resigning from duty, the following may not run as candidates or be elected deputies:
 - a. judges and prosecutors;
 - b. military servicemen on active duty;
 - c. staff of the police and of the national security;
 - ç. diplomatic representatives;
 - d. mayors of municipalities and communes as well as prefects in the places where they carry out their duties;
 - dh. chairmen and members of the electoral commissions;
 - e. the President of the Republic and the high officials of the state administration contemplated by law.
2. A mandate won in violation of paragraph 1 of this article is invalid.

Article 70

1. Deputies represent the people and are not bound by any obligatory mandate.
2. Deputies may not simultaneously exercise any other public duty with the exception of that of a member of the Council of Ministers. Other cases of incompatibility are specified by law.

3. Deputies may not carry out any profit-making activity that stems from the property of the state or of local government, and may not acquire the property of either of the latter.
4. For every violation of paragraph 3 of this article, on the motion of the Speaker of the Assembly or of one-tenth of its members, the Assembly decides on sending the case to the Constitutional Court, which decides on the incompatibility.

Article 71

1. The mandate of the deputy begins on the day when he is declared elected by the respective electoral commission.
2. The mandate of the deputy ends or is invalid, as the case may be:
 - a. when he does not take the oath;
 - b. when he relinquishes the mandate;
 - c. when one of the conditions of ineligibility or incompatibility contemplated in articles 69 and 70, paragraphs 2 and 3, is ascertained;
 - ç. when the mandate of the Assembly ends;
 - d. when he is absent from the Assembly for more than six consecutive months without reason;
 - dh. when he is convicted by final court decision for the commission of a crime.

Article 72

Before beginning the mandate, the deputies take the oath in the Assembly.

Article 73

1. A deputy does not bear responsibility for opinions expressed in the Assembly and votes cast. This provision is not applicable in the case of defamation.
2. A deputy may not be criminally prosecuted without the authorization of the Assembly. Authorization is also required when he is to be arrested.
3. A deputy may be detained or arrested without authorization when he is apprehended during or immediately after the commission of a serious crime. In these cases, the General Prosecutor immediately notifies the Assembly, which, when it determines that the proceeding is unjustified, decides to lift the measure.
4. In the cases contemplated in paragraphs 2 and 3 of this article, the Assembly decides by secret ballot.

CHAPTER III—ORGANIZATION AND OPERATION

Article 74

1. The Assembly conducts its annual work in two sessions. The first session begins on the third Monday of January and the second session on the first Monday of September.
2. The Assembly meets in extraordinary session when requested by the President of the Republic, the Prime Minister or by one-fifth of all the deputies.
3. Extraordinary sessions are called by the Speaker of the Assembly on the basis of a defined agenda.

Article 75

1. The Assembly elects and discharges its Speaker.
2. The Assembly is organized and operates according to regulations approved by a majority of all its members.

Article 76

1. The Speaker chairs debates, directs the work, assures respect for the rights of the Assembly and its members, and represents the Assembly in relations with others.
2. The highest civil employee of the Assembly is the General Secretary.
3. Other services necessary for the operation of the Assembly are carried out by other employees, as specified by internal regulations.

Article 77

1. The Assembly elects standing committees from its ranks and may also establish special committees.
2. The Assembly has the right and, upon the request of one-fourth of its members, is obliged to designate investigatory committees to review a particular issue. Their conclusions are not binding on the courts, but they may be made known to the office of the prosecutor, which evaluates them according to legal procedures.
3. Investigatory committees operate according to procedures set by law.

Article 78

1. The Assembly takes decisions by a majority of votes, in the presence of more than half of its members, except for cases where the Constitution provides for a qualified majority.
2. Meetings of the deputies that are convened without being called in accordance with the regulations do not have any effect.

Article 79

1. Meetings of the Assembly are open.
2. At the request of the President of the Republic, the Prime Minister or one-fifth of the deputies, meetings of the Assembly may be closed when a majority of all its members have voted in favor of it.

Article 80

1. The Prime Minister and any other member of the Council of Ministers must answer interpellances and questions of the deputies within three weeks.
2. A member of the Council of Ministers has the right to take part in meetings of the Assembly or of its committees; he is given the floor whenever he requests it.
3. The heads of state institutions, at the request of the parliamentary committees, give explanations and information about specific issues of their activity to the extent that the law permits.

CHAPTER IV--THE LEGISLATIVE PROCESS

Article 81

1. The Council of Ministers, every deputy and 20,000 electors each have the right to propose laws.
2. There are approved by three-fifths of all members of the Assembly:
 - a. the laws for the organization and operation of the institutions contemplated by the Constitution;
 - b. the law on citizenship;
 - c. the law on general and local elections;
 - ç. the law on referenda;
 - d. the codes;
 - dh. the law on the state of emergency;
 - e. the law on the status of public functionaries;
 - ë. the law on amnesty;
 - f. the law on administrative divisions of the Republic.

Article 82

1. The proposal of laws, when this is the case, must always be accompanied by a report that justifies the financial costs of its implementation.
2. No non-governmental draft law that makes necessary an increase in the expenses of the state budget or diminishes income may be approved without hearing the opinion of the Council of Ministers, which must be given within 30 days from the date of receiving the draft law.
3. If the Council of Ministers does not give an answer within the above time period, the draft law passes for review according to the normal procedure.

Article 83

1. A draft law is voted on three times: in principle, article by article, and in its entirety.
2. The Assembly may, at the request of the Council of Ministers or one-fifth of all the deputies, review and approve a draft law by an expedited procedure, but no sooner than one week from the beginning of the review procedure.
3. The expedited procedure is not permitted for the review of the draft laws contemplated in Article 81, paragraph 2, with the exception of subparagraph dh.

Article 84

1. The President of the Republic promulgates an approved law within 20 days from its submission.
2. A law is deemed promulgated if the President of the Republic does not exercise the rights provided for in paragraph 1 of this article or in paragraph 1 of article 85.
3. A law enters into force with the passage of not less than 15 days after its publication in the Official Journal.
4. In cases of extraordinary measures, as well as in cases of necessity and emergency, when the Assembly decides with a majority of all its members and the President of the Republic gives his consent, a law enters into force immediately, but only after it is made known publicly. The law shall be published in the first number of the Official Journal.

Article 85

1. The President of the Republic has the right to return a law for re-consideration only once.
2. The decree of the President for the re-consideration of a law loses its effect when a majority of all the members of the Assembly vote against it.

PART FOUR—THE PRESIDENT OF THE REPUBLIC

Article 86

1. The President of the Republic is the Head of State and represents the unity of the people.
2. Only an Albanian citizen by birth who has resided in Albania for not less than the past 10 years and who has reached the age of 40 may be elected President.

Article 87

1. A candidate for President is proposed to the Assembly by a group of not less than 20 of its members. A member is not permitted to take part in more than one proposing group.
2. The President of the Republic is elected by the Assembly by secret ballot and without debate by a majority of three-fifths of all its members.
3. When this majority is not reached in the first ballot, a second ballot takes place within 7 days from the day of the first ballot.
4. When this majority is not reached even in the second ballot, a third ballot takes place within 7 days.
5. When there is more than one candidate and none of them has received the required majority, within 7 days, a fourth ballot takes place between the two candidates who have received the greatest number of votes.
6. If even in the fourth ballot neither of the two candidates has received the required majority, a fifth ballot takes place.
7. If even in the fifth ballot neither of the two candidates has received the required majority, the Assembly is dissolved and new general elections take place within 60 days.
8. The new Assembly elects the President pursuant to the procedure contemplated in paragraphs 1 to 7 of this article. If even the new Assembly fails to elect the President, the Assembly is dissolved and new general elections take place within 60 days.
9. The subsequent Assembly elects the President of the Republic by a majority of all its members.

Article 88

1. The President of the Republic is in every case elected for 5 years, with the right to be reelected only once.
2. The procedure for the election of the President begins no later than 30 days before the end of the previous presidential mandate.
3. The President begins his duties after he takes the oath before the Assembly, but not before the mandate of the President who is leaving has been completed. The President takes this oath:
"I swear that I will obey the Constitution and laws of the country, I will respect the rights and freedoms of citizens, I will protect the independence of the Republic, and I will serve the general interest and the progress of the Albanian People." The President may add: "So help me God!"
4. A President who resigns before the end of his mandate may not be a candidate in the presidential election that takes place after his resignation.

Article 89

The President of the Republic may not hold any other public position, may not be a member of a party and may not carry out other private activity.

Article 90

1. The President of the Republic is not responsible for actions carried out in the exercise of his duty.
2. The President of the Republic may be dismissed for serious violations of the Constitution and for the commission of a serious crime. In these cases, a proposal for the dismissal of the President may be made by not less than one-fourth of the members of the Assembly and shall be supported by not less than two-thirds of all its members.
3. The decision of the Assembly is sent to the Constitutional Court, which, when it verifies the guilt of the President of the Republic, declares his dismissal from duty.

Article 91

1. When the President of the Republic is temporarily unable to exercise his functions or his place is vacant, the Speaker of the Assembly takes his place and exercises his powers.
2. If the President cannot exercise his duties for more than 60 days, the Assembly decides by two-thirds of all its members to send the issue to the Constitutional Court, which determines conclusively the fact of his incapacity. In the case of a determination of incapacity, the place of the President remains vacant and the election of a new President begins within 10 days from the date of determination of incapacity.

Article 92

The President also exercises these powers:

- a. he addresses messages to the Assembly;
- b. he exercises the right of pardon according to law;
- c. he grants Albanian citizenship and permits it to be relinquished according to law;
- ç. he grants decorations and titles of honor according to law;
- d. he grants the highest military ranks according to law;
- dh. on the proposal of the Prime Minister, he appoints and withdraws plenipotentiary representatives of the Republic of Albania to other states and international organizations;
- e. he accepts letters of credential and the withdrawal of diplomatic representatives of other states and international organizations accredited to the Republic of Albania;
- ë. he enters into international agreements according to law;
- f. on the proposal of the Prime Minister, he appoints the director of the intelligence service of the state;
- g. he nominates the Chairman of the Academy of Sciences and the rectors of universities pursuant to law;
- gj. he sets the date of the elections for the Assembly, for the organs of local power and for the conduct of referenda;
- h. he requests opinions and information in writing from the directors of state institutions for issues that relate to their duties.

Article 93

The President of the Republic issues decrees in the exercise of his powers.

Article 94

The President of the Republic may not exercise other powers besides those contemplated expressly by the Constitution and granted by laws issued in compliance with it.

PART FIVE--THE COUNCIL OF MINISTERS

Article 95

1. The Council of Ministers consists of the Prime Minister, the deputy prime minister, and the ministers.
2. The Council of Ministers exercises every state function that is not given to the organs of other state powers or of local government.

Article 96

1. At the beginning of a legislature, as well as when the position of Prime Minister is vacant, the President of the Republic appoints the Prime Minister on the proposal of the party or coalition of parties that has the majority of seats in the Assembly.
2. If the Prime Minister appointed is not approved by the Assembly, the President appoints a new Prime Minister within 10 days.
3. If the newly appointed Prime Minister is not approved by the Assembly, the Assembly elects another Prime Minister within 10 days. In this case, the President appoints the new Prime Minister.
4. If the Assembly fails to elect a new Prime Minister, the President of the Republic dissolves the Assembly.

Article 97

Within 10 days, the Prime Minister appointed according to article 96, article 104 or article 105 presents the political program of the Council of Ministers, together with its composition, to the Assembly for approval.

Article 98

1. A minister is appointed and dismissed by the President of the Republic, on the proposal of the Prime Minister, within 7 days.
2. The decree is reviewed by the Assembly within 10 days.

Article 99

Before taking office, the Prime Minister, the deputy prime minister, and the ministers take an oath before the President of the Republic.

Article 100

1. The Council of Ministers determines the principal general policies of the state.
2. The Council of Ministers takes decisions upon the proposal of the Prime Minister or the respective minister.
3. Meetings of the Council of Ministers are held behind closed doors.
4. Acts of the Council of Ministers are valid when signed by the Prime Minister and the proposing minister.
5. The Council of Ministers issues decisions and instructions.

Article 101

In cases of necessity and emergency, the Council of Ministers may issue, under its own responsibility, normative acts having the force of law for taking temporary measures. These normative acts are immediately submitted to

the Assembly, which is convened within 5 days if it is not in session. These acts lose force retroactively if they are not approved by the Assembly within 45 days.

Article 102

1. The Prime Minister:
 - a. represents the Council of Ministers and chairs its meetings;
 - b. outlines and presents the principal general policies of the state and is responsible for them;
 - c. assures the implementation of legislation and policies approved by the Council of Ministers;
 - ç. coordinates and supervises the work of the members of the Council of Ministers and other institutions of the central state administration;
 - d. performs other duties contemplated in the Constitution and laws.
2. The Prime Minister resolves disagreements among ministers.
3. The Prime Minister issues orders in the exercise of his powers.
4. Within the principal general policies of the state, a minister directs, under his responsibility, activities within his competency. A minister issues orders and instructions in the exercise of his powers.

Article 103

1. Anyone who is eligible to be a deputy may be appointed a minister.
2. A minister may not exercise any other state activity or be a director or member of the organs of profit-making companies.
3. Members of the Council of Ministers enjoy the immunity of a deputy.

Article 104

1. If a motion of confidence presented by the Prime Minister is rejected by a majority of all members of the Assembly, the Assembly elects another Prime Minister within 15 days. In this case, the President appoints the new Prime Minister.
2. When the Assembly fails to elect a new Prime Minister, the President of the Republic dissolves the Assembly.
3. The vote on the motion cannot take place if three days have not passed from the day it was presented.

Article 105

1. If a motion of no confidence presented by one-fifth of the members of the Assembly is approved by a majority of all its members, the Assembly elects another Prime Minister within 15 days. In this case, the President appoints the new Prime Minister.
2. When the Assembly fails to elect a new Prime Minister, the President of the Republic dissolves the Assembly.
3. The vote on the motion cannot take place if three days have not passed from the day it was presented.

Article 106

The Prime Minister and the ministers are obligated to stay in office until the formation of the succeeding Council of Ministers.

Article 107

1. Public employees apply the law and are at the service of the people.
2. Employees in the public administration are selected by competition, except when the law provides otherwise.
3. Guarantees of tenure and legal treatment of public employees are regulated by law.

PART SIX—LOCAL GOVERNMENT

Article 108

1. Communes or municipalities and regions are the units of local government. Other units of local government are regulated by law.
2. The territorial-administrative division of the units of local government is established by law on the basis of mutual economic needs and interests, and of historical tradition. Their borders may not be changed without first hearing the opinion of their inhabitants.
3. Communes and municipalities are basic units of local government. They perform all the duties of self-government, with the exception of those that are given by law to other units of local government.
4. Self-government in the local units is exercised through their representative organs and local referenda. The principles and procedures for the conduct of local referenda are provided by law in accordance with article 151, paragraph 2.

Article 109

1. The representative organs of the basic units of local government are the councils, which are elected every three years by general direct elections and by secret ballot.
2. The executive organ of a municipality or commune is the mayor, who is elected directly by the people in the manner contemplated in paragraph 1 of this article.
3. Only citizens with permanent residence in the territory of the respective local unit have the right to be elected to the local councils and as mayor of the municipality or commune.
4. The organs of local government units have the right to form unions and joint institutions with one another for the representation of their interests, to cooperate with local units of other countries, and to be represented in international organizations of local governments.

Article 110

1. A region consists of several basic units of local government with traditional, economic and social ties and common interests.
2. The region is the unit where regional policies are made and implemented and where they are harmonized with policies of the state.
3. The representative organ of the region is the regional council. Municipalities and communes delegate members to the regional council in proportion to their population, but in any case at least one member. The mayors of communes and municipalities are always members of the regional council. Other members are elected through proportional lists from among the municipal or communal councilors by the respective councils.
4. The Regional Council has the right to issue ordinances and decisions with general binding force for the region.

Article 111

1. The units of local government are juridical persons.
2. The units of local government have an independent budget, which is set in the manner provided by law.

Article 112

1. Powers of the state administration may be delegated by law to the units of local government. Expenses that are incurred in the exercise of the delegation are covered by the state.
2. Obligations may be imposed on the organs of local government only in compliance with law or according to agreements entered into by them. Expenses related to the obligations imposed by law on the organs of local government are covered by the state budget.

Article 113

1. The communal, municipal and regional councils:
 - a. regulate and administer in an independent manner local issues within their jurisdiction;
 - b. exercise property rights, administer their income independently, and are entitled to exercise economic activity;

- c. have the right to collect and spend income necessary for the exercise of their functions;
 - ç. have the right, in compliance with law, to establish local taxes as well as their level;
 - d. establish rules for their organization and operation in compliance with law;
 - dh. create symbols of local government and local titles of honor;
 - e. undertake initiatives for local issues before the organs set by law.
2. The organs of units of local government issue ordinances, decisions and orders.
 3. The rights of self-government of the units of local government are protected in court.

Article 114

The Council of Ministers appoints a prefect as its representative in every region. The powers of the prefect are set by law.

Article 115

1. A directly elected organ of a local government unit may be dissolved or discharged by the Council of Ministers for serious violations of the Constitution or the laws.
2. The dissolved or discharged organ may complain, within 15 days, to the Constitutional Court, in which case the decision of the Council of Ministers is suspended.
3. If the right to complain is not exercised within 15 days, or if the Constitutional Court upholds the decision of the Council of Ministers, the President of the Republic sets a date for elections in the respective local unit.

PART SEVEN--NORMATIVE ACTS AND INTERNATIONAL AGREEMENTS

CHAPTER I--NORMATIVE ACTS

Article 116

1. Normative acts that are effective in the entire territory of the Republic of Albania are:
 - a. the Constitution;
 - b. ratified international agreements;
 - c. the laws;
 - ç. normative acts of the Council of Ministers.
2. Acts that are issued by the organs of local government are effective only within the territorial jurisdiction of these organs.
3. Normative acts of ministers and directors of other central institutions are effective within the sphere of their jurisdiction in the entire territory of the Republic of Albania.

Article 117

1. The laws and the normative acts of the Council of Ministers, ministers and other central state institutions acquire legal effect only after they are published in the Official Journal.
2. The promulgation and publication of other normative acts is done in the manner provided by law.
3. International agreements that are ratified by law are promulgated and published according to the procedures contemplated for laws. The promulgation and publication of other international agreements is done according to law.

Article 118

1. Substatutory acts are issued on the basis of and for implementation of the laws by the organs provided in the Constitution.
2. A law shall authorize the issuance of substatutory acts, designate the competent organ, the issues that are to be regulated, and the principles on the basis of which the substatutory acts are issued.
3. The organ authorized by law to issue substatutory acts as is specified in paragraph 2 of this article may not delegate its power to another organ.

Article 119

1. The rules of the Council of Ministers, of the ministries and other central institutions, as well as orders of the Prime Minister, the ministers and the heads of central institutions, have an internal character and are binding only on their subordinate administrative entities.
2. These acts are issued on the basis of law and may not serve as a basis for taking decisions that affect individuals and other subjects.
3. Rules and orders are issued on the basis of and for the implementation of acts that have general legal effect.

Article 120

The principles and procedures for the issuance of local legal acts are provided by law.

CHAPTER II--INTERNATIONAL AGREEMENTS

Article 121

1. The ratification and denunciation of international agreements by the Republic of Albania is done by law when they involve:
 - a. territory, peace, alliances, political and military issues;
 - b. human rights and freedoms, and obligations of citizens as provided in the Constitution;
 - c. the membership of the Republic of Albania in international organizations;
 - ç. the assumption of financial obligations by the Republic of Albania;
 - d. the approval, amendment or repeal of laws.
2. The Assembly may, by a majority of all its members, ratify other international agreements that are not contemplated in paragraph 1 of this article.
3. The Prime Minister notifies the Assembly whenever the Council of Ministers signs an international agreement that is not ratified by law.
4. The principles and procedures for ratification and denunciation of international agreements are provided by law.

Article 122

1. Any ratified international agreement constitutes part of the internal legal system after it is published in the Official Journal of the Republic of Albania. It is directly applicable, except when it is not self-executing and its application requires the adoption of a law. The amendment and repeal of laws approved by a majority of all members of the Assembly is done by the same majority for the purposes of the ratification of an international agreement.
2. An international agreement ratified by law has priority over the laws of the country that are incompatible with it.
3. The norms issued by an international organization have priority, in case of conflict, over the law of the country when the direct application of the norms issued by the organization is expressly contemplated in the agreement ratified by the Republic of Albania for participation therein.

Article 123

1. The Republic of Albania delegates to international organizations state powers for specific issues on the basis of international agreements.
2. The law that ratifies an international agreement as provided in paragraph 1 of this article is approved by a majority of all members of the Assembly.
3. The Assembly may decide that the ratification of such an agreement be done through a referendum.

PART EIGHT--CONSTITUTIONAL COURT

Article 124

1. The Constitutional Court guarantees respect for the Constitution and interprets it conclusively.
2. The Constitutional Court is subject only to the Constitution.

Article 125

1. The Constitutional Court is composed of nine members, who are appointed by the President of the Republic with the consent of the Assembly.
2. Judges are named for nine years without the right to be reelected, among lawyers with high qualifications and with professional work experience of not less than fifteen years.
3. One-third of the composition of the Constitutional Court is renewed every three years, according to the procedure determined by law.
4. The President of the Constitutional Court is appointed for a 3-year term from the ranks of its members by the President of the Republic with the consent of the Assembly.
5. A judge of the Constitutional Court continues in office until the appointment of his successor.

Article 126

A judge of the Constitutional Court cannot be criminally prosecuted without the consent of the Constitutional Court. A judge of the Constitutional Court can be detained or arrested only if apprehended while committing a crime or immediately after its commission. The competent organ notifies the Constitutional Court immediately. If the Constitutional Court does not give its consent within 24 hours to bring the arrested judge to court, the competent organ is obliged to release him.

Article 127

1. The mandate of a judge of the Constitutional Court ends when:
 - a. he is sentenced by a final court decision for commission of a crime;
 - b. he fails to appear for duty, without reason, for more than 6 months;
 - c. he reaches 70 years of age;
 - ç. he resigns;
 - d. he is declared incapable of acting by a final court decision.
2. The end of the mandate of a judge is declared by a decision of the Constitutional Court.
3. In the case of a vacancy, the President of the Republic with the consent of the Assembly appoints a new judge, who remains in office until the end of the mandate of the departed judge.

Article 128

A judge of the Constitutional Court can be removed by the Assembly by two-thirds of all its members for violation of the Constitution, commission of a crime, mental or physical incapacity, or acts and behavior that seriously discredit judicial integrity and reputation. The decision of the Assembly is reviewed by the Constitutional Court, which, when it determines the existence of one of these grounds, declares the removal from office of the member of the Constitutional Court.

Article 129

A judge of the Constitutional Court takes office after taking an oath before the President of the Republic.

Article 130

Being a judge of the Constitutional Court is incompatible with any other state, political or private activity.

Article 131

The Constitutional Court decides on:

- a. the compatibility of a law with the Constitution or with international agreements as provided in article 122;
- b. the compatibility of international agreements with the Constitution, prior to their ratification;

- c. the compatibility of normative acts of the central and local organs with the Constitution and international agreements;
- ç. conflicts of competencies among the powers as well as between central government and local government;
- d. the constitutionality of parties and other political organizations, as well as their activity, according to article 9 of this Constitution;
- dh. removal from office of the President of the Republic and verification of his inability to exercise his functions;
- e. issues related to the eligibility and incompatibilities in exercising the functions of the President of the Republic and of the deputies, as well as the verification of their election;
- ë. the constitutionality of a referendum and the verification of its results;
- f. the final adjudication of the complaints of individuals for the violation of their constitutional rights to due process of law, after all legal remedies for the protection of those rights have been exhausted.

Article 132

- 1. The decisions of the Constitutional Court have general binding force and are final. The Constitutional Court can only invalidate the acts it reviews.
- 2. The decisions of the Constitutional Court enter into force on the day of their publication in the Official Journal, unless the Constitutional Court has decided that the law or normative act be invalidated on another date. A dissenting opinion is published together with the decision.

Article 133

- 1. The acceptance of complaints for adjudication is decided by the number of judges determined by law.
- 2. The Constitutional Court takes decisions by a majority of all its members.

Article 134

- 1. The Constitutional Court initiates a proceeding only on the request of:
 - a. the President of the Republic;
 - b. the Prime Minister;
 - c. not less than one-fifth of the deputies;
 - ç. the head of High State Control;
 - d. any court, under article 145, paragraph 2 of this Constitution;
 - dh. the People's Advocate;
 - e. the organs of local government;
 - ë. the organs of religious communities;
 - f. political parties and other organizations;
 - g. individuals.
- 2. The subjects contemplated in subparagraphs dh, e, ë, f and g of paragraph 1 of this article may make a request only for issues related to their interests.

PART NINE--THE COURTS

Article 135

- 1. The judicial power is exercised by the High Court, as well as by the courts of appeal and courts of first instance, which are established by law.
- 2. The Assembly may by law establish courts for particular areas, but in no case an extraordinary court.

Article 136

- 1. The members of the High Court are appointed by the President of the Republic with the consent of the Assembly.
- 2. One of the members is appointed President following the procedure contemplated by paragraph 1 of this article.

3. The President and members of the High Court hold office for 9 years without the right of re-appointment.
4. The other judges are appointed by the President of the Republic upon the proposal of the High Council of Justice.
5. Only citizens with higher legal education may be judges. The conditions and procedures for selection are defined by law.

Article 137

1. A judge of the High Court may be criminally prosecuted only with the approval of the Assembly.
2. A judge of the High Court may be detained or arrested only if apprehended while committing a crime or immediately after its commission. The competent organ notifies the Constitutional Court immediately. If the Constitutional Court does not consent within 24 hours to bring the arrested judge before a court, the competent organ is obliged to release him.
3. Other judges may be criminally prosecuted only with the approval of the High Council of Justice.
4. A judge may be detained or arrested only if apprehended while committing a crime or immediately after its commission. The competent organ notifies the High Council of Justice immediately. If the High Council of Justice does not consent within 24 hours to bringing the arrested judge before a court, the competent organ is obliged to release him.

Article 138

The time judges stay in office cannot be limited; their pay and other benefits cannot be lowered.

Article 139

1. The mandate of a High Court judge ends when:
 - a. he is convicted of a crime by a final court decision;
 - b. fails to appear for duty, without reason, for more than six months;
 - c. he reaches 65 years of age;
 - ç. he resigns;
 - d. he is declared incapable of acting by a final court decision.
2. The end of the mandate of a judge is declared by a decision of the High Court.

Article 140

A judge of the High Court may be removed by the Assembly by two-thirds of all its members for violation of the Constitution, commission of a crime, mental or physical incapacity, or acts and behavior that seriously discredit judicial integrity and reputation. The decision of the Assembly is reviewed by the Constitutional Court, which, when it determines the existence of one of these grounds, declares his removal from office.

Article 141

1. The High Court has original and review jurisdiction. It has original jurisdiction when adjudicating criminal charges against the President of the Republic, the Prime Minister, members of the Council of Ministers, deputies, judges of the High Court, and judges of the Constitutional Court.
2. For the unification or amendment of judicial practice, the High Court has the right to select particular judicial cases for review in the joint colleges.

Article 142

1. Judicial decisions shall be reasoned.
2. The High Court shall publish its decisions as well as the minority opinions.
3. State organs must execute judicial decisions.

Article 143

Being a judge is incompatible with any other state, political or private activity.

Article 144

Courts have a separate budget, which they administer themselves. They propose their budget according to law.

Article 145

1. Judges are independent and subject only to the Constitution and the laws.
2. If judges believe that a law is unconstitutional, they do not apply it. In this case, they suspend the proceedings and send the question to the Constitutional Court. Decisions of the Constitutional Court are binding on all courts.
3. Interference in the activity of the courts or of the judges entails liability according to law.

Article 146

1. Courts render decisions in the name of the Republic.
2. In every case judicial decisions are announced publicly.

Article 147

1. The High Council of Justice consists of the President of the Republic, the President of the High Court, the Minister of Justice, three members elected by the Assembly, and nine judges of all levels elected by the National Judicial Conference. Elected members stay in office for five years, without the right of immediate reelection.
2. The President of the Republic is the Chairman of the High Council of Justice.
3. The High Council of Justice, on the proposal of the President, elects a vice-chairman from its ranks. The vice-chairman organizes the activity of the High Council of Justice and chairs its meetings in the absence of the President of the Republic.
4. The High Council of Justice decides on the transfer of judges as well as their disciplinary responsibility pursuant to law.
5. Transfer of judges may not be done without their consent, except when the need for reorganization of the judicial system requires it.
6. A judge may be removed by the High Council of Justice for commission of a crime, mental or physical incapacity, acts and behavior that seriously discredit judicial integrity and reputation, or professional insufficiency. The judge has the right to appeal this decision to the High Court, which decides in the joint colleges.

PART TEN—THE OFFICE OF THE PROSECUTOR

Article 148

1. The office of the prosecutor exercises criminal prosecution and represents the accusation in court on behalf of the state. The office of the prosecutor also performs other duties set by law.
2. Prosecutors are organized and operate as a centralized organ attached to the judicial system.
3. In the exercise of their powers, prosecutors are subject to the Constitution and the laws.

Article 149

1. The General Prosecutor is appointed by the President of the Republic with the consent of the Assembly.
2. The General Prosecutor may be discharged by the President of the Republic on the proposal of the Assembly for violations of the Constitution or serious violations of the law during the exercise of his duties, for mental or physical incapacity, and for acts and behavior that seriously discredit prosecutorial integrity and reputation.
3. The other prosecutors are appointed and dismissed by the President of the Republic on the proposal of the General Prosecutor.
4. The General Prosecutor informs the Assembly periodically on the condition of criminality.

PART ELEVEN—REFERENDUM

Article 150

1. The people, through 50,000 citizens entitled to vote, have the right to a referendum for the abrogation of a law, and to request the President of the Republic to call a referendum on issues of special importance.
2. The Assembly, on the proposal of not less than one-fifth of the deputies or on the proposal of the Council of Ministers, can decide that an issue or a draft law of special importance be submitted to referendum.
3. Principles and procedures for conducting a referendum, and its validity, are provided by law.

Article 151

1. A law approved by referendum is promulgated by the President of the Republic.
2. Issues related to the territorial integrity of the Republic of Albania, the limitation of fundamental human rights and freedoms, the budget, taxes and financial obligations of the state, the imposition or lifting of a state of emergency, a declaration of war or peace, and amnesty cannot be submitted to a referendum.
3. A referendum on the same issue cannot be repeated before three years have passed.

Article 152

1. Within 60 days, the Constitutional Court reviews preliminarily the constitutionality of the issues submitted to referendum according to article 150, paragraphs 1 and 2, article 151, paragraphs 2 and 3, and article 177, paragraphs 4 and 5.
2. The importance of the special issues contemplated in paragraphs 1 and 2 of article 150 is not subject to adjudication by the Constitutional Court.
3. The President of the Republic sets the date of the referendum within 45 days after the announcement of a positive decision of the Constitutional Court or after the expiration of the period within which the Constitutional Court should have rendered its decision. During the year, referenda can be held on only one day.

PART TWELVE—CENTRAL ELECTION COMMISSION

Article 153

The Central Election Commission is a permanent organ that prepares, supervises, manages, and verifies all aspects of elections and referenda and announces their results.

Article 154

1. The Commission consists of seven members elected for a 7-year term. Two members are elected by the Assembly, two by the President of the Republic, and three other members by the High Council of Justice.
2. The composition of the Central Election Commission is renewed every three years pursuant to the procedure established by law.
3. Membership in the Commission is incompatible with any other state or political activity.
4. Electoral subjects appoint representatives to the Commission. They do not have the right to vote.
5. A member of the Commission enjoys the same immunity as a member of the High Court.
6. The Commission has its own budget.

PART THIRTEEN—PUBLIC FINANCES

Article 155

Fees, taxes and other financial obligations, national or local, a reduction of or exemption from them for certain categories of taxpayers and the method of collecting them are set by law. In such cases, the law may not have retroactive effect.

Article 156

The state can make and guarantee loans and financial credits when authorized by law.

Article 157

1. The budgetary system consists of the state budget and local budgets.
2. The state budget is created by revenues collected from taxes, fees and other financial obligations, and from other lawful revenues. It includes all the expenses of the state.
3. Local organs impose and collect taxes and other obligations as provided by law.
4. The organs of central and local government must make their revenues and expenses public.

Article 158

1. The Prime Minister, on behalf of the Council of Ministers, presents the draft law on the budget to the Assembly during the autumn session, which cannot close without approving it.
2. If the draft law is not approved by the beginning of the next fiscal year, the Council of Ministers applies one-twelfth of the budget of the previous year every month until the new budget is approved.
3. The Assembly approves the new budget within three months from the last day of the previous fiscal year, except when extraordinary measures have been imposed.
4. The Council of Ministers must submit a report to the Assembly on the implementation of the budget and the state debt of the previous year.
5. The Assembly takes a final decision after hearing the report of the High State Control.

Article 159

Principles and procedures for preparing the draft budget and for implementing the budget are defined by law.

Article 160

1. The Assembly may amend the budget during the fiscal year.
2. Amendments to the budget are made according to the procedures provided for drafting and approving it.
3. Expenditures contemplated in other laws cannot be reduced so long as these laws are in force.

Article 161

1. The Central Bank of the state is the Bank of Albania. It has the exclusive right to issue and circulate Albanian money, to implement monetary policy independently, and to maintain and administer the foreign currency reserves of the Republic of Albania.
2. The Bank of Albania is managed by a council, which is chaired by the Governor. The Governor is elected by the Assembly, on the proposal of the President of the Republic, for seven years with the right of reelection.

PART FOURTEEN--THE HIGH STATE CONTROL

Article 162

1. The High State Control is the highest institution of economic and financial audit. It is subject only to the Constitution and laws.
2. The Chairman of the High State Control is elected and dismissed by the Assembly on the proposal of the President of the Republic. He remains in office for seven years, with the right of reelection.

Article 163

The High State Control audits and reviews:

- a. the economic activity of state institutions and other juridical persons of the state;
- b. the use and protection of state funds by organs of central and local government;
- c. the economic activity of juridical persons in which the state owns more than half of the interest, or whose debts, credits, and obligations are guaranteed by the state.

Article 164

1. The High State Control submits to the Assembly:
 - a. a report on the implementation of the state budget;
 - b. its opinion on the report of the Council of Ministers for the expenses of the previous financial year, before it is approved by the Assembly;
 - c. information on the results of audits and reviews whenever asked by the Assembly.
2. The High State Control submits an annual report on its activities to the Assembly.

Article 165

1. The Chairman of the High State Control may be invited to participate and speak in the meetings of the Council of Ministers when questions related to its functions are reviewed.
2. The Chairman of the High State Control has the immunity of a member of the High Court.

PART FIFTEEN—ARMED FORCES

Article 166

1. Albanian citizens have the duty to participate in the defense of the Republic of Albania, as provided by law.
2. A citizen who, for reasons of conscience, refuses to serve with weapons in the armed forces is obliged to perform alternative service, as provided by law.

Article 167

1. Military servicemen on active duty cannot be elected or appointed to other state duties or take part in political activity or in a party.
2. Members of the armed forces or persons who perform alternative service enjoy all the constitutional rights and freedoms, except when the law provides otherwise.

Article 168

1. The Armed Forces of the Republic of Albania are composed of the army, navy, and air force.
2. The President of the Republic is the Commander-in-Chief of the Armed Forces.
3. The National Security Council is an advisory organ of the President of the Republic.

Article 169

1. In time of peace the President of the Republic exercises command of the Armed Forces through the Prime Minister and the Minister of Defense.
2. In time of war the President of the Republic appoints and dismisses the Commander of the Armed Forces on the proposal of the Prime Minister.
3. On the proposal of the Prime Minister, the President of the Republic appoints and dismisses the Chief of the General Staff, and on the proposal of the Minister of Defense he appoints and dismisses the commanders of the army, navy, and air force.
4. The powers of the President of the Republic as Commander-in-Chief of the Armed Forces and those of the Commander of the Armed Forces, and their subordination to the constitutional organs, are defined by law.

PART SIXTEEN--EXTRAORDINARY MEASURES

Article 170

1. Extraordinary measures can be imposed because of a state of war, a state of emergency, or a state of natural disaster and last for as long as these conditions continue.
2. The principles of operation of public organs, and the extent of the restriction of human rights and freedoms during the existence of the situations that require extraordinary measures, are defined by law.
3. A law shall define the principles, areas, and manner of compensation for losses caused as a result of the restriction of human rights and freedoms during the period in which extraordinary measures are imposed.
4. Actions taken as a result of extraordinary measures shall be in proportion to the level of risk and shall aim at re-establishing conditions for the normal operation of the state as soon as possible.
5. During situations that require the imposition of extraordinary measures, none of the following acts may be changed: the Constitution, the laws on the election of the Assembly and of local government organs, and the laws on extraordinary measures.
6. During the period of extraordinary measures, local elections may not be held, a referendum may not be held, and a new President of the Republic may not be elected. Local elections may be held only where the extraordinary measures are not in effect.

Article 171

1. In the case of armed aggression against the Republic of Albania, the President of the Republic, at the request of the Council of Ministers, declares a state of war.
2. In a case of external threat, or when a common defense obligation derives from an international agreement, the Assembly, on the proposal of the President of the Republic, declares a state of war, and imposes a state of general or partial mobilization or demobilization.

Article 172

1. In the case of paragraph 1 of article 171, the President of the Republic submits to the Assembly a decree for establishing a state of war within 48 hours of its signing, specifying the rights that are restricted.
2. The Assembly immediately discusses and decides, by a majority of all its members, upon the decree of the President.

Article 173

1. In the case of a threat to the constitutional order and public security, the Assembly, at the request of the Council of Ministers, may impose a state of emergency in a part or in the whole territory of the State, which lasts for as long as this threat continues, but no longer than 60 days.
2. When a state of emergency is imposed, and if the police are not able to restore order, the Assembly decides to call on the armed forces to intervene.
3. The duration of the state of emergency may be extended only with the consent of the Assembly every 30 days for a period of time not longer than 90 days.

Article 174

1. For preventing or eliminating the consequences of natural disasters or technological accidents, the Council of Ministers may impose for a period of not longer than 30 days a state of natural disaster in a part or the whole territory of the State.
2. A state of natural disaster may be extended only with the consent of the Assembly.

Article 175

1. During a state of war or a state of emergency, the rights and freedoms contemplated by articles 15; 18; 19; 20; 21; 24; 25; 29; 30; 31; 32; 34; 39, paragraph 1; 41, paragraphs 1, 2, 3, and 5; 42; 43; 48; 54; 55 may not be restricted.
2. During a state of natural disaster, the rights and freedoms contemplated by articles 37; 38; 41, paragraph 4; 49; 51 may be restricted.
3. Acts declaring a state of war, emergency or natural disaster shall specify the rights and freedoms that are restricted according to paragraphs 1 and 2 of this article.

Article 176

When the Assembly cannot convene during a state of war, the President of the Republic, on the proposal of the Council of Ministers, may issue acts having the force of law, which shall be approved by the Assembly at its first meeting.

PART SEVENTEEN—AMENDING THE CONSTITUTION

Article 177

1. An initiative for amending the Constitution may be taken by not less than one-fifth of the members of the Assembly.
2. No amendment to the Constitution may take place when extraordinary measures are in effect.
3. A proposed amendment is approved by not less than two-thirds of all members of the Assembly.
4. The Assembly may decide, by two-thirds of all its members, that the proposed constitutional amendments be voted on in a referendum. The proposed constitutional amendment becomes effective after ratification by referendum, which takes place not later than 60 days after its approval by the Assembly.
5. An approved constitutional amendment is submitted to referendum when one-fifth of the members of the Assembly request it.
6. The President of the Republic cannot return for re-consideration a constitutional amendment approved by the Assembly.
7. An amendment approved by referendum is promulgated by the President of the Republic and becomes effective on the date provided for in it.
8. An amendment of the Constitution cannot be made unless a year has passed since the rejection by the Assembly of a proposed amendment on the same issue or three years have passed from its rejection by referendum.

PART EIGHTEEN—TRANSITIONAL AND FINAL PROVISIONS

Article 178

1. Laws and other normative acts approved before the effective date of this Constitution shall be applied as long as they have not been repealed.
2. Draft laws necessary for implementing this Constitution are submitted by the Council of Ministers to the Assembly.

Article 179

1. The mandate of constitutional organs existing on the effective date of this Constitution ends pursuant to the terms contemplated by Law No. 7491, dated 29.04.1991, "On the Major Constitutional Provisions," as amended.
2. The members of the Court of Cassation continue their activity as members of the High Court pursuant to their previous mandate.
3. The members of the High Council of Justice elected from the ranks of the prosecutors are replaced with new members elected by a general meeting of the judges.
4. The organs of local government continue their activity until the end of their mandate.

Article 180

1. International agreements ratified by the Republic of Albania before the effective date of this Constitution are deemed ratified according to this Constitution.
2. The Council of Ministers submits to the Constitutional Court international agreements that contain provisions in conflict with this Constitution.

Article 181

1. Within two to three years from the effective date of this Constitution, the Assembly enacts laws for the just regulation of the various matters related to expropriations and confiscations that took place before the approval of this Constitution, guided by the criteria of article 41.
2. Laws and other normative acts approved before the effective date of this Constitution that relate to expropriations and confiscations shall be applied when they do not conflict with it.

Article 182

Law No. 7491, dated 29.04.1991, "On the Major Constitutional Provisions" and other constitutional laws are repealed on the effective date of this Constitution.

Article 183

This Constitution becomes effective with its promulgation by the President of the Republic.

APPENDIX IV

2000 Electoral Code of Albania

REPUBLIC OF ALBANIA- THE ASSEMBLY

THE ELECTORAL CODE
OF THE REPUBLIC OF ALBANIA
LAW No. 8609 dated May 8, 2000

In reliance on articles 81 and 83 point 1 of the Constitution, on the proposal of the Council of Ministers,

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA

D E C I D E D:

FIRST PART

CHAPTER I

DEFINITIONS AND PRINCIPLES

Article 1

Purpose of this Code

The purpose of this Code is the specification of rules:

- a. for voting for elections to the Assembly, for the organs of local government and for a referendum;
- b. for the organization and functioning of the election commissions;
- c. for the preparation and improvement of voters' lists;
- d. for the determination of electoral zones;
- e. for the registration of electoral subjects and their financing;
- f. for the reflection of electoral campaigns by the media;
- g. for the organization and validity of referenda;
- h. for procedures of voting and the issuance of the results of elections;
- i. for criminal and administrative violations of the provisions of this Code.

Article 2

Definitions

For purposes of this Code:

1. The "election date" is the date of voting set in the decree of the President of the Republic and does not include the date on which a second round of voting may be held.
2. "Special institutions" are prisons, places of pre-detention, hospitals or other health institutions that accept patients for more than three days.
3. A "candidate" is an Albanian citizen registered with the electoral commissions as a candidate for deputy, or for mayor of a municipality or commune, or for a municipal or communal council, in accordance with this Code, who is to be voted on in the elections.
4. An "independent candidate" is a candidate for deputy, or for mayor of a municipality or commune or a municipal or communal council, who is not supported by any political party.
5. A "joint candidate" is a candidate of a single-member electoral zone or another electoral unit, who is supported by two or more political parties.
6. A "coalition" is a grouping of two or more political parties registered with the CEC that submits a joint multi-name list for the elections to the Assembly or the organs of local government.
7. "VCC" is a Voting Center Commission.
8. "CEC" is the Central Election Commission, created according to article 154 of the Constitution.
9. "LGEC" is a Local Government Election Commission.
10. "ZEC" is a Zone Election Commission.
11. "Voters' lists" are the official documents of the registration of voters for each polling unit provided in accordance with this Code.
12. A "multi-name list" is a list of candidates of a political party or coalition, approved by the CEC, which serves for the election of candidates in the proportional system.
13. An "electoral unit" is either an electoral zone, or a municipality or commune in the case of local elections.
14. A "political party" is a party registered in accordance with law no. 8580, dated 17.2.2000, "On Political Parties."
15. The "election period" is the period from 30 days before the election date until the final announcement of the results of the voting.
16. A "representative of an electoral subject" is a person authorized by a candidate or a registered political party to follow their interests in the elections and participate in the meetings of electoral commissions, in the name and for the account of the candidate or the party.
17. A "voting center" is the premises designated for holding the voting, in accordance with this Code.
18. The "second round" is the second day of voting in an electoral unit because no candidate won the required majority of votes on the election date, in accordance with the Code.
19. A "constitutional referendum" is a referendum held pursuant to point 4 or 5 of article 177 of the Constitution.
20. A "general referendum" is a referendum held pursuant to articles 150, 151 and 152 of the Constitution.
21. A "local referendum" is a referendum held pursuant to point 4 of article 108 of the Constitution.
22. "The National Registry of Voters" is the official document in which all voters of the Republic of Albania are registered.
23. "Revision of the lists" is the process of taking out or putting in names, or changing the data, in the voters' lists.
24. A "student" is every voter registered as a full-time student in an educational or job training program in Albania of at least three months in duration and whose residence for purposes of this education or job training is a place other than his domicile.

25. "Electoral subjects" are political parties or coalitions registered with the CEC, their candidates or independent candidates registered with a ZEC or LGEC.
26. "Domicile" is the place where a voter is registered in the civil status register, according to the condition of article 12 of the Civil Code.
27. "Residence" is the place within the territory of the Republic of Albania where the voter is temporarily located within the meaning of article 14 of the Civil Code.
28. A "voter" is every Albanian citizen qualified to vote.
29. "Voters in the armed forces or police forces" are all voters who serve in the armed forces or the police forces and reside in a military or police base.
30. "Elections" are the voting for the Assembly, the representative organs of local government or for a referendum.
31. "Partial elections" are the voting to fill the seat of one of the 100 deputies elected in single-member zones or the place of a mayor of a municipality or commune, as well as for the election of a new local council in case of dissolution.
32. "Polling Unit" is a geographical zone within a municipality, commune, or electoral zone established in accordance with this Code.
33. "Electoral zone" is one of the 100 geographical divisions of the territory of the Republic of Albania established in accordance with the Constitution and the rules of this Code, in which voting takes place for the election of a deputy.

Article 3

General Principles

1. Elections are conducted through free, secret and direct voting, according to the rules provided in this Code.
2. Every Albanian citizen, without distinction of race, ethnicity, gender, language, political conviction, religious belief, or economic condition, has the right to vote and to be elected in conformity with the rules provided in this Code.
3. Voters freely exercise the right to vote in conformity with the rules provided in this Code.
4. Voters are equal in the exercise of the right to vote and to be elected.
5. The division of electoral zones is done including in each one an approximately equal number of voters.
6. Every voter has the right to only one vote for the election of an electoral subject or referendum alternative, in accordance with the rules set forth in this Code.
7. Electoral subjects are free to make electoral propaganda in any lawful manner.
8. Electoral commissions provided in this Code fulfill their responsibilities in an impartial and transparent manner.

Article 4

Setting the Election Date

1. The date of the elections is set by decree of the President of the Republic, according to the rules provided in articles 65, 109, 115, 151 point 3, 152 point 3 and 170 point 6 of the Constitution of the Republic of Albania.
2. The first round of elections for the Assembly take place 60 to 30 days before the termination of its mandate and no later than 45 days after its dissolution.
3. The first round of elections for the organs of local government are held 60 to 30 days before the end of the mandate of the existing local organs, or no later than 45 days after

their dissolution or discharge. In case of an appeal from the dissolved or discharged organ, the President of the Republic sets the date of elections no later than 45 days after the decision of the Constitutional Court. In the case of non-exercise of the right to appeal by the organ of local government dissolved or discharged, the President of the Republic sets the date of the elections no later than 30 days after the end of the time period for an appeal contemplated in article 115 point 3 of the Constitution.

4. The decree setting the date of elections contains: the date of the election and the date for second round elections.
5. Elections are held on a Sunday.

Article 5

Hours of Voting

1. When the date of the elections is on or between March 31 and October 15 of any given year, the voting centers open at 8 AM and close at 6 PM.
2. When the day of elections is on or between October 16 and March 30, the voting centers open at 7 AM and close at 6 PM.
3. No one may vote after the hour when the voting centers close, except voters who are waiting to vote at the time of closing.

SECOND PART

VOTERS. ELECTORAL SUBJECTS. OBSERVERS.

CHAPTER I: VOTERS

Article 6

Conditions for Being a Voter

1. Every Albanian citizen who has reached the age of 18 on or before the election date, and who fulfills the conditions provided in this Code, has the right to vote for elections to the Assembly, local government organs and in referenda.
2. Citizens declared by final judicial decision as incapable of acting because of mental inability are excluded from the right to vote.

Article 7

Registration of Voters

Voters vote in the voting center in the zone where they are registered on the voters' list.

Article 8

Voters who Live Outside the State

Voters who live in another state have the right to vote only in the territory of the Republic of Albania at the place where they are registered in the registry of civil status, provided they are registered in the National Registry of Voters, in accordance with the procedures in this Code, and possess a voter card.

Article 9

Voters in Special Locations

Voters who, on the date of the election, are residing in special institutions, military bases or police facilities, as well as students, vote in accordance with the rules provided in this Code.

CHAPTER II: CANDIDATES

Article 10

Conditions for Being a Candidate

1. In addition to the conditions for being a voter, a candidate also meets the conditions of point 3 of article 45 and article 69 of the Constitution.
2. A candidate for the local government organs, in addition to the conditions provided in article 45 of the Constitution, shall be a citizen domiciled in the respective local government unit. A candidate for the organs of local government may not be a deputy in the Assembly or a candidate for deputy.
3. The candidates of the party lists deposited with the electoral commissions shall meet the conditions contemplated in points 1 and 2 of this article.

Article 11

Filling Vacancies in the Elected Organs

1. When the seat of a deputy in the Assembly is vacant, it is filled by a new member.
2. When the mandate of a deputy elected from the multi-name list of an electoral subject ends prematurely, his seat is filled by the next candidate on the list.
3. When the mandate of a deputy elected in a single-member zone ends prematurely, the vacancy is filled by a new deputy elected by the voters of the same electoral zone. On the basis of immediate notification by the Speaker of the Assembly, the President of the Republic sets by decree a date for partial elections in that zone, no later than 45 days from receipt of the notification. The deputy elected to fill a vacant seat serves until the end of the mandate of the deputy who left.
4. When the mandate of a deputy elected in a single-member zone ends prematurely during the last 6 months of the mandate of the Assembly, his seat is filled by the appropriate candidate from the multi-name list of the respective electoral subject. If the mandate of an independent deputy terminates during such period, he is not replaced.
5. When the seat of a mayor of a municipality or commune is vacant, the Council of Ministers informs the President of the Republic within two weeks. The President of the Republic sets the date of partial elections to choose a new mayor of the municipality or commune within 45 days from the date of notification. When the seat of a council member in the municipality or commune becomes vacant, it is filled by the appropriate candidate of the respective multi-name list.

6. If the seat of a mayor of a municipality or commune becomes vacant during the last 6 months of his mandate, the respective council elects from its members a new mayor to serve until the end of the mandate.
7. Partial elections are held according to the same procedure as general elections.

CHAPTER III: POLITICAL PARTIES

Article 12

Registration of Political Parties

1. Every political party that nominates candidates for deputy, candidates for mayor of a municipality or commune or for council members of a municipality or commune, in compliance with the procedures contemplated in this Code, is registered with the CEC as an electoral subject no later than 45 days before election day.
2. To register with the CEC, a political party shall submit:
 - a. verification that the party is registered with the Tirana District Court;
 - b. the name, surname and address of the chairman of the party, who is the person authorized to nominate candidates;
 - c. the official name, initials and address of the party;
 - d. a copy of the party's seal;
 - e. the name and address of the financial officer of the party;
 - f. The name and address of the person responsible for communication with the CEC.

Article 13

Registration of Coalitions

Two or more political parties may be registered with the CEC as a coalition by submitting the composition of the coalition and the joint multi-name lists for the Assembly or the local councils.

CHAPTER IV: OBSERVERS

Article 14

The Right to Appoint Observers

1. Foreign and local non-governmental organizations, as well as international organizations specialized and engaged in the promotion and defense of human rights, have the right to send observers to every voting center and to every election commission.
2. Every Albanian citizen who meets the conditions for being a voter according to this Code and who is proposed by a subject contemplated in point 1 of this article has the right to be an observer.
3. The CEC approves the observers' lists submitted by the subjects contemplated in point 1 of this article and issues authorizations for all observers no later than four days before the date of the voting.

Article 15

Rights and Duties of the Observers

1. While performing their duties the observers have these rights:

- a. to observe all aspects of the preparation and conduct of elections;
- b. to submit written comments to the election commissions for every kind of irregularity that they notice.

2. The observers have these duties:

- a. to respect the requirements of this Code and the instructions of the CEC on election observation;
- b. to act in an impartial manner and not to make propaganda for any candidate, party, or referendum alternative, at the voting centers or in other places prohibited according to the Code;
- c. to present themselves at the election commissions with the authorization issued by the CEC and an identification document accepted by the CEC;
- d. not to bear distinctive signs that serve as means of propaganda or that might influence the voters' will;
- e. not to interfere with the activity of election commissions.

THIRD PART

ELECTION COMMISSIONS

CHAPTER I: THE CENTRAL ELECTION COMMISSION (CEC)

Article 16

Qualifications of Members

1. Members of the CEC shall possess knowledge and professional experience in one of the following areas: law, administration of elections, public administration, or public relations.
2. An Albanian citizen domiciled in Albania who meets the following requirements is elected a member of the CEC:
 - a. he enjoys the right to vote and to be elected;
 - b. he possesses a university degree;
 - c. he has not been convicted of a crime by final court decision;
 - d. he has not been a member of the steering bodies of a political party during the last three years.

Article 17

Selection of CEC Members

1. The members of the CEC are selected pursuant to article 154 of the Constitution. The members of the CEC collectively shall satisfy, at any time, the requirements of point 1 of article 16 of this Code.
2. The President of the Republic appoints two members of the CEC after consultations with groups representing a broad spectrum of society.
3. The Assembly elects two members of the CEC on the basis of proposals of the Bureau of the Assembly, which draws up two lists with three names each proposed by the groups of the opposition and the parliamentary majority. If none of the candidates of a list receives the required number of votes, the Bureau of the Assembly submits a new list.
4. The High Council of Justice elects three members of the CEC by secret ballot, on the basis of proposals from the National Judicial Conference and individual applications. All proposals and applications are made public. The National Judicial Conference nominates 6 jurists, at least one of whom is elected a CEC member.
5. After his election, a member of the CEC immediately resigns from every other state and political activity.
6. Members of the CEC may be re-appointed only once.

Article 18

Competencies

In implementation of article 153 of the Constitution, the CEC performs these duties:

1. It issues, for the implementation of the law and within its jurisdictional sphere, decisions and instructions with general legal authority in the entire territory of the Republic.
2. It decides on the unification of electoral practices.
3. It manages and reviews the process before and during the elections.
4. It announces by decision the national final results of the elections, in accordance with the declarations of the ZEC or, as the case may be, the LGEC.
5. It announces the winning candidates from the multi-name lists for deputy.
6. It administers the process of voter registration, and maintains the National Voters' Registry, according to the rules provided in this Code.
7. It implements education programs for voters and training programs for election commission members.
8. In compliance with this Code, it appoints and dismisses the members of the ZECs, LGECs and regional election commissions and supervises them during the performance of their duties.
9. If on the date of the elections for any reason a quorum is not achieved for the holding of meetings of a ZEC, LGEC or VCC, the CEC immediately names the members necessary to constitute a quorum.
10. It publishes a bulletin of election, which contains the voting results in each electoral unit and voting center as well as a report of election expenses.
11. Within the month of February of each year, it submits an annual report to the Assembly regarding its activities for the previous year.
12. It prepares its annual draft budget according to law no. 8379, dated 29.7.1998, "On the Drafting and Implementation of the State Budget."
13. It administers the funds put at its disposition from the state budget and from other lawful sources, in the service of the elections.
14. It reviews and decides on the complaints of the representatives of the electoral subjects about the conduct of the voting process, in accordance with the provisions of this Code.

15. It decides on the compensation of members and non-voting representatives of the election commissions.
16. It orders administrative penalties against persons who commit administrative offenses related to the elections and brings a criminal complaint when criminal acts are committed in connection with elections.
17. It performs other duties stemming from this Code or from other laws.

Article 19

Meetings and Decision-Making

1. Meetings of the CEC are open to the public, with the exception of matters related to personnel issues and budget development.
2. Meetings of the CEC are called jointly by the Chairman and Vice Chairman of the CEC or at the request of at least three of its members. In an election period, the CEC remains in session according to the time schedule specified at the first meeting after the election date is decreed. The time schedule of the meetings is posted in a visible public place at the CEC and is published in the three newspapers with the largest circulation.
3. Meetings of the CEC are valid when no less than four of its members are present.
4. Substatutory acts, decisions announcing the results of elections, decisions for the approval of the voters' lists, and decisions to propose to the Assembly to discharge a CEC member are approved by at least four votes of the CEC. All other decisions are taken by a majority of the members present.
5. Normative acts of the CEC become effective only upon publication in the Official Journal.
6. Decisions of the CEC are announced immediately, together with the minority opinion, and are signed by all the CEC members who have voted.
7. The final results of an election are announced no later than three days from the date when the CEC receives all official data from the electoral commissions or court judgments on appeals against decisions of the electoral commissions. The decision is published in the Official Journal no later than three days from the date the decision is taken.

Article 20

Immunity of Members

1. A member of the CEC may be criminally prosecuted only with the approval of the Assembly.
2. A member of the CEC may be detained or arrested only if apprehended while committing a crime or immediately after its commission. In these cases, the competent organ notifies the Constitutional Court immediately. If the Constitutional Court does not consent within 24 hours to bring the arrested judge before a court, the competent organ is obliged to release him.

Article 21

Salary

The salary of a CEC member is equal to the salary of a High Court judge.

The salary of the CEC Chairman and Vice Chairman is 10 per cent higher than the salary of a CEC member.

Article 22

Premature End of Mandate

1. The mandate of a CEC member ends prematurely when:

- a. he is convicted of a crime by final court decision;
- b. he is absent from work for more than three months in a non-election period or for more than 5 consecutive days during an election period;
- c. he loses the right to vote;
- d. he resigns.

2. In these cases, the chair of the CEC notifies the organ that appointed the member within 24 hours.

Article 23

Discharge of CEC Members

1. A member of the CEC may be removed by the Assembly by two-thirds of all its members for violation of the Constitution, mental incapacity or physical incapacity that seriously hinders the performance of his duties, or acts and behavior that seriously discredit the integrity and reputation of a CEC member.
2. The discharge of a CEC member is proposed by one-fifth of the deputies or by the CEC, which decides by the majority contemplated in article 19, point 4 of this Code.
3. The decision of the Assembly is reviewed by the Constitutional Court, which, when it determines the existence of one of the grounds contemplated in point 1 of this article, declares his removal from office.

Article 24

Rights and Duties of CEC Members

Members of the CEC take part regularly in the meetings of the CEC and perform the duties contemplated in this Code and in the substatutory acts issued by the CEC. They exercise their functions in their individual capacity and vote freely according to their internal convictions.

Article 25

Renewal of the Composition and Replacement of Members

1. Between March 1 and March 31, 2003, one of the members appointed by the President, one of the members appointed by the Assembly, and one of the members appointed by the High Council of Justice are replaced by the respective organs.

2. Between March 1 and March 31, 2006, the second member appointed by the President, the second member appointed by the Parliament, and one of the remaining two members initially appointed by the High Council of Justice are replaced by the respective organs.
3. The members who are replaced pursuant to points 1 and 2 of this article are determined by lots cast 30 days after the effective date of this Code.
4. The third member initially appointed by the High Council of Justice and the new members appointed according to points 1 and 2 of this article are replaced at the end of their seven year mandate by the respective organs.
5. The new members are appointed within 30 days from the termination of the mandate of the departed members.
6. In case the mandate of a member ends prematurely in accordance with article 22 or 23 of this Code, the organ that appointed the departed member appoints a replacement within 30 days from the date of the vacancy notice. The replacement remains in duty until the end of the full mandate of the prematurely departed member.
7. Notwithstanding point 5 of this article, the membership of the CEC is not changed during an election period. In these cases, the incumbent members are replaced within 30 days from the termination of the election period. In case the mandate of a member ends prematurely during an election period, he is replaced by the respective organ as soon as possible but no later than within 48 hours.
8. When the seat of the Chairman or the Vice Chairman is vacant, the CEC elects a new chair or vice-chair within 15 days. During an election period, the Chairman or the Vice Chairman is elected as soon as possible but no later than within 48 hours of the creation of the vacancy.

Article 26

Privileges after Termination of the Mandate

After the termination of the mandate, a member of the CEC receives all the benefits granted to a judge of the High Court under law no. 8097, dated 21.3.1996, "On State Supplementary Pensions for Persons Who Hold Constitutional Functions and for State Employees." A member of the CEC does not enjoy these privileges when his mandate ends prematurely pursuant to letters "a" or "b" of point 1 of article 22 or article 23 of this Code, except when he is discharged by the Assembly for mental or physical incapacity.

Article 27

The Chairman of the CEC

1. The CEC elects the Chairman by secret vote from the ranks of its members.
2. The members of the CEC vote for the Chairman by selecting one of the members on a ballot.
3. The member of the CEC who has won the majority of the votes of all members is elected Chairman. When none of the members wins the required majority, a second round of voting is held between the two members who won the most votes in the first round.
4. The Chairman is elected for a three-year period with the right of re-election only once.
5. The mandate of the Chairman is counted within his term as a member.

Article 28

Duties of the Chairman

The Chairman of the CEC performs these duties:

- a. He chairs meetings of the CEC.
- b. He represents the CEC in relations with third parties.
- c. He performs other duties contemplated in this Code.

Article 29

Vice Chairman of the CEC

1. The Vice Chairman of the CEC is elected with the same procedure and term as the Chairman of the CEC.
2. The Vice Chairman performs the duties of the Chairman in his absence.

Article 30

Secretary of the CEC

1. The Secretary of the CEC is the highest civil servant in the administration of the CEC and is appointed by the CEC on the basis of candidacies selected according to law no. 8549, dated 11.11.1999, "Status of the Civil Servant." The Secretary of the CEC shall be a lawyer with no less than five years of experience in election or public administration and shall meet the criteria for being a member of the CEC.
2. The Secretary of the CEC performs these duties:
 - a. He coordinates the activity of the CEC with the competent organs and ensures implementation of the decisions of the CEC.
 - b. He organizes the procedure for the election of the Chairman and Vice Chairman of the CEC.
 - c. He takes measures for the proper conduct of meetings of the CEC.
 - d. He takes measures for the publication of normative acts of the CEC in the Official Journal.
 - e. He supervises the filing and maintenance of CEC decisions in a public register.
 - f. He directs the administration of the CEC.
 - g. He performs other duties set by the CEC.
1. The Secretary is dismissed by the CEC in accordance with law no. 8549, dated 11.11.1999, "Status of the Civil Servant."

Article 31

Political Party Representatives

1. Each political party or coalition registered with the CEC may appoint only one non-voting representative to the CEC.

2. The representatives of the political parties at the CEC have the following rights:
 - a. to attend the open meetings of the CEC, make presentations at the meetings and observe the activity of the CEC for the preparation and conduct of elections;
 - b. to give written opinions on issues under consideration by the CEC and submit complaints to the CEC for violations of this Code and of the CEC regulations;
 - c. to receive copies of the decisions and other acts of the CEC and have access to the documentation of elections through the Secretary of the CEC;
- ç) to have their complaints responded to in writing.
 1. The representatives exercise their rights in accordance with the internal regulations of the CEC and, in any case, without hindering the normal functioning of the CEC.

CHAPTER II

ZONE ELECTION COMMISSIONS (ZEC)

Article 32

Composition of ZECs

1. A ZEC consists of a chairman, vice chairman, and up to five members appointed by the CEC upon the nomination of the seven political parties receiving the most votes in the respective zone in the last elections for the Assembly. The chairman and vice chairman are designated respectively by the first two parties that won the most votes in the last elections in the respective zone.
2. If less than seven parties received votes in the respective zone in the last elections for the Assembly, the ZEC is composed only of the representatives of those political parties that received votes.
3. The secretary of a ZEC is appointed by the CEC upon the proposal of the ZEC for a period determined by the CEC. The secretary of a ZEC shall be a jurist and has the status of a non-voting member of the ZEC.
4. Members of a ZEC may not be deputies or candidate for the Assembly or the representative organs of local government, or members of more than one ZEC. Members of the ZEC may not be military personnel or members of structures of the State Police or the State Information Service.
5. Members of the ZEC shall have a university degree and may not have been convicted of a crime by final court decision.
6. Members of the ZEC shall have a residence in the respective electoral zone.
7. The ZEC is a permanent organ, but its members are not full time. The CEC determines the working hours of the ZEC members during the election period and outside of it.
8. Every political party registered with the CEC as an electoral subject that does not have a member in the ZEC in accordance with point 1 of this article has the right to designate one non-voting representative to the ZEC after nomination of its candidate for the single-member zone or multi-name list candidates.
9. Independent candidates in the respective zone have the right to designate a non-voting representative to the ZEC.

10. If a political party represented on the ZEC does not nominate a candidate in that zone and has not submitted a multi-name list for the current election, that party relinquishes its seat on the ZEC.
11. The ZEC is re-established in accordance with the results of the last elections to the Assembly no later than one month after the declaration of the final results of the elections by the CEC.
12. When the seat of a member of the ZEC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 33

Non-Voting Representatives

1. The non-voting representatives to a ZEC are furnished with an authorization by the party or independent candidate.
2. The representatives to the ZEC have the same rights as the representatives of the parties to the CEC in accordance with point 2 of article 31 of this Code.

Article 34

Discharge of a ZEC Member

The members of a ZEC are discharged by the CEC for the same reasons that lead to the dismissal of members of the CEC.

Article 35

Duties of a ZEC

A ZEC is responsible for the conduct of the elections for the Assembly within the respective electoral zone and performs these duties:

1. It is responsible for the administration of the elections in the zone in accordance with the provisions of this Code and the statutory acts issued by the CEC.
2. It sets polling unit boundaries, in cooperation with the local government organs and in accordance with CEC instructions.
3. It establishes the location of each voting center and assigns numbers to each of them.
4. It appoints the chairman, vice chairman and members of the VCCs in accordance with this Code.
5. It verifies the documentation of the candidates.
6. It investigates the complaints of political parties regarding the conduct of elections in the zone.
7. It posts in a visible place the voters' lists, the decree setting the election date and other announcements related to the conduct of elections in the zone.
8. It administers the budget allocated for elections in the zone by the CEC.
9. It assures the timely distribution of voting materials.
10. It receives the polling materials, including ballot boxes, from the VCCs.
11. It prepares the tabulation of election results in the zone and sends it together with other necessary materials to the CEC pursuant to article 107 of this Code.

12. It announces the election results in the zone.
13. It administers partial elections in the zone.
14. It makes arrangements for the recount of ballots.

Article 36

Meetings and Decisions of a ZEC

1. Meetings of a ZEC are public, except as provided in article 107 of this Code.
2. Decisions in a ZEC are taken by a majority of the voting members present in the presence of at least half of all voting members of the ZEC.
3. Decisions are signed by all members who have voted. Decisions are accompanied by the opinion of the minority.

Article 37

Actions of a ZEC after Issuance of the Decree

Setting the Date of Assembly Elections

After the decree setting the date for elections comes out, the ZEC publishes it immediately in the local press and electronic media and posts it at the municipality or commune offices and at the civil status offices of the zone. Together with the election decree, the ZEC publishes the location of all voting centers in the zone, the hours of voting, the names of all the members of the ZEC and its secretary, including the address of the office of the commission, its telephone and fax number, and a map of the electoral zone on which every voting center is geographically indicated. The ZEC publishes all other documentation that should be made public in accordance with this Code and the instructions of the CEC.

CHAPTER III

LOCAL GOVERNMENT ELECTION COMMISSION (LGEC)

Article 38

Composition of an LGEC

1. Within every municipality and commune, an LGEC is created, consisting of the chairman, vice-chairman, and up to five members appointed by the CEC upon the nomination of the seven political parties receiving the most votes in the last elections of the respective council. The chairman and vice-chairman are designated respectively by the first two parties that won the most votes in the last elections for the respective council of the municipality or commune.
2. If less than seven parties received votes in the last elections of the respective council, the LGEC commission is composed only of the representatives of only those political parties that received votes.
3. The secretary of the municipality or commune serves as secretary of the LGEC for a period determined by the CEC. The secretary has the status of a non-voting member of the LGEC.

4. Members of an LGEC may not be deputies or candidates for the Assembly or the representative organs of local government, or members of another LGEC. Members of the LGEC may not be military personnel or members of the structures of the State Police or the State Information Service.
5. Members of the LGEC shall, as a rule, possess a university degree and may not have been convicted of a crime by final court decision.
6. Members of the LGEC shall have a residence in the respective local unit.
7. The LGEC is a permanent organ, but its members are not full time. The CEC determines the working hours of the members of the LGEC during the election period or outside of it.
8. Political parties registered with the CEC as electoral subjects who does not have a member in the LGEC in accordance with point1 of this article have the right to designate one non-voting representative each to the LGEC after nomination of its candidate for mayor of a commune or municipality, or multi-name list candidates for the local council.
9. Independent candidates in the respective commune or municipality also have the right to name one non-voting representative each to the LGEC.
10. If a political party represented on the LGEC does not nominate a candidate for mayor of a commune or municipality and has not submitted a multi-name list for the local council, it relinquishes its seat on the LGEC.
11. The LGEC is re-established in accordance with the results of the last elections to the local council no later than one month after the declaration of the final results of the local elections by the CEC.
12. When the seat of a member of the LGEC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 39

Non-Voting Representatives

1. The non-voting representatives to the LGEC are furnished with an authorization by the party or independent candidate.
2. The representatives to the LGEC have the same rights as the representatives of the parties to the CEC, in accordance with point 2 of article 31 of this Code.

Article 40

Discharge of Members

The members of an LGEC are discharged by the CEC for the same reasons that lead to the discharge of a member of the CEC.

Article 41

Duties of an LGEC

An LGEC performs these duties:

1. It is responsible for the administration of the elections for the organs of local government; it is responsible for posting, revising, and approving the preliminary voters' lists of the respective municipality or commune, according to the rules provided in this Code and the instructions of the CEC.
2. It sets the polling unit boundaries in the municipality or commune in cooperation with the organs of local government.
3. It performs by analogy the same duties that this Code contemplates for a ZEC.
4. **In case of parliamentary elections, it send the revised voters' lists to the ZEC.**

Article 42

Meetings and Decisions of the LGEC

1. Meetings of the LGEC are public, except as provided in article 107 of this Code.
2. Decisions in an LGEC are taken by a majority of the votes in the presence of more than half of all voting members of the LGEC.
3. Decisions are signed by all members who have voted. The decisions are accompanied by the opinion of the minority.

CHAPTER IV

VOTING CENTER COMMISSION

Article 43

Composition of VCCs

1. Within every polling unit, a VCC is created, consisting of the chairman, vice-chairman, and up to five members proposed by the seven political parties that received the most votes in the last parliamentary elections for the respective single-member zone, or in the last local elections for the respective local council. The chairman and vice-chairman are designated respectively by the two first parties that won the most votes in the last elections in the respective electoral unit.
2. If less than seven parties received votes in the last elections contemplated in point 1 of this article, the VCC is composed only of the representatives of those political parties that received votes.
3. The secretary of the VCC is appointed by the ZEC or LGEC, as appropriate. The secretary has the status of a non-voting member of the VCC.
4. Members of the VCC may not be deputies or candidates for the Assembly or the representative organs of local government, or members of another VCC. The members of the VCC may not be military personnel or members of the structures of the State Police or the State Information Services.
5. Members of the VCC shall not have been convicted of a crime by final court decision.
6. Members of the VCC shall have a residence in the respective polling unit.
7. The members of the VCC are appointed only for the period of the elections. The appointment of the members is done in any case no later than 10 days before the date of the elections.
8. Political parties registered with the CEC as electoral subjects that do not have a member in the VCC in accordance with point 1 of this article have the right to designate a non-voting representative who has the rights specified in the seventh part of this Code.

9. Independent candidates have the right to designate one non-voting representative to the VCC.
10. When the seat of a member of the VCC is vacant, it is filled in compliance with the rules provided in this article within 30 days from the date of creation of the vacancy. During the period of the elections, vacant seats are filled within three days.

Article 44

Duties of a VCC

1. The VCCs are set up and function for all kinds of elections.
2. Members of the VCC are responsible for the conduct of the elections in the voting center, implementing the duties prescribed this Code.

Article 45

Decision-making in the VCC

1. Decisions in the VCC are taken by a majority of votes in the presence of more than half of all voting members of the VCC.
2. Decisions are signed by all members who have voted. Decisions are accompanied by the opinion of the minority.

Article 46

Voting Materials

1. The CEC provides the ZECs and the LGECs with the materials necessary for each voting center no later than 7 days before the date of the elections.
2. The ZEC, LGEC, and VCC secure the election materials in a safe place, in accordance with CEC instructions.
3. No earlier than 48 hours and no later than 24 hours before the opening of the voting center, the ZEC or LGEC, as appropriate, distributes the materials to the chairmen and secretaries of the VCCs.
4. One copy of the document showing receipt of the materials is kept with the official records of the voting center.

CHAPTER V

SPECIAL VCCs

Article 47

Composition and Responsibilities of Special VCCs

In accordance with this Code and the instructions of the CEC, a ZEC or LGEC, as appropriate, creates special voting center commissions in hospitals, prisons or places of pre-detention and dormitories. These commissions have the same composition and the same responsibilities as a VCC.

FOURTH PART

NATIONAL REGISTRY OF VOTERS

CHAPTER I

THE COMPETENT AUTHORITIES

Article 48

The Competent Organ

1. The National Registry of Voters is prepared under the supervision of the CEC. It contains data and is prepared in accordance with the provisions of this Code and the substatutory acts issued by the CEC for its implementation.
2. The National Registry of Voters is prepared on the basis of official data drawn from the civil status registries.

Article 49

Directorate of Registration of Voters

1. For the administration of the National Registry of Voters, the CEC creates the Directorate of Registration of Voters.
 2. The Directorate of Registration of Voters is responsible for implementing the decisions of the CEC connected with the registration of voters. It performs these duties:
 - a. It administers the National Registry of Voters.
 - b. It prepares for the CEC the instructions to the offices of civil status on the method of compilation of the voter lists.
 - c. It organizes and directs the registration of voters door to door whenever it is considered necessary.
- ç) It performs other duties in connection with the registration of voters set by the CEC.

Article 50

Voter Card

1. Every voter registered on the National Registry of Voters is furnished with a voter card in accordance with the instructions of the CEC.
2. The voter card is collected only by the voter in person.
3. The voter card contains a photograph of the voter and a unique voter identification number.
4. When the voter card is lost or becomes unusable, the voter is furnished with a new card, in accordance with the rules specified by the CEC.

CHAPTER II

PREPARATION OF THE VOTERS' LISTS

Article 51

National Registry of Voters

The National Registry of Voters is composed of the voters' lists of all municipalities and communes.

Article 52

Registration According to Domicile and Residence

1. Voters are registered on the voters' list of the polling unit for their domicile, with the exception of the cases contemplated in point 2 of this article.
2. Voters who are residing away from their domicile, but within the territory of the Republic of Albania, are registered on the list of the polling unit of their place of residence, and are de-registered from the list of the polling unit of their domicile.
3. **The LGEC of the residence of the voter registers him in the preliminary lists of voters of the respective polling unit and notifies the CEC, which orders the de-registration of the voter from the list of voters of his domicile.**

Article 53

Preliminary Voters' Lists

1. Preliminary voters' lists are drawn from the registries of civil status.
2. The voters' lists contain:
 - a. The name, surname, father's name, date of birth, address and voter card number.
 - b. The name of the commune or municipality or the number of the electoral zone, as well as the number of the voting center.

Article 54

Updating the Preliminary Voters' Lists

1. Four months before the end of the mandate of the Assembly or local government organs, the CEC requests the National Office of Civil Status to prepare, within two weeks, the preliminary voters' lists according to the particular election to be held. The CEC sends immediately to each LGEC four copies of the preliminary voters' lists.
2. The LGEC immediately posts the preliminary lists in a public place, making the respective announcement of the dates and time schedule for receiving voters' complaints. Every voter or political party has the right to request from the LGEC the correction of inaccuracies in the preliminary voters' lists, according to the requirements set forth in article 12 of the Civil Code and articles 55 through 58 of this Code.

3. When an LGEC considers it necessary, and with the approval of the CEC, it establishes door-to-door verification groups, which have the duty of confirming the accuracy of the data in the lists. When they notice inaccuracies, the verification groups fill out the respective forms and deliver them to the LGEC.
4. The CEC specifies the rules for the composition of the verification groups and the rules for the performance of the verification.
5. In case of early elections to the Assembly, partial elections and referenda, the procedures provided in points 1 to 4 of this article are followed, to the extent possible and adjusted to meet the circumstances.

Article 55

Grounds for Revision of the Preliminary Voters' Lists

1. Voters' lists are revised when a voter:
 - a. dies;
 - b. has lost the right to vote;
 - c. was registered in more than one list;
 - ç) has moved his domicile or residence; or
 - d. shows that his personal data are incorrect.
1. In the case of letter ç of point 1, the voter is registered in the appropriate voters' list according to CEC instructions.

Article 56

Prohibition of Changing the Lists

The LGEC may not make changes to the preliminary voters' lists during the last 23 days before the date of the elections.

Article 57

Promulgation of Final Lists

1. After the termination of the period for revising the preliminary lists, each LGEC sends the revised list for its electoral unit to the CEC within 24 hours.
2. The CEC enters the revised lists into the National Registry of Voters. The Directorate of Registration of Voters sends the final lists to the ZECs or LGECs, as appropriate, or to other commissions contemplated by this Code no later than two weeks before the date of the elections.
3. The respective commissions post the final lists within 48 hours from the date of their receipt from the CEC.
4. The ZEC or LGEC sends the final lists to the VCCs no later than three days before the date of the elections. The ZECs and LGECs keep a copy of the final voters' lists.

Article 58

Access to the Voters' Lists by Electoral Subjects

1. The CEC makes the preliminary lists prepared in accordance with article 54 of this Code available to all registered political parties, at their request and upon payment.
2. After the expiration of the registration period for the candidates, the ZEC or LGEC, as appropriate, makes available to the electoral subjects a copy of the revised list sent to the CEC as provided in article 57.1 of this Code, at their request and against payment.
3. After approval of the final voters' lists, the CEC makes available to the central offices of each registered political party, at their request and against payment, a copy of the lists.
4. The candidates and parties use the voters' lists only to verify their accuracy and in compliance with the law.
5. **The CEC sets the manner of delivery of, and fees to be charged for, the voters' lists provided to electoral subjects.**

Article 59

Special Institutions

1. For general referenda and elections, two days prior to the date of voting, the director of the special institution prepares a list of voters and delivers it to the ZEC.
2. **For local referenda and elections, two days prior to the day of voting, the director of the special institution prepares a list of those residents who are domiciled in the electoral unit where the institution is located and delivers it to the LGEC.**

Article 60

Voters in Military Forces and Police Forces

1. Immediately after the date of the elections for the Assembly is set, the Ministry of Defense and other competent central institutions, at the request of the CEC, instruct the commanding officers of the respective bases to prepare a list of voters who will be residing on that base on the date of the elections.
2. The list of voters who will be residing on the base on the date of the elections is delivered to the ZEC no later than fifteen days after the date of the elections is set.
3. The ZEC adds the list of voters residing on the base to the list of voters for the respective electoral unit. They are struck off the list of voters for their place of domicile in compliance with the procedures designated by the CEC.

Article 61

Students

Students may vote in their place of residence in accordance with substatutory acts of the CEC. The CEC takes measures so that students are not registered on more than one voters' list.

FIFTH PART

SYSTEM OF ELECTIONS

CHAPTER I

SYSTEM OF ELECTIONS FOR THE ASSEMBLY

Article 62

Composition of the Assembly

The Assembly of the Republic of Albania is composed of 140 deputies, of whom 100 are elected directly by the voters in single-member electoral zones and 40 are elected according to the proportional percentage of the votes won in the first round of elections from the multi-name lists of electoral subjects deposited at the CEC.

Article 63

Election of Deputies in Single-Member Zones

1. A candidate who wins an absolute majority of the valid votes of the voters who have taken part in the voting in a single-member zone is considered elected the deputy of the zone to the Assembly.
2. If, in the first round of elections, none of the candidates wins an absolute majority, then after two weeks, a second round of elections is held. In the second round of elections, the two candidates who have received the greatest number of votes in the first round compete.
3. If a candidate withdraws from the second round, the candidate who has won the most votes compared to the other remaining candidates competes in his place in the second round.
4. When three or more candidates win an equal number of votes in the first round, then the two candidates who will compete in the second round are decided by lot. The same procedure is followed to choose the second candidate when one has been determined and the others have an equal number of votes.
5. After determining the need for a second round of elections, the ZEC announces the candidates to be voted on in this round. The announcement is made at the same time as the issuance of the results of the voting in the zone.

Article 64

Voting in the Second Round

1. In the second round of elections, the candidate who has won a majority of the valid votes is considered elected the deputy to the Assembly.

2. If, even after the second round of elections, the candidates have won an equal number of votes, then one of the candidates is elected the deputy of the zone by lot.
3. The CEC organizes the lot procedure whenever it is necessary. The lots are organized in the presence of the candidates.

Article 65

Joint Candidates

1. Political parties registered in the CEC have the right to nominate joint candidates for deputy.
2. Coalitions of political parties registered in the CEC may submit joint multi-name lists of candidates.
3. The submission of joint candidates and joint multi-name lists is made according to the time periods provided in article 76 of this Code.

Article 66

Allocation of compensatory mandates

1. Forty compensatory seats are allocated according to the following rules to political parties and coalitions of political parties.
 - a. Parties that win less than 2.5% and coalitions that win less than 4% of the valid votes in the whole country in the first round do not benefit from compensatory seats.
 - b. The number of valid votes won by each of the parties and coalitions meeting the respective threshold is divided by the sum of valid votes they have obtained on the national level, and the result is multiplied by 140. Each of these parties and coalitions are allocated initially as many seats in total as the full number obtained by the above-mentioned calculation. The remaining seats are allocated to the subjects with the larger remainders. In case the remainders for the last seat are equal, lots are drawn.
 - c. In order to determine the number of compensatory seats to be allocated to each party or coalition, the number of seats won in single-member zones is deducted from the number of seats allocated to each party or coalition according to letter "b" of this article. If the difference is negative or zero, the party or coalition keeps only the mandates won in single-member zones.
- ç) Notwithstanding letter "b," if:
- i. independent candidates are elected in one or more single-member zones;
 - ii. parties or coalitions that do not meet the respective threshold win seats in one or more single-member zones; or
 - iii. parties or coalitions that meet the respective threshold win more seats in single-member zones than they are entitled to on the basis of letter "b,"

then the following formula applies to the allocation of compensatory seats to parties or coalitions for which the difference according to letter "c" is positive:

$N = (A - B) [40 / (40 + C)]$. N is the number of compensatory seats of each party or coalition, A is the number of seats allocated to each party or coalition according to letter "b," B is the number of seats it won in single-member zones, and C is the total number of seats won according to points "i," "ii," and "iii" of this letter (in the cast of point "iii," only to the extent of the excess). Each of these parties and coalitions are allocated initially as many seats as the full number obtained by this calculation. The seats that remain are allocated to the subjects with the larger remainders, in descending order. In case the remainders for the last seat are equal, lots are drawn.

- a. If a single-member zone deputy was elected as a joint candidate of two or more parties not in a coalition, for purposes of the calculation of letter "c," his seat is considered to have been won by the party among those nominating him that gained the greatest number of votes in the whole country in the first round, unless the parties have agreed otherwise.

dh) Deputies are elected from the multi-name lists of parties or party coalitions according to their respective order.

- b. If the number of candidates on a multi-name list of a political party or coalition is smaller than the number of seats to which that party or coalition is entitled, according to this article, the unfilled seats are divided among the other parties and coalitions of parties that exceed the respective threshold in accordance with the following formula:

The number of valid votes won by each of the above parties or coalitions is divided by the total of the valid votes won by them, and the result is multiplied by the number of unfilled seats. A number of compensatory seats is initially allocated to each of these parties or coalitions equal to the full number that results from the above calculation. The seats that remain are allocated to the parties or coalitions with the largest decimal remainders. If the decimal remainders for the last seat are equal, lots are drawn.

CHAPTER II

ELECTORAL ZONES

Article 67

Single-Member Electoral Zones

1. For purposes of elections to the Assembly, the territory of the Republic is divided into 100 single-member electoral zones.
2. The boundaries of the electoral zones may not be changed during the last six months of the mandate of the Assembly.

Article 68

Electoral Zone Boundary Commission

1. Electoral zone boundaries are established by a law of the Assembly in accordance with the recommendations of the Electoral Zone Boundary Commission.

2. An Electoral Zone Boundary Commission (the Commission) meets every five years, beginning on August 1, 2000, for the purpose of reviewing the electoral zone boundaries in accordance with the criteria set forth in this Code.
3. The Commission consists of the following members:
 - a. the Secretary of the CEC;
 - b. the Director of the Institute of Statistics;
 - c. the Head Registrar of Immovable Property;
 - d. the Director of the Center of Geographic Studies of the Academy of Sciences.
1. The chairman of the CEC calls the first meeting of the Commission, after which the Secretary of the CEC serves as Chairman of this Commission.
2. The CEC provides for the budget and administrative support services for the Commission.

Article 69

Procedures for Setting Electoral Zones

1. Within three months of its establishment, the Commission issues an interim report with initial recommendations regarding electoral zone boundaries. The interim report is made available to each registered political party, the media and any other interested party who requests a copy.
2. Beginning two weeks after the issuance of the interim report, the Commission holds a series of public meetings at which registered political parties and other interested parties have the right to make a presentation to the Commission regarding the contents of the interim report.
3. The Commission considers its interim recommendations taking into account the presentations made in the public meetings and submits a final report on setting the electoral zones to the Assembly no later than the first Monday of December of the respective year.

Article 70

Commission Reports

1. The interim and final report of the Commission indicates the average number of voters for an electoral zone, the number of voters in each electoral zone along with the difference between the average and the estimated number of voters for each zone; a map of each electoral zone; a list of municipalities and communes within each zone; and a written description of the boundaries of each electoral zone.
2. The final report also contains a summary of the presentations made at the public hearings and the decisions of the Commission in connection with them.

Article 71

Criteria for Establishing Electoral Zone Boundaries

For the purpose of establishing electoral zone boundaries, the Commission follows the procedures set out in this article:

1. It obtains from the CEC the total number of voters and the number of voters in each existing electoral unit and polling unit. These data are taken from the National Registry of Voters as it exists on August 1 of the respective year.
 2. It obtains from the CEC and other competent sources maps for the existing electoral zones, municipalities and communes, and polling units and any other map its deems necessary.
 3. It establishes the average number of voters for the zone by dividing the total number of voters contained in the National Registry of Voters by the number of single member electoral zones.
 4. It determine the percentage deviation from the average number of voters for each zone.
 5. It reviews all electoral zone boundaries in an effort to ensure that, as much as possible, the number of voters in each zone is no less or no greater than 5 per cent of the average number.
 6. When the number of voters in a municipality is within plus or minus 5% of the average number of voters, that municipality or commune shall constitute an electoral zone.
 7. As much as possible, a commune shall be wholly included within one electoral zone, and a municipality with a total number of voters smaller than the number contemplated in point 6 shall not be divided into more than two electoral zones.
 8. In addition to the rule provided in point 5 of this article, the Commission also takes the following issues into account when establishing zone boundaries:
 - a. traditional ties and common interests of local communities;
 - b. natural barriers and boundaries;
 - c. communication and transportation linkages;
- c) boundaries of regions.
1. The electoral zones shall be compact and may not be divided into parts that are separate from one another.

Article 72

Review of the Final Report

1. The Assembly examines the final report of the Commission within two weeks from receiving it. The Assembly accepts the report and approves the law on electoral zones, embodying the recommendations of the final report, or refers it back to the Commission for further consideration. The Assembly may not change the boundaries recommended by the Commission.
2. If the Assembly sends the report back for further consideration, the Commission undertakes a review of its recommendations and submits a second report within 30 days. The Assembly examines the new report within 15 days.

Article 73

Effective Date of New Zone Boundaries

1. The law on the electoral zones comes into effect on the effective date of the decree of the President of the Republic setting the date of the nearest elections, except if point 3 of this article applies.
2. Notwithstanding point 1 of this article, the CEC may exercise its functions according to the new boundaries contemplated in the law on electoral zones after the law becomes effective.
3. If the Assembly does not approve the law on electoral zones before the last six months of its mandate, the existing boundaries apply to the next parliamentary elections.
4. If the date of elections for the Assembly or the date of local government elections is announced after the boundary review has begun, the Commission continues its work but may not hold a public meeting or issue a public interim report until after the official declaration of election results is made by the CEC.
5. In the period between the approval of the new law on electoral zones and new elections for the Assembly, partial elections are held according to the zones existing at the time of the last elections for the Assembly.

CHAPTER III

SYSTEM OF LOCAL ELECTIONS

Article 74

System of Local Elections

1. The mayors of the municipalities or communes, as well as members of the councils of municipalities or communes, are elected by direct voting by the voters with a domicile in the territory of the municipality or commune.
2. The members of the councils of the municipalities and communes are elected on the basis of the multi-name lists submitted by political parties and coalitions, as well as on the basis of individual independent candidacies.
3. Political parties registered in the CEC have the right to submit joint candidates for mayor of a municipality or commune, as well as joint multi-name lists for local councils.

Article 75

Election of the Organs of Local Government

1. The candidate who wins more than half of all valid votes is elected mayor of a municipality or commune. If no candidate wins the required majority, a second round of voting is organized, implementing by analogy article 63 and 64 of this Code.

2. The mandates of the local councils are allocated by the LGEC on the basis of the following proportional system:
 - a. The number of valid votes won by each independent candidate is divided by the total number of valid votes and multiplied by the number of seats of the council. If the result is equal to or higher than 1, the independent candidate wins a seat in the council.
 - b. The number of valid votes won by each party or coalition and each independent candidate who failed to obtain a seat according to letter "a" of point 2 of this article is divided by the sum of valid votes they have obtained, and the result is multiplied by the number of seats that remain after letter "a" of point 2 of this article is applied. Each of these electoral subjects wins as many seats as the full number obtained from the above-mentioned calculation. If for an independent candidate the result is one or greater than one, the independent candidate wins only one seat. The remaining seats are allocated to the electoral subjects with the larger remainders. In case the remainders for the last seat are equal, lots are drawn.
 - c. The candidates of parties or coalitions are elected to the local councils according to the order of the respective multi-name list.
 - d. If the number of candidates on a multi-name list of a party or coalition is smaller than the number of seats to which that party or coalition is entitled according to this article, the unfilled seats are divided among the other parties and coalitions of parties that have submitted multi-name lists in accordance with the following formula:

The number of valid votes won by each of the above parties or coalitions is divided by the total of the valid votes won by them, and the result is multiplied by the number of unfilled seats. A number of seats is initially allocated to each of these parties or coalitions equal to the full number that results from the above calculation. The seats that remain are allocated to the parties or coalitions with the largest decimal remainders. If the decimal remainders for the last seat are equal, lots are drawn.

SIXTH PART

NOMINATION OF CANDIDATES

CHAPTER I

CANDIDATES VOTED ON DIRECTLY

Article 76

Submission of the Documents of the Candidate

1. Documents for the nomination of candidates for deputy, for mayor of a municipality or commune or for the council of a municipality or commune are submitted respectively to the ZEC or the LGEC, as appropriate, no later than 22 days before the date of the elections. The respective commissions take a decision on accepting or not accepting the documentation submitted no later than 19 days before the date of the elections.
2. If the commissions notice a discrepancy or irregularity in the documentation of candidacy before the end of the term for certifying them, according to point 1 of this article, the

commission gives the candidate the opportunity to correct the discrepancies, setting a time limit for the resubmission of the documentation, but no later than 19 days before the date of the elections.

3. No later than three days after the decree of the President of the Republic setting the date of the elections comes out, the CEC provides the nomination documents to be completed by the candidate along with the form for collecting signatures according to article 78 of this Code.

Article 77

Requirements for the Validity of the Candidacy Documents

1. The candidacy documents shall be in compliance with the requirements of this Code and in the form specified in the instructions of the CEC.
 2. The candidacy documents contain the following data:
 - a. The name, father's name, surname, date of birth and address of the candidate;
 - b. The declaration of the candidate that he is a qualified voter and an eligible candidate for the position for which he is running;
 - c. the name and address of a person named as his official agent, who shall be an eligible voter;
- ç) a list signed by voters of the respective zone who support his candidacy as provided in article 78 of this Code;
- d) except in the case of independent candidates, a declaration from the party endorsing the candidate, signed by the chairman of the party as identified in article 12 of this Code.

Article 78

List of Voters who Support the Candidate

1. For candidates for deputy, the candidacy documents are accompanied by a list with the signatures and voter identification numbers of 300 voters who reside in the zone, the names of whom are on the preliminary voters' lists of that electoral zone.
2. Candidates for the post of mayor of a municipality or commune submit the following documentation:
 - a. for electoral units with up to 5,000 voters on the voters' lists, a list with the signatures and identification numbers of 50 voters, registered in the preliminary voters' lists;
 - b. for electoral units with 5,000 voters up to 30,000 voters, a list with the signatures and identification numbers of 100 voters, registered in the preliminary voters' lists;
 - c. for electoral units with more than 30,000 voters, a list with the signatures and identification numbers of 300 voters, registered in the preliminary voters' lists.

Article 79

Substitution of a Candidate

1. A candidate may withdraw his candidacy within 24 hours of certification by the commission. A candidate who withdraws after the certification made by the commission may not be replaced by the political party he represents.
2. If a registered candidate dies before the date of the elections, then the elections in that zone are postponed for four weeks. In this case the CEC sets another date for nomination of a replacement candidacy.
3. Immediately after the deadline for the withdrawal of a candidacy, the respective election commission carries out these duties:
 - a. it forwards a final list of certified candidates to the CEC; and
 - b. it publishes in newspapers, posters and electronic media within the jurisdiction of the electoral unit the names and political affiliation of all candidates in the order they appear on the ballot, in the manner and at the time required by the CEC.
1. In the case of elections for the Assembly or for mayor of a municipality or commune, the ZEC or LGEC, as appropriate, publishes the name and address of the official representative of the candidate.

Article 80

Representative of the Candidate

1. Within 48 hours from the certification of their candidacy documentation, each candidate shall give the name of his representative to the CEC. The representatives of the candidates at the VCCs are accredited by the ZEC or LGEC, as appropriate. The designation of representatives is not obligatory.
2. During the conduct of the voting, the representatives of the candidates keep their identification document in a visible place. They may not wear clothes or symbols or perform actions that have the purpose of influencing or that might influence the will of the voters.
3. The representative of a candidate may be substituted by the candidate or his official agent but not during the last 24 hours before the close of the voting and during the counting of votes in the voting center.

CHAPTER II

LIST CANDIDATES FOR ELECTIONS TO THE ASSEMBLY

Article 81

Submission of the Lists

1. Political parties registered as electoral subjects submit to the CEC a list of candidates for the 40 seats in the Assembly within the time period provided for in article 76 of this Code.
2. The ordering of the candidates in the list is set by the electoral subject that submits it. In the case of the death, resignation or loss of the right to be a list candidate according to this Code, the candidates listed below move up one place.

3. The lists of the parties are signed by the chairman of the party, or, as the case may be, by the chairmen of the parties of the coalition. The list is accompanied by a declaration signed by each candidate that he is eligible to vote and desires to run.

Article 82

Acceptance of the Lists

When political parties submit a list of fewer than 20 candidates, the list is not accepted by the CEC.

Article 83

Verification of the Lists by the CEC

1. The CEC certifies the regularity of the multi-name lists according to the time periods and procedures contemplated in article 76 of this Code for the certification of direct candidates.
2. After certification of the multi-name lists, the CEC publishes them in the three newspapers with the largest national circulation and in the electronic media and sends a copy of the list to the ZECs, which publish them in the local media and announce them in public places in their zone according to the instructions received from the CEC.
3. The names on the certified multi-name lists may not be changed.

CHAPTER III

LISTS CANDIDATES FOR THE ORGANS OF LOCAL GOVERNMENT

Article 84

Conditions for Validity of the Lists

For the nomination of candidates for the members of the councils of municipalities and communes, registered political parties submit a list of candidates to the LGEC according to these conditions:

- a. Within the same time period for submissions of candidacies for mayor of the municipality and commune, they forward to the LGEC a list of candidates according to the form prepared by the CEC.
 - b. Every candidate on the list declares that he accepts his nomination by the respective electoral subject.
 - c. The list is signed by the chairman of the party or a person authorized by him to endorse candidates.
- ç) If a list candidates dies, the candidate listed below moves up.

Article 85

Non-acceptance of the Lists

1. An LGEC does not accept a list of candidates when the number of candidates on the list is less than half of the number of council members.
2. The ordering of the candidates on the list is set by the electoral subject that submits it.

Article 86

Certification and Publication of the Lists

The LGEC certifies the lists submitted by the parties. After the certification, the LGEC publishes the lists in the local press and media and announces them in the territory of the municipality or commune and immediately forwards a copy to the CEC.

SEVENTH PART

VOTING PROCEDURES

CHAPTER I

BALLOTS

Article 87

Preparation and Content of the Ballots

1. The ballots for elections are prepared by the CEC. The ballot shall not be not transparent and shall contain security elements specified by the CEC.
2. The ballots are produced in blocks with stubs. The serial number is noted only on the stub.
3. For elections to the Assembly, the voter votes with two separate ballots of different colors, one ballot for the candidates who are competing directly in the zone and the other for the political parties that are competing in the elections. The ballot for electoral subjects is the same for all electoral zones.
4. For elections for the local government organs, the ballot for the candidates for the municipal or communal council is of a different color from the ballot for the candidates for mayor of the municipality or commune.

Article 88

The Form of the Ballot

1. The ballot is printed according to the model prepared by the CEC. The back of the ballot has a place for putting the signature of the chairman and the vice chairman and the seal of the VCC.
2. Failure to sign the ballot by one of the subjects indicated in point 1 of this article does not constitute a reason not to begin the voting procedures.

Article 89

Sending Ballots and Other Materials

1. The CEC forwards the necessary number of ballots, seals, poll records and other voting materials to the ZECs or LGECs, as appropriate, no later than three days before the date of the elections.
2. The ZEC or LGEC, as appropriate, sends the necessary number of ballots and other voting materials to the VCCs no later than 12 hours before the opening of voting.
3. Ballots are printed on the basis of the total number of voters, plus two per cent.
4. The CEC specifies the additional number of ballots that are sent to the voting centers.

Article 90

Names of the Candidates and Subjects on the Ballot

1. The names of candidates for deputy, or mayor of a municipality or commune, are placed on the ballot according to the alphabetical order of their name.
2. Written on the ballot are:
 - a. the first name, father's first name, and surname of the candidate as it appears on the documents of candidacy;
 - b. the name and initials of the party or coalition the candidate represents, or the word "independent," is written to the right of the candidate's name;
 - c. no other data about the candidate is written.
1. On the ballot of electoral subjects, the names of the registered political parties are placed in alphabetical order, together with the initials of the party.
2. The voter marks in a separate place at the side of the name of the candidate or party one of the signs 'x' or '+' or a mark that clearly indicates the choice of the voter.

CHAPTER II

POLLING UNITS AND VOTING CENTERS

Article 91

Establishing a Polling Unit

1. A polling unit may not be divided into parts that are separate from one another.
2. As much as possible, a polling unit shall have no more than 1,000 voters. If it is found that a polling unit has more than 1,000 voters, the LGEC or ZEC, as appropriate, may establish more than one voting center for that polling unit.
3. When a residential center with at least 50 voters is more than three kilometers away from the closest voting center, a separate voting center is set up in that residential center, if it has at least 50 voters.

4. A polling unit is established by the ZEC or the LGEC but, as much as possible, the ZEC shall keep the polling unit boundaries established by the LGECs in its zone.

Article 92

Location of the Voting Center

1. One or more voting centers are established in each polling unit.
2. As much as possible, a voting center is located in a public building accessible to voters. A voting center may not be set up in:
 - a. a private residence without the authorization of the CEC;
 - b. a building used by the public administration, except for educational and health institutions;
 - c. buildings owned or occupied fully or partially by a political party or candidate or their close relatives.

Article 93

Voting Centers in Special Locations

1. When in a special institution there are 15 or more voters eligible to vote for the electoral unit where the institution is located, the ZEC or LGEC, as appropriate, creates a voting center inside the institution for those persons.
2. In health institutions that have many wards, a separate voting center may be set up for each ward, if each of them has more than 15 voters.
3. Voters in military and police bases vote in the nearest ordinary voting center outside the base, as designated by the ZEC.
4. Students registered in the voters' lists according to article 61 of this Code vote only in the polling unit where they have been added to the list.

CHAPTER III

PROCEDURES FOR OPENING THE VOTING

Article 94

Preliminary Actions

1. One hour prior to the opening of the voting, the VCC, under the direction of its chairman and vice chairman and in the presence of the representatives of the electoral subjects and observers, performs these duties:
 - a. It arranges the tables, chairs and voting booths in such a manner as to assure the secrecy of the voting and the free and rapid movement of voters.
 - b. It removes any election propaganda that may be found within the voting center and within a range of 150 meters around it.
 - c. It posts instructions for voting at a suitable place within the voting center.

- c) It sets up other materials required by the CEC.
- d. It checks all materials received, shows the empty ballot box to the representatives of electoral subjects and seals it in the manner prescribed by the CEC.
- 1. All members of the VCC and the representatives of the candidates or registered parties who are present sign the opening statement of the voting center.

Article 95

Opening the Polls and Presence of Members

- 1. After performance of the procedures provided in article 94 of this Code, the chairman of the VCC declares the voting open, but not before the time prescribed in article 5 of this Code.
- 2. The secretary of the VCC notes in the official records of the voting center the time of departure and return of any member who leaves the voting center.

CHAPTER IV

PROCEDURES DURING VOTING

Article 96

Number of Ballot Boxes

- 1. In elections for the Assembly, two boxes are set up in the voting center, one of which is used for voting for the candidates of the zone and the other for political parties or coalitions.
- 2. In local elections, one box is used for voting for candidates for mayor of the municipality or commune and another box is used for the candidates for the council of the municipality or commune.
- 3. For voting on a referendum, one ballot box is used for each issue upon which to be voted.

Article 97

Presentation of Voters in the Voting Center

- 1. After entering the voting center, the voter states his name and presents his voter card to the VCC.
- 2. The chairman confirms that the number on the voter card is the same as the number beside the name of the voter on the list of voters for the polling unit.
- 3. After confirming that the name and voter number are correct, the chairman strikes the name of the voter; the voter signs the voters' list beside his name; the ballot is signed according to the rules provided in article 88 of this Code; and the secretary places the seal of the VCC on the back of the ballot and gives it to the voter.
- 4. If a voter is not provided with a ballot pursuant to point 3 of this article, the incident is recorded in the official record, detailing the name of the person, the identification number on the card and any other relevant information.

5. If a representative of a candidate or a member of the VCC questions the identity of a voter who has been provided with a ballot, the incident is included in the official record detailing the person who made the objection, the reasons for the objection, the name and identification number of the voter and the reasons why the chairman of the VCC provided that person with a ballot.

Article 98

Voting

1. On receipt of the ballot, the voter proceeds to the closed room booth and votes by marking the ballot in the space provided.
2. After voting in the closed room, the voter folds the ballot so that his mark cannot be seen and leaves the voting booth.
3. Before the voter deposits the folded ballot in the ballot box, the chairman or a member designated by him checks that it contains the correct VCC seal and the signatures according to article 88 of this Code.
4. The voter then deposits the ballot into the ballot box and leaves the voting center.
5. With the exception of article 100 of this Code, a voter votes only for himself.

Article 99

Spoiled Ballots

1. If a ballot is marked outside the voting booth, the ballot is placed not in the ballot box but in the envelope for spoiled ballots. In this case, the voter is given a second ballot and the incident is recorded in the official record. If the voter again marks the ballot outside the voting booth, the ballot is again placed in the envelope for spoiled ballots and the voter is not given another ballot.
2. If a voter marks or damages the ballot accidentally and requests a second ballot, the ballot is considered spoiled and placed in the envelope for spoiled ballots and the voter is provided with a second ballot. This incident is recorded in the official record. A voter who damages the second ballot is not given another.
3. Spoiled ballots are in no event placed in the ballot box.

Article 100

A Voter who Cannot Vote Himself

1. A voter who, for physical reasons, is unable to vote for himself, may request the help of another voter who is on the list of voters for that polling unit. Both voters must be present in the voting center when this procedure is used.
2. A person may help only one voter who cannot vote himself.
3. Before marking the ballot, a person who assists another voter makes a declaration in the official record that he will mark the ballot as instructed and has not assisted any other voter.
4. No members of the election commissions of any level may help voters who are unable to vote themselves.
5. The mark selection on the ballot must be made in the voting booth.

Article 101

Keeping Order at the Voting Center

1. When order and the orderly conduct of the voting are endangered at the voting center, the VCC suspends the voting and asks for the help of the police.
2. The chairman or vice chairman of the VCC immediately notifies the ZEC or LGEC about the incident that has happened.
3. When order is restored in the voting center, the VCC asks the police forces to leave the voting center and takes measures to begin the voting again immediately.

Article 102

Persons Present in the Voting Center

1. Only the following persons may stay in a voting center:
 - a. The members of the VCC and accredited representatives of electoral subjects.
 - b. Voters waiting to vote.
 - c. Accredited Albanian and foreign election observers.
1. If there are voters waiting to vote, the chairman of the VCC may direct that they wait outside the voting center in order to facilitate the voting of persons within the center.
2. Persons serving as an observer for a candidate (not accredited representatives to the voting center) may enter the voting center for the purposes of meeting with the accredited representative, but the meeting takes place outside the voting center.
3. No armed person including police or members of the armed forces, may enter the voting center except in those circumstances provided in article 101 of this Code.

Article 103

Voting in Special Institutions

The voting in hospitals, prisons and places of pre-detention and dormitories is carried out according to the rules for voting centers contemplated in this Code and substatutory acts of the CEC.

Article 104

Voters in the Armed Forces and Police Forces

1. Voters who serve in the Armed Forces or Police Forces vote in national elections and for national referenda in the electoral unit where their bases are located.
2. Voters who serve in the Armed Forces or Police Forces vote in local elections and for local referenda in the polling unit of their domicile.

CHAPTER V

CLOSE OF THE POLLS AND COUNTING OF VOTES

Article 105

Close of the Polls

1. All polls close at the hour established in article 5 of this Code and in accordance with point 3 of article 5 of this Code.
2. After the last person has voted, only the following persons may remain in the voting center: Members of the VCC, one accredited representative for each candidate, one accredited representative for each registered political party that is participating in the multi-list voting but has not nominated a candidate for the position of deputy or mayor of a municipality or commune, and accredited Albanian and foreign election observers.

Article 106

Counting the Votes

1. After the last voter has voted, the chairman, along with the members of the VCC, performs these acts in the following order:
 - a. He determines the number of persons who have voted according to the list of voters and records that number in the official records of the voting center.
 - b. He determines the number of ballots used, as indicated by the consecutive number on the ballot stubs.
 - c. He counts the spoiled ballots found in the envelope for spoiled ballots and deducts that number from the number of ballots used and checks that the number of ballots used corresponds to the number of voters who voted according to the list of voters.
 - ç) He ensures that the seal on the ballot box is the same seal that was placed on the box at the opening of the poll.
 - d) He opens the ballot boxes in the order determined by the VCC and removes all the ballots.
 - dh) Without inspecting them, he counts the ballots in the ballot box, checks whether the number of ballots is the same as the number obtained in letter "c" of this article and records the information in the official records.
 - e) He sorts the ballots by candidate, setting aside those ballots where the intent of the voter is unclear, and checks whether each contains the signatures contemplated in article 88 of this Code and the seal of the VCC and in all other respects are valid ballots.
 - ë) He counts the ballots for each candidate, records the number in the official records and places the ballots for each candidate in separate envelopes.
 - f. He places all ballots rejected as provided in point 3 of this article in a special envelope and records the number in the official records.
2. When the chairman of the VCC decides to count a ballot for a candidate or to reject a ballot, and that decision is objected to by a member of the VCC or a representative of a candidate, the VCC votes on the question. The chairman places a number on the back of the ballot and records the number in the official records, along with the nature of the

problem and the reasons for the decision. Any other member or representative may also add his written comments.

3. A ballot is rejected when more than one candidate or political party is voted for; when it is not clear who was voted for; when the ballot bears sign that might disclose the identity of the voter; when the voter has made other marks or has voted for a person or party that is not on the ballot; or the ballot does not bear the seal of the or the signature provided in article 88 of this Code.
4. If ballots found in the ballot box are not the same size, color or form as the ballots prescribed by the CEC, they are put in a special envelope and are not accounted for in the ballot account calculation.
5. After counting the ballots, the chairman of the VCC completes the tabulation of results of the voting center and signs it together with all members of the VCC and the representatives of the electoral subjects who are present. All persons present, including national and foreign observers, are provided with a copy of this tabulation. If any members of the VCC or representatives present object to the tabulation, the VCC votes on the question. The chairman records the issue in the official records, the nature of the problem and the reasons for the decision. The final tabulation reflects the decision. If any member or representative objects to the decision, he may add his written comments to the official records.
6. After the counting of ballots for mayor or deputy of a single-member zone, the ballot envelopes are placed in the ballot box, which is set aside. The above procedures are then repeated for the counting of ballots for multi-name lists.
7. After the counting of ballots for the multi-name lists, the chairman of the VCC completes a consolidated tabulation of voting center results, which is a summary of the information contained in the individual tabulations.
8. The original copies of all tabulations, the official records and seal of the VCC are placed in the ballot box containing the ballots for mayor of a municipality or commune or deputy of a single-member zone. A copy of the tabulations is placed in a special envelope, which is not placed in the ballot box.
9. Each ballot box is sealed and the identification number of the seal is recorded in the official records.
10. The chairman and the secretary of the VCC deliver the ballot boxes and the envelope containing the official records to the LGEC or ZEC within 24 hours from the close of the polls, in the manner prescribed by the LGEC or ZEC. The LGEC or ZEC provides the chairman with a receipt.

Article 107

Declaration of Results

1. No later than two days after the date of the elections, the LGEC or the ZEC, in the presence of the commission members, representatives of the electoral subjects and accredited Albanian and foreign observers, performs the following tasks and declares the results of the elections:
 - a. The chairman of the commission ensures that each ballot box is accounted for.
 - b. The ballot boxes are opened one at a time, checking whether the seal is the same seal recorded in the official records and whether the boxes contain the official records, ballot envelopes, unused ballots, ballot stubs, and seal of the VCC. The original copy of the tabulation is removed.

- c. Each member of the commission may examine the official records.
 - ç) At no time may ballots be examined, removed from the box or counted.
- d. The ballot box is closed and sealed again, leaving aside the original tabulation of results. The number of the seal is recorded in the official records of the commission.
 - dh) Any irregularities found in the ballot box are noted in the official records.
- e. After all original tabulations of results have been removed, the chairman of the commission completes the tabulation of results for the electoral unit and declares a person elected to the position of deputy or mayor of the municipality or commune for the electoral unit, the membership of the municipal or commune council, the number of votes cast for multi-party lists, and, if appropriate, the candidates for the second round of elections.
 - ë) The chairman of the commission, along with the members of the commission and representatives of the electoral subjects who may be present, sign the tabulation of results for the electoral unit. The chairman provides a copy of the tabulation to all members of the commission, the representatives present, the candidates and Albanian and foreign observers who are present. The original copy of the tabulation is forwarded to the CEC, while a copy is posted in a visible place within the voting center.
- f. If any members of the commission or representatives present object to the tabulation, the commission votes and takes a decision. The chairman records the nature of the problem and the reasons for the decision in the official records. The final tabulation reflects the decision taken. If a member or representative objects to the decision, he may add his comments to the official records.
 - 1. All ballot boxes and records are retained by the LGEC or ZEC in accordance with the provisions of this Code and may only be opened by a judge during a recount of ballots or upon direction of the Constitutional Court or, as the case may be, the High Court in accordance with article 141 of this Code.
 - 2. A recount of ballots may only occur after the declaration of the results of the election.
 - 3. Only those persons mentioned in point 1 of this article may be present during the procedures set forth in this article.

CHAPTER VIII

RECOUNT OF BALLOTS

Article 108

When Ballots are Recounted

- 1. If, after the LGEC or ZEC has declared a person elected (other than from multi-name lists), the margin of victory between the votes of the winner and the candidate who came in second is smaller than the total number of all ballots rejected during the counting of the ballots, or if the margin 25 votes or less, the ballots are recounted in the manner provided in this chapter.

2. If, after the LGEC or ZEC have declared a person elected (other than from multi-name lists), the above margin of victory is 150 votes or less, and if this number is equal to or less than the total number of ballots rejected as invalid during the counting, at the request of the candidate who came in second, the ZEC or LGEC organizes a recount of the ballots as follows:
 - a. The application is in the form prescribed by the CEC and is signed by the candidate and his official agent.
 - b. The application for a recount is presented to the chairman of the respective commission no later than 4 PM on the second day after the final count of votes by the LGEC or ZEC.
 - c. On receipt of the application for a recount, the LGEC or ZEC arranges for the recount of ballots, which shall begin no later than 48 hours after receipt of the application.
1. When a recount of ballots is required pursuant to points 1 and 2 of this article, the chairman of the commission immediately informs the president of the district court, who organizes a lottery to select three judges of the court to recount the ballots within the time specified by this Code.
2. All costs associated with the recount of ballots are borne by the CEC.

Article 109

Recount of Ballots

1. A recount of ballots takes place in a public facility of sufficient size to accommodate the ballot boxes from all voting centers of the electoral unit, the members of the LGEC or ZEC, and any accredited representatives of parties or candidates who wish to attend.
2. Only one representative for each electoral subject may attend the recount of ballots.
3. The members of the LGEC or ZEC attend the recount of ballots as observers. One or more members of the CEC may also attend as observers.
4. The secretary of the respective commission brings all ballot boxes and official records from the election to the place of the recount and serves as assistant to the judges conducting the recount. With the consent of the court, the secretary may retain the services of one or more impartial assistants.
5. During the recount, the court is responsible for the security and safekeeping of all ballot boxes and records.
6. At the time established for the start of the recount, the court and the secretary of the commission confirm that the LGEC or ZEC has delivered all required materials. The court notes any materials that were not delivered.
7. The recount of the ballots begins at 8 AM and continues until completed.
8. At the conclusion of the recount, the court completes a tabulation of the recount of ballots in the form prescribed by the CEC and provide a copy to the members of the commission, the members of the CEC, and each candidate or representative in attendance.
9. After receipt of the tabulation of the recount, the LGEC or the ZEC immediately declares the results of the election.

Article 110

Procedures for the Recount

1. At the time and place fixed for the recount, the court:

- a. checks that all ballot boxes and records are maintained in a visible place;
 - b. begins the recount from voting center number one and continue in consecutive order with the recount of all ballots of all voting centers;
 - c. examines the ballot boxes one by one.
1. Before opening a ballot box, the court checks whether the seal on the ballot box is the same seal that is recorded in the official records of the LGEC or ZEC. If the seal is not the same the box shall not be opened.
 2. After it is confirmed that the seal on the box is the same, the recount proceeds, in full view of all those present, in the following order of tasks:
 - a. The secretary opens the box and removes the official records, tabulations and seal of the VCC and checks that the materials are the proper documents for that voting center.
 - b. The secretary removes the envelopes containing the ballots counted at the voting center, the envelopes containing the ballots rejected, and the envelopes containing the ballots spoiled during the voting, unused ballots and ballot stubs.
 - c. The court confirms the information in the tabulations regarding the number of unused ballots, the last number on the ballot stubs, and the number of spoiled ballots. The court places those materials in the envelope designated for that purpose and enters the information on the recount statement.
- c) Without inspecting the ballots, the court opens the envelopes containing the ballots and places them in piles that correspond to the envelope from which they were removed. The ballots contained in each envelope are counted and the result is compared with the number recorded in the voting center tabulation. If there is a discrepancy, the number of ballots found in the envelope at the time of the recount is considered the correct number.
- d) After confirming the number of votes according to the tabulation of the voting center, the court continues with an inspection of all ballots, checking whether the ballot was sealed and signed according to article 88 of this Code, and declares for whom the ballot has been marked. During the recount, the court exercises the competencies of the VCC and may alter the decision of the VCC as recorded in the official records.
- dh) During the investigation of a ballot that was objected to by one or more members of the VCC or one or more representatives, or was rejected by the VCC during the count, the court considers all the objections and comments regarding that issue as found in the official records. After making a decision regarding the ballot in question, the court explains the respective reasons, which are recorded in the record of the recount proceedings.
- e) After the investigation of all ballots in the ballot box, the court declares the results of the voting center and complete the recount statement for the voting center; signs it together with the secretary; places all materials back in the ballot box, together with a copy of the recount statement; seals the ballot box, and begins the same procedure for the next voting center.
- ē) Prior to sealing the ballot box according to letter "e" of this article, the court allows representatives of the electoral subjects, candidates, and members of the electoral commission to examine the official records and make notes. The ballots may be examined only by the court.

f) Following the recount of all ballots for the electoral unit and the completion of the recount statement for each voting center, the court completes the recount tabulation, a copy of which is provided to all persons present.

1. At the conclusion of the recount procedures, the court returns all ballot boxes and official records of the election to the election commission, which retains them in the manner provided in article 149 of this Code.
2. The CEC prescribes the forms to be used by the Court in this chapter.

Article 111

Multi-Name lists

1. Ballots cast for the council of a municipality or commune are recounted when the number of ballots rejected as invalid and those objected to may have influenced the division of seats in the council. The recount of the votes for the local councils is done according to the recount procedures provided in this chapter.
2. Ballots cast for multi-name candidates for deputy are not recounted.

Article 112

Decisions and Appeals

1. All decisions at a recount of ballots are made by the court.
2. Decisions made during the recount of ballots are final.

NINTH PART

INVALIDATION OF ELECTIONS

Article 113

Invalidation of Elections

1. The CEC invalidates elections in voting centers, electoral units, or in the entire territory of the Republic if it finds:
 - a. violations of law or natural disasters of such dimension that the allocation of seats in the Assembly or local councils, or the result of referenda or mayoral elections may have been influenced; or
 - b. that the voting did not begin or was suspended for more than six consecutive hours.
1. Point 1 of this article applies only to those territorial units where the violations contemplated in letter "a" of point 1 were found or where voting was suspended under letter "b" of point 1 of this article.
2. The CEC decides on the invalidation of elections after consultations with the respective ZEC or LGEC.

3. Elections that have been invalidated pursuant to this article are re-held in no later than four weeks.
4. Any interested person may appeal to the Constitutional Court or the High Court, as the case may be, against the decision of the CEC to invalidate or not to invalidate an election within 10 days from the announcement of the decision of the CEC.

EIGHTH PART

REFERENDA

CHAPTER I

GENERAL PRINCIPLES

Article 114

Meaning of Referendum

1. The referendum is the direct exercise of the people's sovereignty, through voting, for a specific issue or law, according to articles 108 point 4, 150, 151, 152 and 177 of the Constitution.
2. Voting on referenda is performed according to the rules contemplated in this Code.
3. In a referendum, the alternative that has won the majority of the valid votes, but not less than one third of the number of voters registered in the National Registry of Voters and possessing a voter card, is considered the winner, unless otherwise provided in this chapter.

Article 115

Restrictions in the Exercise of the Right to a Referendum

1. No constitutional or general referendum can be held on the date of elections for the Assembly or for the organs of local government.
2. No general or constitutional referendum can be held during the period starting six months before the end of the mandate of the Assembly until three months after the first meeting of the new Assembly.
3. No local referendum can be held during the period starting three months before the end of the mandate of the organs of local government until three months after the first meeting of the local councils.
4. The procedure for holding a general referendum is suspended when early elections for the Assembly are announced until three months after the first meeting of the new Assembly.
5. The procedure for holding a local referendum in a unit of local government is suspended when early local elections are announced in the unit until three months after the beginning of the mandate of the local government organ.
6. In accordance with point 3 of article 152 of the Constitution, requests for a referendum that have not been fully processed in accordance with the provisions of this chapter by March 15 of the year, regardless of when made, are deferred until the following year.

Article 116

Procedures for the Conduct of Referenda

1. Constitutional and general referenda are administered by the CEC through the ZECs and, to the extent necessary or appropriate, in accordance with the procedures stipulated in this Code for the conduct of elections to the Assembly.
2. Local referenda are administered by the CEC through the LGECs and, to the extent necessary or appropriate, in accordance with the procedures stipulated in this Code for the conduct of local elections.
3. For referenda at the regional level, the CEC creates a regional election commission. The members of this commission are proposed by the Regional Council according to the rules contemplated in this Code for the composition of an LGEC.
4. When more than one referendum is held on the same date, the ballots for each referendum are of different colors.

Article 117

Approval of Draft Laws Voted on in Referenda

1. A draft law approved by referendum is promulgated by the President of the Republic and enters into force at least 15 days after publication in the Official Journal.
2. The repeal of a law or part of a law by referendum enters into force immediately upon the declaration of the result. On the reasoned request of the Council of Ministers, the Assembly may decide to postpone the repeal of the law or the part repealed, but not for more than 60 days.

CHAPTER II

DIFFERENT TYPES OF REFERENDA

Section 1

Constitutional Referendum

Article 118

Types of Constitutional Referenda

A constitutional referendum conducted in accordance with point 4 of article 177 of the Constitution is decided on by two thirds of all members of the Assembly in order to present proposed constitutional amendments directly to popular vote. A constitutional referendum conducted in accordance with point 5 of article 177 of the Constitution is one requested by one fifth of the members of the Assembly to submit to popular vote a constitutional amendments approved by not less than two thirds of all members of the Assembly.

Article 119

Initial Procedures

1. Requests for a constitutional referendum to amend the Constitution contain the text of the draft law for the amendment to the Constitution.
2. Requests for a referendum in accordance with point 5 of article 177 of the Constitution are delivered to the General Secretary of the Assembly within 15 days of the approval of the constitutional amendment by the Assembly.
3. The General Secretary of the Assembly immediately sends the decision of the Assembly (or the request of one fifth of the deputies, as the case may be) requesting a constitutional referendum to the Constitutional Court and the President of the Republic.

Article 120

Preliminary Examination by the Constitutional Court

Within 60 days of receipt of the request, the Constitutional Court examines in advance the constitutionality of holding the constitutional referendum initiated according to point 4 or 5 of article 177 of the Constitution.

Article 121

Subsequent Procedures for a Constitutional Referendum

1. When the Constitutional Court decides that the request for a constitutional referendum is in compliance with the Constitution or does not issue a decision within the time period, the President of the Republic sets the date for holding the referendum in compliance with point 3 of article 152 of the Constitution.
2. In this case, the General Secretary of the Assembly notifies the CEC of the conduct of a constitutional referendum, and sends to it the text of the draft law that will be voted on in the referendum. The General Secretary of the Assembly publishes the text of the draft law that will be voted on in the referendum in the three newspapers with the largest national circulation.
3. If the Constitutional Court decides that the request for the constitutional referendum is not consistent with the Constitution, the procedure for holding the referendum ceases. In the case of a request pursuant to point 5 of article 177 of the Constitution, the constitutional amendments previously approved by the Assembly are promulgated by the President of the Republic and become effective at least 15 days after their publication in the Official Journal.
4. Constitutional amendments submitted to referendum according to point 5 of article 177 of the Constitution are rejected if more than half of all voters registered in the National Registry of Voters who possess a voter card vote against them. If the amendments are not rejected in the referendum, they are promulgated by the President of the Republic and become effective at least 15 days after their publication in the Official Journal.

Section 2

General Referendum

Article 122

Initiative for a General Referendum

1. Fifty thousand voters registered in the National Registry of Voters who possess a voter card have the right to a general referendum for the repeal of a law, or to request the President of the Republic to call a referendum on a matter of special importance, in compliance with point 1 of article 150 of the Constitution and the provisions of this Code.
2. A request to begin the procedures for a referendum is submitted to the CEC by a group of no less than 12 initiators, who are voters registered on the National Registry of Voters possessing a voter card.
3. A request to repeal part of a law may be made, but only if the remainder of the law is self-sufficient.
4. A request to begin the procedures for a referendum for the repeal of a law or part of a law contains:
 - a. the title, number and date of approval of the law that is sought to be repealed and, if only part of the law is sought to be repealed, the respective provisions; and
 - b. the reasons why the law or the particular provisions should be repealed.
1. A request to begin the procedures for a referendum on an issue of special importance describes clearly the issue set out, its importance and the position of the initiators in connection with the issue. The issue must be clear, complete, and unequivocal, and expressed in such a form that voters can answer "yes" or "no."

Article 123

Model Forms for Collecting Signatures

1. Within 20 days from the submission of the request for a general referendum, the CEC provides the initiators, against payment, with forms for the collection of the signatures of 50,000 voters listed in the National Registry of Voters at the time of submission of the request. At the head of the form, the title of the law, the provisions sought to be repealed or the issue raised is printed.
2. Signatures with the respective voter card numbers in support of the request to hold a general referendum are deposited with the CEC during the period from January 1 to November 30 of each year.

Article 124

Verification of the Request by the CEC

1. The CEC verifies the voter card numbers and signatures in accordance with substatutory acts issued by it.
2. The CEC decides whether to accept the request within 90 days from the day it is submitted, based only on the regularity of the submission. The decision is made known promptly to the interested persons. A decision not to accept the request sets out clearly the irregularities that lead to non-acceptance.

3. Within five days from notification of the decision, the initiators may declare to the CEC that they are ready to correct the irregularities that were found. In this case, the CEC sets a term of up to 30 days for the re-submission of the request. The CEC decides within 10 days whether to accept the re-submitted request and promptly notifies the initiators.

Article 125

Examination of the Request by the Constitutional Court

1. After determining that the requests are in order, the CEC brings the requests for a general referendum to the President of the Republic and the Constitutional Court, except for the cases contemplated in article 115 of this Code. At the same time, the CEC notifies the Speaker of the Assembly and the Prime Minister of the requests accepted.
2. The Constitutional Court decides on the constitutionality of the requests for a general referendum and whether they are formulated in accordance with points 3 and 5 of article 122 within 60 days from the day of receipt of the requests from the CEC.
3. The President of the Republic decides whether or not to hold referenda on issues of special importance after the promulgation of a positive decision of the Constitutional Court or after the passage of the term during which it should have issued the decision. If he decides that a referendum requested should not be held, he advises the CEC in writing of his reasons, which the CEC transmits to the initiators.

Article 126

Setting the Date for a General Referendum

The President of the Republic sets the voting day for general referenda in accordance with point 3 of article 152 of the Constitution.

Article 127

Referenda on the Initiative of the Assembly

When the Assembly decides on the holding of general referenda in accordance with point 2 of article 150 of the Constitution, the same procedures provided in this section for referenda in accordance with point 1 of article 150 of the Constitution are followed, to the extent necessary or appropriate.

Section 3

Local Referenda

Article 128

Initiative for a Local Referendum

1. Ten percent of the voters registered in the voters' list of a municipality or commune and possessing a voter card, or 20,000 of them, whichever number is smaller, have the right to a local referendum on an issue of local governance in the respective municipality or commune.
2. A number of municipal or communal councils that represent no less than one third of the population of a region have the right to request that a referendum be held on an issue of local governance at the regional level.
3. A referendum on the same issue cannot be repeated in the same unit of local government before three years have passed.
4. For holding a local referendum, the provisions for a general referendum in points 2 and 5 of article 122, article 123 and point 2 of article 124 of this Code are adapted and applied, to the extent possible or appropriate.

NINTH PART

ELECTORAL CAMPAIGN AND MEDIA.

Article 129

Period of the Electoral Campaign

1. The electoral campaign starts 30 days before election day and ends 24 hours before the beginning of voting.
2. When a second round is to be held or the elections repeated in accordance with this Code, the campaign continues after the end of the first round and concludes 24 hours before the beginning of voting.

Article 130

The Rights and Obligations of Electoral Subjects during the Campaign

1. During the election campaign, every electoral subject has the right to make electoral propaganda in any lawful manner.
2. The results of electoral opinion polls may not be made public during the last 5 days before election day.
3. The publication of electoral opinion polls shall include the name of the pollster, the sponsor, the sample size, the margin of error, and the time period during which the poll was taken.
4. The conduct of electoral campaigns in de-politicized institutions is prohibited.
5. Propaganda for or against a candidate or other electoral subject by foreigners is prohibited.

Article 131

Propaganda Materials

The organs of local government designate in a fair and impartial manner public places for posting propaganda materials.

Article 132

Electoral Campaign on Public Radio and Television

1. During the electoral campaign, Public Radio and Television provides free air time for each registered political party and the CEC, which is allocated in accordance with the following rules:
 - a. A total of two hours are set aside for the CEC and allocated in accordance with its time requests. At least two thirds of the total time is allocated between 6:00 PM and 10:00 PM.
 - b. Each parliamentary party participating in the first round of elections is allocated equal free air time by the CEC in an amount that is no less than fifteen minutes on public television and 15 minutes on public radio.
 - c. Those parties not represented in the Assembly participating in the first round of elections are entitled to 10 minutes of air time on public television and 10 minutes of air time on public radio.
 - ç. The sponsor of electoral propaganda must be clearly specified on any television or radio program or advertisement.
 - d. The total amount of free air time allocated to all the political parties over the course of an electoral campaign is no more than ten hours.
1. For the second round of elections, political parties with candidates running in the second round are entitled to 15 minutes of free air time on public television and 15 minutes of free air time on public radio. Independent candidates running in the second round are entitled to 3 minutes of free air time on public television and 3 minutes of free air time on public radio.
2. Public Radio and Television covers the electoral campaign through news or informative programming in compliance with the principles of impartiality, completeness, truthfulness, and pluralism of information set forth in articles 4, 36 and 41 of law no. 8410, dated 30.9.1998, "On Public and Private Radio-Television in the Republic of Albania." The free air time allocated to political parties in accordance with point 1 of this article may not be allocated as part of news or informative programming.
3. Public Radio and Television may not prepare or broadcast paid political advertising.
4. During general referendum campaigns, Public Radio and Television put an equal number of minutes at the disposal of the political parties supporting either one of the alternatives, in an amount not to exceed three hours in total.

Article 133

Free Air Time for the CEC

In addition to the time provided under letter "a" of point 1 of article 132 of this Code, the CEC is provided with a total of 60 minutes of free time on public radio and 60 minutes of free time on public television for voter education each calendar year beginning January 1, 2001. The allocation of free time is done in accordance with letter "a" of point 1 of article 132.

Article 134

Broadcasting Schedule

1. No later than two days after the decree of the date of the elections, the Steering Council of Public Radio and Television, based on the information on registered parties provided by the CEC, sets the time available for each party and, under the supervision of the CEC, organizes a lottery for the allocation of broadcast time to each registered party.
2. The broadcast time available to the political parties and independent candidates is between 6:00 PM and 10:00 PM each day of the electoral campaign, up to 24 hours before the beginning of the voting.

Article 135

Electoral Campaign on Private Radio and Television

1. Private radio and television cover the electoral campaign according to the principles provided in articles 4, 36 and 41 of law no. 8410, dated 30.9.1998, "On Public and Private Radio-Television in the Republic of Albania."
2. During electoral campaigns, private radio and television may transmit electoral advertisements of the political parties, which are offered to all political parties participating in the elections at their lowest rates for the requested time period. These rates must have been effective and publicized as of the day of the decree of the elections.
3. Private radio and television may not broadcast more than five minutes a day of advertisements for each political party or independent candidate, for any kind of elections.
4. The broadcast of commercial advertisements during the broadcast of electoral programs by both public and private media is prohibited.

Article 136

Complaints

Electoral subjects may present their complaints to the National Council of Radio Television (NCRT) about irregularities found in campaign coverage by public and private radio and television. The NCRT investigates the complaint and makes a decision within 24 hours about an appropriate remedy.

TENTH PART

ELECTION FINANCING.

Article 137

Financing the Elections

1. The state finances the holding of the elections according to articles 138 and 139 of this Code.
2. The CEC administers the funds designated for the conduct of the elections according to the rules contemplated in this Code.

Article 138

Headquarters, Budget and Staffing of the CEC

1. The headquarters of the CEC is in the capital of the Republic of Albania, Tirana.
 2. The budget of the CEC constitutes a separate line in the state budget.
 3. The CEC accepts donations that serve the electoral process, without infringing on its independence and authority.
4. The structure and personnel of the administration of the CEC are set by decision of the CEC.

Article 139

Funds at the Disposal of the Political Parties

1. In addition to funds provided to political parties under law no. 8580, dated 17.2.2000, "On Political Parties," political parties that are registered with the CEC according to this Code are entitled to funds from the budget of the state for the conduct of elections.
2. The funds designated for the financing of the political parties participating in the election are set by the CEC within 30 days from their approval in the Assembly. The payments are made by the Ministry of Finance after official notification by the CEC about the manner of division of these funds.
3. The funds of the budget of the state for the financing of political parties in the elections are divided as follows:
 - a. 10 per cent of the amount is distributed equally among the political parties registered as participants in the elections.
 - b. 30 per cent of the amount is distributed in an equal manner among the parties that currently have deputies in the Assembly, or, as the case may be, members of the councils of the municipalities or communes.
 - c. 60 per cent of the amount is distributed among them in proportion to the number of votes won on the national scale in the last elections for the Assembly or in the local elections.
1. After the conclusion of the elections, parties that fail to win more than 2.5 per cent of the votes must return the amounts distributed in advance, according to letters "b" and "c" of point 3 of this article. All funds distributed according to letters "b" and "c" of point 3 of this article are re-distributed after the conclusion of the elections among the parties that won more than 2.5 per cent of the votes, in accordance with the percentage of votes won by each of them.

ELEVENTH PART

APPEALS AGAINST DECISIONS OF THE ELECTION COMMISSIONS

Article 140

Complaints

1. The decisions of a VCC may be appealed within two days of their promulgation to the ZEC or LGEC, as appropriate, which decides on the complaint within two days. An appeal against a decision of a ZEC or LGEC may be taken within two days to the district court of the location of the seat of the commission, which decides within three days. A decision of the district court may be appealed to the court of appeals within three days, which decides within five days. The decision of the court of appeals is final.
2. The decisions of a ZEC or LGEC, except for those contemplated in point 1 of this article, may be appealed within two days of their announcement to the CEC, which decides on the appeal within two days.

Article 141

Appeals to the Constitutional Court and the High Court

1. Decisions of the CEC on the final results of the elections to the Assembly and referenda, as well as decisions on their invalidation, are appealed to the Constitutional Court within three days of being announced. The Constitutional Court examines the appeals and decides within ten days.
2. Decisions of the CEC on the final results of local elections and their invalidation are appealed to the High Court within three days of being announced. The High Court examines the appeals and decides within ten days.

Article 142

Appeals against Decisions of the CEC

1. All decisions of the CEC, with the exception of those contemplated in article 141 of this Code, may be appealed to the Court of Appeals of Tirana within three days of being announced.
2. The Court of Appeals of Tirana examines the appeals and decides within five days.
3. Final decisions of the CEC not to accept a request for a general referendum may be appealed to the Court of Appeals of Tirana within five days of being announced. The Court of Appeals decides within ten days. Its decision is final.

Article 143

Appeals about Voters' Lists

1. Every voter who has not been registered in the voters' lists according to the procedure provided in chapter II of the fourth part of this Code may apply to the district court no later than 30 days before the election. The court decides within two days.

2. Within two days of being announced, the decision of the district court may be appealed to the court of appeals, which decides within three days. The decision of the Court of Appeals is final.

Article 144

Deadlines

All deadlines provided in this part apply only during the time period from the day the date of the elections is announced until three days after the announcement of the election results by the CEC.

TWELFTH PART: RESPONSIBILITIES AND SANCTIONS

Article 145

Responsibility of Persons Charged with the Election Administration

The members of the election commissions and employees of the public administration in the service of these commissions have criminal and administrative liability for violations of the provisions of this Code according to the legislation in force.

Article 146

Voting More Than Once

Voting in the same elections more than once constitutes a criminal infraction and is punishable by fine or up to three months of imprisonment.

Article 147

Abandoning Duty by Members of Election Commissions

Abandoning duty, without lawful causes, by the members of the election commissions constitutes a criminal infraction, and is punishable by fine or from between six months to two years of imprisonment.

Article 148

Administrative Penalties

1. A violation of the provisions of this Code by members of the commissions or by persons charged with duty according to this Code, if it does not constitute a criminal offense, is punishable by a fine of between 3,000 and 90,000 lek.
2. A violation of the rules provided in this Code by public and private radio and television constitutes an administrative infraction and is punishable by a fine of between 100,000 and 500,000 lek.

3. Other violations of the provisions of this Code, when they do not constitute a criminal offense, are punishable by a fine of between 1,000 and 2,500 lek.
4. Penalties for violations under point 1 and 2 of this article are given by the CEC. Penalties for violations under point 3 of this article are given by all election commissions.

THIRTEENTH PART: RETENTION OF RECORDS

Article 149

Retention of Records

1. No records of a VCC, LGEC, ZEC or any other electoral commission may be destroyed without the prior consent of the CEC.
2. All records of a VCC or any other commission established by a LGEC or ZEC are given to the LGEC or ZEC in the manner and at the time established by the CEC.
3. The LGEC or ZEC retains a copy of:
 - a. the documentation of candidates and political parties taking part in the election;
 - b. the list of names and addresses of all members of a VCC and other commissions;
 - c. the list of voting centers;
 - ç) the voters' lists for the electoral units;
 - d. the names and addresses for all members of the LGEC or ZEC;
 - dh) the map of the electoral unit showing the boundaries of all polling units;
 - e. a written description of all electoral unit boundaries;
 - ë) the decree setting the date of the elections, official election notices issued by the LGEC or ZEC, the announcement of results for each voting center and the final declaration of results; and
 - f. a statement of the costs incurred for the administration of the elections.
1. The original documents referred to in point 3 of this article are forwarded to the CEC within three months of the declaration of the election results. The CEC retains one copy and within twelve months after the official declaration of the election results by the CEC forwards the original documents to the Central State Archives in the manner required by it within 12 months after the declaration of the final results of the elections.
2. Immediately following the declaration of results by the LGEC or ZEC, the commission forwards to the CEC in the manner directed by it all sealed ballot boxes containing official records, the seal of the commissions, ballots used at the election and unused ballots.
3. On receipt of all ballot boxes and unused ballots, and after the time allotted for appeals pursuant to point 5 of article 113 of this Code, the CEC opens all ballot boxes, removes all official records, including tabulations and ballot account statements, and forwards

them to the Central State Archives in the manner required by the archives. All ballots and ballot stubs then are destroyed by fire under the supervision of the CEC.

FOURTEENTH PART: TRANSITIONAL AND FINAL PROVISIONS

Article 150

Mandate of Members of the CEC and Financial Effects

Article 17 of this Code may not be not interpreted to affect the validity of the appointments of the CEC members made before the effective date of this Code. The mandate of members of the CEC appointed before the effective date of this Code, as well as the financial effects connected with the organization and operation of the CEC, begins from the moment this Code enters into force.

Article 151

First Meeting of the CEC

The President of the Republic calls the first meeting of the CEC by decree within 15 days from the effective date of this Code, at which the chairman of the CEC is elected in accordance with article 27 of this Code.

Article 152

Local Elections of the Year 2000

1. The mandate of the mayors of municipalities and communes and local councilors elected in the year 1996 expires with the first meeting of the local council elected in the year 2000 in the respective municipality or commune, which takes place no later than 20 days from the end of the elections.
2. The local elections of the year 2000 are held no later than November 1, 2000.
3. For the local elections of the year 2000, the voting centers open at 7 AM. and close at 6 PM.

Article 153

LGECs and VCCs for the Local Elections of the Year 2000

1. Notwithstanding point 1 of article 38 and point 1 of article 43, for the local elections of the year 2000, the LGEC and VCC shall consist of the chairman, vice chairman and up to five members appointed respectively by the CEC and the LGEC on the proposal of the seven political parties that won the most votes nationwide in the local elections of 1996.
2. The members of the commissions shall meet all the requirements contemplated in this Code.
3. The CEC (LGEC) appoints the chairman and vice chairman of the LGEC (VCC) on the basis of proposals made by the LGEC (VCC). The candidates for chairman and vice chairman of the LGEC (VCC) are proposed by the two political parties that won the most votes nationwide in the local elections of 1996.

4. For purposes of the application of this article the number of votes won nationwide by coalitions of parties is divided equally between the parties of the coalition, except when there is an agreement about this between them.

Article 154

Preparation of the First National Registry of Voters

1. For the local elections of the year 2000, the Council of Ministers, through the organs of local government and the offices of civil status, prepares the preliminary National Registry of Voters and delivers it to the Directorate of Registration of Voters of the CEC no later than August 25, 2000.
2. The CEC sends to each LGEC, no later than August 28, 2000, a copy of the preliminary voters' lists for the respective electoral unit drawn from the National Registry of Voters. The provisions of chapter II of the fourth part are followed, to the extent possible, for these elections, with the following exceptions:
 - a. The period for the revision of the voters' lists ends 17 days before the date of the elections, and after this the LGEC forwards the revised voters' list to the CEC;
 - b. After approving, the CEC sends the final voters' lists to the LGEC drawn from the National Registry of Voters no later than seven days before the date of the elections.
1. Until the creation of the National Registry of Civil Status, the CEC prepares the voters' lists for subsequent elections on the basis of the voters' lists of the preceding elections, which are updated by the offices of civil status. The provisions of Chapter II of the Fourth Part of this Code are also applied, by analogy, for these elections.

Article 155

Voting with an Identification Document

For the local elections of the year 2000, voters who have not been provided with a voter card may vote with a document of identification with a photograph issued by the offices of civil status, according to the instructions issued by the CEC.

Article 156

CEC Informational Programming

1. After the entry of this law into effect, the Steering Council of Public Radio and Television sets aside four hours of free television and radio broadcast time for CEC informational programming, which informs the public about voter registration, the issuance of the voter card and the provisions of this Code.
2. The four hours of free time are used prior to the setting of the date of the elections. They are not part of the time provided to the CEC during the election period.

Article 157

The First Electoral Zone Boundary Commission

1. The first Electoral Zone Boundary Commission is created and functions in accordance with articles 68 through 73 of this Code, except for the following:
 - a. The Commission uses the National Registry of Voters as certified by the CEC for the local government elections of the year 2000.
 - b. The Commission is formed no later than September 1, 2000.
 - c. The final report to the Assembly is submitted no later than January 15, 2001.
 - d. The law on electoral zones is approved by the Assembly no later than February 28, 2001.
1. If the Assembly has not approved the law on electoral zones within the term contemplated in point 1 of this article, the President of the Republic establishes the electoral zone boundaries in accordance with the final report of the Electoral Zone Boundary Commission. The boundaries established according to this point remain in effect until their next review in accordance with article 68 of this Code.

Article 158

The ZECs and VCCs for the Elections of the Year 2001

1. Notwithstanding point 1 of article 32 and point 1 of article 43, for the elections to the Assembly of the year 2001, the ZEC and the VCC shall consist of the chairman, vice chairman and up to five members appointed by the VCC and the ZEC, respectively, on the proposal of the seven political parties that won the most votes nationwide in the elections for the Assembly of the year 1997.
2. The members of these commissions shall meet all the requirements contemplated in this Code.
3. The CEC (ZEC) names the chairman and vice chairman of the ZEC (VCC) on the basis of proposals made by the ZEC (VCC). The candidates for chairman and vice chairman of the ZEC (VCC) are proposed by the two political parties that won the most votes nationwide in the elections of 1997.
4. For purposes of the application of this article, the number of votes won nationwide by coalitions of parties is divided equally between the parties of the coalition, except when there is an agreement between them about this.

Article 159

Substatutory Acts of the CEC

The CEC issues regulations and instructions for the implementation of this Code.

Article 160

Repeals

Law No. 7556, dated 4.2.1992, "On the Elections to the People's Assembly"; law no. 7573, dated 16.6.1992, "On the Elections to the Organs of Local Government"; law no. 7866, dated

6.10.1994, "On Referenda," with all their respective amendments and supplements; and any other provision that conflicts with this Code are repealed.

Article 161

Effective Date

This Code enters into force 15 days after its publication in the Official Journal.

VICE CHAIRMAN

Namik Dokle

APPENDIX V

Voter Registration Assessment

REPUBLIC OF ALBANIA

VOTER REGISTRATION ASSESSMENT FOR THE ELECTORAL ASSISTANCE PROJECT, NOVEMBER – DECEMBER 1999

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The opinions expressed in this Report are solely of the International Foundation for Election Systems (IFES).*

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I. VOTER REGISTRATION: ENUMERATION AND DATA USE

1. Synopsis of Current Voter Registration

1.1. Introduction

The Voter Registration Project was developed to examine a variety of issues surrounding the building phase of the Lists of Electors in Albania. Notably, how the Lists of Electors were perceived in the past and ways to improve the Lists of Electors. The objective of the Voter Registration Project is to propose and administer a methodology that would result in a marked improvement in the overall confidence level of electoral events both at the local government and the parliamentary levels.

1.2. Current Procedure

The current enumeration procedure is a manual, state-initiated, door-to-door process. The enumeration is both conducted and supervised at the local level. Essentially, the Civil Registry is used as the source for the Input Lists and the enumerators go door-to-door updating that information with the names of electors who are either new to the polling unit or are living there temporarily. At the end of enumeration, the Lists of Electors are produced in the Civil Registry offices by the Civil Registry clerks.

1.3. Analysis of Current Procedure

The process used to create the Lists of Electors is widely criticized. This criticism extends from electors, electoral candidates and the international community. The specific portions of the process that create the most concern are the resources themselves tasked with creating the Lists of Electors. In the past, the mayor of each local government hired enumerators to perform the door-to-door enumeration function. During the course of the IFES assessment, enumerators were often referred to by the term "party militant". It is perceived that in some communities, enumerators or "party militants" would ultimately decide who would appear on the Lists of Electors, leading to criticism of the lists.

Another factor that has contributed to the criticism of the Lists of Electors is the status of the Civil Registry documents. Albanian citizens are required to update their Civil Registry information whenever they move, they change their name, or their civil status changes. Unfortunately, this requirement is not wholly adhered to for some important reasons. First, there is a significant cost to updating Civil Registry information, around 4,000 lek (about US\$30) each time the Civil Registry is updated. This amount of money is sometimes equal to or exceeds the monthly wage of the average citizen, creating an economical imbalance in terms of service and capability to pay for that service. Also, updating Civil Registry information requires that the municipality that the citizen is moving from must be notified of the change. This process depends on the mail system to transfer the information between municipalities. Because the mail system in Albania is

poor, the delivery of information is not consistent. This problem leads to duplicate entries in the Civil Registry offices, or no entries at all.

1.4. Conclusions

While a new voter registration system is recommended to partially address the criticisms of the Lists of Electors, other work that forms the foundation of the system will need to be adjusted prior to an overhaul of the whole system. As mentioned above, the Civil Registry information, that is, the source of the Lists of Electors is outdated for various reasons. Changes to the current system will be suggested later in this report which will undoubtedly provide a stronger base from which to build future Lists of Electors.

It should be noted that the methodologies contained in this report will likely remain valid for the next two electoral events. Any longer, and the objectives that the methodologies are designed to meet may fail due to the continuing degradation of the status of the Civil Registry, the legal source of all data in Albania.

2. Proposed Structure for Voter Registration in Albania

2.1. Overview

Generally, the methodology for voter registration in Albania will focus around the issuance of a voter ID card at the time of registration. In addition, new processes were limited due the assumed lack of acceptance of new procedures and the available resources to the project, both in terms of people and infrastructure.

This analysis does have limitations based on factors that may change given the transitional direction of the country. Most importantly, the Central Election Commission has not yet adopted the proposed changes to legislation on which many assumptions in this report are based. This fact will be presented in more detail in Section 2.2 below.

2.2. Scope

The scope of this report includes all tasks associated with the door-to-door enumeration process that will take place next March and April 2000 according to the timetable established by the project proposal. This includes all preparatory tasks for enumeration, the door-to-door process, production of an elector database in Albania and finally, production of a List of Electors that will be used during the upcoming election in Albania.

This report goes into analytical depth on the topics that will most affect the outcome of the door-to-door enumeration. While some areas of this report contain detailed analysis and recommendations, others do not go into the same amount of detail due to their lack of relative importance in a door-to-door methodology. Moreover, some considerations are not mentioned in this report for the same reasons.

2.3. Weighing the Alternatives

There were many considerations during the analysis of a new methodology for voter registration in Albania. For a better understanding of these alternatives, meetings were held with individuals and organizational bodies associated with either previous elections or civic information gathering. The general consensus from these meetings was that the current process was in need of repair due to the perceived inaccuracies in the List of Electors. When the alternatives were examined, they were accepted or rejected primarily based on the following conditions:

- 1) Will the proposed changes to the methodology at least partially address skepticism about the quality of the List of Electors?
- 2) Will the change enhance the overall real and perceived quality of the list of electors?
- 3) Does the change require either an equivalent amount of resources in relation to the current process or less? If not, is the increase insignificant?
- 4) Does the complexity of the proposed change require a significant change in existing structure, resources or training?
- 5) Will the proposed change require an extraordinary amount of time to implement, therefore risking a March or April enumeration?

Once these factors were taken into consideration during the analysis of the various voter registration options, some options were clearly unacceptable. These will be examined later in this report.

2.3.1. Options

In order to properly present the recommended methodology for door-to-door registration in Albania, the available options will first be presented. Along with the presentation of the various options, the associated reasoning for adopting or not adopting an option will also be explained.

There were three options considered when developing the door-to-door methodology: Computerized, not computerized and a mix of both.

There are three options for creating a database of all electors in Albania. The first two options consist of implementing a computer-based system for preparing the elector data and producing a List of Electors. The third option is traditional door-to-door enumeration, a system with which Albania is experienced, with some optimization to answer the List of Elector integrity problems mentioned above.

The computerization method (the first two options) entails updating the Civil Registry database through a confirmation method during the door-to-door process. The third option, much like the current door-to-door process is to manually transfer the information from the current Civil Registry books onto Input Lists that would be used by enumerators during the door-to-door process. It is understood that both options would ultimately serve to produce a List of Electors to be used during an upcoming electoral event.

2.3.1.1.Option One – Computerization

The first option is using the data from the Social Insurance Institute in Albania. The Social Insurance Institute has amalgamated all civil registry information into a database that will be used to provide social insurance cards to all Albanians. The timeline to provide all Albanians a social insurance number is by early 2001, although this timeline has been evolving. The Social Insurance Institute confirms that 98% of the Civil Registry information has been entered into their database. That database is currently undergoing conversion into a Microsoft Access format and will be available for use by the end of January 2000. Following this conversion process, a validation of the data to ensure correctness by the Social Insurance Institute is to be completed by March 2000. It is important to keep in mind that given the uncertainty of department budgeting in Albania, there is the risk that the social insurance card project may be delayed or cancelled at any time.

✓ *Advantages*

The biggest advantage of using the Social Insurance Institute's database is the reduction in overall tasks during the whole enumeration project. By receiving a database from the Social Insurance Institute, the only cost is the purchase price of the database and the associated work with production/printing of Input Sheets from that database. Without the database, many resources would have to be applied throughout the country in transcribing all Civil Registry information to an Input List to be used by enumerators¹.

The database resulting from voter registration data entry can be used for other national projects requiring Civil Registry Information. Essentially, the product of this project could serve to validate the current Social Insurance information for electors which, as mentioned, is more than two years old in 80% of the cases. This option is also a fundamental first step in creating a National Register of Electors that can be updated and that will be used to produce future Lists of Electors.

✓ *Disadvantages*

A problem with using the Social Insurance Institutes data is that the data is becoming old. At the time of this writing, 80% of the database is more than 2 years old. This could prove problematic for two reasons: First, the age of the data will require many updates to the input list that will be used by the enumerators. This will result in an important number of very time-consuming changes at the data entry stage of the project while also having the potential to negatively affect the database rather than to improve it.

Another problem with the data is that the age of the data varies depending on the region in Albania. This fact makes instruction writing more difficult as individual instructions

¹ Both options include the methodology of using an input list for enumeration in order to save time at the door and to limit the data variations by collecting different information from that found in the Civil Registry.

must be provided to each Local Enumeration Committee². Finally, and perhaps the most important disadvantage, is that the process would be implemented throughout Albania and thus a failure (such as a corrupt database) would affect every district. This risk is important, but the probability of this occurring is considered to be very low.

2.3.1.2.Option Two – Manual

Simply, without the availability of the database from the Social Insurance Institute, enumeration must be accomplished using blank enumeration forms along with Input Lists that are manually compiled at the local level. Each Civil Registry Unit will be required to transfer the information from the Civil Registers into Input Lists. Those Input Lists will need to be manually organized by polling unit for each enumerator pair. The other important difference with this option is that data entry would be of every eligible elector³, not simply an update to an existing database.

This option lacks the use of a pre-existing database and therefore does not provide the project the benefit of updating the legal base of all Albanian citizens, the Civil Registry database. The future use of a newly created elector database would also be in question as the source of data when updating the Civil Registry must be Civil Registry based, and not election based, due to the potential difference in information.

2.3.1.3.Option Three – A Mixed Approach

The third option is the same process as the first option, but on a much smaller scale. The Social Insurance Institute database can be used and consequently updated, but only for a small region of Albania. As an example, the enumeration process in Tirana could follow the computerized process outlined in Option 1, while the remainder of Albania would be carried out with the process outlined in Option 2.

✓ Advantages

The advantages of this option are a combination of both the first and second options, but the most important is that the risk of failure is diminished due to the shared processes that would be used throughout Albania. In the instance where the database would be found to be corrupt, it would only affect Tirana and Option 2 could quickly and easily be implemented in Tirana. The other advantage is that this option could be implemented in the instance where project authorization is delayed, preventing much of the preparation to be completed on time. Since the project timeline calls for an enumeration in late March and early April, there can be no delays in project funding and subsequently project go-ahead to be successful in completely implementing Option 1.

² Enumeration Committee: Please refer to Section 2.2.3 for a detailed explanation of the tasks to be undertaken by the individuals in this position.

³ The question of collecting Civil Registry information is discussed later in Chapter III and not addressed in this portion of the report.

✓ *Disadvantages*

As discussed in the disadvantages of Option 1, an elector database would not be easily created for Albania and thus subsequent events would have to rely on complete door-to-door enumeration once again, perhaps then using the proposal outlined in Option 1. Also, implementing a dual enumeration process in the country is complicated and time consuming. Two sets of instruction would need to be developed and distributed. At the administration level during the enumeration, tracking and reporting on door-to-door progress must be designed for two systems. This remains true when providing technical advice to each of the Local Enumeration Committees when they require it.

Recommendations

Option 1. The recommendation is to use the database of Civil Registry information that will be attained from the Social Insurance Institute and implement a single enumeration structure for all of Albania. The reasons for this recommendation is clear as the updated database as a result of door-to-door enumeration can then be used as a basis for future automated projects in Albania where Civil Registry information is required. Without this database, the only option is to use the current system of door-to-door enumeration, where enumerators manually create a list of electors for each of their polling units based on a system of manually transferring Civil Registry data from the books onto an Input List. A cost breakdown of the the options is presented below, showing the considerable savings when using a pre-existing database of information. This option also simplifies the data entry of elector information into a database at the conclusion of enumeration

Table 1 - Cost Breakdown of Data Source

Data Source	Estimated number of records	Time Required	Number of resources required	Estimated cost of methodology *
Shared database from Social Insurance Institute	2,000,000.00	0	0	\$ 10,000.00
Manual data transfer from Civil Registries	2,000,000.00	1 month	2,000	\$ 100,000.00

* The cost to purchase the database from the Social Insurance Institute has not been confirmed, but the ceiling price has been estimated (by the writer) at 10% of the manual method for this report.

2.3.2. Enumeration Preparation

There are many tasks to accomplish preparing for an enumeration regardless of the overall method used. This section will examine the following preparatory tasks:

- 1) Data integration for enumeration is the task of transferring the data from the Social Insurance Institute onto an input sheet.

- 2) Separating that information into polling units and updating the Input Sheet with the changes that have occurred to the Civil Registry since the creation of the database.

The process of integrating the data attained from the Social Insurance Institute can be achieved by a variety of methods. They are:

2.3.3. Door-to-Door Process

Organization

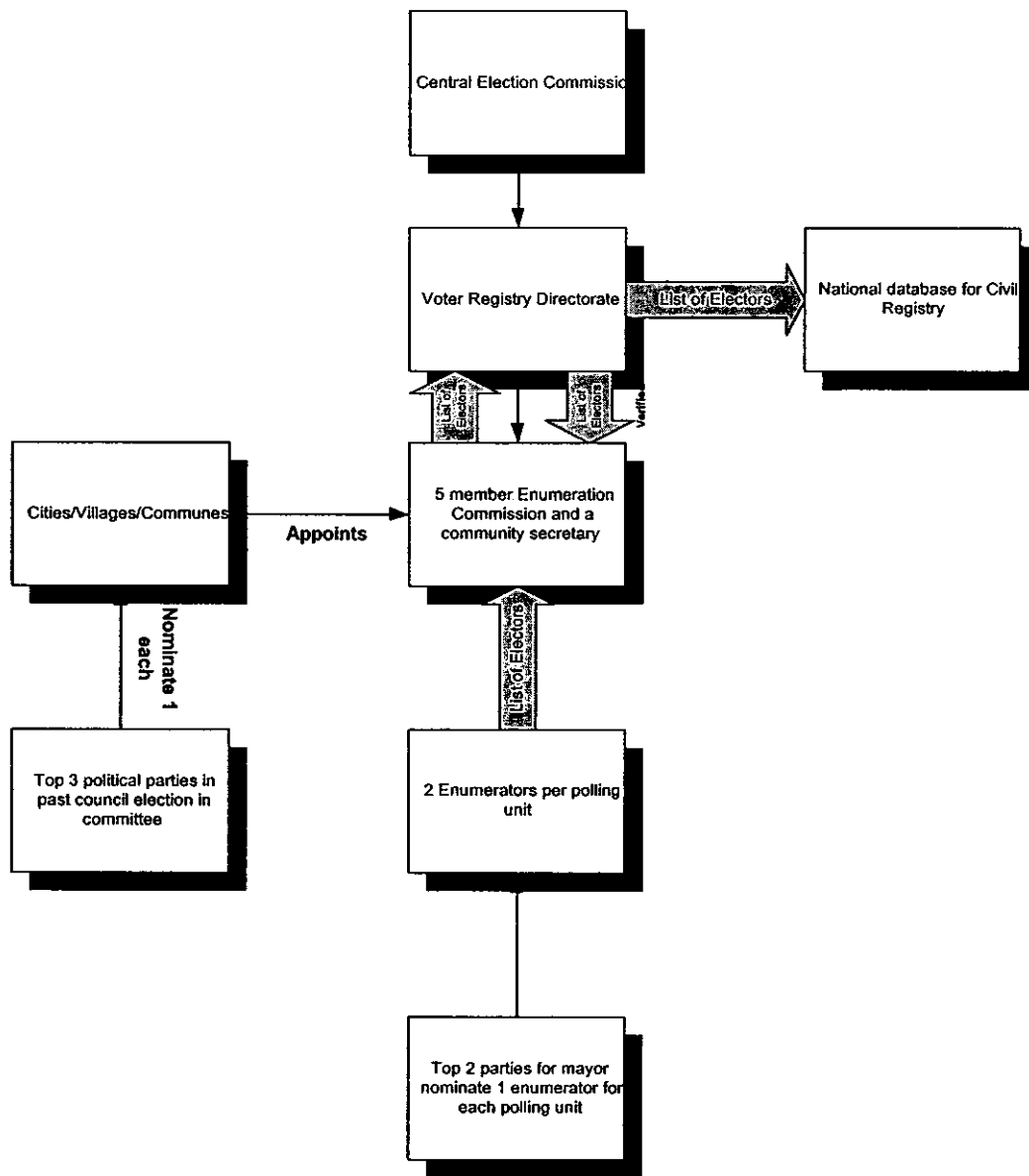
Essentially, the current structure of performing door-to-door enumeration will be maintained. There have been some significant changes to the overall organization that better promote transparency in the electoral process. Moreover, this proposed organization will administer to the preparation of a List of Electors.

For the purpose of this report, the organization of the enumeration is divided into two separate charts to simplify the explanation. The first section of the organization detailed is the management hierarchy while the second section is the Local Enumeration Commission.

The Management Hierarchy

The management hierarchy consists of the governing bodies that will manage the enumeration process at both a national and local level. It is not the intent of this report to comment on this organization, though it is mentioned so that a better understanding is achieved surrounding the duties of the Local Enumeration Commission which will be explained in detail.

Figure 1 - Management Hierarchy for Enumeration



Essentially, the principal management position is the 5-member Enumeration Commission. The Central Election Commission is the organizing body that will both assist in appointing members to the Enumeration Commission, but more importantly, will administer the rules and procedures to carry out the door-to-door enumeration. As can be seen in Figure 2 - Management Hierarchy for Enumeration, both the Enumerators and the Enumeration Supervisors report to the Enumeration Commission that is located in each city/village/commune. The Lists of Electors that is produced by the Voter Registry Directorate is then returned to each Enumeration Commission for use during an electoral event.

a) Local Enumeration Commission

The Local Enumeration Commission will be the body that prepares for and collects elector information and then forwards that information to the central body tasked with performing data entry. There were some options considered when developing this organization. These options will be discussed briefly below.

Figure 3 - Local Enumeration Commission

The Local Enumeration Commission will oversee the hiring and training of Enumeration Supervisors, Enumerators and Preparation Clerks. Since this Commission is included in the proposed legislation already presented to the government, it will not be analyzed nor defended in this report. The positions on the organizational chart that were analyzed at length were the Enumeration Supervisor and the Civil Registry Clerks. The other options considered will be presented and the reasons for using this structure will be defended.

Enumeration Supervisors

This position is created to more closely control the work performed by the enumerators. The Enumeration Supervisors will be appointed from the enumerator lists received from mayoral candidates finishing first and second in the last local government elections. The candidates will provide a list of enumerator names, from which good enumerators from the past election can be chosen to be Enumeration Supervisors. There should be an equal amount of Enumeration Supervisors from each mayoral candidate from the last election. Enumeration Supervisors will supervise between 8 and 12 polling units each, supervising anywhere from 16 to 24 enumerators.

Enumeration Supervisors will fulfill several main functions during the preparation stage and during the door-to-door enumeration.

- 1) First, the Enumeration Supervisors will assist in training the enumerators on the door-to-door process.
- 2) Enumeration Supervisors will also assist with the preparation of enumerator kits for each of their polling units.
- 3) Finally, during the door-to-door process to be undertaken by the Enumerators, the Enumeration Supervisors will verify the work completed by each of the enumerator pairs that have been assigned to them. They will check the Enumerator's work each day during the door-to-door campaign to ensure for process completeness, legibility of the forms, ensure that misunderstandings between enumerators are resolved and finally, ensure that the enumeration is carried-out as per legislation.

When considering payment to the Enumeration Supervisors, two options are available. The first option presents a suggested payment that varies with the number of polls to be supervised by an Enumeration Supervisor. The suggested payment for each polling unit

supervised is US\$10. The advantage of this option is that the payments to the Enumeration Supervisors will be commensurate with the amount of work performed. The second option presents a flat fee as payment. This was rejected as the amount of polling units supervised by each Enumeration Supervisor will vary and therefore a rule of equal payment for equal work will not exist within this position among supervisors.

Figure 4 - Budget for Enumeration Supervisors

Estimated Budget required for Enumeration Supervisors

Enumeration Supervisors	Number Polling Units	Payment/polling unit	Flat Fee	Total Cost
Option 1	5,000	10		\$ 50,000.00
Option 2	5,000	0	75	\$ 37,500.00

Option 1: Payment of \$10 for each polling unit an ES supervises

Option 2: a flat fee of \$75 to each ES

Civil Registry Clerks

The Civil Registry clerks will perform two functions. First, once the Input Lists are received at the Local Enumeration Committee office from the Voter Registry Directorate, they will:

- 1) Separate that list by polling unit, following the polling units used during the last enumeration exercise.
- 2) Using the Civil Registry, transcribe all new information from the Civil Registry onto the Input List for each polling unit.
- 3) Divide the polling unit Input Lists into groups of 8 to 12 polling units (geographical regions) to be administered by Enumeration Supervisors.

Once enumeration is completed, the Civil Registry Clerks will verify that all Input Lists have been received from the Enumeration Supervisors. They will organize the Input Lists and New Additions Forms by polling unit and forward them to the Voter Registry Office for input into the database and subsequent production of a List of Electors.

While the addition of the Civil Registry Clerk increases the required budget for enumeration, the position will reduce the amount of administrative errors made before and after door-to-door enumeration.

As with the Enumeration Supervisors, there were two payment options for the Civil Registry Clerks. The first option was to remunerate the Civil Registry Clerks on a daily

basis, as noted in Figure 4 below. The second, and recommended option, is to remunerate the Civil Registry Clerks using a flat fee structure. Since the tasks that the Civil Registry Clerk will accomplish are static and the bulk of those tasks will be carried out at the beginning and at the end of the door-to-door process, the remuneration should be equal among all Civil Registry Clerks. This will also discourage the Enumeration Commission office from using the Civil Registry Clerk as a full-time administrative position.

Figure 5 - Civil Registry Clerks Remuneration

Estimated Budget required for Civil Registry Clerks

Preparation Clerks	Number of Prep, Clerks required	Number of Days	Daily Rate	Flat fee	Total Cost (ceiling)
Option 1	2000	15	\$ 5.00	\$ -	\$ 150,000.00
Option 2	2000	15		\$ 35.00	\$ 70,000.00

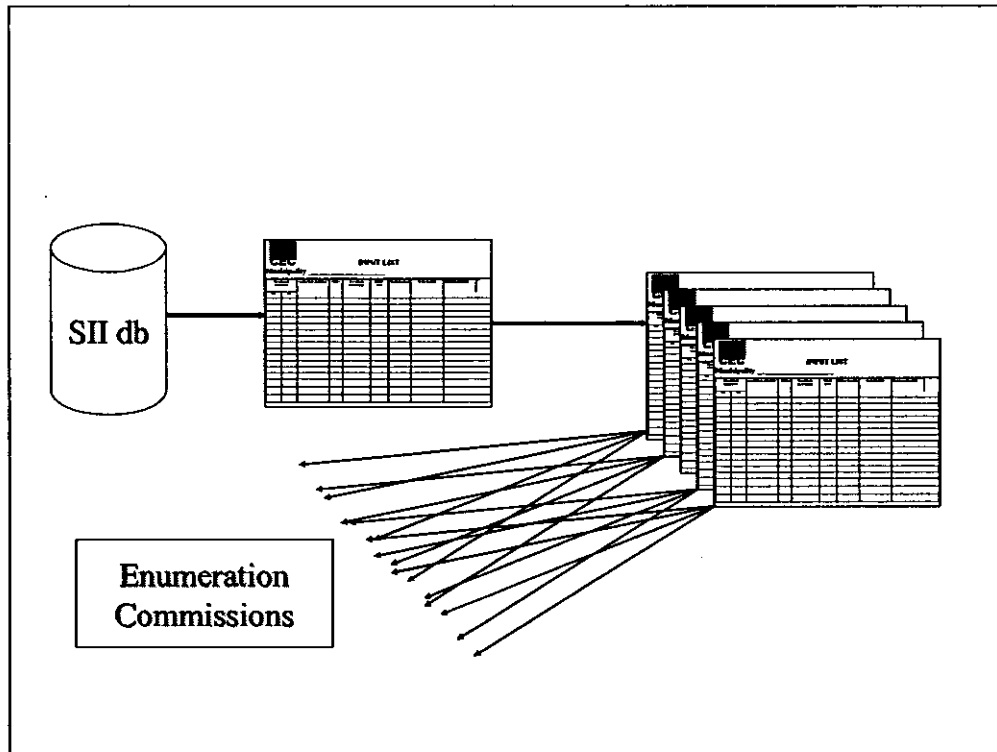
Option 1: 4 Civil Registry Clerks for 15 days each at \$5/day

Option 2: A flat fee of \$35 to each Civil Registry Clerk

The Detailed Process

The difference in the proposed process will be at the Input List preparation level. The proposed process is invisible for all Enumeration Commission positions except for Civil Registry Clerks where an important amount of work will already be completed for them. The first part of the process is highlighted in Figure 6, below.

Figure 6 - Input List Creation



Following the process in Figure 6 – Input List Creation, the Civil Registry Database is obtained from the Social Insurance Institute. That database is used to produce:

- 1) An Input List of Electors that matches the database which is sorted by Civil Registry Office and by address.
- 2) An Input List of Electors that matches the database which is sorted by Civil Registry Office and by elector name.
- 3) A Voter ID Card for each name appearing on the Input List.

Once these items are produced, they are forwarded to each of the Civil Registry offices (herein called “Enumeration Commissions”). In the Enumeration Commission offices, the Civil Registry Clerks will add all new additions to the Input Lists from the Civil Registry based on the date that the database was created. For instance, if the database was created in September 1998 at the Social Insurance Institute offices, then Civil Registry Clerks would add all inhabitants having attained the age of 17 years to a

secondary Input List. When that is done, the next procedure is to divide the Input Lists into manageable polling units, following the legislative requirements for determining polling unit size as prescribed by the Albanian Election Law. The law specifically notes that polling units are to contain a maximum of 1,000 electors. Since the polling units are going to be distributed based on the last local government elections, the actual number of electors in a given polling unit may exceed that due to mobility in that polling unit since the last election.

Once this is completed, the hiring and training of Enumeration Supervisors and Enumerators can begin. From the lists of enumerators provided to the Enumeration Commissions by the mayoral candidates, one enumerator from each candidate will be tasked with one poll to enumerate. Of the enumerators, the best quality enumerators will be chosen for the Enumeration Supervisor position. A train-the-trainer session, already provided to the Enumeration Commissions by the Voter Registry Directorate⁴, will be given to the Enumeration Supervisors detailing the door-to-door enumeration procedures about to be undertaken. The Enumeration Supervisors will in turn, provide training to the enumerators of their respective polling units.

When the Enumerators are ready to go from door-to-door, they will be carrying with them the following supplies:

- Input List for their polling unit sorted by address
- Voter ID Cards that match that Input List
- Books of Elector Addition Forms for electors not on the Input List
- A map of their polling unit
- Elector Information Cards⁵ that will provide the elector with a highlight of the enumeration process, revision and an election

At their polling unit, the pair of Enumerators will go from door-to-door performing three main functions. They will:

- Primarily, confirm the elector names on the Input Lists
- Correct any elector information that is wrong on the Input List
- Provide the electors appearing on the Input Lists with a computer-generated voter ID card⁶
- Add all electors not found on the Input List
- Provide all newly added electors with a voter ID card that is completed by the enumerator pair

⁴ This is a recommendation, although may be slightly altered as other NGOs may play an active role in train-the-trainer sessions.

⁵ Elector Information Cards may be substituted with other materials containing similar voter education material.

⁶ Voter ID cards are described in detail in Chapter II of this report.

It is recommended that the Input Lists be designed to include all elector information including: the first and family name, gender, date of birth, address and father's name. Moreover, it is recommended that other fields, designed for confirmation purposes, be included on this Input List. These fields are a checkbox for receipt of the voter ID card, signature of the elector and both enumerators and, the elector voter ID card number. A suggested example of the Input List is shown in Figure 7 - Door-to-Door Input List below.

Figure 7 - Door-to-Door Input List



INPUT LIST

Municipality _____

Voter ID Card Distributed ?		Voter ID Card Number	Family Name, First Name	Address	Date of Birth (mm/dd/yyyy)	Father's Name	Change Required	Elector Signature
Yes	No							

Enumerator Signature

Date

Enumerator Signatures

Date

A key feature on the Input List is that the voter ID card number is indicated. Although described in more detail in the voter ID card section of the report, this number will be a direct link between the voter ID card, and the elector information in the database.

The other form completed by the Enumerators during the door-to-door process will be the Elector Addition Forms. These forms, as shown in Appendix A, will be completed when the visited elector or other household member cannot be found on the Input List. When this is the case, the Enumerators will complete the Elector Addition Form, inscribing all address and elector information. The Elector Addition Form was designed to accept a maximum of two elector names, but only if they reside at the same address, as there is only space for one address included on the form.

The form also has a unique elector identification number. First, the Elector Addition Forms will be issued in books of 100 forms. These books will be numbered sequentially beginning at 1000000. In addition to this number, each of the 100 forms within the book will be numbered sequentially from 01 to 100, representing each page within the book. And finally, each of the two electors that can be inscribed on the page will carry the letter A or B. For example, the first elector appearing in book 1234567 on page 25 will have the number **1234567-25-A** as a unique sequence number.

This sequence number, in turn, will be located both on the form, on the voter ID card and in the database once it is entered at the end of the process. This numbering adds a level of real and perceived security to the methodology proposed. A new requirement when voting is that all electors must show the voter ID card as identification. This will deter electors from voting twice at either the same polling unit or different polling units. Since the sequence number will be both on the voter ID card and in the database and thus will appear on the List of Electors, election officials will be able to run a database query on Voter ID Cards after the voting process. This query will ensure that Voter ID Cards were not used more than once at the polling unit. If a positive return to the query is found, an investigation can be launched.

Enumerators will be required to go from door-to-door until all households have been visited. However, it is proposed that Enumerators (when feasible) must return all completed Input Lists and Elector Addition Forms to the Enumeration Supervisors at the end of every day. This requirement allows the Enumeration Supervisors to ensure that the detailed processes that are to be followed by the Enumerators are being adhered to. If any problems are identified, the Enumeration Supervisors can request that the Enumerator pair correct the problem. The daily meeting also diminishes the amount of work that the Enumerator pair would need to correct. The estimated time to accomplish the door-to-door process is two weeks, but three weeks is suggested to ensure complete coverage. A proposed schedule is attached as Annex B.

Once the door-to-door enumeration is complete, all completed Input Lists and Elector Addition Forms will be forwarded to the Voter Registry Directorate for entry into the database and finally, the production of a List of Electors.

When determining the amount to pay an Enumerator, discussions were held with various government officials who were responsible in the past for administering elections, and more specifically, door-to-door enumeration. Briefly, it was widely suggested that the payment issued to Enumerators in the past was very low by any standard. The amount of remuneration was 5 lek (about US\$.03) per name added to the List of Electors. The pilot project conducted by the Organization for Democratic Institution and Human Rights (ODIHR) on voter registration remunerated at US\$.25 per name which was considered too high. With the combination of this information, recommendations from the various officials, and estimating a fair and reasonable payment, four options were considered for remuneration to Enumerators. A concept of a flat fee and payment per elector added was considered.

Figure 8 - Enumerator Remuneration
Estimated Budget required for
Enumerators

Enumerators	Number of Electors	Payment/added elector	Estimated number of additions	Flat Fee	Total Cost
Option 1	2,000,000	0.2	30%	25	\$ 370,000.00
Option 2	2,000,000	0	0%	50	\$ 500,000.00
Option 3	2,000,000	0.25	100%	0	\$ 500,000.00
Option 4	2,000,000	0.03	30%	20	\$ 218,000.00

Option 1: \$25 flat fee + \$0.20 for each elector added to the List of Electors (not on Input List - estimated at 30% to the Civil Registry)

Option 2: a \$50 flat fee to each enumerator (estimated 10,000 enumerators)

Option 3: A simple \$0.25 for each elector added to the List of Electors

Option 4: Payment of 5 lek per elector added + a flat fee of \$20

The recommended option from Figure 8 - Enumerator Remuneration, is Option 1, which is a combination of a flat fee structure and an incentive for each elector added. The reasons for choosing this option are two-fold:

- 1) A flat fee is suggested as the bulk of work for the Enumerators will be to update the Input List; and,
- 2) An incentive is offered for each elector added to the List of Electors using the Elector Addition Form.

The incentive would certainly be important in the second week of door-to-door enumeration. Traditionally, most households in a polling unit can be visited during the first week of enumeration⁷, the second and third weeks of enumeration are usually reserved for returning to households where there was no one home during the first visit. The total budget for recommended payment options for those involved in the enumeration process is detailed in Figure 9 below.

⁷ Only if enumerators conduct a door-to-door enumeration every day of the first week, working about 6 hours per day.

Figure 9 – Total Cost of Preferred Options for Enumeration

Total Cost of Preferred Options

**Enumeration Supervisors, Enumerators and
Preparation Clerks**

Position	Preferred Option	Option Cost
Enumeration Supervisors	Option 1	\$ 50,000.00
Enumerators	Option 1	\$ 370,000.00
Preparation Clerks	Option 2	\$ 70,000.00
Total Cost		\$ 490,000.00

3. The Data Center

3.1. Introduction

The Data Center will be the final step in preparing the List of Electors. This section of the report will serve to confirm the recommendations already outlined in the UNDP registration proposal of November 4, 1999 as written by Klaus Beltzner. Alternatively, changing project circumstances may require new recommendations. In this case, the arguments for the recommended changes will be presented.

As outlined in the overall project recommendation, the existing Social Insurance Institute database containing Civil Registry information will be used to produce the Input Lists and the associated Voter ID Cards. Once door-to-door enumeration is completed, both the completed Input Lists and the Elector Addition Forms will be forwarded to the Voter Registry Directorate for database updating and subsequently the production of Lists of Electors for each of the Enumeration Commissions. The voter registration project requires the use of database software, hardware and accompanying personnel to fully complete all of the tasks.

3.2. The Software

During the analytical phase of the Voter Registration Project, meetings were held with the representative of *Intech*. *Intech* is a software development company in Tirana, Albania who is contracted to enter all civil information into a database for the Social Insurance Institute. They have developed database software to perform this work and are

proposing to use this software during the update phase of the voter registration project after door-to-door enumeration is completed. In our brief examinations of the software, it was found that it performed well, is robust, and can be expected to complete the database update portion of the project relatively problem free. The required fields to be used during the project will need to be altered as the current database structure was designed specifically for Civil Registry information update. Since the Voter Registration Project is not proposing to collect all Civil Registry information during the door-to-door process, the database software will need to be altered to only allow voter information data entry.

While the software investigated was used during the ODIHR Pilot Project, it is recommended to develop a Request for Proposal for the software component of this project in order to benefit from the best price the market has to offer. It will also pressure *Intech* to remain competitive both in terms of price and technically.

Of concern during the investigations of the software was the fact that the data security remained in question. As mentioned, *Intech* currently manages all Civil Registry information in one location (on one file server). When asked about data security, they noted data entry security functions, access security, but never discussed database security. Since the voter registration database would be sharing its space with the Civil Registry database, there is a certain amount of concern that the two databases share information.

3.3. The Hardware

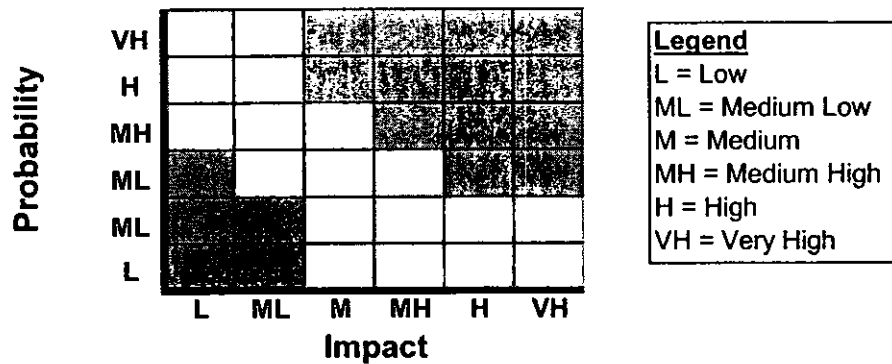
Again, the UNDP registration proposal goes into good detail concerning the required hardware for the project. Moreover, since the overall project methodology matches the recommendations in the UNDP report, the hardware requirements are virtually unchanged. In fact, during the investigation for hardware, it was determined that the UNDP has already made arrangements for the hardware with an Italian company. The Institute of Mathematics is currently using this hardware, along with data entry operators for their data entry requirements. Discussions with the Director of the Institute of Mathematics confirmed that they were already approached by the UNDP for the use of both the data entry operators and the hardware from the Italian company.

This report suggests no changes from the UNDP report in terms of hardware.

4. Risk Factors

There are a number of factors than can cause serious delays in completing the project in time so that elections can take place as early as September. To understand these risks, the two components that create risk must be broken down: the probability of the event occurring and the associated impact of that failure. For each of the three risk groups that will be discussed, both the probability of the event occurring and its' related impacts will be presented.

OVERALL RISK



The three risk groups are:

1. Time
2. Social Insurance Database
3. Funding.

4.1. Time

The scheduled timeline for this project is from January 2000 until Election 2000, which may be as early as spring 2000 or as late as October 2000. As indicated in Annex C of this report, a high-level view of the activities that need to occur beginning in January make a spring election almost impossible following the methodology proposed in this report. It should be noted that some project delays were built into the timeline to allow for unforeseen events, while some tasks were built in only allowing for "optimistic" finish dates.

The probability of project delays can be somewhat controlled by dedicating additional personnel, money and altering the methodology proposed. It will not, however, adjust delays caused by 3rd party contractors such as printers, transportation companies or software developers. The resulting impact of time risks is that the project would suffer embarrassment for not being election ready at the required time. While the overall score of the probability may be Low to Medium, the associated impact would be high.

To alleviate this risk, work must begin in the first week of January in order to be ready for a fall election.

4.2. Social Insurance Institute Database

There is a low probability that the database received from the Social Insurance is corrupt in some way. For instance, the address information may not match with the address information or some other combination of problems. The resulting impact of this risk is that the computerized methodology would not be practical and therefore the current method of manually transferring elector data onto Input Lists would need to be adopted. More importantly, the issuance of the Voter ID Card could only be through a manual

process at the door during enumeration. Other risks associated with the Social Insurance Institute database is that it is not yet proven. The database has not yet been used by any sources, including the Social Insurance Institute. The only practical "test" performed on this database is the OSCE Pilot Project.

The only way to minimize this risk is to enhance the quality assurance step prior to printing Input Lists and creating Voter ID Cards. Additional resources must be hired to methodically review the database provided by the Social Insurance Institute. If a problem is encountered, but is only caught during the door-to-door process, Albanian citizens and officials alike will again question the quality of the Lists of Electors.

4.3. Funding

At the writing of this report, funding has not yet been solidified for the Voter Registration Project. As it is not the scope of this report to analyze funding, it is simply included as a project risk because of the effect to the time risk factor.

5. Conclusion

Finally, the Voter Registration Project in Albania depends primarily on immediate funding from donors to be successful. While all recommended methodologies in this report can be realized, the time available to implement them is quickly running out. Since local government elections must be held by October 2000, the tasks described in this report must begin in January 2000. Even with a January start date, the earliest month that everything will be in place for election readiness is July 2000, albeit in a best-case scenario.

The methodologies themselves have been proven many times in other countries; it isn't a "new" process in terms of elections. However, the use of a database to create Input Lists and Voter ID Cards is a visible change from what Albania is used to. By combining the methodology presented in this report along with the voter education component of the Project, the Lists of Electors will certainly offer a sense of real and perceived confidence by electors and candidates alike in a process that has suffered tremendously in the past. This is specifically accomplished through the enhanced method of hiring Enumerators, the way those Enumerators are supervised by the Enumeration Supervisors and finally, the overall use of the Civil Registry database as a strong starting point.

II. THE VOTER IDENTIFICATION CARD

1. Antecedents

The current voter registration system in Albania is state-initiated (door to door), voluntary, decentralized and manual. The source of data is that of the Civil Status Office (Civil Registry), updated with the information provided by citizens living outside their place of registration – permanently or temporarily – and that are willing to vote.

No voter ID card has ever been issued in the past. A document with photo, mainly the old local passport or a certification of the Civil Status office is demanded at voting time, as proof of identity. For this reason there is not any legal provision or cultural custom to use a special document for voting.

The accuracy of the voter list, a direct product of voter registration, has been widely criticized by the public and the international community in all past elections and referenda. The allegations suggest that the inaccuracies in the voter lists were used to manipulate the election results. While this perception has never been proven it, nevertheless, has generated a general mistrust in the current system. It, indeed, is poorly maintained and a burden in the creation of a more reliable final product.

With the objective of providing a better voter registration system, a joint technical advisory committee was formed with members from IFES, OSCE, UNDP and EAD/DPA. The issuance of a voter ID card was one of the recommendations done by this committee by consensus, and it is outlined in the document titled "Interim mission and recommendations on consensus methodology for project document", written by Mr. Klaus Beltzner, consultant of the UNDP. This document is a follow up of the previous and it is aimed to specify more in detail the methodology and alternatives to issue a voter ID card in Albania.

2. Analysis of the Current Voter Registration System

During the old communist system, the Civil Status Office issued an internal passport, which was used to track every citizen and keep them tied to their places of registration. No benefits, such as education, housing, or work were possible without proper registration. When the system collapsed in 1992 due to its internal contradictions, the internal passport was not issued anymore. People were able to move around the country without authorization of the local government, generating an immense flow of immigration to the cities without control. The internal passport was not replaced by any document and, at the moment, there is no unique ID document to identify people. The "Law on the Registration of Civil Status Acts" N. 5840/20.02.79, amended by N 7682, article 3/09.03.93 remains valid, although the adherence to such came to a halt. This provides uncertain ground to enforce the law and it is one of the main reasons for the chaotic situation which has developed during the last ten years. The election system has been drastically and directly affected by this phenomenon, to the point that urgent changes in legislation and procedures are necessary to provide confidence to all internal and external stakeholders. The legitimacy of elected officials is at stake.

The main sources of inaccuracies are:

- 2.1. The high cost of registration. When an individual moves to a different commune or municipality he/she must notify the Civil Status Office and pay a fee equivalent to US\$45 in Tirana and US\$30 in the rest of the country. This fee is clearly inconsistent with the economic level of a population whose monthly income averages US\$50. The result is that people avoid to be registered when arriving in a different region.
- 2.2. The cumbersome process of registration. According to the law, and probably to avoid forgery and counterfeiting of documents, the law states that the Civil Status Office where the individual solicit to be registered must request from the old place of residence to cross the citizen from their books and send a notification by mail only. With the very poor post services in Albania, this process can take a long and uncertain period of time and sometimes never be done. As a result, even when a citizen requests the registration of his family, the process can not be finalized even in a long period of time. For electoral purposes, this means that a citizen may not be registered or that he will be registered twice.
- 2.3. A cultural reluctance of the population, especially in rural areas, to be interviewed and to provide information, possibly a remnant of fear of old regime practices and mistrust in local authorities because of previous abuses.
- 2.4. Manual and decentralized procedures. The 414 civil status offices are dependent on the commune or municipality, but are operationally autonomous in practice because there is no a central database or control unit. This makes it impossible to check for multiple registration, impersonation and other offenses that can be verified, at a certain level, only having a computerized and centralized database.
- 2.5. The layout of the registers by data of household registration. The books have two pages per family, one to register all the members and another to annotate the changes. This is not a bad system because it keeps together all the civil and public acts of the person, but can be improved by changing the format of the books using one form per person and type of registration.
- 2.6. The poor condition, low salaries and limited resources of the civil status offices.
- 2.7. The archaic and inadequate body of legislation that deals with the civil status of individuals.

3. Conclusions

- 3.1. The whole system of civil status in Albania have become obsolete and demands an urgent revamping previous to the implementation of any kind of project. Any project that tries to run in the current environment should be considered transitional, otherwise it will be doomed from the very beginning. At the moment of designing, this condition is paramount for the determination of the resources assigned to the project.
- 3.2. Any new system to be developed should have in consideration a people's cultural background. It is not possible, in a short period of time, to build a brand new way of thinking and behavior. New procedures should be introduced in small steps, trying not to change them abruptly and accompany them with a well-oriented voter education campaign.
- 3.3. The delivery of a voter ID card should introduce minor changes in the system to succeed.
- 3.4. Whatever method is used, the civil status will be the main source of information and the final database will be only as good as its data. It will not be possible to avoid completely multiple registration, inclusion of dead and minors, impersonation, wrong names or safekeeping. The voter ID card is oriented to provide higher citizenship confidence and to correct some structural deficiencies, but it will not be possible to fix, in the short term, all the underlying problems of the current system.

4. Alternatives for the Issuance of a Voter ID Card

Whether to issue each voter with some sort of card to either identify the person as who or she claims to be or to facilitate the processing of voters on election day is not simply an administrative matter. The issue is intertwined with budget considerations and the perception and acceptance of the public. The Central Election Commission (CEC) could choose to issue either photo ID cards or non-photo ID cards. In order to provide a clear picture of the different possibilities involved in this process, this report addresses the issue of voting cards separately from the process of voter registration.

Voter cards are issued for two primary reasons, to facilitate the processing of voters on election day and/or to prevent, at some measure, the impersonation of voters and voter fraud. Using the information contained on the card, election officials can quickly determine if the voter has reported to his or her correct polling station for voting. Because the name on the card corresponds with its equivalent on the register, the card makes it much easier to find the voter's name on the registration list at the poll. It also ensures (through the registration number) that the correct name is ticked off the list. The use of some form of voter card in countries without a national ID system is widely accepted.

There are a number of possible offences that can be committed by persons during the voter registration and election process. Despite public perception, most of these cannot be prevented simply by the use of a voter card presented at the polls on Election Day.

The table below lists the possible election related offences and notes whether or not the issuance of a voter card can address the problem.

OFFENCE	VOTER CARD YES/NO	COMMENTS
Multiple Registration	No	The simple issuance of a voter card (with a photo or without) does not prevent persons from appearing at different registration centers and registering more than once. The only means to eliminate multiple registrations is through the use of a computerized biometrics (usually fingerprint) matching system to identify multiple registrants. Name and other identifier matching software is less effective. It also requires a lengthy legal process to protect innocent voters' names from being removed from the roll. If the registration period is short, the use of electoral stain can prove to be the most effective deterrent to organized multiple registrations.
Impersonation	Yes	Yes, provided that the voter card contains a photograph or other unique identification feature. It also requires that the election officials be diligent in matching the photo on the card with the face of the voter at the polls. Voter education and the active participation of party agents can be just as effective.
Obtaining a Voter Card by Fraud	No	This problem is the direct result of the voter card issuance process. It is combated by ensuring that the voter card number is directly tied to a name and number on the voter register and the requirement that the voter's name appear on the register in order to vote. It also requires the strict accounting of voter forms/cards by registration officials.
Underage, dead, non-citizens, and other unqualified persons registering to vote	No	Voter and Civic education are the most effective tools in combating this offence. Allowing party agents to be present in the registration centers and objecting to registrants before they are added to the rolls has also proved an effective deterrent to a variety of registration offences. The presence of dead people on the voter list can not be avoided with a photo card.
Illegal Proxy Voting	No	Illegal proxy voting is not the same as impersonation. Impersonation implies that the election officials are not aware of the attempt of the person to vote for someone else. Neither is it the same as legal proxy voting where a voter, by law, may designate a person to vote on his or her behalf. Illegal proxy voting requires the active knowledge of election officials and usually the voter or voters for whom the vote is cast. Only, honest and well-trained officials and active participation by party agents at the polls can solve this problem.
Safekeeping	No	Safekeeping is the practice of individuals who collect voter cards under the pretext of keeping them safe until Election Day. They are usually not returned preventing the voter from voting. Voter education can prove effective in combating this practice.
Vote Buying	No	Defined as accepting money or any other thing of monetary or material value in exchange for voting for a particular party or candidate. This problem can only be solved through effective voter and civic education.

As the table illustrates, voter cards are not particularly effective in preventing most forms of election abuse. In determining whether a voter card is required, the CEC should determine the types of abuses that take place in the registration and election process in Albania and the extent to which a voter card will combat those abuses. It then must weigh the cost of the voter card (especially photo cards) against the extent of the abuse to determine whether some other means of combating the abuse might be more cost-effective. In addition, as the Ghana, Malawi and Mexico country examples illustrate, the decision on whether ID cards are needed is not simply technical or budgetary. The decision may also be based on political considerations that are unique to the country. The CEC must factor the political aspects of issuing a voter card into its decision-making process. In Albania, the most important benefit to be expected on the issuance of a voter card is increase the citizen perception that changes are being done in the old system and, thus, increase their confidence.

There are different alternatives for the issuance of a voter ID card in the Albanian environment. We will study in this document the following possibilities:

- a) Door to door or self-initiated.
- b) Laminated (hot or cold), non-laminated, badge, wallet.
- c) Photo or non-photo.
- d) Computerized, non-computerized, mix.

a) Door to Door or Self-Initiated

In a *door to door* process, the Voter ID card should be delivered at the moment of registration, to the person or to a third party.

✓ *Advantages*

- Streamlines the process by reducing the number of personnel and the resources of the system. The card is delivered at the same time of registration and people do not need to be called a second time.
- It is more fitted to local cultural norms.

✓ *Disadvantages*

- There is a danger of cards being lost, retained, destroyed or sold if additional securities are not introduced.
- This practice eliminates the possibility of issuing a photo ID card, because the system would become more expensive, complex and delayed.

A *self-initiated* delivery means that people should go personally to especially designated places to register and/or receive the new voter ID card.

✓ *Advantages*

- It allows the delivery of a photo ID card more efficiently.
- There are fewer risks of misuse or damage. The delivery process permits more control.

✓ *Disadvantages*

- The process is alien to Albanian customs and it is more likely to fail for that reason.
- It is more expensive because needs more personnel and resources.

Recommendations

- To use the door to door system and deliver the new ID card at the same moment of registry.
- To improve securities by requesting a receipt, making sure that the political parties are part of the enumerator's team and controlling tightly forms and enumerators.
- Design a methodology to issue duplicates in the case of lost cards.

b) Laminated or Non-Laminated ID Card

Whether the voter card bears a photo or not, there is a decision to make about the lamination or not of the card. There are two ways to laminate cards, hot or cold. A third option is to use a simple badge or laminating pouch and another one to use a small plastic pocket wallet, which will include a calendar and some propaganda or voter education text.

The team of consultants agrees that, due to the difficult environment in Albania and the necessity to protect the voter ID card for a period of approximately six months, the lamination is absolutely necessary and, thus, the use of a non-laminated card is not recommended.

The use of hot laminate demands the use of electricity or batteries. The laminator device, cutter and polyester sheets need to be bought. In Albania this alternative is not the best due to the harsh environment and the absence of power in many rural areas.

Cold laminate is a good option, since only the laminate is necessary. The high anchor glue used in this type of laminate (7mil) provides a very secure protection against the environment. Nevertheless, it is the most expensive option, can not be produced locally and needs at least two months to be produced abroad.

The use of a simple badge, a plastic pouch where the card is introduced, reduces the cost, providing a basic degree of security. It is possible in this option to take the card out of the pouch and make an attempt at forging or counterfeiting. The cost is lower than the cold laminate.

A small wallet comprised of a double bag, with a calendar and propaganda in one side and the ID card in the other could be a nice gift and a way to encourage people to get registered. The cost of this option is similar to the use of a badge and lower than the cold laminate. An additional advantage is that it can be produced locally at an affordable price (see sample below).

Recommendations

- Use lamination to protect the voter ID card.
- Use the small wallet option, which provides a good means of propaganda, is attractive, and can help to encourage people to register.

c) Photo or Non-Photo Voter ID Cards

The issuance of a *photo ID card* can be a complex and expensive undertaking. The CEC and the international community of donors should be acutely aware of the benefits, logistics and costs involved for a one-time exercise of this kind. An important issue, which can weigh heavily on the system, is the fact that it is necessary to find every single voter at home to take the photo. This fact can delay the whole operation for an uncertain period of time, increasing the final cost in a mathematical progression.

If the CEC chooses to issue a photo card there are two possibilities:

- c1) Using the 62 cameras that are available from the UNHCR.
- c2) Buying additional cameras to develop a fixed-term exercise. For the effect of this calculation we have determined a three-month period as the best.

To calculate costs and logistics, the following assumptions were made:

- One team of enumerators can make 12 persons/hour including the issuance of the photo ID card.
- One team works 6 hours a day, making a total of 72 voters/day. 14 days are necessary to finish the collection of data and delivery of the photo-voter card for 1,000 voters.
- One additional person, in charge of the camera and lamination, should be added to each team. This recommendation is done due to similar experiences in other countries like Nicaragua, where because of the lack of experience of the cameramen, full body photos were taken in Polaroid (passport) format. Additionally, as demonstrated in

countries like Ghana, Malawi and Liberia, it is very difficult and time consuming for the same person to capture data, operate the camera and laminate it.

- There are approximately 5,000 polling units (PUs) in Albania. Calculating 2 million voters, the average PU has 400 voters. To register and issue the photo card, seven days are calculated per average PU. These figures will be used for budget purposes, although in Tirana most PUs have over 800 voters.
- Training on the use of the camera and laminate is minimal. Nevertheless it is imperative to obtain a good final product. At least one day training would be required, which includes:
 - Logistics (moving around the area, when and where)
 - Camera operation and maintenance
 - Care and use of film
 - Application of laminate
 - Rules and regulations on the issuance of the voter card
 - Accounting of materials and forms
 - Contingency plans

c1) Using the 62 Cameras of the UNHCR

With 5,000 PUs, using the 62 cameras of the UNHCR, the issuance of a photo-card will take 567 workable days, almost 1 year and 7 months. The cost for materials and supplies is detailed in the table below.

IFES Albania Estimated budget for the issuance of photo ID voter cards in Albania				
1	Materials and supplies	Quantity	Unit cost	Total cost
1.1	Cameras	62	\$0.00	\$0.00
1.2	Ext. cords	0	\$0.00	\$0.00
1.3	Batteries (1)	80,000	\$0.05	\$4,000.00
1.4	Film	2,000,000	\$0.15	\$300,000.00
1.5	Tripods	0	\$0.00	\$0.00
1.6	Carrying cases	0	\$0.00	\$0.00
1.7	Photo backdrops	62	\$1.00	\$62.00
1.8	Laminates/badges	2,000,000	\$0.10	\$200,000.00
1.9	VR forms	2,000,000	\$0.05	\$100,000.00
1.1	Glue stick (2)	5,000	\$0.25	\$1,250.00
1.11	Miscellaneous forms (3)	600,000	\$0.10	\$60,000.00
1.12	Scissors	5,000	\$1.00	\$5,000.00

1.13	materials containers	5,000	\$2.50	\$12,500.00
1.14	pencils, pens, sharpeners	20,000	\$0.30	\$6,000.00
	Total M&S			\$688,812.00
	(1): 1 set of 4 batteries takes about 100 photos			
	(2): For attaching the photo to the card			
	(3): Additions forms, computer lists			

The time required by this option makes physically impossible to reach Election Day on time, and for this reason only should be rejected as a real alternative.

c2) Issuance of a Photo ID Card Over a Period of Three Months

Three months has been used as the maximum period of time due the issuance of a photo ID card. More time will delay the rest of activities dependent on the ID card and will also increase the final cost. In this option, it is still assumed that the 62 UNHCR cameras will be available and used in the project.

IFES Albania Estimated budget for the issuance of photo ID voter cards in Albania				
Option 2: To issue the voter card in three months				
1	Materials and supplies	Quantity	Unit cost	Total cost
1.1	Cameras (3)	360	\$400.00	\$144,000.00
1.2	Ext. cords	360	\$1.00	\$360.00
1.3	Batteries (1)	80,000	\$0.05	\$4,000.00
1.4	Film	2,000,000	\$0.15	\$300,000.00
1.5	Tripods	360	\$25.00	\$9,000.00
1.6	Carrying cases	360	\$25.00	\$9,000.00
1.7	Photo backdrops	360	\$1.00	\$360.00
1.8	Laminates/badges	2,000,000	\$0.08	\$160,000.00
1.9	VR forms	2,000,000	\$0.05	\$100,000.00
1.1	Glue stick (2)	5,000	\$0.25	\$1,250.00
1.11	Miscellaneous forms (3)	600,000	\$0.10	\$60,000.00
1.12	Scissors	5,000	\$1.00	\$5,000.00
1.13	materials containers	5,000	\$2.50	\$12,500.00
1.14	pencils, pens, sharpeners	20,000	\$0.30	\$6,000.00
	Total M&S			\$811,470.00
	(1): 1 set of 4 batteries takes about 100 photos			

	(2): For attaching the photo to the card
	(3): 420 cameras are needed. 62 of them are those of the UNHCR.

IFES Albania		
Resume of costs for the issuance of a photo-voter card. Option 2		
1	Materials and supplies	811,470
2	Training of cameramen (1)	42,000
3	Personnel (2)	126,000
	Sub - total	979,470
4	Others (5%)	48,974
	Grand total	1,028,444
(1): \$100 per person, hiring the cameramen at the electoral district, including transport, per-diem, trainers and material.		
(2): Considering a salary of \$100/month during the three months period.		

The final cost for the issuance of a photo ID card will be around US\$0.55 per card, which is considered low by international standards. This cost does not include all the costs of the voter registration project, but only those related with the voter ID card.

Note: If the fingerprint is included in the card, additional US\$2.80 per fingerprint pad, totaling US\$56,000 for 20,000 pads should be added.

✓ *Advantages of a photo ID card.*

- Provides an incentive for voter registration, helping to alleviate to some extent the reluctance of people to be interviewed, especially in the rural areas.
- Increases voter confidence by acting as a psychological deterrent, supported by a necessary voter education campaign.
- Helps to reduce, to some extent, certain electoral offenses and their degree, as detailed in the table of page 23.

✓ *Disadvantages of a photo ID card*

- Requires more logistics and technical training
- It is more expensive
- Some factors like not finding the voter at home, can not be measured and can delay the project and increase the final cost by an unknown amount.
- It is necessary to increase the accountability and control of the system.
- It does not cut most of the traditional electoral offences.

Issuance of a Non-Photo ID Card

The issuance of a non-photo voter ID card is a much easier and cheaper option and involves less logistics and control. The problem of finding the voter at home at the moment of visit can be skipped by delivering the card to family member or delivering the card later; in the electoral district office (or any other place), or in the polling unit up to Election Day.

IFES Albania Estimated budget for the issuance of non-photo ID voter cards in Albania				
1	Materials and supplies	Quantity	Unit cost	Total cost
1.1	Laminates/badges	2,000,000	\$0.10	\$200,000.00
1.2	VR forms	2,000,000	\$0.05	\$100,000.00
1.3	Miscellaneous forms (3)	600,000	\$0.10	\$60,000.00
1.4	Scissors	5,000	\$1.00	\$5,000.00
1.5	materials containers	5,000	\$2.50	\$12,500.00
1.6	pencils, pens, sharpeners	20,000	\$0.30	\$6,000.00
	Total M&S			\$383,500.00
IFES Albania Resume of costs for the issuance of non-photo voter cards				
1	Materials and supplies	383,500		
	Sub - total	383,500		
2	Others (5%)	19,175		
	Grand total	402,675		

The final cost for the issuance of a non-photo ID card will be around US\$0.20 per card, which is considered extremely low by international standards. This cost does not include all the costs of the voter registration project, but only those related with the voter ID card.

Note: If the fingerprint is included in the card, additional US\$2,80 per fingerprint pad, totaling US\$56,000 for 20,000 pads should be added.

✓ Advantages of non-photo voter cards.

- They are cheaper, reducing the cost by 30% in the case of Albania.
- The issuance is faster and there is less logistics involved.
- The total time of the exercise can be reduced to 15 days, because it can be done simultaneously all around the country.
- Does not require additional trained personnel and, thus, all the cost of the team of enumerators can be charged to the government budget.

- Provides almost the same warranties against electoral offences as a photo-voter card.
- ✓ *Disadvantages of non-photo voter cards.*
- Provides less psychological confidence.
- They do not encourage people to register to the same degree that photo voter cards do.

Recommendation

- Technologically and practically speaking, the delivery of a non-photo ID card is recommended. Only if the psychological impact of a photo ID card in the population is so high as to permit a registration close to the 100%, this option should be considered. The team of consultants lacks the necessary knowledge of the Albanian cultural environment to weigh this factor adequately.

d) Computerized or Non-Computerized Voter ID Card

The voter ID card can be computerized or not. Computerized means that the card is going to be printed directly from the Social Insurance database. Non computerized is a manual system where the card will be issued manually at the moment of registration.

Non-computerized voter card.

The issuance of a voter ID card is a process that is linked to the voter registration process. If the latter is computerized the first should follow the same line of thought. For this reason, and since this document reflects that decision, we have considered only the computerized option.

Computerized voter ID card.

It is possible to print the voter ID card for those voters who are included in the Social Insurance database in the same Civil Status Office where the data capture was done. For those who are not present in the database, a manual voter ID card will be issued. The computer will assign the voter ID number in the first case and in the latter it will be pre-printed in the manual form and taken from there at the moment of updating the final database, prior to the printing of the voter list.

Those records belonging to people who have received a voter card will be marked in order to show up in the voter list. Those who, for any reason have not received a voter card, will not be printed in the voter list, but will remain in the database for any further process.

The main problem of the computerized system is logistics. The centralized production of the voter list requires a system of distribution from Tirana to all municipalities and communes for the delivery, twice, of the voter lists. In a small country like Albania, this

should not be a problem, but due to the highly volatile political situation, some skepticism may exist from the political parties and other stakeholders. An alternative method of distribution, different from the governmental, should be considered. The help of the OSCE and NATO is the best possibility, but must be defined early in the process in order to design the voting system around it.

A computerized system also allows for the possibility of printing the Social Security Number on the card. This not only helps the Social Insurance Institute to disseminate this number (which is highly important for people) but also constitutes an important argument to encourage people to register.

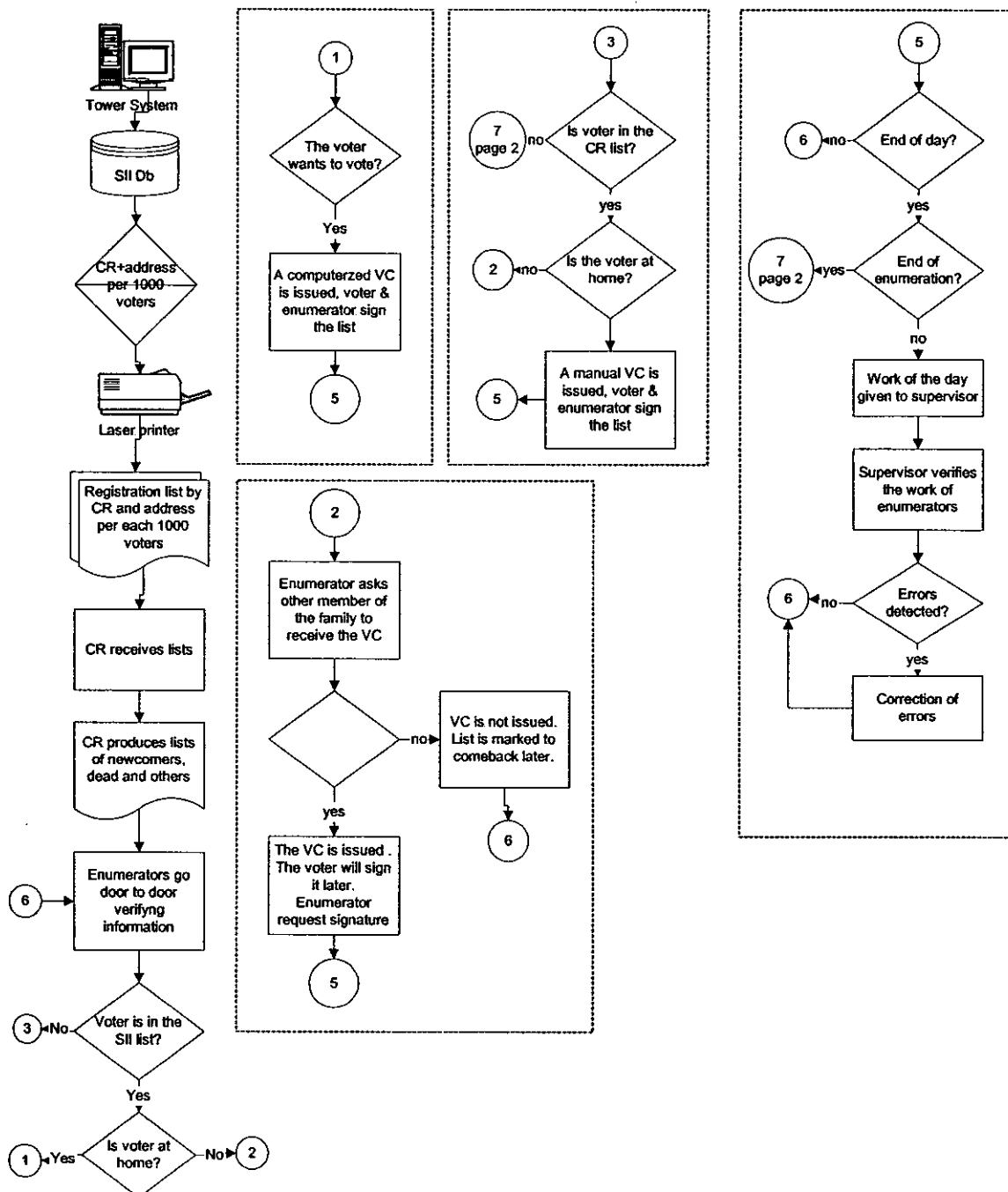
Civil status offices (CSOs) will receive important information for the development of their specific functions. At the end of the process, the database will be fully updated with a high percentage of accuracy. Computerized lists of citizens, to the image of the CSOs books and alphabetic indexes, can be produced to help the CSOs. If a final revision is conducted immediately after elections, to integrate minors, an integral centralized civil registry database will be available for all kinds of planning and use of any interested institution. This can also be the initial point for the development of a Civil Registry and national ID card project.

FLOWCHART OF THE COMPUTERIZED ISSUANCE OF THE VOTER ID CARD IN ALBANIA



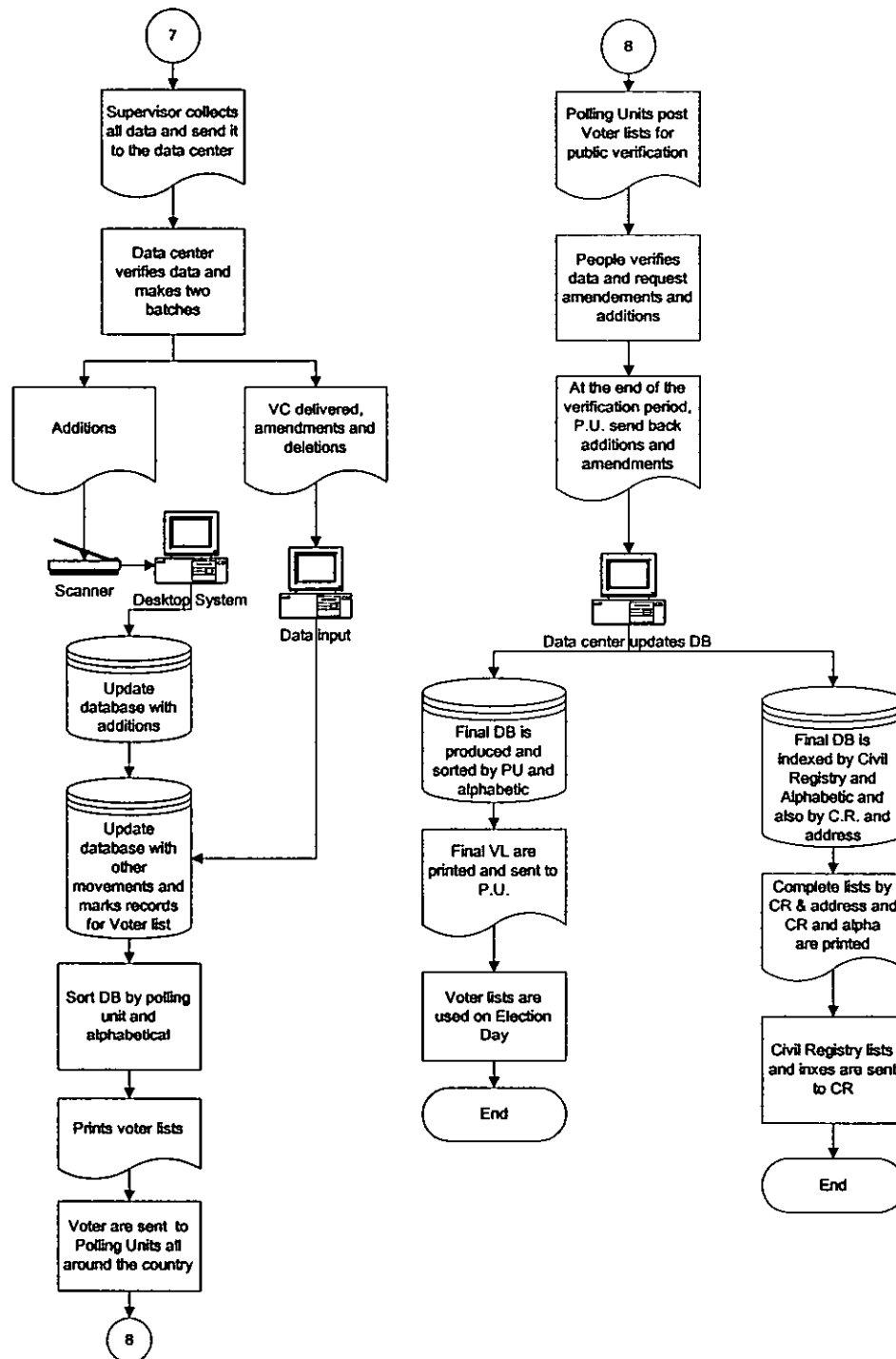
Page 1/2

Process and distribution of the Voter ID card in Albania





Process and distribution of the Voter ID card in Albania




5. Physical Characteristics of a Voter ID Card

The physical specifications for the voter ID card to be used in Albania should be similar to those detailed below:

5.1. Computerized Voter ID Card

Card Size:	ISO 7810 credit card standard, 8.5cm x 5.5cm
Paper Size:	A4, containing 8 ID cards each, perforated
Paper Type:	Bond paper, white, 120 gr.
Paper Quantity:	200,000 sheets of paper = 1,600,000 computerized ID cards
Printing:	Two color printing, red and black

ID cards must have a sequential number printed in the upper right corner.

	Voter ID number: 12345678-1
	Polling Unit:
	Social Insurance number:
	Civil Status Office:
Name:	
KEEP THIS CARD IN A SAFE PLACE YOU WILL NOT BE ABLE TO VOTE WITHOUT IT	Signature/fingerprint:

Note: This is only a sample and does not reflect any final or proposed design

5.2 Manual Voter ID Card

This type of card is filled manually and the card is the lower detachable portion of the "Additions Form" seen below.

Paper Size:	A4, with a detachable portion at the end containing two ID cards, one horizontal and one vertical perforation in the detachable portion. ID cards have same design as computerized ID cards
Card Size:	ISO 7810 credit card standard, 8.5cm x 5.5cm
Paper Type:	Bond paper, white, 90 gr.
Quantity:	300,000 forms
Printing:	Two-color printing, red and black

ID cards must have a sequential number and an additional voter ID number, replicated in the text of the form and in the voter ID card. This number will have a check digit and must be printed according with ranges of numbers delivered.

ADDITIONS FORM

The diagram shows the 'ADDITIONS FORM' with several input fields: two long horizontal lines at the top, a small square box, and three horizontal lines to its right. Below the form are two small rectangular boxes representing Voter ID Cards, each with a header section and a data section.

5.3 Physical Security of the Voter ID Card

The voter ID card should include minimal securities like deliberated errors and a sequential and unique number, controlled by the enumerators, supervisors and the computer. The number assigned to the voter card will be included in the voter list and both must match, otherwise the citizen will not be allowed to vote, the individual could be arrested and the possible offense investigated.

5.4 Data on the Voter ID Card

The voter ID card should contain at least the following information:

- A pre-printed sequential form number
- A voter ID number, issued by the computer for those voters in the Social Insurance database and pre-printed in the "additions form" for those citizens not included in the database. This number will include a check-digit.
- The Social Insurance Number for those voters included in the database. This field will not be present for those not included.
- Name and surname of the voter
- The Civil Status Office code where the voter is registered
- The Polling Unit can be present, depending on the type of boundaries defined in the Election Law.
- A field for signature and/or fingerprint
- Other information can be included if present in the database and requested by the CEC or other organization.

6. Legal Considerations for the Issuance of the Voter ID Card

Prior to commencing the issuance of a voter ID card, some legal considerations must be taken into account to provide the document legal validity. Otherwise the whole exercise can be deemed useless.

- 6.1 Through the election law, a decree, or a regulation of the CEC, the voter ID card should be declared as the only document to be used for voting. Voters must present the card as the only proof of identity, otherwise they will not be allowed to vote. With the current law, the old internal passport or a certification of the civil status office, bearing a photo, are valid documents.
- 6.2 The voter number printed on the voter card and on the voter list must match for the citizen to be allowed to vote.
- 6.3 The election calendar must be changed to permit the computerized printing of the voter list (A more detailed explanation is found in the description of the election calendar in this document).

7. The Computer System

The computer system to be used for data input and database process can be obtained through two different sources:

- 7.1 Use of the Institute of Mathematics computer system which is already in place and working. This computer system is property of an Italian company and a lease offer is expected once the project is funded and the implementation phase begins.
- 7.2 Purchase of a new computer system for the use of the CEC.

In the long term, the objective of the project is to provide the CEC with its own computer system and to build the capacity to design and implement its own applications. In the short term, a computer system is needed to process the voter registration system and the voter ID card. The final decision will depend on how fast the necessary funds are available and the time necessary to buy and install a computer center. Applications for voter registration and voter ID cards do not exist at the moment, except for data input software developed by *Intech* for the OSCE. The rest of the software needs to be developed from scratch, using CEC programmers or hiring services from a software company like *Intech*. Providing the CEC with its own team of analysts, programmers and operators is the best alternative because it will not be dependent on external sources to maintain the system, but is to be undertaken only if the election timeframe allows. From IFES' findings, it appears to be possible, in Albania, to hire experienced programmers, network administrators and database administrators at affordable costs.

Technical specifications for the computer system of the CEC

SERVER

Item 1: Main Server

Quantity: 1

- 1.1 Dual Intel Pentium III Xeon processors, 500 Mhz or better, 1 Mb cache
- 1.2 2 Gb RAM memory. Upgradeable to 4 Gb minimum
- 1.3 RAID controller for four hard disks, 32 ECC cache. Smart array 2DH controller card
- 1.4 4 x 9GB Ultra SCSI 3, 7200 RPM hard disks, hot swap. 18 Mb available for use, one backup disk and one redundant emergency disk
- 1.5 High performance, dual channel network controller (Intel Pro 100+ PCI Ethernet NIC, similar or better)
- 1.6 12/24 Gb SCSI 3 Internal tape backup
- 1.7 Backup software (ARC server for NT from Computer Associates, Cheyyene ARC server or Seagate Backup Exec. 7.0 for NT/NW)
- 1.8 14" SVGA color monitor
- 1.9 Microsoft Intellimouse or similar
- 1.10 IDE 32XCD ROM or better
- 1.11 1.44 Mb diskette drive
- 1.12 Rack mount style case. Three pluggable redundant 240 volt, 750 watts at 8 amperes power supplies. Four 64 bit PCI and 32 bit PCI expansion non-shared slots minimum. Possibility to mount 4 or more additional hard disks.
- 1.13 2 KVA, 240 volt network UPS
- 1.14 Windows NT 4.0 server edition, 50 users license
- 1.15 MS Office 97 professional edition.
- 1.16 Antivirus software for network
- 1.17 Visual Basic 6.0 (Visual Basic, Visual Foxpro, etc.) or similar, 32 bits ODBC
- 1.18 Warranty : one year labor, three year parts, minimum

Note: This server can be the COMPAQ Proliant 7000 Xeon, Compaq Proliant 6500 Xeon, DELL PowerEdge 6300 Xeon, Hewlett Packard HP Netserver Lxi 8000 or similar.

Item 2: Network Computers

Quantity: 20

- 2.1 450 Mhz. Processor (similar or better throughout), 64Mb RAM
 - 2.2 CD ROM 24X or better
 - 2.3 3.2 Gb. Ultra ATA HDD. Average access time of 9 ns, or less, 3,5" size
 - 2.4 Floppy disk 3,5"
 - 2.5 MS keyboard or similar, for data entry purposes
 - 2.6 15" SVGA color monitor
 - 2.7 CD ROM 32X
 - 2.8 Video card, 2 Mb RAM
 - 2.9 Network card, 32 bits. 10/100 Mbs
 - 2.10 Microsoft mouse or similar
 - 2.11 Tower or box style case, 220 volt, 200 Watt power supply
 - 2.12 UPS 400 VA. 240 Volts
 - 2.13 Surge protector, 240 volts
- Warranty : one year labor, three year parts, minimum

Item 3: Printers
Quantity: 6

- 3.1 1 heavy duty laser printer, 50 ppm or higher
- 3.2 2 network enabled printers, 12ppm, 600 dpi resolution, 240 volts
- 3.3 2 inkjet color printers, 600dpi x 600 dpi resolution minimum, 5ppm black minimum, 240 volts

Item 4: Network devices
Quantity: Various

- 4.1 1 dual speed (10 Mb, 100Mb) hubs, 24 ports. Autosensing, stackable, segmentable and manageable Fast Ethernet
- 4.2 high speed network bridge
- 4.3 2 switches Layer 3 (L3)
- 4.4 500 mts. network cable, UPT category 5
- 4.5 200 connectors for cable-computer
- 4.6 1 set of tools, to make network connections
- 4.7 3 patch panel, 24 ports, category 5
- 4.8 3 rack organizers
- 4.9 72 patch cord to link patch panels with hubs and face plate
- 4.10 Face plate
- 4.11 Patch cord, 3mts, to link workstations with face plate

Item 5: Scanner
Quantity: 1

- 5.1 SCSI color scanner, 36 bits, 600x1200 dpi optical, 9600x 9600 interpolated. 240 volts, A4 page automatic feeder. OCR recognition software.

Item 6: Spare parts
Quantity: Various

- 6.1 CD ROM 24X: 2
- 6.2 Tapes for backup units, servers: 10
- 6.3 Color monitors, 240 volts, 14", SVGA: 2
- 6.4 Ultra ATA hard disks, 2 GB : 4
- 6.5 Video cards, 2Mb: 4
- 6.6 Keyboards: 3
- 6.7 External modem, 33600 bauds: 1
- 6.8 Power supply units, 240 v: 3

Item 7: Supplies
Quantity: Various

- 7.1 Toner cartridges for 24/32 ppm laser printers: 12
- 7.2 Toner cartridges for 12 ppm laser printers: 12
- 7.3 Color cartridges for color inkjet printers: 10
- 7.4 Black cartridges for color inkjet printers: 12
- 7.5 Backup drives. Jaz drives, 2.5 Mb: 5
- 7.6 Jaz backup disks: 12

<i>Estimated cost for the computer system in Albania</i>				
Item	Description	Quantity	Unit cost	Total cost
1	Main server	1	30000	30000
2	Network computers	20	1000	20000
3.1	Heavy duty printer	1	56000	56000
3.2	Laser network printers	2	1500	3000
3.3	Color inkjet printers	2	500	1000
4	Network devices	1	7000	7000
5	Scanner	1	800	800
6	Spare parts	1	3000	3000
7	Supplies	1	5000	5000
8	Additional software	1	6000	6000
9	Cabling and set up of computer room	1	8000	8000
10	Physical securities for the computer room	1	4000	4000
	Total			\$143,800

To estimate costs, a DELL Poweredge 6350 was used as baseline. The configuration of this server is the following:

- Dell Poweredge 6350, redundant power supply. Rack style
- Dual Pentium III Xeon processors, 550 Mhz , 1GB RAM, 2Mb cache
- Raid 5 controller
- 4 x 18 MB HD, 10000 rpm
- 2 Intel pro 100+ Ethernet NIC
- MS NT 4.0, 50 user
- 12/24 tape backup unit
- Exchange server 5.5 enterprise edition
- 15" color monitor
- Mouse
- 1.44 diskette drive
- 1.400 watts network UPS
- 1 3COM 24 port switch

The cost, configured using the facilities of the Dell website came up to US\$30,000. All costs are in US Dollars in the USA national territory.

Recommendation

Provide the CEC with its own computer system if the timeline of the project permits. In any case, initiate the bidding process as fast as possible to install the computer system and data center before elections.

8. The Computer Center

The computer center is a very important component of the computer system. Premises for the computer should have certain specifications to protect the physical equipment and, most important of all, guard data against damage, intrusion and illegal access.

The existence of a computer center for the CEC is not yet defined, but general specifications for computer centers are included as annex 1 of this document. The final specifications can be extracted from these general specifications according to the requirements and the budget of the project.

9. Software Development

In order to produce a comprehensive set of software for the voter ID card system, it is possible to: hire a company like *Intech*, hire individual programmers to work under IFES' guidance; or use CEC system analysts and programmers working under the direction of IFES.

Software development comprises four stages:

- *System design.* Expert technicians in both election systems and computer science should design the architecture of the system. The only acceptable alternative is to provide software developers with technical specifications at the program level. As was demonstrated in Nigeria, the knowledge of database management does not solve the problem; it is necessary to develop technical election specifications. An international consultant can produce these specifications and test and approve the final results. The approach of using the same expert (or company) to plan, program and control a system, violates one of the fundamental premises of administration because it leaves in the hands of the same person the design, implementation and control of the system.

A good design is the secret of success in computer systems. If this phase is not well executed, no matter how well the database is or how good the hardware is, in the end, the system will fail.

- *Programming.* This phase comes after the design of the system is done and it is usually the most delayed. For the purposes of this project, the best alternative is to

work with CEC developers as this builds the internal capacity of the organization and acts as a fertile and hands-on opportunity for training.

- *Testing.* Once the programs have been developed, it is necessary to test them under real conditions with real data or to use one of the different methodologies developed for this purpose. It is not permissible to have errors at implementation or execution time.
- *Implementation.* The final phase of a system is the implementation. Here the system should work without failures or errors.

Set of computer programs to be developed for the voter ID card system in Albania

Program	Complexity	Status
Data input for the Social Insurance DB.	Low	Ready in Intech, property of the OSCE. Two fields must be added to the database to create the voter ID number and to mark records to print the voter list. A routine to verify the voter number must be added. This program will not be used at all if the SII allows the use of scanners to the CEC.
Changes to the SII DB	Low	Intech program, if used, must be modified
Data input using scanners.	Low	The SII has the program ready to be used. In the official request to use the database and the SI number, the use of scanners and their software must be added.
Validation of the DB against itself to verify inconsistencies and multiple registers.	Medium	Not done
Assignment of the voter ID number and validation.	Medium	Not done
Sorting, dividing, controlling and printing the computerized voter card.	Medium	Not done
Marking those voters who received voter cards.	Low	Not done

These programs can be specified, programmed and tested in one month using two programmers.

An integral conceptualization of a system involves, at least, the following activities:

- *Administrative design.* Structural organization, error control cycle, feedback cycle, data input administrative control, forms design and control, human resources, step by step administrative flow of data.
- *Design.* Programs specifications, Database design and programming. Database interrelation. Programming flowcharts. Hardware, software and communications.

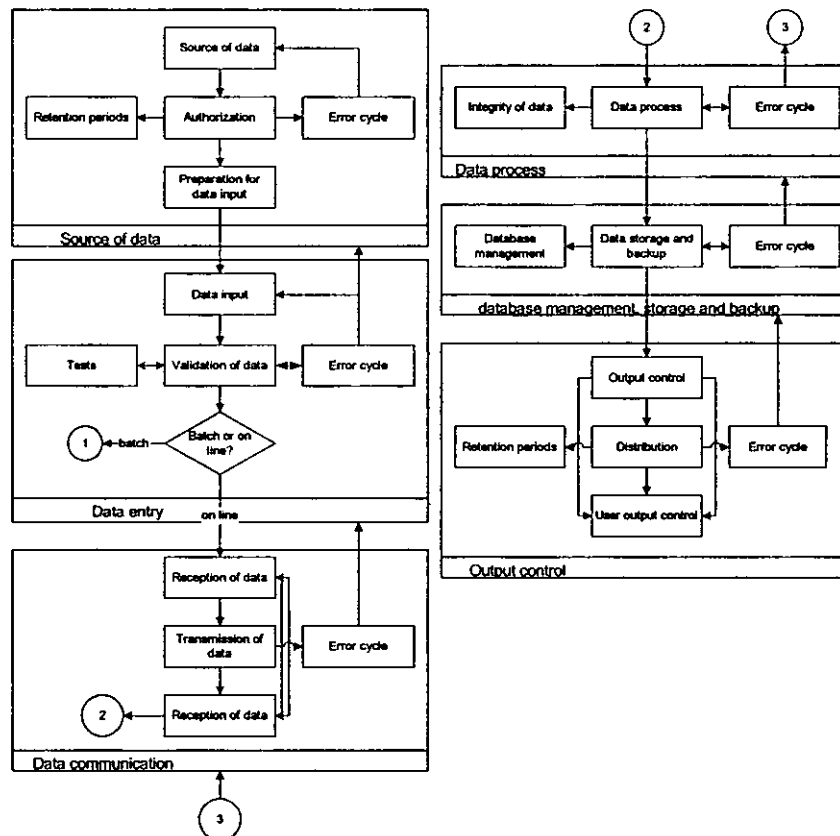
- *Security/confidentiality design.* Physical security and integrity, logical security, psychological security.
- *Legal environment analysis.* Determination of the legal viability of the system, changes to the election law or regulations, legal bottlenecks due to manual operations.
- *Test of the system.* Determination of one or various modalities of testing computerized systems: real data, laboratory tests, pilot tests, etc.
- *Backup systems.* Administrative and backup methods, contingency plans, recovery plans. Daily file backup. Control ciphers.
- *Links with other related systems.* In the case of Albania with the voter registration, voting, census, Social Insurance and Civil Registry systems.
- *Output module design.* Forms control, printing, backup copy storage.
- *Political environment.* Methods to provide transparent use of data, policies of information distribution, political party involvement in the design of the system: use of data for donors, international community, international organizations, civil society, government and political parties.
- *Strategic plan.* Activities, precedents, monetary and human resources, responsibilities, methods to approach donors.
- *Documentation.* Technical flowcharts, user manuals, operational manuals, administrative manuals.
- *Voter education and information.* Use of the media. Dissemination program, posters.
- *Training.* Technical and administrative training to all the stakeholders of the system: data operators, election authorities, administrative staff, polling station officers, political parties representatives, etc.
- *Determination of resources.* It is necessary to determine the source and use of the resources, especially monetary.

To better determine the degree of development of the voter ID card system, we are including a table of the status of each one of these parameters. It is important to keep in mind that these parameters have to be defined only when the system is funded and approved by the correspondent country authorities.

Item	Sub-system	Status	Comments
1	Administrative design	Envisaged	Done at a macro level
2	System design	partial	Partially completed
3	Security/confidentiality	Envisaged	Not ready
4	Legal environment analysis.	Ready	Drafted but not approved.
5	Test of the system	Envisaged	Included but not ready
6	Backup system	Envisaged	To be defined
7	Links with other systems	partial	Partially conceived, needs further development
8	Output design	Partial	Definite forms need to be designed in Albanian and approved
9	Political environment	Envisaged	In charge of the joint group
10	Strategic planning	Done	Needs a final revision. An exercise of this kind is recommended to be carried out with the CEC.
11	Documentation	Envisaged	Included but not ready
12	Voter education	Ready	To be approved, founded and implemented
13	Training	Envisaged	Included in the project
14	Determination of resources	Envisaged	To be done in January 2000 with the highest priority.

Structure of control and accountability

Optimal system development is based on structures of control: manual and visual controls, computerized routines, control ciphers and communication controls. A diagram of such control is drafted below.



10. Risks analysis

As seen in chapter 2, "Analysis of the Current Voter Registration System" in Albania, the data of the civil status offices in Albania - the legal and only source of information, against which all other information on citizen's identity must match- it is not updated and does not reflect the location of citizens around the country. Additionally, there are three different systems and it is not secure, allowing counterfeiting and forgery of certifications and alteration of data within the books.

The decentralization of data among 408 offices around the country does not allow any type of cross control and auditing. Under these conditions, the capture of data from the civil status offices to a computerized database will produce computerized files with the same errors and omissions as its source. Adding the normal transcription and data entry errors, the final database will be, in an optimal situation, only as good as the civil status books. It will be impossible to improve data beyond a limit, and it is necessary to admit that the final voter registration database, source of the voter card, will contain an undetermined percentage of errors. The stakeholders in the election process should be acutely aware of this fact and not demand perfection where it can not be introduced. The voter ID card is a psychological tool and if some errors, like multiple registration or dead

on the list, are detected without previous and further explanation, it is likely to lose credibility in the same way the old voter list did. Active political party involvement in the registration process, transparency, and an extensive voter education campaign are the necessary complement to the issuance of the voter ID card system.

The change from a manual decentralized system to a computerized centralized system is not easy. Beyond the necessary technical changes and the build up of a new logistics apparatus, a change of mentality is needed and this is highly difficult to achieve as it deals with the roots of cultural perceptions. Mainly for this reason, international cooperation is needed, working under the objective to perform capacity building instead of managing operations in the field. If a solid body of trained local personnel is not present during and after elections, the system will crumble in a short period after international consultants are gone. The presence of international consultants, working as guidance to local staff, is not a short-term achievement; it should last from the beginning to the end of the project.

Strategic planning provides the guidelines for tactical planning. Both are based on theoretical parameters and usually show deficiencies as soon as the project touches ground. An efficient control project system must be put in place to have the information on the advance of the different tasks on time to make the necessary changes to the project and re-assign resources in concordance. The CEC, under the guidance of an international consultant, should define a computerized control project system (like MS Project) in order to have a solid grip on the advance of all the activities involved in the project. Training in this methodology should be provided to local CEC staff if becomes necessary.

11. Activities of the Voter ID Card Project

The timeline for the voter ID card is included in the "IFES Voter Registration Project in Albania" document, as annex 2. Here we are presenting a more detailed list of activities to be developed within the timeframe of the voter registration project.

Item	Description	Comment
1	Definition of the final alternative	One alternative must be chosen from those presented in order to prepare the final project. IFES, donors.
2	The CEC must approve the project and put its counterpart of resources	CEC
3	Forms design	Final design of the forms must be done, in Albanian. Computerized ID card, additions form. IFES
4	Printing of the forms	The printing house must print the manual forms. Printing house.
5	Specifications for software development	IFES
6	Applications programming	CEC or software company, under IFES supervision
7	Test of applications	CEC or software company, under IFES supervision
8	Printing of the computerized voter card	Data center under IFES supervision

9	Distribution of the voter card	Along with door to door voter registration
10	Collecting the resultant documents to update the voter list	CEC
11	Update of the database. Additions, amendments, deletions, voter ID cards distributed	Data center under IFES supervision
12	Exhibition of the voter list outside polling units	Opening of a self-initiated voter ID card issuance in designated places
13	End of the revision period	End of the self-initiated voter card issuance
14	Return of voter id cards issued and non-used documents to Tirana for accountability.	CEC under IFES supervision
15	Database final update, leaving only citizens who have received a voter ID card	CEC under IFES supervision
16	End of voter ID card system	

III. THE CIVIL REGISTRY DATABASE

The Social Insurance Institute (SII) has made an incredible effort over four years to build an initial civil status database, updated to different dates (see graphic 1). Without this file, the ongoing project for voter registration would become impractical and a completely different and more expensive approach would have had to be taken.

Graphic 1: Dates of update of the SII database

Municipality	Initial date	Final date
Berat	17.11.97	26.11.98
Diber	19.03.98	03.11.98
Durres	18.08.97	08.07.98
Elbasan	24.10.97	15.04.98
Fier	13.10.97	09.02.98
Gjirokaster	20.02.98	09.02.99
Lezhe	13.10.97	12.03.98
Tirane	09.09.97	01.09.98
Kavaje	08.08.97	16.05.98
Korce	16.10.97	13.08.98
Kukes	03.12.97	09.11.98
Shkoder	10.02.98	10.12.98
Vlore	13.07.98	06.07.98
Sarande	23.07.98	16.03.99

The current situation of the SII database is the following:

- The Social Insurance Institute has built a computerized database based on the civil status books, which will be available approximately February 2000.
- The data within the database is not updated, with 80% of the information collected in 1998.
- The database lacks validation against the civil status office and a pilot test conducted by the OSCE in six municipalities shows 48% of records with some kind of error.
- The SII plans to update the database starting next year, with its own resources. No international support has been given.
- There is not a comprehensive plan to keep the database permanently updated, and the high internal migration presents a serious threat to the achievement of this objective.
- There is not a project to change the structure of the CSO and to deliver a national ID card and a unique ID number.

After year 2000 elections are carried out, this database will be partially updated and available to be used as the start point for the build up of a new National Civil Status Office, the issuance of a national ID card, and to provide important information to the Census office, the Social Insurance Institute and the current 408 civil status offices in the country. It is of the utmost importance to define in advance how to maintain this database permanently updated.

It is odd that the civil status database is updated for a different institution like the SII. By law, this is a duty clearly assigned to the civil status offices and the beneficiary of any project dealing with its improvement should be the that institution.

Currently, it seems that two different projects are dealing with the CSO:

1. A governmental project, which is requesting bids from different companies to produce a national ID card.
2. A proposal of the Norwegian government to fund a project based in a national civil registry and the issuance of a national ID card.

The first project clearly lacks consistency, because it is trying to produce only a national ID card without considering an improvement of the source of data of citizens, which is the CSO. The second needs to be defined in the context of a feasibility study.

1. Steps Towards a New Civil Registry (CR)

- Create a new centralized office for the Civil Registry, to the image of the CEC.

- Draft a new Civil Registry law that:
- Creates a centralized office legally
- Defines the necessity to issue a compulsory national ID card to be used as the only ID document in Albania for all private and public acts of individuals
- Provides an efficient methodology to update the database.
- Provides the CR with the necessary infrastructure to fulfill its duties adequately, especially a computer system and communications.
- Define a concrete project by realizing an exercise of strategic planning, containing activities, responsibilities, times and resources (people, money, equipment, etc).
- Declare the issuance of a national ID card as a top priority.

2. The Issuance of a National ID Card

The Social Insurance database, once updated, can be used as the foundation for the National ID card project. It is necessary to define:

- Type of delivery: Door to door or self-initiated.
- Structure and budget of the Civil Registry Office (CRO)
- Relations with the 408 local CROs
- Type of document and level of security
- Computer system. Hardware, software and communications
- Type of financing: World Bank, Government, mix
- The cost of the document and if it is going to be paid for by citizens
- If AFIS (Automatic Fingerprint Information System) is going to be used. If yes, if the CR is going to do it or if an integrator is going to be hired.

Recommendations

- The schematics and strategic planning for a new CR can start as soon as next year, although should not be linked with elections. The earliest start of the implementation phase should be after elections are carried out.

- The use of fingerprint matching, expensive as it is, is the best and most adequate way of issuing an absolutely secure ID card. The benefits obtained of such a system in the short term are so extensive for the development of the country, that they are worthy of the effort and cost of implementation.

IV. VOTER EDUCATION IN SUPPORT OF REGISTRATION

INTRODUCTION

In the effort to sustain a credible election process in the country through an accurate voter registry and civil registry, voter and civic information and education is particularly necessary in Albania.

Past attempts at creating voter lists in Albania did not put enough emphasis on voter/civic education, thus confusing the Albanian citizenry as to their intentions and fueling endless political speculations as to the legitimacy of election results.

1. Context Assessment

1.1. Demographics

The lack of demographic information is precisely the incentive in the development of the voters and civil registration program. Three million people are believed to be residents of Albania. Figures have probably changed and are difficult to double check since the bombing of the FRY this summer. Also, internal and external migration in Albania has exceptionally increased since 1996 and 1997 and confused population data. Since the proposed voter registration effort will focus not only on the Albanian population of voting age but on all the population in preparation for a civil registration program following the elections, a strongly focused informative campaign must be put into place to ensure the success of the project.

The sole existing document that can be used as a basis for designing the voter education campaign is the opinion poll conducted by the Democracy Network in 1997 ["Albania's Road to Democracy" 1997] which presents a snapshot of Albanian behavioral attitudes in 1997. It can only be used as a reference document as some considerations might be outdated.

1.2. Cultural Norms and Door to Door Enumeration

Voter registration on a door to door basis has regularly occurred in Albania before all elections. Nevertheless, the common perception is that political parties in charge of enumerating the voters manipulated the lists. Therefore, no elections since 1990 have been legitimized either by the voters or by the losing party itself, and the disputed voter

lists have poisoned the political atmosphere and hindered the development of healthy political parties. This trend has worsened since the riots of 1997, when voter lists were destroyed throughout the country.

Albanians may be familiar with door to door registration, since it has been practiced during the communist regime and on, but the level of civil security has worsened since 1997. Most Albanian households are not prone to open their door to strangers, even more so because women tend to stay home alone. Door to door operations are run by robbers, missionaries, beggars and the like. Crime is high in the northern parts, in the district of Vlora and some areas in the south. These factors must be considered during the enumeration process and attempts should be made to combat these misgivings through the provision of accessible and accurate information.

1.3. Perception and Privacy

✓ Voter Registry

Despite public perceptions of registration, Albanians are weary of the political degradation in the country, and the games played by an unaccountable and corrupt political elite. Regardless of their age, gender and geographic area [all but the North], Albanians would willingly participate in a registration effort to clean voter lists and the political atmosphere. Efforts should be made throughout registration to assure the public that the process is fair, impartial and transparent.

✓ Civil Registry

Compiling data for the civil registry may prove to be a more sensitive issue for some Albanians unwilling to disclose information about their whereabouts and those of their relatives illegally working abroad.

1.4. Level of Literacy

Albania's level of illiteracy can be as high as 80% in some remote, rural regions. Reaching out to the urban population in print and through the electronic media will not pose as great a problem as the rural areas of Albania. Therefore, any campaign will need to focus heavily on visual print material to blanket the entire population.

2. Available Resources

2.1. Electronic Media

State TVSH and Radio Tirana are the preferred electronic media outlets given the authoritative nature of the campaign message. Their area of coverage is approximately 80% of the country. Private outlets (radio and TV) have blossomed since 1997, but their

area of coverage outside Tirana is volatile. While Albania has improved its audio and video production facilities in the past year, its human talent remains scarce in these areas.

2.2. Printing Facilities

There are many small-capacity printing houses throughout Albania. Some are state owned, some private. No printing house exists in-country which could handle large printing orders.

3. Draft Campaign Strategy

Goals and Objectives

✓ Voter Registry

- Prepare the relevant targets for the door to door enumeration - Informational.
- Inform on the revision process [follow up door to door] - Informational.

✓ Civil Registry

- Inform on the civil registry enumeration - Informational.
- Inform on the overall usage of the ID card - Informational.
- Information campaign in preparation for election day - Informational/Motivational:
 - “Go get your ID card”
 - “We will issue your ID card on the spot”
 - “How to vote with your ID card”
 - “You cannot vote without an ID card.”
- Inform on the Census 2001 pilot program enumeration [tentative] - Informational.

Target: all.

High Impact Groups: Youth, Women, Medical Corps, Legal Corps, Educational institutions. Those segments, particularly the medical corps, have been chosen for the level of trust they might have in Albanian society. Also, youth and women are the most active players in building the Albanian civil society.

Preparing Albanian citizens and voters for the door to door enumeration for the voter lists and the civil registry will fall into an awareness campaign in Phase 1, then an information campaign in Phase 2, and a motivation campaign in Phase 3

4. Production

In an effort to present the citizens of Albania with the door to door enumeration program, a strong information campaign will be put in place, using the following means.

4.1. Electronic Media

A series of audio and TV spots, to be aired on prime time once a day throughout the door to door enumeration will start airing one month before the beginning of the door to door process. The objective is to build a campaign that is informational in nature and motivational in format. As the lack of trust in data gathering in Albania is pretty high, a strong accent will be put on convincing Albanians on the need, safety and usage of voter lists and a civil registry.

Initial Spot Development

- ✓ *Spot 1* will present general information on the reasons and benefits of registering for both the voter and civil registry. The aim is to familiarize Albanians with voter lists [register to vote] and the civil registry. Spot 1 should air in March/April 2000 [decreasing] - Awareness, March 1st - 25th.
- ✓ *Spot 2* will introduce the process of registration methods to be used, i.e. the door to door enumeration. The aim is to present the enumerators and comforting the population on safety issues [ID documents presented by enumerators, proof of identity, recognizable signs, documents left behind, forms to be filed, enumerators' requirements, the fact that it is free of charge]. Spot 2 should air 10 days before operation, and throughout the door to door enumeration – Informational, March 17th - April 15th.
- ✓ *Spot 3* will inform Albanians on the revision process. The aim is to inform Albanians on the appeal mechanism to correct possible errors in voter lists. It will focus on benefits of the voter ID card [clean voters lists and social security number] - Informational/motivational, broadcast in June, late August and September. Re-run of Spot 1.
- ✓ *Spot 4* will inform voters on how to get their ID card [on the spot or in your municipality] - Informational or Motivational [tentative].

Suggested Campaign Outlets and Format

- ✓ Coverage by TVSH before the kick off of the campaign
- ✓ Roundtables can be held on TVSH, with logo [tentative]
- ✓ Radio campaign to follow the same guidelines, in an abbreviated manner
- ✓ Spots largely informational, and carry the trailer and logo from the video spots

4.2. Print

There is no printing house in Albania able to produce a very large number of copies which will be required for an effective campaign. It is, therefore, recommended that a

Slovenian based company - *Cetis* - that has provided services for ODIHR and the OSCE/Albania in the past, be chosen to produce voter education print materials. The voter registration project can benefit from the border tax exemption offered to the OSCE and the print quality *Cetis* offers. *Cetis* will provide IFES with a tentative invoice for the production of the materials below.

Initial Print Materials

- ✓ *Print Material 1:* Every Albanian household will be reached with a folded B2, 2 colored brochure explaining the registration effort. A calendar will be included in the design and carry key electoral dates for 2000. The goal is to provide the population with a non-perishable item that carries extensive information about the program.

Format: This calendar/poster will be heavily visual, in the form of a cartoon.

Target: All Albanian households and public places [communes, municipalities, districts, prefectures, ministries, cafes, consulates, NGOs, schools, universities, dormitories, hospitals etc...]

Number of copies: +/- 1 million

Management: Hire a local illustrator

- ✓ *Print Material 2:* A general accordion A4 leaflet will present the same information in a condensed manner. The goal is to provide a carry-out informative, illustrated text about the registration program.

Target: Use as training material [see below] and light document dropped in each household by enumerators.

Number of copies: +/- 1 million

Management: Hire a local illustrator

Note: A logo will be produced by *Fasada Production*, the only facility equipped with computer drawing software and talent. Design of printed material should be done by the *Fasada Production* illustrator as well. The logo needs to be thought as consistent with the CEC logo.

5. Timeline of Production and Distribution

5.1. Video Production

- Production and distribution of *Spot 1* will take two weeks and should start by February 15th
- Production and distribution of *Spot 2*: March 17th - 27th and aired on March 27th
- Production and distribution of *Spots 3 and 4*: to be defined. In case revision takes place in September, production should start in August. In case the revision occurs less than one month after the end of door to door enumeration, production should start two weeks before.

5.2. Radio Production

Production and distribution should meet the same broadcast deadlines as video. One week per spot, including distribution.

5.3. Print

Both sets of material can be printed at the same time in Slovenia. *Cetis* representatives in Tirana evaluate the printing time to be approximately 7-10 days after final proof-reading. Art design production [Adobe, Corel Draw, Free Hand 8] should take approximately 7-10 days. The following will be essential in identifying the voter/civic education campaign:

- Creation of an identifying logo, to be used by the CEC and/or by the IFES/UNDP/OSCE registration coordinating team
- Creation of a cartoon design, with identifiable characters and storyline
- Conclusive and accurate technical information content on voter lists and civil registration

Timeline Flexibility

In case the artwork is delayed, *Cetis* is willing to provide us with progressive batches of material before the whole production is done. Therefore, the last deadline to deliver the artwork diskette to Slovenia for printing could be as late as February 25th. A first batch of leaflets and posters could arrive in Tirana and/or Durres on February 27th and distributed in a week to meet the early March kick off of the campaign.

Note: The Voter/Civic Education Coordinator will have to sign off on the blueprint in Ljubljana, Slovenia prior to printing.

6. Media Outlets

6.1. Electronic

State TV and Radio [RTSH] are the only signals covering most of the Albanian territory [approximately 80%]. Furthermore, Albania remains a conservative society, where private media outlets are mushrooming but are not yet perceived as being as authoritative as the state owned media. It is crucial that broadcast time be legally free for the voter/civic education campaign. Promedia has agreed to ensure broadcast on almost all private radio and television stations in Albania.

6.2. Print Advertisement

Advertisement in Albanian newspapers is planned [tentative]. Ads will be based on the leaflet using the same art as pamphlets but in black and white. General information content will include dates, reasons, places etc.

7. Distribution

Albania needs a reliable system of distribution for voter education materials. It has been determined that different networks should be used to ensure that print and taped material gets to all areas of Albania.

1. NATO's mandate in Albania allows for the use of their vehicles and human resources to drive to remote and otherwise inaccessible areas of Albania. Through their Humanitarian Information Center [HIC], NATO troops coordinate transportation, escort and drive all NGOs operating in northern Albania. Their representative has assured IFES voter/civic education material will reach all NGO contacts in northern Albania. They, in turn, will distribute leaflets and put up posters/calendars in all public places in the north.
2. ORT has provided IFES with a list of dynamic NGOs corresponding to the dynamic segments [youth, women, medical corps, legal corps] determined to be the best partners in education activities. Empowering the Albanian civil society through certain NGOs will not only prove crucial to a successful campaign [see below], but also provide a powerful distribution network. Informal partnerships should be forged with the Youth Council of Albania, Women's Center, Women's Independent Forum, Society for Women Lawyers and others.
3. Promedia, a hub for regional journalists, has also offered its reporters to distribute and decentralize materials to NGOs and/or their own media outlets.
4. UNICEF Youth Parliament program [see below] will distribute print materials in 3 pilot prefectures [Tirana, Shkoder, Gjirokaster] in early March.
5. The Albanian Center for Human Rights [ACHR] will distribute all printed materials in late February/March through their training program on human rights to educators [primary, secondary schools], covering half of all Albanian districts. It will also distribute materials to police corps trainees [Tirana, Korca, Dibra].
6. The OSCE will help distribute print materials through their field offices located throughout Albania and local contacts with NGOs.

8. Grassroots Activities and Local Partners

In the effort to reach out to the Albanian population, it is envisaged the NGO network will be used distribute materials through a training of trainers structure. Two days will be set aside in the preparation of the campaign to train key NGOs in the basics of the program and voter and civil registration [end of February].

Local Partners

- ✓ *Albanian Center for Human Rights.* Through its yearlong train the trainers programs, the ACHR has reached out to educators and police officers in half of the prefectures of Albania. IFES wants to train these trainers on the basics of voter registration and civil registry, and hold a more defined training for police forces emphasizing security issues.
- ✓ *OSCE* will ensure distribution of print material, tapes, transportation of media crew, and help in training key NGOs.
- ✓ *UNICEF's Youth Parliament* project will be held in pilot towns starting in January 2000. This 5-year long program proposes to create mock Youth Parliaments in all the districts of Albania. A pilot program will be starting in 2000 in Shkoder, Gjirokaster and Tirana. Emphasis will be put on training and educating the youth in parliamentary rules and regulations, as well as the voting process. IFES intends to hold training sessions for Secretaries and young candidates about voter and civil registration. The Youth Parliament pilot program also includes mock campaigning. UNICEF has agreed that the candidates will use the voter registration and the need for a civil registry as a common theme of their campaign. They will also spread print material and have access to news coverage.
- ✓ *Promedia.* The video and audio crew designing the voter education campaign will have the digital production facilities of Promedia at their disposal which includes tapes and distribution. In turn, they will train local journalists to produce spots as they are being developed. Promedia has also ensured free broadcast on almost all private Albanian media outlets.
- ✓ *ORT* network will be the principal point of contact in organizing a one/two day training session for NGOs on the basis of the information campaign and voter/civil registration.
- ✓ *National Democratic Institute (NDI)* has agreed to include voter and civil registration in its two main programs: Civic Forum pilot program, location to be defined in January; and its young political leaders training. IFES can provide training on registration for both programs.

9. Staffing

It is recommended that the Voter/Civic Education Coordinator and voter education staff be located within the office of the Central Election Commission (CEC). This is not only to build the institutional capacity of the CEC to carry out voter education programs (which will be necessary during election periods) but also to ensure that the voter education campaign is perceived by the public as an Albanian initiative, not one imposed from outside. Likewise, the CEC may provide in kind support and/or staff.

Permanent campaign staff should include:

- *International Voter/Civic Education Campaign Coordinator*, working with a representative from the CEC designated to the voter education campaign
- *Local Print and Distribution Agent*
- *Local NGO/Local Partners Coordinator*
- *Local Project Assistant/Facilitator*

Freelance campaign staff should include:

- *Designer* to design posters/calendars, leaflets, and help with training material
- *Video Crew*, consisting of a director, assistant, cameraman, soundman, light man, music composer, and driver with vehicle (provided by OSCE).

As noted previously production and printing companies will also be hired independently to develop artwork and print-ready materials for the campaign and print those materials in the form of leaflets.

10. Tentative Budget

10.1. Print

- ✓ *Cetis Printing House*

<i>ITEM</i>	<i>QUANTITY</i>	<i>COST (in USD)</i>
Posters/Calendars	1,000,000	\$62,000
Posters/Calendars/Leaflets for Distribution by Enumerators (folding included)	1,000,000	\$76,000
TOTAL	2,000,000	\$138,000 (including shipping)

- ✓ Local printing houses [*Demokracia* and *Gutenberg*]: To be determined

10.2. Freelance Staff

- ✓ Production of 5 radio and video spots: \$15 000 - \$16 000, depending on Promedia training fees
- ✓ Design: Freelance illustrator [animated logo creation and design]: To be determined

10.3. Permanent Staff

- ✓ Voter Education Campaign Coordinator [international]: For 8 months including salary, allowable danger pay, per diem, flight
- ✓ Print and Distribution Agent [local]: To be determined within agreement with CEC and donors

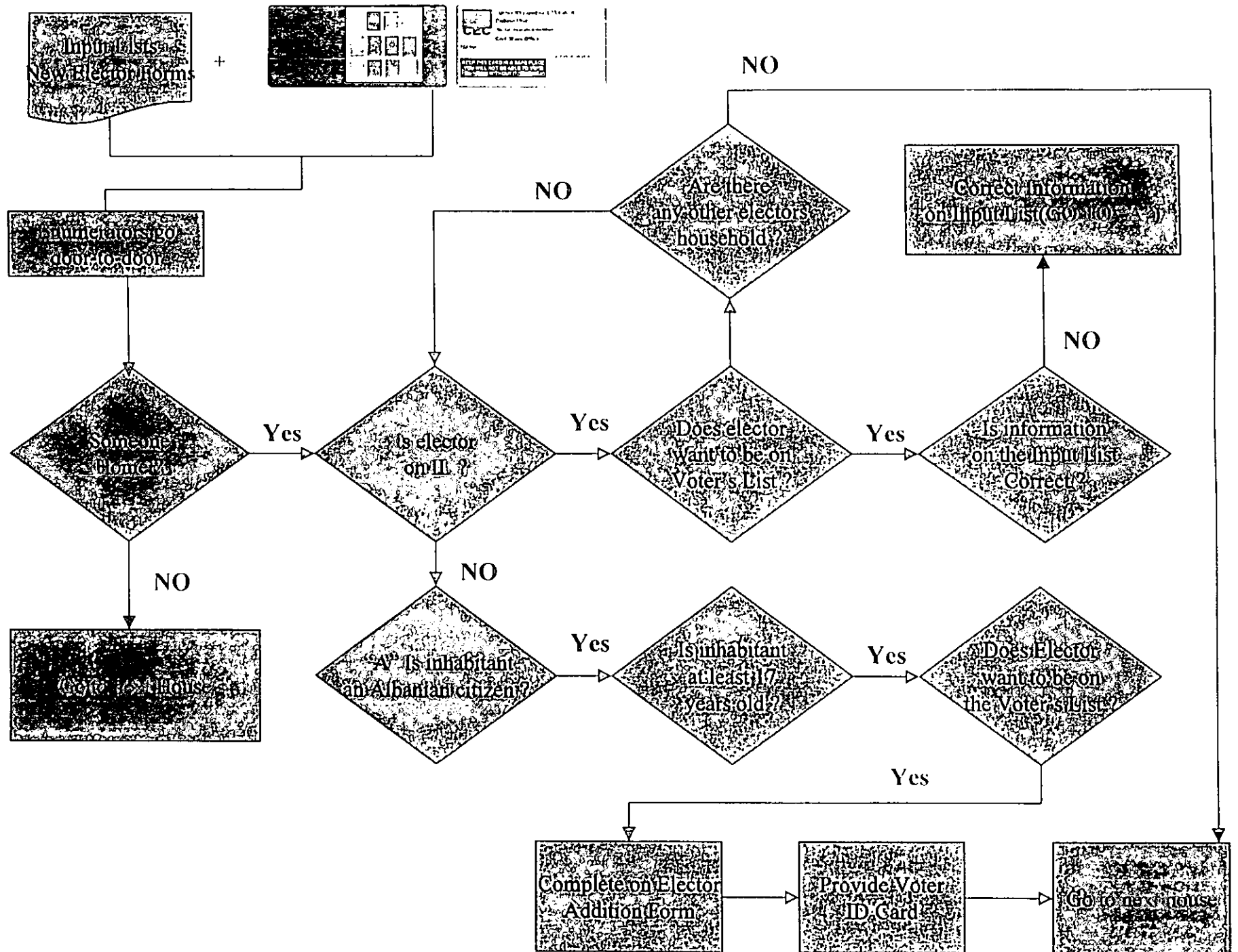
- ✓ NGO/Local Partners Coordinator [local]: To be determined within agreement with CEC and donors
- ✓ Project Assistant/Facilitator [local]: For 8 months based on local rates

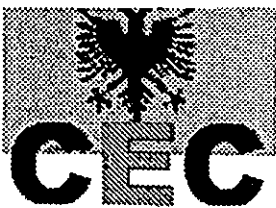
RECOMMENDATIONS

1. Ensure that broadcast time on state owned outlets is free of charge.
2. Voter education campaign staff should be located in the CEC office.
3. A one/two day introduction training should be conducted in Tirana with the main NGOs and local partners - Albanian Center for Human Rights, ORT - in late February. This will serve as a briefing/meeting on voter and civil registration as well as a coordinating meeting on the distribution of voter education materials
4. Additional training on civil voter registration should be provided using the following existing programs in Albania:
 - The Albanian Center for Human Rights will include a one day/half day training on voter and civil registration in late February for their teachers and members of the police force. Training material should be prepared, in addition to the leaflets and the calendar/poster handouts to be distributed to their families and students' households.
 - The UNICEF Youth Parliament program will include IFES [voter and civil registration] and OSCE [election observation] one day training. Dates will be determined. Training material should be prepared, in addition to the leaflets and the calendar/poster handouts to be distributed. Young candidates for parliament will use the need for accurate voter lists as a campaign issue in their mock election campaign.
 - The NDI Civic Forum program will include short training on voter lists and the civil registry in their pilot town [to be determined in January] as well as their country-wide Young Political Leader's program. Training material should be prepared, in addition to the leaflets and the calendar/poster handouts to be distributed.
5. Print materials [leaflets and calendars/posters] should be ready for the first round of distribution to NGOs in late February.
6. The Voter Registration Coordinating Committee should consider using the NGO coordinating committee [ORT/ Albanian Center for Human Rights] as a point of contact for printing and distributing training materials to enumerators and local government representatives.

Annex 1 – Proposed Elector Addition Form

Voter Registration Assessment





1234567-01

NEW ELECTORS NOT FOUND ON INPUT LIST

Municipality: _____

Elector 1

First Name

Family Name

Date of Birth (mm/dd/yyyy)

Elector 2

First Name

Family Name

Date of Birth (mm/dd/yyyy)

Street Number

Street Name

Municipality

Father's Name

Elector Signatures

Enumerator Signatures

1 - 1 - 2 - 2 -

Voter ID Cards Received ?

Yes	No
-----	----

ELECTOR 1**ELECTOR 2**

Form sequential number

	Voter ID number: 12345678-1	1234567
	Polling Unit:	
	Social Insurance number:	
	Civil Status Office:	
	Name:	
Signature/fingerprint		
KEEP THIS CARD IN A SAFE PLACE YOU WILL NOT BE ABLE TO VOTE WITHOUT IT		

Form sequential number

	Voter ID number: 12345678-1	1234567
	Polling Unit:	
	Social Insurance number:	
	Civil Status Office:	
	Name:	
Signature/fingerprint		
KEEP THIS CARD IN A SAFE PLACE YOU WILL NOT BE ABLE TO VOTE WITHOUT IT		

Municipality: _____

Street Number

--	--	--	--	--

Street Name

--	--	--	--	--	--	--	--	--	--

Municipality

--	--	--	--	--	--	--	--	--	--

Elector 1 – 1234567-01-A

First Name

--	--	--	--	--

Family Name

--	--	--	--	--	--	--	--	--	--

DoB (mm/dd/yyyy)

--	--	--	--

Father's Name

--	--	--	--	--

Voter ID Card Received ?

Yes	No
-----	----

Elector 2 – 1234567-01-B

First Name

--	--	--	--	--

Family Name

--	--	--	--	--	--	--	--	--	--

DoB (mm/dd/yyyy)

--	--	--	--

Father's Name

--	--	--	--	--

Voter ID Card Received ?

Yes	No
-----	----

Elector Signatures

1 -
2 -

Enumerator Signatures

1 -
2 -

ELECTOR 1

1234567-01-A



Voter ID number:12345678-1

Polling Unit:

Social Insurance number:

Civil Status Office:

Name:

Signature/fingerprint:

**KEEP THIS CARD IN A SAFE PLACE
YOU WILL NOT BE ABLE TO VOTE
WITHOUT IT**

ELECTOR 2

1234567



Voter ID number:12345678-2

Polling Unit:

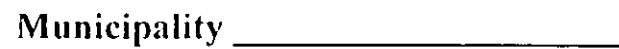
Social Insurance number:

Civil Status Office:

Name:

Signature/fingerprint:

**KEEP THIS CARD IN A SAFE PLACE
YOU WILL NOT BE ABLE TO VOTE
WITHOUT IT**

[illegible]

Date _____

Date _____

Annex 2 – Proposed Timeline

Voter Registration Assessment

ID	Task Name	Duration	Start	Finish	Predecessors	1st Quarter			2nd Quarter			3rd Quarter		
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
23	Organize transportation	10 days	Mon 2/28/00	Fri 3/10/00	22									
24	Identify enumeration	10 days	Mon 1/17/00	Fri 1/28/00	3									
25	Enumeration Commission	15 days	Mon 3/13/00	Fri 3/31/00										
26	Identify required resources	5 days	Mon 3/13/00	Fri 3/17/00	3									
27	Perform train-the-train	1 day	Mon 3/20/00	Mon 3/20/00	26									
28	Distribute Enumeration	1 day	Tue 3/21/00	Tue 3/21/00	27									
29	Transfer Civil Registry	10 days	Mon 3/20/00	Fri 3/31/00	26									
30	Door-to-door Process	21 days	Mon 4/3/00	Mon 5/1/00										
31	Enumerators go door-to-door	21 days	Mon 4/3/00	Mon 5/1/00	29									
32	Data Center	35 days	Mon 5/22/00	Fri 7/7/00										
33	Data entry of corrections	30 days	Mon 5/22/00	Fri 6/30/00	31FS+14 days									
34	Data scanning of new elect	5 days	Mon 5/22/00	Fri 5/26/00	31FS+14 days									
35	Production of Lists of Elect	20 days	Mon 6/12/00	Fri 7/7/00	33FS-15 days									
36	Voter Registry Directorate	40 days	Mon 7/10/00	Fri 9/1/00										
37	Distribution of Lists of Elec	10 days	Mon 7/10/00	Fri 7/21/00	35									
38	Perform revisions on Lists	30 days	Mon 7/24/00	Fri 9/1/00	37									
39	Earliest Time to begin Election	0 days	Fri 7/21/00	Fri 7/21/00	37									

Project: Voter Registration Timeline
Date: Wed 12/8/99

Task		Summary		Rolled Up Progress	
Split		Rolled Up Task		External Tasks	
Progress		Rolled Up Split		Project Summary	
Milestone	◆	Rolled Up Milestone	◇		

ID	i	Task Name	Duration	Start	Finish	Predecessors	1st Quarter			2nd Quarter			3rd Quarter		
							Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1		Preparation	60 days	Mon 1/10/00	Fri 3/31/00										
2		Funding	5 days	Mon 1/10/00	Fri 1/14/00										
3		Solidify funding from c	5 days	Mon 1/10/00	Fri 1/14/00										
4		ICR Forms	36 days	Mon 1/17/00	Mon 3/6/00										
5		Develop Elector Additi	2 days	Mon 1/17/00	Tue 1/18/00	3									
6		Have Form approved	3 days	Wed 1/19/00	Fri 1/21/00	5									
7		Determine number of f	0.5 days	Wed 1/19/00	Wed 1/19/00	5									
8		Send for printing	30 days	Mon 1/24/00	Fri 3/3/00	6									
9		Perform QA on form	1 day	Mon 3/6/00	Mon 3/6/00	8									
10		Database	29 days	Mon 1/10/00	Thu 2/17/00										
11	u	Obtain database from	0 days	Mon 1/31/00	Mon 1/31/00										
12		Perform QA on databa	4 days	Mon 1/31/00	Thu 2/3/00	11									
13		Produce Input Lists	10 days	Fri 2/4/00	Thu 2/17/00	12									
14		Perform QA on Input l	10 days	Fri 2/4/00	Thu 2/17/00	12									
15		Separate Lists by Enu	3 days	Mon 1/10/00	Wed 1/12/00										
16		Produce Voter ID Car	5 days	Mon 1/31/00	Fri 2/4/00	11									
17		Ensure Voter ID Card	5 days	Mon 2/7/00	Fri 2/11/00	16									
18		Training Material	30 days	Mon 1/10/00	Fri 2/18/00										
19		Prepare Enumerator ti	20 days	Mon 1/10/00	Fri 2/4/00										
20		Prepare train-the-train	10 days	Mon 2/7/00	Fri 2/18/00	19									
21		Infrastructure	40 days	Mon 1/17/00	Fri 3/10/00										
22		Organize warehouse f	15 days	Mon 2/7/00	Fri 2/25/00	3FS+15 days									

Project: Voter Registration Timeline
Date: Wed 12/8/99

Task

Split

Progress

Milestone

Summary

Rolled Up Task

Rolled Up Split

Rolled Up Milestone

Rolled Up Progress

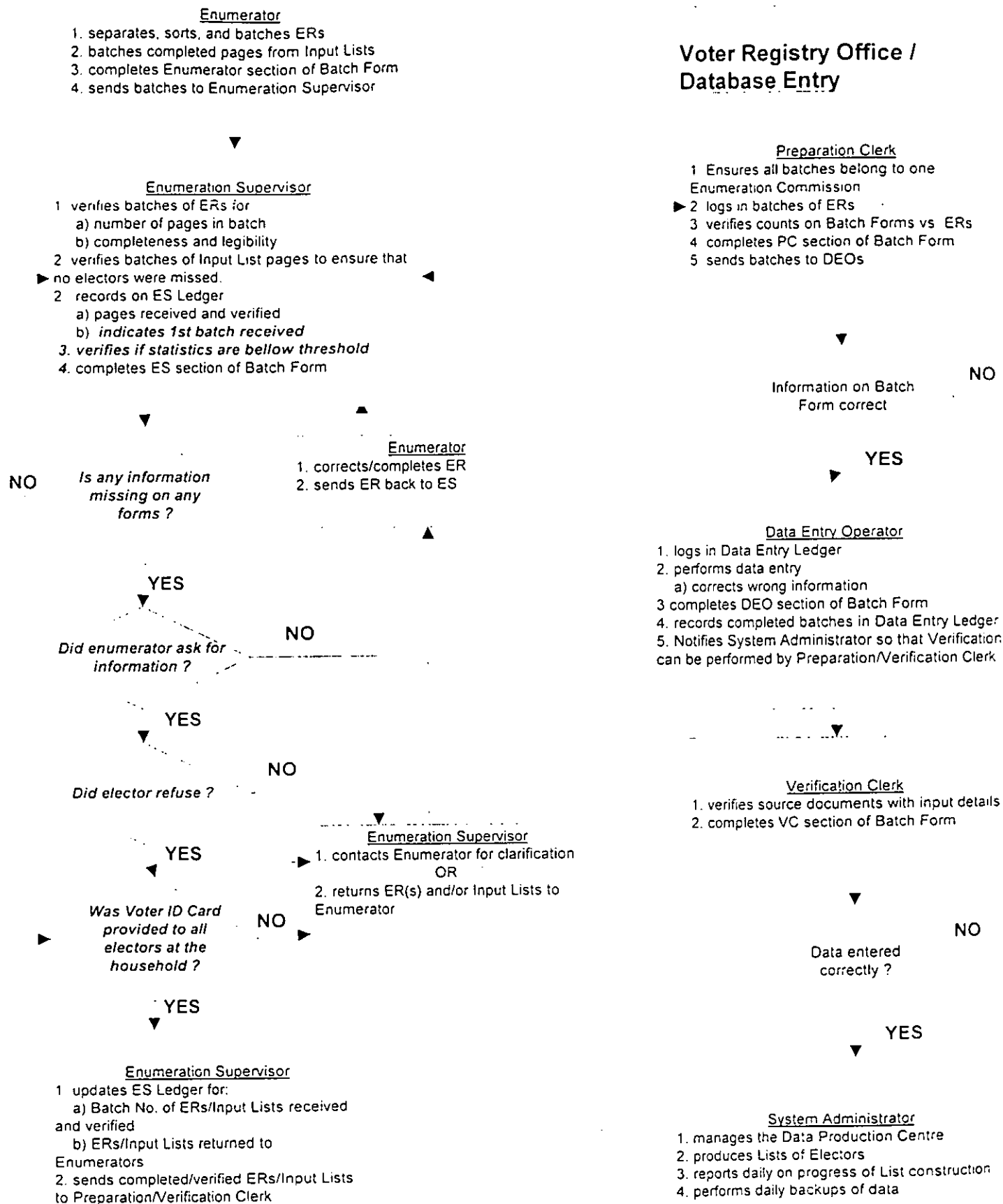
External Tasks

Project Summary

Annex 3 – Proposed Data Flow in the Data Center

Voter Registration Assessment

Figure 2 Data Flow in an Enumeration using a Database
to Build the Register of Electors



Annex 4 – Specifications for Computer Centers

Voter Registration Assessment

ANNEX 4: SPECIFICATIONS FOR COMPUTER CENTERS

1. Areas of the Computer Center

The computer center should contain the following areas for an optimal operation:

- 1.1. The *computer room*, where the main server, back up server and their peripheral devices will be installed. It must be physically separated from the other areas.
- 1.2. The *data input room*. This is the room where all data entry computers are going to be located. A *quality control section area*, in charge of the conformation of lots and control of incoming and outgoing information must be included within this room (5 to 8 persons, desks, chairs and a table).
- 1.3. The *scanning room*. In the case that scanners are going to be installed in the state, a separate room must be set up for this purpose.
- 1.4. The *information analysis and programming room*. This room will be used for programmers and will keep their computers. It must have room for five persons, desks and computers.
- 1.5. A *warehouse for paper and office supplies*. This warehouse is used to save computer paper in metallic shelves. Due to great amount of printing, a lot of paper will be necessary. Special characteristics of paper will require a dry and safety environment to prevent fire and humidity.
- 1.6. A *temporal warehouse for paper and computer supplies*. This is a small room, next to the computer room, where the computer parts and supplies are kept, along with computer paper for one day.
- 1.7. One *visitor room* with chairs, where employees can receive visits. This room must be located next to the entrance.
- 1.8. *Meeting room*. Highly desirable, although not compulsory. In the case of elections, political parties and international organizations can be briefed and received in this room.
- 1.9. One *data-verification room*. Three or four computers will be installed in this room for political parties and international organizations to verify information on registered citizens. Can be one with the meeting room.
- 1.10. Two *bathrooms*, one for woman and one for men

1.11. One office for Chief EDP

1.12. One *security booth* located at the entrance of the computer center, to verify ID documents, control weapons and keep a log of visitors.

2. Technical Components of the Computer Center

The following technical components should be installed in the computer center, to provide the necessary warranties of security for equipment and data:

2.1. *Power and electricity component.* The provision of stabilized power is the most important component of the center. It is composed of a main source of power and a secondary and backup source.

2.1.1. The main power system is composed of the transformer provided by the Electricity Company, the cabling and outlets. It will be necessary to contact the Electricity Company to warranty the provision of power for the entire computer system. Ground must be connected to every single outlet, especially those of computers.

2.1.2. One generator acting as a backup source of power, to provide electricity to the main server, data entry computers and room. The capacity of this generator needs to be calculated once the final design is done.

2.1.3. If the possibility of electric storms exists in Albania, a lightning rod should be installed to protect critical equipment like servers. Modems are

especially sensitive to electric lightning, because they can be burnt with small charges.

2.2. *Communications component.* Computer communications will not play a major role during the registration phase, but they will become critical during the voting phase, especially if Internet is available. If the VSAT system is installed, it must be tested in real conditions to warranty a correct working.

2.3. *Security component.* There are two sub-components in a security system: Physical security and logical security. The first pertains to persons, equipment and premises and the second to data and information.

2.3.1. Physical security

2.3.1.1. *Audible alarm.* A manually activated audible alarm network interconnected with all rooms in the computer center.

2.3.1.2. *Fire extinguishers.* Halon 2 type electric fire extinguishers for the computer room and the data input room. Dry powder or other paper-type of extinguishers for the warehouses.

2.3.1.3. *Smoke detectors.* Smoke detectors connected to the audible alarm system in the computer room, according with its volume.

2.3.1.4. *Security doors.* Security doors in the main entrance, computer room and exit door.

2.3.1.5. *Security booth.* A booth or place for a security guard at the entrance of the premises.

2.3.1.6. *Allocation of premises.* The best allocation for a computer center should have the following characteristics:

2.3.1.6.1. Two floors, administrative offices and warehouse in the first and computer and data entry room in the second.

2.3.1.6.2. To have security exit doors in case of fire or attack from all areas.

2.3.1.6.3. Not to be close to any government, industrial or political premises.

2.3.1.7. *Cabling.* All electrical and network cabling should be done using pipes and not wiring directly through floors or walls.

2.3.1.8. *Control logs.* Permanent control logs of who enters and leaves the premises.

2.3.1.9. *Forms and inventory control.* All forms, paper, office supplies and computer parts must be carefully inventoried.

2.3.1.10. Other type of securities according to the specific purpose of the computer center and the sensitivity and value of data.

2.3.1.11. *False floor.* A false floor, anti-static and an anti-flammable can be installed if needed to protect information, equipment and the investment. Not absolutely necessary, but desirable under condition of potential danger.

Annex 5 – UNDP Electoral Assistance Project Proposal

Voter Registration Assessment

Electoral Assistance Project Document

Section A - CONTEXT

a) The development problem being addressed

The electoral experience of Albania in the last few years reveals that the holding of fair elections is one of the most sensitive issues of the entire political process and a very critical responsibility of every government. The organization of free democratic elections conforming to acceptable international standards remains a major challenge for Albania's emerging but still fragile democratic system of governance. In particular, the preparation of accurate and reliable voters' lists has been a consistent topic of discord between ruling and opposition parties in past elections. In addition, the civil registry in Albania is still manually maintained and inadequately updated. This has shortcoming also hampers the ability of the Government of Albania to provide voter and other civil status data, as well as voter cards and other identification documents.

b) Previous experience and lessons learned

During the last eight years, Albanians have taken part in elections almost every year (four parliamentary elections, two local government elections and two referenda for the constitution). These elections have been hotly contested and the results often controversial.

In 1991, the Party of Labor won two-thirds of the seats in Parliament. In 1992, the opposition Democratic Party won a two-thirds majority. In May 1996, the Democratic Party again won the parliamentary elections, but foreign observers reported serious irregularities. OSCE, in particular, severely criticized the Government for violations of the electoral process, while placing responsibility on the opposition for their early withdrawal.

Despite some irregularities, the local government elections of October 1996 were a more positive experience compared to the May elections. In 1997, following the civil unrest earlier that year, the Socialist Party won the majority of seats in Parliament and formed a new Government. A Referendum on the new Constitution, boycotted by the opposition, was held in 1998. The Constitution was approved. Local government elections are due in 2000.

The main players to date in the area of electoral assistance in Albania are the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the International Foundation for Electoral Systems (IFES) and the Council of Europe.

In addition to providing electoral assistance and elections observers to Albania, OSCE/ODIHR, through funding by several bilateral donors, has recently completed a

pilot civil/voter registry project in six communes and municipalities of Albania and has made concrete recommendations for the future. The emphasis of the pilot project was on developing procedures for a comprehensive Civil Registry as a prerequisite for voter registration.

Since the new Constitution has been in force, IFES, thanks to USAID funding, is assisting in the formulation of a new electoral law and supporting the establishment of the Central Electoral Commission. The Council of Europe has played an active role in monitoring past elections.

The Institute of Social Insurance has undertaken an important related project of creating a computerized database of the whole Civil Registry for the purpose of issuing a unique Social Insurance Number (SIN) to all Albanians. This project has collected, on Optical Character Recognition (OCR) forms, the names and related data fields of 3.85 million Albanians from the nation's civil register books between the period September 1997 and December 1998. Data capture and validation of these forms is 86% complete as of October 1, 1999, and all data entry will be completed by December 1, 1999. The data file and access to the data entry facility could be made available to the UNDP Electoral Assistance Project under a Decision of the Council of Ministers as early as the beginning of January 2000.

c) The development objective of this project

The Electoral Assistance Project aims to assist in the development of electoral practices in Albania with a view to the upcoming Local Elections 2000. The Project takes a comprehensive approach, addressing a number of public policy requirements. It envisages foremost the preparation of an accurate and transparent Voter Register and the establishment of a Data Centre to help manage this and future electoral processes. A Voter Card will be issued to all eligible Albanian citizens. Through the house-to-house enumeration effort, the Electoral Assistance Project also intends to update and computerise the Civil Registry in Albania, a future base for the generation of voter information, identification documents, and other civil status data.

d) Strategy for reaching the development objective

The Ministry of Local Government, according to existing legislation has the lead role in preparing for local elections and preparation of voters list, in collaboration with local authorities. However, since the establishment of a Central Election Commission (CEC) under the new Constitution enacted in November 1998, the CEC is expected to take on this lead role which will be spelled out in a new electoral law currently under preparation. Given the imminence of local elections in 2000, the Ministry of Local Government has decided to initiate preparations for the elections through planning for the preparation of a voters list.

The strategy for achieving the development objective of this project is, therefore, one of partnership and collaboration between government bodies, donor organizations and the international community. The foundation for the requisite partnerships already exists and was cemented by the consensus approach taken in the project formulation mission. Examples of collaborative efforts already underway are enumerated below.

In conjunction with the Ministry of Local Government's request for assistance to the UNDP for building up a data center to prepare the local government elections of 2000, OSCE and IFES initiated a process of donor consultations to help the donors develop a common position on the issues involved, such as the compilation of voters' lists, and to engage in a coherent dialogue with Government on these issues. In this connection, OSCE and IFES advanced a voter/civil registration strategy for implementation in the later months of 1999 and spring to fall of 2000, which anticipates active participation by relevant government bodies and international donors, and served as an input for the formulation of the present project proposal. The Ministry of Local Government, UNDP, OSCE and IFES undertook to develop a comprehensive project proposal that combined:

- a) the request to UNDP for a data center
- b) the need for a national voters list
- c) the strategy for a civil registry update
- d) electoral requirements of the Ministry of Local Government
- e) requirements for the establishment of the new CEC

The proposal also takes into account the interests of international donors and allows them to participate in the project through specific funding options.

Central to the Electoral Assistance Project has been the consensus methodology developed by the Project Formulation Mission working in close cooperation with a working group of experts from the Ministry for Local Government, UNDP, IFES and OSCE. This consensus methodology is fully endorsed and supported by the Minister for Local Government, by members of Central Elections Commission, by the UNDP, and by IFES and OSCE. It is on the basis of this consensus that donors have expressed strong interest in providing financial and in-kind resources to the Project.

The consensus methodology to be used by the project to improve the quality of the Lists of Electors was reached using the following approach:

1. Developing a shared understanding of Albanian election law, of roles and responsibilities, practices and procedures used in Albania to produce Preliminary (Published) and Final (following Revision) Lists of Electors, and of the problems encountered in developing the Lists and their underlying causes;
2. Developing a shared understanding of election management concepts and principles and of international standard election procedures and tools used in the preparation of List of Electors.
3. An analysis of three proposed input methodologies against common criteria that included lowest project risk, lowest cost, best chance for success, best outputs.

The key elements of the consensus methodology for the development of improved Lists of Electors and their relationship to the Project Components that will be outlined later in this project document are further elaborated below.

Understanding Albania's Constitution and Election Law:

The Election Law in Albania states that an elector votes at the location where the elector is registered to vote, that is, where his/her name appears on the List of Electors. The Election Law also states that an elector's name may appear on only one list and that an elector may vote only once. Electors are automatically registered to vote at the location of their permanent residence. However, electors living at their place of temporary residence may chose to vote at the location of temporary residence by requesting that their registration be transferred from the location of permanent residence to the location of temporary residence. Both door-to-door enumeration and revision processes require proper procedures and forms for transferring elector registrations.

Whereas the Law implies that the location of permanent residence (for the purpose of voting) is the location where the elector is registered on the civil registry, the Law provides no explicit definition of permanent residence. This will need to be corrected in the new Elections Law and for this Project, the definition of "permanent residence" will be made explicit through a Council of Ministers Decision to be the location (address) where the elector is registered on the civil registry.

Base Lists and Polling Division Maps for Door-to-Door Enumeration:

The local civil registry offices prepare base lists (of electors) to be validated in a door-to-door enumeration. These base lists contain the names of electors of permanent residence, that is, the names of electors appearing on the local civil registers. These base lists of electors are compiled by Polling Station such that there are approximately 500 to 800 names on rural Polling Station lists and 800 to 1,200 names on urban Polling Station lists.

Critical to doing a successful door-to-door enumeration is being able to clearly define the geographical territory (called a Polling Division) associated with a Polling Station list. Documents that provide this information include Polling Division (PD) maps and/or polling descriptions. These documents guide the enumerators in their duty so that the enumerators do not incorrectly enumerate electors living outside the Polling Division boundary or miss electors living inside the Polling Division boundary.

As preparation of PD maps is not consistently done in Albania, the Project will train the appropriate elections authorities in the correct procedures for preparing PD maps and descriptions and in using these descriptions to correctly transcribe names from the civil registers onto base Polling Station lists, and for using the PD maps and descriptions to correctly enumerate electors inside the PD territory.

Project Component #3: Civil Registry (p. 22) and Component #6 (p. 33): Election Support, together assist in the preparation of the base lists of electors by Polling Division and in the preparation of Polling Division maps and descriptions.

Enumeration Procedures, Forms and Training:

Training and supervision of enumerators to properly register electors during a house-to-house enumeration will be provided by the Project, as will the development and field testing of enumeration procedures and forms to be used by enumerators for adding and deleting electors from the Lists of Electors.

Project Component #6 (p. 33): Election Support will assist in developing, printing and distributing the election procedures and forms to be used for the Local Elections, and for developing and implementing a program to train enumerators and their supervisors to correctly conduct house-to-house enumeration. Component #6 (p. 33) will also provide one-time funding to establish the position of enumeration supervisor and for mobilizing international and independent national enumeration monitors.

Improved Coordination and Monitoring of the Preparation of Lists of Electors through Enumeration and Revision:

Improved overall election coordination and monitoring is a key issue addressed by the Project. Past experience has revealed that a more coherent and comprehensive election coordination and monitoring role is required. The key question remains whether this responsibility will be administered directly by the Ministry for Local Government or assigned to the CEC. The capacity to deliver a

more comprehensive coordination and monitoring role is to be developed through the Project. Specifically, the Project is to provide central coordination to guide the review by local elections officials of their Polling Division boundaries and to provide guidance in the preparation of Polling Division maps and descriptions needed for enumeration. The Project is also to provide central coordination, guidance and assistance with the process of moving elector registrations from place of permanent residence to the place of temporary residence, central preparation and printing of base (input) lists of Electors, preparing and printing the Preliminary (Published) Lists of Electors based on the results of door-to-door enumeration, adding and deleting electors during Revision, and overall (central) coordination and monitoring of enumeration and revision activities in the field.

Project Component #2 (p.): Data Center, Component #5 (p.): Elector Register and Component #6 (p.): Election Support together assist in developing and implementing a program of improved coordination and monitoring of the enumeration and revision processes and activities for the preparation of Preliminary (Published) and Final (Preliminary plus additions and deletions made during Revision) Lists of Electors.

Voter Identification Card and Register of Electors:

An important consideration in improving the electoral system is the issuance of a universal identification card to electors and the creation of a national Register of Electors database.

A national Register of Electors database is important to election administration to ensure that electors only register once, and to provide information on the numbers of electors in each electoral district and Polling Division for making adjustments to electoral boundaries. In addition, the national Register of Electors database is an important tool to provide detailed information on the internal migration of voting age Albanians from one election to the next.

A Voter Identity Card is important as a unique national identity card to readily identify an elector to election (enumerators and revision) officials. The Voter Identification Card will simplify the process of registering electors on the appropriate List of Electors, and it will simplify polling day procedures for ensuring that an elector only votes once in each electoral event (election or referendum). The importance of issuing a unique national

identity card to Voters to control voting has been raised by both Albanian and international observers as essential for improving electoral transparency in Albania.

Project Module #4 (p.): Voter ID, Module #3 (p.): National Civil Registry and Module #5 (p.): Elector Register together support the activities of developing and issuing (distributing) a unique national Voter Identification Card and for providing the basis for on-going central coordination and support for the decentralized administration of Voter Identification Cards.

e) Beneficiaries

The target beneficiaries of this project are national and local officials, including elected officials and central and local government officers involved in the preparation and conduct of elections. Beyond this immediate group, beneficiaries of this project also include the entire Albanian people, who will become confident as the result of an improved and transparent electoral process that their votes count and that they have elected a representative government in a fair and efficient manner; and the Albanian government, whose international standing and reputation for democracy will be enhanced by the success of the project.

f) Legal Framework

The Constitution and Electoral Legislation of Albania will govern the Electoral Assistance Project. A separate decision of the Council of Ministers will be required to provide the legal authority for the Data Center to collect elector information from Civil Registry Records, through the Social Insurance Institute, and from electors themselves through a process of door-to-door enumeration conducted in advance of next year's Local Elections, and the Data Centre to prepare the compilation of computerized Lists of Electors for Local Elections in the year 2000 and to implement an Elector Registry, a centralized Civil Registry and issuance of a Voter Card.

In addition, and in accordance with the Decision, the Project will be subject to specific provisions that reinforce the intent of the Constitution to ensure Data Protection and that clarifies operationally the rule of Residency for the upcoming Local Elections that will be used in the preparation of the Lists of Electors.

g) National Resources

Government will mobilize the staff and budgetary resources that are normally made available for enumeration. It is expected that supplementary financial resources will be made available by Decision of the Council of Ministers for the setting up of the data processing center and other components envisaged under this project, as well as initial budgetary allocations required to allow the CEC to begin operating as an independent body. The Albanian human and financial resources committed to the achievement of the project goals are office space and on-going staff for the Data Center. It will also be necessary for the Government to pick-up the recurring annual costs for updating the computerized national civil registry after 2001.

Section B - STRATEGY FOR THE USE OF UNDP RESOURCES

a) UNDP Mandate

Support to good governance and public administration reform is one of the three main areas of focus of the current UNDP and Government of Albania Country Cooperation Framework, which covers the period of 1998-2001. Support to local government elections and strengthening administrative capacity to ensure successful elections through the creation of a Data Center is therefore squarely within the scope and mandate of the current CCF. Furthermore, the special development situation of Albania, and the shift of UNDP programming resources toward addressing post-conflict and crisis related issues, gives further significance to this project initiative, through its potential to contribute to conflict-resolution.

The Project will further contribute to national capacity building by sustaining institutional capacity in the public and private sector through service contracts for critical project inputs. Projects that sustain and enhance quality capacity built through previous developmental initiatives are vitally important to the overall capacity building strategy for emerging economies such as Albania.

b) Decisions for UNDP Intervention

After the UNDP received Albania's request for assistance (initiated by the Ministry of Local Government and endorsed by the Ministry of Economic Development and Trade), it mounted a project formulation mission to develop this Project Document in collaboration with the Electoral Assistance Division (EAD) of the United Nations. A Preparatory Assistance phase was initiated to recruit an international expert identified by EAD. The Mission was directed to formulate the UNDP Project Document through a consensus of the Government, UNDP, IFES, and OSCE regarding the project methodology and approach, as a precondition for cost-sharing with donors.

The Mission was assisted in its task of developing a consensus by a Working Group on Electoral Assistance comprised of technical experts from the Ministry of Local Government, UNDP, IFES and OSCE.

The Mission also consulted with the Working Group on a new Electoral Law, with the newly established CEC, with senior elections officials in the Ministry of Local Government and the Municipality of Tirana, and with private sector firms and national and international institutions involved in Civil Registry automation projects and projects to issue photo identification cards.

The working group considered various options for the timely preparation of elections in 2000 and following in-depth consultations agreed on a methodology based on the use of existing computerized Civil Registry data and door-to door enumeration of electors, to prepare the Electoral List.

Based on this methodology, this project envisages the creation a Data Center for the preparation of input lists of electors for the enumeration, for the preparation of the preliminary list of electors resulting from the enumeration, for

the printing of voter cards, and for the elaboration of unofficial results on the election night. This project envisages the use of a computerized Civil Registry for the preparation of the input lists for enumeration.

In this project, the Data Center will facilitate the computerization of the National Civil Register, using the 1997/98 civil registry records data captured by the Institute of Social Insurance (ISI) and updating this information with information to be collected from all Civil Registry offices concerning the polling division number for each person. At the same time, the Civil Registry offices will be asked to provide a list of all Albanians that have been added to their registers since the time of data capture for ISI. This exercise must be completed in less than 14 weeks. Updating the polling division numbers and providing information on new registrants and changes in registrations is not a difficult task but it takes time, especially for the Municipality of Tirana, which continues to experience large numbers of new registrants as the result of Albanians moving to the city from the impoverished countryside. The approved timeline for the Project requires it to obtain this information in less than 14 weeks. This in turn will require the Project to provide additional support to the Municipality of Tirana to enable it to complete this task on time.

In this Project, the National Civil Registry prepared by the Data Center will be used to print the input list for door-to-door enumeration and the Voter Card. An enumeration training and supervision component will assure that a quality enumeration is done and that the results are returned to the Data Center in a timely manner for creating the Elector Registration database. This database will be used to print the Preliminary List of Electors that will then be published and revised through the rules of revision to become the Final List of Electors. The Data Center will also coordinate revisions to the Preliminary Lists and possibly print the lists of additions, deletions and changes that are then affixed to the Preliminary Lists to make these then the Final Lists used on voting day.

The Project will also be required to provide substantial support to the task of revising polling division boundaries through coordination, training, and support to local election officials. After the enumeration these boundaries may have to be revised.

The enumeration is expected to generate many updates against the elector register as a result of the demographic shift to the cities. Electors of temporary residence will be expected to exercise their choice of voting locally rather than at their permanent residence defined to be at the location of their civil registration. These updates will be triggered by the elector of temporary residence completing an add/delete form at the time of the door-to-door enumeration. Duly completed forms will provide the authority to the data center to move an elector's voter registration from the location of permanent residence to the location of temporary residence for this election. This procedure will ensure that voters are on only one list. As a basic planning assumption, the Data Center

must have the capacity to process up to 800,000 additions and 800,000 deletions in the less than 12 weeks allocated to this task.

In this Project, the data center will provide unofficial election night results. It is envisaged that the data center will electronically tabulate the contents of results protocols faxed to the center as soon as they arrive at the local elections offices in the 309 communes and 65 municipalities. The data center will then provide a central electronic "feed of information" for election night results under the supervision of the election authority foreseen by Law.

This Project includes a voter education component, to inform Albanian citizens on the door-to-door enumeration process, and on the Voter Identification Card, as well as enumeration training, supervision and monitoring for an improved enumeration.

c) UNDP Resources and Additional Funding Requirements

UNDP resources were used as seed funding to initiate and complete project formulation for a Data Center, and to ascertain the feasibility of the selected methodology and approach for updating the Electors' List in time for the forthcoming local elections, under a Preparatory Assistance.

The full project proposal that has emerged as a result of the PA phase and the consultations that took place in that context, calls for mobilizing financial resources from the donor community, as a sine qua non condition for its implementation.

Given these circumstances, and the urgency of starting-up project activities in order to ensure that the preparatory work is completed in time for the forthcoming elections, the Mission proposed to break the project down into six discrete components to be considered and funded individually by concerned donor organizations. It is understood that the scope and nature of individual donors' contributions, including UNDP contributions, to the project will depend on the outcome of resource mobilization efforts and firm commitments by other donors to the project.

The six project components are listed below:

#	Component Name
1	Planning, Coordination and Project Management
2	Data Center and Project Office: Construction & Fit-Up, and Operations
3	National Civil Registry Database
4	Voter Identification Card
5	National Elector Register Database
6	Election Support for Enumeration & Revision

Section C - IMMEDIATE OBJECTIVES, OUTPUTS, INDICATORS AND ACTIVITIES

The immediate objective, outputs and activities (tasks) of the project are presented in the tables that follow in accordance with the six main components of the project listed below:

1. Develop national management capacity to implement internationally accepted and transparent electoral methodologies to improve the quality of Lists of Electors starting from the YR2000 Local Elections (Component #1) and;
2. Establish the Data Center and develop a central data processing capacity for the production of the Lists of Electors, for coordinating and monitoring the enumeration and revision activities across the republic, and for tabulating and presenting unofficial election nights results (Component #2);
3. Develop and maintain a centralized Civil Registry database for identifying Albanian electors and their location of permanent residence (Component #3);
4. Issue a Voter Identification Card to Albanian Citizens, 18 years of age or older (Component #4);
5. Develop a centralized elector database of Albanian electors at their location of residence for purpose of voting in the YR2000 Local Elections, and for the production of Lists of Electors for the YR2000 Local Elections (Component #5);
6. Develop documentation and forms to be used by the appropriate organs for the enumeration and revision of electors, provide training, supervision and international and independent local monitoring for the enumeration and revision processes (Component #6).

Each of the listed Project Components will require not only funding, but also technical guidance. UNDP, IFES, and OSCE have identified respective Project Components which could be further enhanced with their relevant expertise and advice, e.g. through the Technical Advisory Group.

The listing below is a preliminary indication of interest in supporting individual Components and is non-exclusive:

Component #1: UNDP

Component #2: UNDP

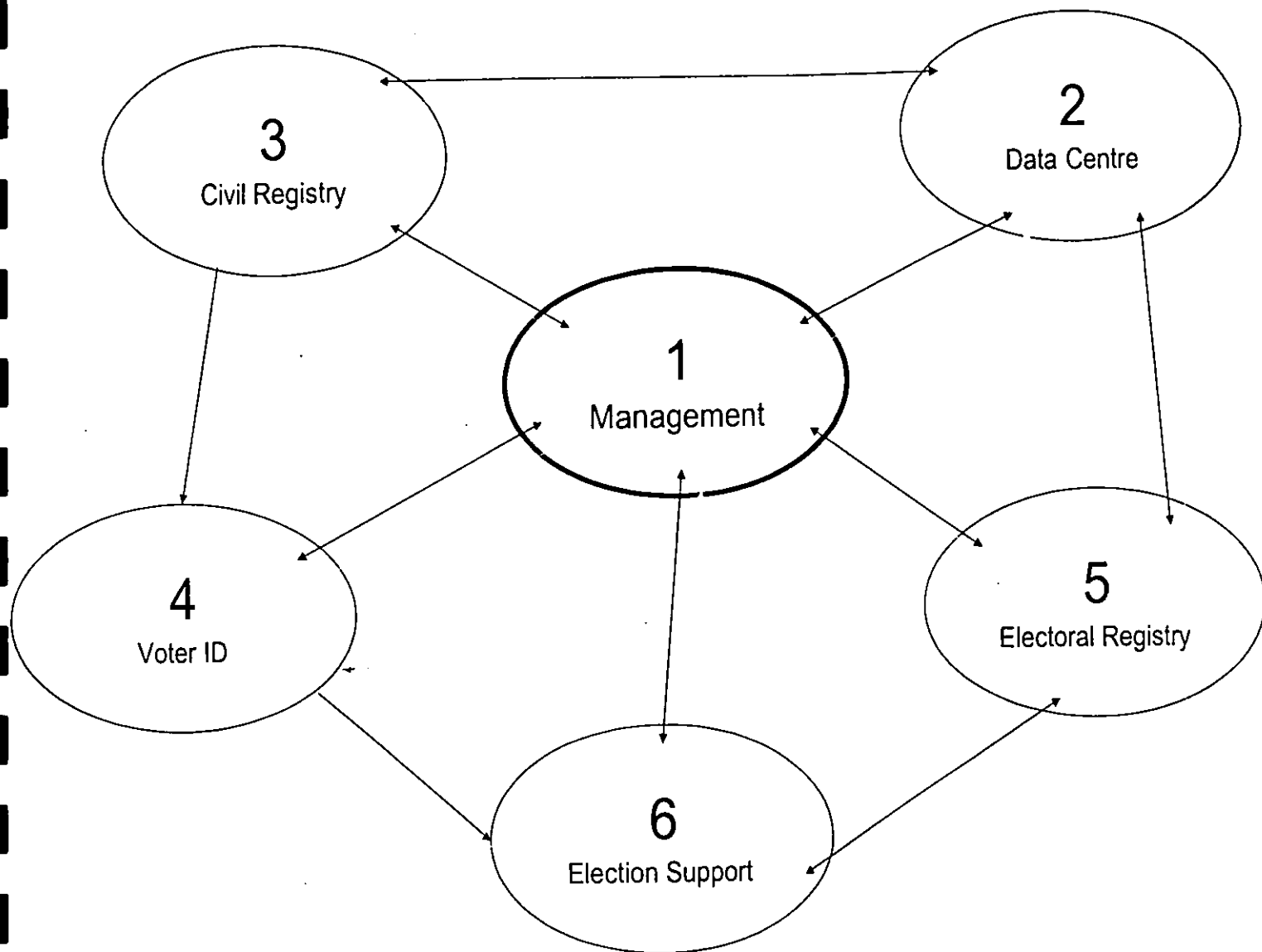
Component #3: OSCE

Component #4: OSCE/IFES

Component #5: OSCE/IFES

Component #6: OSCE/IFES

UNDP - Albania Electoral Assistance Project



Component #1: Planning, Coordination and Project Management

<p><u>Immediate Objective</u></p> <p>To enhance the management capacity of national authorities to undertake this large development project (including the development and maintenance of detailed component and integrated project plans, coordination and monitoring of the project components and liaison with the UNDP Country Office Support Services, the provision of secretariat support to the Project's Managing Board of Directors and its technical committees, and including the provision of administrative and logistical support to the Project).</p> <p>To facilitate obtaining Decision from Council of Minister that provides authority for Project</p>	<p><u>Success Criteria</u></p> <p>By the end of this project:</p> <p>The authorities will be able to execute other large projects, specifically the Phase II Civil Registry Projects that envisages the rationalization and automation of civil registry offices and that electronically links these offices through a telecommunications network and a distributed database that is replicated centrally.</p> <p>Council of Ministers Decision Obtained</p>
<p><u>Output 1:</u></p> <p>Recruit Project Management, Project Office and Component Staff</p>	<p><u>Success Criteria</u></p> <p>Competent and trained staff that meet the needs of the Project</p>
<p>Task 1:</p> <p>Recruit National Project Manager (NPM), Chief Technical Advisor (CTA) and Project Secretary</p>	<p><u>Responsibility</u></p> <p>National Project Director and UNDP, and approved by Management Board.</p>
<p>Task2:</p> <p>Establish and Provide Project Support Services (administrative and secretarial, transportation, facilities maintenance, and security).</p> <p>1) Establish Implementation Letter of Agreement for Project Support Services from UNDP Albania.</p> <p>2) Recruit Project Management Office Staff:</p> <ul style="list-style-type: none"> a) National Planning Officer (NPO), b) LAN manager c) 6 secretarial/admin support staff d) 3 vehicles and drivers e) 6 facilities maintenance staff f) 6 security officers 	<p><u>Responsibility</u></p> <p>NPM, Project Secretary</p>
<p>Task 3:</p> <p>Recruit and train National Assistant Project Managers</p> <ul style="list-style-type: none"> a) National Civil Registry Component b) Data Center Component <ul style="list-style-type: none"> (i) Construction and Fit-Up, (ii) Operations c) Voter Identification Card Component d) National Elector Register Component Election Support Component 	<p><u>Responsibility</u></p> <p>NPM, CTA and Project Secretary in consultation with Management Board.</p>

Task 4: Recruit International Experts (Technical Assistance)	<u>Responsibility</u> NPM, CTA and Project Secretary in consultation with Management Board.
Task 5: Recruit Component 2: Data Center Staff	<u>Responsibility</u> <i>NPM, CTA and Project Secretary</i> National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)
Task 6: Recruit Component 3: National Civil Registry Staff 9 operations staff and two supervisors	<u>Responsibility</u> <i>NPM, CTA and Project Secretary</i> National Assistant Project Manager, National Civil Registry (NAPM/NCR)
Task 7: Recruit Component 4: Voter Identification Staff	<u>Responsibility</u> <i>NPM, CTA and Project Secretary</i> National Assistant Project Manager, Voter Identification Card (NAPM/VID)
Task 8: Recruit Component 5: Elector Register Staff	<u>Responsibility</u> <i>NPM, CTA and Project Secretary</i> National Assistant Project Manager, Elector Register (NAPM/ER)
Task 9: Recruit Component 6: Elections Support Staff	<u>Responsibility</u> <i>NPM, CTA and Project Secretary</i> National Assistant Project Managers
<u>Output 2:</u> Maintained Integrated Project and Detailed Component Plans	<u>Success Criteria</u> Project and Component Plans developed, maintained and followed as evidenced by documented minutes of meetings and recording of decisions
Task 1: Develop detailed component plans and integrated project plan	<u>Responsibility</u> NPM, CTA in consultation with Management Board
Task 2: Maintain component plans and integrated plan using Microsoft Project Planning Software, and provide regular reports to management	<u>Responsibility</u> Planning Officer (Planning and Coordination Office), in collaboration with National Project Manager (NPM), National Component Project Managers (NCPM) and Chief Technical Advisor (CTA)
<u>Output 3:</u> Establish Management Structure and Manage Project	<u>Success Criteria</u> Monthly Meetings of the Project's Managing Board of Directors and weekly with Technical Advisory

	<p>Committees monthly meetings as required.</p> <p>Weekly Meetings of the Project's Management Team</p> <p>Complete and well-maintained project files</p> <p>Mid-Term and Final Project Evaluations</p>
<p>Task 1: Establish Project's Managing Board of Directors</p> <p>Request appointments from Managing Board and Technical Advisory Committee from Ministry for Local Government, CEC, UNDP, IFES, OSCE</p>	
<p>Task 2: Approve Integrated and Component Plans, Staffing Tables, Budgets, Reporting Structure at first Board Meeting, with the advice of the Technical Advisory Committee</p>	<p><u>Responsibility</u></p> <p>Managing Board of Directors</p>
<p>Task 3: Organize monthly Managing Board of Directors Meetings</p>	<p><u>Responsibility</u></p> <p>Project Secretary</p>
<p>Task 4: Organize weekly or fortnightly meetings of the Technical Advisory Committee</p>	<p><u>Responsibility</u></p> <p><u>Project Secretary</u></p>
<p>Task 5: Organize Weekly Project Meetings</p>	<p><u>Responsibility</u></p> <p>Project Secretary</p>
<p>Task 6: Set-Up and Maintain Project Documentation and Files</p>	<p><u>Responsibility</u></p> <p>Project Secretary assisted by admin staff</p>
<p>Task 7: Organize and Support Project Evaluations</p> <p>a) Mid-term</p> <p>b) Final</p>	<p><u>Responsibility</u></p> <p><u>Project Director, Project Secretary, UNDP</u></p>
<p><u>Output 4:</u></p> <p>Inputs to Council of Minister's Decision</p>	<p><u>Success Criteria</u></p> <p>Decision to Proceed</p>

<p>Task 1: Draft Decision Document</p> <ul style="list-style-type: none"> a) Civil Registry Data and SIN from Social Insurance Institute b) Direction to Civil Status Offices c) Direction to Local Government Organs d) Role and Administrative responsibilities of CEC , Ministry for Local Government e) Enumeration & Revision Forms and Procedures f) Role and Responsibility of Data Center g) Project Management Structure h) Sub-Contracting with ISI and other institutes. i) Definition of Permanent Residence and Temporary Residence for purpose of Elections <p>Budget, Staffing and Accommodation for Data Center</p>	<p><u>Responsibility</u></p> <p>Project Director, Project Manager, CTA, Project Secretary, Technical Advisory Committee, OSCE, IFES.</p>
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Component #2: Data Center and Project Office: Construction & Fit-Up, and Operations

One major aim of the Electoral Assistance Project is to establish a computing facility which will help prepare the forthcoming and future electoral processes. At the time of the finalisation of this project proposal, discrepancies between the new Constitution and existing subordinate legislation concerning institutional authority over electoral processes remains unresolved. The Ministry of Local Government has meanwhile initiated preparations for the Local Elections 2000 and has also offered space to host the Data Center for this purpose.

The Ministry for Local Government is scheduled to move into newly constructed premises sometime late 1999 or early 2000. A space on the ground floor of the Ministry's new premises of approximately 1,000 square meters has been earmarked for the Data Center and this space will be made available by the Ministry for this purpose.

However, the date by which these premises would be available, completely fit-up to properly house the offices and data center has not been finalized and the completion date is dependent on many factors outside the control of the Project.

As it is imperative that the Project meets the mid-August 2000 completion date to ensure election readiness, the Project requires the immediate availability of suitable accommodation as well as data entry and data processing facilities.

Therefore, the plan is to take the construction and fit-up of the Offices and Data Center off the critical path.

The Data Center will have the capacity for all data processing operations and for regular data entry operations. It will not have the capacity to handle the once-a-year very large data entry requirement of entering Enumeration data. This requirement should continue to be contracted out to a shared facility that has the capacity to provide this service to many clients and that is in the business of handling large requirements of this nature on an ongoing basis. .

<u>Immediate Objective</u>	<u>Success Criteria</u>
Establish the Data Center and develop and provide capacity for the production of the Lists of Electors and for tabulating and presenting unofficial election night results.	By the end of this project: To have a fully functioning and sustaining Data Center and a data center capacity for the maintenance of the National Civil Registry Database and the Elector Register Database, for the production of the Lists of Electors.
<u>Output 1:</u> Interim data center capacity	<u>Success Criteria</u> • Interim Project Office operational within 3 weeks. Project Office moved to permanent location before space needed for the Data Processing Coordination office to control and supervise mass data entry operations, prepare data for data entry and provide on-site direction and supervision for the preparation of initial lists to be used for Enumeration, and for the production of the Preliminary Lists of Electors.

Task 1: Develop General Specifications for Data Center and Project Office.	<u>Responsibility</u> NPM, CTA and National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)
Task2: Develop and conclude contract with local institute for interim Project Office facilities and equipment set-up and support, for the set-up and support of the Project's interim data processing center, and for the Project's mass data entry facility. The mass data entry facility is needed to process the Enumeration updates, and to print up to 10 copies of the Preliminary Lists of Electors	<u>Responsibility</u> <u>NPM, CTA and National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u>
Task 3: Procure office furniture and equipment for delivery to temporary leased premises	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF) and UNDP Project Support Services</u>
Task 4: Office Fit-up and Installation a) Infrastructure Fit-up: Office fit-up (Electrical and Cabling as needed) b) Facilities Fit-Up: Office furniture and equipment installation, systems integration c) Telecommunications Fit-up: Telephone lines, telephones, fax machines, telecommunications server to Internet d) Server installation: Installation of Database and Communications Servers in Server Farm	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u>
Task 5: Establish Data Processing Coordination Office in the vacated Interim Project Office premises, and Reconfigure and fit-up Office to: a) control and supervise receipt of enumeration forms and materiel, b) prepare data for data entry, c) supervise mass data entry operations, and d) provide on-site direction and supervision for the preparation of initial lists to be used for Enumeration and for the production of the Preliminary Lists of Electors.	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u> National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)
Task 6: <i>Manage Data Center Operations – Voter Registration:</i>	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)</u>

<p>a) control and supervise receipt of enumeration forms and materiel, b) prepare data for data entry, c) supervise mass data entry operations, and provide on-site direction and supervision for the preparation of initial lists to be used for Enumeration and for the production of the Preliminary Lists of Electors.</p>	
<p>Task 7: Vacate temporary accommodations and move remaining operations to Data Center</p>	<p><u>Responsibility</u></p> <p><u>NPM, CTA and National Assistant Project Manager, Data Center Component Operations (NAPM-DC/OPS)</u></p>
<p><u>Output 2:</u></p> <p>Data Center</p>	<p><u>Success Criteria</u></p> <p>Project Office established within the Data Center</p> <p>Office and associated data center established and sustaining government budget established</p>
<p>Task 1: Identify and Lease Permanent Facilities, and establish Government Budget Line</p>	<p><u>Responsibility</u></p> <p><u>NPM, CTA and National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u></p>
<p>Task 2: Develop detailed Design for Data Center and Project Office</p>	<p><u>Responsibility</u></p> <p><u>NPM, CTA and National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u></p>
<p>Task 3: Procure balance of Data Processing and Office Equipment and Furniture</p>	<p><u>Responsibility</u></p> <p><u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF) and UNDP Project Support Services</u></p>
<p>Task 4: Configure and fit-up Data Center for use by project</p> <p>a) Infrastructure Fit-up: Office Construction, Electrical and Cabling</p> <p>b) Telecommunications Fit-up: Telephone switchboard, telephones, fax machines, telecommunications server and digital leased lines to i) local facility and ii) Internet</p>	<p><u>Responsibility</u></p> <p><u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF) and UNDP Project Support Services</u></p>
<p>Task 5: Set-Up Project Office:</p> <p>a) Move of Project Office from temporary</p>	<p><u>Responsibility</u></p> <p><u>National Assistant Project Manager, Data Center</u></p>

location to the Data Center Office furniture and equipment installation, systems integration	<u>Component - Construction and Fit-Up (NAPM-DC/CF) and UNDP Project Support Services</u>
Task 6: Consolidate Data Center Operations a) Move of Balance of Data Center Operations from temporary location b) Office furniture and equipment installation, systems integration	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u> <u>National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)</u>
<u>Output 3:</u> Election Night Results	<u>Success Criteria</u> Provide timely and correct unofficial election night results
Task 1: Develop specifications for Election Night System and Media Facility	<u>Responsibility</u> <u>NPM, CTA, National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS), National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF)</u>
Task 2: Develop Election Night System a) Develop and issue RFP b) Award development contract c) Supervise development activities d) Acceptance testing and user acceptance	<u>Responsibility</u> <u>NPM, CTA, National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS), and UNDP Project Support Services</u>
Task 3: Trial-Run Election Night System a) Configure and set-up data center and Media Facility for election night system b) Hire and train staff c) Prepare dummy election results input sheets d) Conduct full-scale trials e) Fine-tune procedures and systems f) Re-do trials until satisfied g) Declare Election Night Ready	<u>Responsibility</u> <u>National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS), National Assistant Project Manager, Data Center Component - Construction and Fit-Up (NAPM-DC/CF), and UNDP Project Support Services</u>
Task 4: Manage Election Night Operations a) Issue Media and VIP Invitations b) Host Media and VIPs c) Manage election night operations	<u>Responsibility</u> <u>NPD, NPM, Project Secretary, CTA, National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS), and UNDP Project Support Services</u>

Component #3: National Civil Registry Database

<u>Immediate Objectives</u> 1. Develop and maintain a national civil registry database system 2. Build Capacity in the areas of Database Management, Data Analysis, Data Transformation and Reports Development. Build institutional capacity to maintain and enhance the National Civil Registry Database as a valued information Source for Albania, for Government and Developmental Projects.	<u>Success Criteria</u> By the end of this project: To have a sustained and maintained national civil registry database system
<u>Output 1:</u> Contract with Social Insurance Institute (ISI) for Civil Registry data and SIN	<u>Success Criteria</u> Service Contract with Social Insurance Institute for initial data-file and monthly civil register updates. Quality civil registry data
Task 1: Develop and Negotiate ISI Contract a) Statement of Work b) Schedule of Deliverables c) Responsibilities of ISI and of Project d) Management Reporting e) Service Levels f) Staffing g) Sub-Contracting – OCR Forms h) Sub-Contracting – Software Development and Maintenance i) Sub-Contracting – hw/sw maintenance j) Detailed cost estimates k) Schedule of payment l) General Terms and Conditions m) Data Ownership and Access	<u>Responsibility</u> <u>NPM, CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), and UNDP Support Services, OSCE.</u>
Task 2: Approve and Sign Contract	<u>Responsibility</u> <u>Management Board, Minister for Local Government, and UNDP Support Services, OSCE.</u>
Task 3: Manage Contract	<u>Responsibility</u> National Assistant Project Manager, National Civil Registry (NAPM/NCR), and UNDP Support Services, OSCE.
<u>Output 2:</u> Contract local firm for IT Support Services	<u>Success Criteria</u> IT Services and Support Contract with local firm

	Quality IT Services and Support
Task 1: Develop and Negotiate Contract n) Statement of Work o) Schedule of Deliverables p) Service Levels q) Responsibilities of Contractor and of Project r) Management Reporting s) Staffing t) Hours of Support u) Detailed cost estimates v) Basis and Schedule of payment w) General Terms and Conditions x) Intellectual Property Rights	<u>Responsibility</u> <u>NPM, CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), and UNDP Support Services, OSCE.</u>
Task 2: Approve and Sign Contract	<u>Responsibility</u> Management Board, Minister for Local Government, and UNDP Support Services, OSCE.
Task 3: Manage Contract	<u>Responsibility</u> National Assistant Project Manager, National Civil Registry (NAPM/NCR), and UNDP Support Services, OSCE.
Output 3: National Civil Registry Database Application	<u>Success Criteria</u> Robust database application
Task 1: Prepare Specs for CR Lists for CROs	<u>Responsibility</u> <u>CTA, ISS, DBA</u>
Task 2: Develop and Test NCR database application	<u>Responsibility</u> <u>CTA, DBA</u>
Task 3: Commission Database System (HW/SW)	<u>Responsibility</u> <u>DBA</u>
Task 4: Print CR Lists for CROs	<u>Responsibility</u> <u>DBA</u>
Task 5 Operate, Support and Maintain Database System	<u>Responsibility</u> <u>DBA</u>
<u>Output 4:</u> Process (workflow) controls, procedures"	<u>Success Criteria</u> Efficient Data Processing Operations

Task 1: Develop Process Controls & Procedures	<u>Responsibility</u> <u>CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR).</u>
Task 2: Print Operations Manuals	<u>Responsibility</u> <u>CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR).</u>
<u>Output 5:</u> Trained NCR Staff	<u>Success Criteria</u> Staff knowledgeable in workflows and procedures for operating and maintaining Civil Registry data base system Quality work
Task 1: Train 9 operations staff and two supervisors a) in workflow and operational procedures, b) in data analysis and reports	
<u>Output 6:</u> Civil Registry Update Methodolgy	<u>Success Criteria</u> Efficient Methodologies for updating CR with Polling Division information and monthly CR additions and deletions
Task 1: Design, develop and test computer programs, OCR forms and procedures to obtain and update CR database with Polling Division Information	<u>Responsibility</u> <u>CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 2 Design, develop and test computer programs, OCR forms and procedures to obtain and update CR database with additions and deletions	<u>Responsibility</u> <u>CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 3 Announce Update Project to Civil Registry Offices	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 4 Print OCR Forms	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI, Printer</u>
Task 5 Obtain PD Updates from Civil Registry Offices	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
	<u>Responsibility</u>

Task 6 Obtain CR Updates from Civil Registry Offices	<u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 7 Data Capture PD Updates	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 8 Data Capture CR Updates	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Output 7: National Civil Registry Database	<u>Success Criteria</u> Current Civil Registry database Easy to use system
Task 1: Update CR with Polling Division Data	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 2 Update CR with monthly CR updates	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR), ISI</u>
Task 3 Prepare CR reports and conduct CR Queries	<u>Responsibility</u> <u>National Assistant Project Manager, National Civil Registry (NAPM/NCR)</u>
Task 4 Maintain CR database system	<u>Responsibility</u> National Assistant Project Manager, National Civil Registry (NAPM/NCR)

Component #4: Voter Identification Card

Description:

The Voter Identification Card Program envisaged would produce and distribute unique Voter ID Cards to all Albanian Voters in time for the Local Elections. The cards could be produced either using special photo-ID kits from Microsoft, or they could be produced in a two-step process that includes the preparation of cards at the data center and their distribution through the civil registry offices. The work-plan outlined below is for the issuance of Voter ID Cards through Civil Registry Offices.

<u>Immediate Objective</u>	<u>Success Criteria</u>
Develop and maintain a national Voter Identification Card Program	By the end of this project: To have a sustained and maintained Voter Identification Program
<u>Output 1:</u> Voter ID Program Methodology	<u>Success Criteria</u> Approved methodology.
Task 1: Develop Voter ID Methodology Options and Criteria	<u>Responsibility</u> <i>National Assistant Project Manager, Voter ID Card, and Technical Advisory Committee</i>
Task 2: Recommend and Approve Option	<u>Responsibility</u> <i>Technical Advisory Committee, NPM, Management Board</i>
<u>Output 2:</u> Voter ID Procedures and Forms	<u>Success Criteria</u> Efficient administrative procedures and controls
Task 1: Develop and test Voter ID Procedures and controls, and forms	<u>Responsibility</u> <i>National Assistant Project Manager, Voter ID Card, ISI</i>
Task 2 Print procedures and forms for use by Civil Registry Offices	<u>Responsibility</u> <i>National Assistant Project Manager, Voter ID Card</i>
<u>Output 3:</u> Voter Identification cards and CD ROMS	<u>Success Criteria</u> 2 million cards printed, CD-ROMS cut
Task 1: Develop and Test Voter ID Application	<u>Responsibility</u> <i>National Assistant Project Manager, Voter ID Card,</i>

Task 2: Procure Card Stock:	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card, and UNDP Support Services</u>
Task 3: Print Voter ID Cards and Produce CD-ROMS of Voter ID database	<u>Responsibility</u> National Assistant Project Manager, Voter ID Card
<u>Output 3:</u> Voter ID Card Program	<u>Success Criteria</u> 2 million cards distributed to Civil Registry Offices.
Task 1: Announce Program to Civil Registry Offices	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card, ISI</u>
Task 2: Develop Training Program/Materials for use by Civil Registry Offices	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card, ISI</u>
Task 3: Train 40 trainers/support personnel	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card</u>
Task 4: Distribute Cards to 400 Civil Registry Offices and train local staff	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card</u>
Task 5: Set-up Support Desk and Dispatch for CR Offices	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card</u>
Task 6 Support and Monitor 400 CR Offices Task 6CRO: Civic Registry Offices distribute Voter ID Cards to Voters	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card</u>
Task 7: Prepare Management Reports on progress of Voter Card Distribution	<u>Responsibility</u> National Assistant Project Manager, Voter ID Card
Task 8: Update Civil Registry and Elector Register Databases with information on Voter Cards issued	<u>Responsibility</u> <u>National Assistant Project Manager, Voter ID Card, Data Center Manager – Operations</u>

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Component #5: National Elector Register Database

<u>Immediate Objective</u>	<u>Success Criteria</u>
Develop and maintain an Elector Register database system	By the end of this project: To have an Elector Register database for the YR2000 Local Elections
<u>Output 1:</u>	<u>Success Criteria</u>
Elector Register System	System operational 2 months before use
Task 1 Prepare System Design and Specifications for: a) Elector database b) Data entry and verification module – Enumeration adds, deletes, changes c) Data entry and verification module – Polling Division updates d) Elector Register create and CR update module e) Enumeration update module f) Polling Division update module g) Base List Module h) Preliminary List of Electors Module i) Elector and PD query module j) PD query	<u>Responsibility</u> <u>CTA, National Assistant Project Manager, Elector Register (NAPM/ER), Technical Advisory Committee, DBA</u>
Task 2 Commission System HW/SW	<u>Responsibility</u> DBA
Task 3 Develop and Test System Modules	<u>Responsibility</u> DBA
Task 4 Develop user and systems documentation	<u>Responsibility</u> DBA
Task 5	<u>Responsibility</u>

Populate database	DBA
Task 6 User Acceptance	<u>Responsibility</u> NPM, CTA, National Assistant Project Manager, Elector Register (NAPM/ER)
<u>Output 2:</u> Elector Register Work-flow, Processes and Procedures	<u>Success Criteria</u> Documented Processes and Procedures for updating ER with Enumeration and Polling Division information
Task 1: Develop and test ER processes, procedures and forms for: a) Reception of Forms b) Filing c) Data entry preparation d) Data entry and verification e) QA and reporting	<u>Responsibility</u> <i>CTA, and National Assistant Project Manager, Elector Register (NAPM/ER), National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)</i>
Task 2 Develop and test ER training materials	<u>Responsibility</u> <i>CTA and National Assistant Project Manager, Elector Register (NAPM/ER), National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)</i>
Task 3 Print Process and Procedures Manuals and Forms and training materials	<u>Responsibility</u> <i>CTA and National Assistant Project Manager, Elector Register (NAPM/ER)</i>
<u>Output 3:</u> Process (paperflow) Control System	<u>Success Criteria</u> Smooth running operations
Task 1: Develop and document process control system for maintaining and controlling the flow of paper through the data entry and data processing activities.	<u>Responsibility</u> NPM, CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS)
Task 2: Develop and document management reporting system for controlling completion of data entry and data processing work	<u>Responsibility</u> NPM, CTA and National Assistant Project Manager, National Civil Registry (NAPM/NCR), National Assistant Project Manager, Data Center Component - Operations (NAPM-DC/OPS) DBA

<u>Output 4:</u> Trained Operations Staff	<u>Success Criteria</u> Staff knowledgeable in workflows and procedures for operating and maintaining Elector Register data base system Quality work
Task 1: Train operations staff, supervisors and managers <ul style="list-style-type: none"> a) in workflow and operational procedures for Reception of Forms, Filing, Data entry preparation, Data entry and verification, QA and reporting b) in data queries, analysis and reports c) in managing paper-flows d) in managing work completion 	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER)</u>
Task 2: Train DBA and ADDBA	<u>Responsibility</u> <u>Local firm</u>
<u>Output 5:</u> Base (Input) Lists for Enumeration	<u>Success Criteria</u> Timely and Correct (Input) Lists for Enumeration
Task 1: Manage Paper & Toner Supplies	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), UNDP Support Services</u>
Task 2: Print Base (input) Lists by PD	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADDBA</u>
Task 3: Package Base (input) Lists for Distribution to Local Election Offices	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADDBA</u>
<u>Output 6:</u> Preliminary Lists of Electors	<u>Success Criteria</u> Timely and Correct Lists of Electors Easy to use system
Task 1: Receive Enumeration and PD Data	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADDBA</u>
Task 2: Prepare Enumeration Data	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADDBA</u>
	<u>Responsibility</u>

Task 3: Data Capture & Verify Enumeration Data	<u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 4: Update CR with Enumeration Data	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 5: Prepare PD Updates	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 6 Data Capture & Verify Polling Division updates	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 7: Update CR with Polling Division Data	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 8 Print Preliminary Lists of Electors by Polling Division	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 9 Package Print Preliminary Lists of Electors for distribution to local elections officials	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
<u>Output 7:</u> Final Lists of Electors	<u>Success Criteria</u> Timely and Correct Lists of Electors
Task 1 Support Revision Activities by Conducting Ad-Hoc Queries and Update with Revision Data	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 2 Print Lists of Additions, Deletions and Changes during Revision for each Polling Division	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), DBA/ADBA</u>
Task 3 Prepare packages of Revision Lists for distribution to local elections officials	<u>Responsibility</u> <u>National Assistant Project Manager, Elector Register (NAPM/ER), Supervisors</u>
Task 4 Print integrated Final Lists of Electors for Reference	<u>Responsibility</u> National Assistant Project Manager, Elector Register (NAPM/ER) , DBA/ADBA

Component #6: Election Support for Enumeration & Revision

<p><u>Immediate Objectives</u></p> <ol style="list-style-type: none"> 1. Develop and implement improved Election Processes and Procedures for the Preparation of Lists of Electors 2. Build Capacity in Election Management, Monitoring and Implementation for Enumeration and Revision of Electors 	<p><u>Success Criteria</u></p> <p>By the end of this project:</p> <p>Quality Lists of Electors for the YR2000 Local Elections</p>
<p><u>Output 1:</u></p> <p>Improved Enumeration and Revision Processes and Procedures</p>	<p><u>Success Criteria</u></p> <p>90% Accurate Preliminary Lists of Electors</p>
<p>Task 1</p> <p>Develop total Election Kit for Enumeration and Revision, including:</p> <ol style="list-style-type: none"> a) Election management and worker job descriptions and skills requirement b) Election processes and procedures manuals for enumeration and revision c) Election tools such as manuals for developing and maintaining polling division maps and descriptions. d) Quality control processes and procedures manuals e) Election forms and instructions for enumeration and revision f) Management control systems for enumeration and revision g) Training materials for election management and workers h) Training program and train the trainers (e.g. enumeration supervisors) 	<p><u>Responsibility</u></p> <p><u>National Assistant Project Manager, Election Support, Technical Advisory Committee, CEC, IFES, OSCE Consultant</u></p>
<p>Task 2</p> <p>Print Election Kits for Enumeration and Revision</p>	<p><u>Responsibility</u></p> <p>National Assistant Project Manager, Elector Register (NAPM/ER), PS</p>
<p>Task 3</p> <p>Warehouse and Distribute Election Kits</p>	<p><u>Responsibility</u></p> <p>National Assistant Project Manager, Elector Register (NAPM/ER)</p>
<p><u>Output 2:</u></p> <p>Trained Elections Officials</p>	<p><u>Success Criteria</u></p> <p>90% Accurate Preliminary Lists of Electors</p>
<p>Task 1:</p> <p>Design and Field Test Training Program</p>	<p><u>Responsibility</u></p> <p>CTA, National Assistant Project Manager,</p>

	<u>Election Support, IFES, OSCE, Consultant</u>
Task 2: Recruit Locals for Position of Enumeration Supervisors and Schedule Regional Training	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support, PS</u>
Task 3: Train the Enumeration Supervisors to Train Local Elections officials and enumerators	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support, IFES, OSCE, Consultant</u>
Task 4: Schedule training of local elections officials	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support, PS</u>
Task 5: Trainers train local elections officials and enumerators	<u>Responsibility</u> <u>National Assistant Project Manager</u>
Task 6: Implement QA and Reporting on Training Program	<u>Responsibility</u> CTA, National Assistant Project Manager, Election Support
<u>Output 3:</u> Mobilized Local Independent and International Enumeration/Revision Monitors	<u>Success Criteria</u> No-problem enumeration and revision
Task 1: Identify requirements for monitors	<u>Responsibility</u> <u>CTA, National Assistant Project Manager, Election Support, Technical Advisory Committee, IFES, OSCE, Consultant</u>
Task2: Recruit and place monitors	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support, IFES, OSCE, Consultant</u>
Task 3: Coordinate and Support Monitors through National Support Desk	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support, IFES, OSCE, Consultant</u>
<u>Output 4:</u> Enumeration/Revision Coordination	<u>Success Criteria</u> Smooth running Enumeration/Revision Quality work
Task 1 Establish Central Enumeration/Revision Support Desk	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support</u>
Task 2 Provide Enumeration Support	<u>Responsibility</u> <u>National Assistant Project Manager, Election Support</u>
Task 3: Provide Revision Support	<u>Responsibility</u> National Assistant Project Manager, Election Support

Task 4: Track Enumeration/Revision Progress	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support</i>
<u>Output 5:</u> Enumeration/Revision Report	<u>Success Criteria</u> Access to monitors and elections officials for de-briefing
Task 1: De-brief Enumeration/Revision Monitors	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support, Consultant</i>
Task 2: Debrief Trainers (Enumeration Supervisors)	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support, Consultant</i>
Task 3: Compile Statistical Reports	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support Consultant</i>
Task 4: Hold post-mortem Conference	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support, Consultant</i>
Task 5: Write and Present Report & Recommendations	<u>Responsibility</u> <i>National Assistant Project Manager, Election Support, Consultant</i>

<u>Output 6:</u> Voter Education Program	<u>Success Criteria</u> Voter ID cards distributed to >80% of Electors.
Task 1: Develop and Recommend Voter Education Program Strategy	<u>Responsibility</u> Technical Advisory Committee, NPM, CTA, National Assistant Project Manager, Voter ID Card OSCE, IFES.
Task 2: Approve Strategy	<u>Responsibility</u> Management Board, Project Secretary
Task 3: Develop and Print Voter Education Materials/Kits	<u>Responsibility</u> National Assistant Project Manager, Voter ID Card, and UNDP Support Services, OSCE, IFES.
Task 4: Contract with media (TV, radio, newspapers and posters)	<u>Responsibility</u> National Assistant Project Manager, Voter ID Card, and UNDP Support Services, OSCE, IFES.
Task 5: Monitor and Report Voter Education Program	<u>Responsibility</u> National Assistant Project Manager, Voter ID Card OSCE, IFES.
Task 6:	<u>Responsibility</u>

Media educates Voters

Media

Section D - INPUTS

UNDP Inputs, Costs and Source of Funds for Project

#	Project Component	UNDP Inputs	Costs (USD)	Source of Funds
1	Planning, Coordination and Project Management	1. Intern'l Personnel 2. National Professionals 3. Admin & Others Sub-total	67,650 24,100 <u>75,600</u> 167,350	Donors Donors Donors & In Kind (NI)
2	Data Center and Project Office: Construction & Fit-up, and Operations	1. Intern'l Personnel 2. National Professionals 3. National Sub-Contracts 4. Equipment 5. Consumables Sub-total	29,700 29,568 15,920 273,750 <u>69,450</u> 418,388	Donors Donors/Govt. Donors Donors Donors/Govt.
3	1. National Civil Registry Database	1. Intern'l Personnel 2. National Professionals 3. National Sub-Contracts 4. Equipment 5. Consumables Sub-total	57,750 23,640 167,672 64,400 <u>49,950</u> 359,412	Donors Donors Donors Donors Donors
4	Voter Identification Card	1. Intern'l Personnel 2. National Professionals 3. National Sub-Contracts 4. Equipment 5. Consumables 6. Transport/Telco/Accom Sub-total	51,150 38,368 705,280 0 47,325 <u>61,080</u> 903,203	Donors Donors Donors Donors Donors
5	National Elector Register Database	1. Intern'l Personnel 2. National Professionals 3. National Sub-Contracts 4. Equipment 5. Consumables Sub-total	80,850 24,552 102,805 82,900 <u>79,950</u> 371,057	Donors Donors Donors Donors Donors
6	Election Support for Enumeration & Revision	1. Intern'l Personnel 2. National Professionals 3. National Sub-Contracts 4. Equipment 5. Consumables 6. Transport/Telco/Accom Sub-total	69,300 60,600 111,308 0 61,325 <u>33,660</u> 336,193	Donors Donors Donors Donors Donors
	Sub-Total Costs	5% UNDP Support Services	\$ 2,555,605 \$ 127,780 \$2,683,385	
	Total Costs of Project			

Section E - RISKS AND PRIOR OBLIGATIONS

There are several key risks associated with this project. The new electoral law will need to be in place, or an equivalent arrangement approved by the Council of ministers, in order for the project to proceed with the door-to-door enumeration process. Council of Ministers endorsement will be required for the project to have full access to the Civil Registry database developed by the Social Insurance Institute.

The implementation of the project may be affected by unexpected political developments, such as a change of Government or a call for early elections.

Finally, it will be impossible to implement the full project without firm commitments on the part of other donor agencies. Funding shortcomings may result in a reconsideration of the consensus methodology that served as the basis for this project, thereby once again generating differences of opinion and perspectives on the subject, leaving UNDP open and exposed to criticism for providing support to an undertaking that does not have endorsement of other international development partners.

Notwithstanding the above, Formulation Mission has undertaken specific measures to minimize the Project implementation risks identified early in the work of the Mission. Specifically, the very ambitious nature of the Government's proposed Project and the magnitude of effort, resources and time required to accomplish the desired Project outputs had been greatly underestimated. As time to completion is a key factor that drives Project Risk, the Mission immediately undertook and found alternate inputs that require less time to mobilize, require fewer resources, are more readily available, and that improve likelihood for success, thereby greatly lowering Project implementation risk. The specific measures undertaken to significantly lower Project risk included the following:

Risk Identified	Action Taken
<p>1. Time dependency on constructing and fitting-up a new-capacity data center to meet Project requirements.</p>	<p>1. Required data center capacity found and procured through a letter of intent, thereby reducing Project time by 2 -3 months. Significant savings in facility and equipment costs are also realized as the size of the data center initially envisaged by the Ministry of Local Government is much reduced. A smaller data center configured for the on-going data processing and analysis needs of the Ministry would ultimately be less expensive to maintain and is more sustainable than the large data center emphasizing occasional data entry operations as first envisaged.</p>
<p>2. Time dependency on hiring and training over 150 data entry operators and supervisors for one-time use at new center</p>	<p>2. Existing capacity identified and procured for use in project, thereby reducing Project time by 4-6 weeks, and saving the costs of setting up a</p>

	fully-equipped computer-training facility, and the costs of recruitment
3. Time dependency on collecting civil registry information from civil registry offices	3. Mission found that the Social Insurance Institute has most of the needed Civil Registry data already in electronic form and would make this data available to the Project with a Council of Ministers Decision. This has saved very considerable effort and time as the ISI has taken over two years to collect and data enter all the needed civil registry data. The Project only needs to update this data and will contract this task to ISI. ISI has the equipment, trained staff and know-how to do this and was looking for work for its staff as the Institutes initial Project was winding down.
4. Time dependency on data-capturing last year's Referendum List.	4. The Mission found a robust alternative to using the Referendum List, thereby saving 25 weeks of time for data capture of 2 million names, and realizing a significant cost saving.

5. Large dependency on experienced computer skills.	5. The Mission identified local facilities having the exact technical skills needed in the right quantities for the Project. This prescreening for required skills ensures that the technology risk is minimized.
6. Large dependency on elections skills	6. The Mission identified and procured highly qualified elections experts and obtained commitment from IFES, OSCE/ODIHR and UN EAD/DPA as active Project participants.
7. Planning/formulation risk	The Mission undertook to solve most of the methodology issues and conduct a very detailed planning exercise to ensure that the right tasks are programmed, that they are achievable in the time scheduled and with the resources identified, and that the Project has access to the right skills in the right quantity at the right time.

Section F - MANAGEMENT

a) Roles and Responsibilities

The Project will be nationally executed and the Executing and Implementing Agency will be nominated by Government. This Institution will formally designate a National Project Director who will act as focal point and responsible party for the project in the Government. The EAD/DPA of the UN Secretariat in New York will provide technical guidance and support in a co-operating agency capacity, in close consultation with OSCE/ODIHR, IFES and other participating agencies. Under the provisions for local execution and implementation, fund management remains the responsibility of the UNDP.

Upon request by the Government executing and implementing agency, and on the basis of agreed terms of reference and specifications, the UNDP Country Office will provide support services for the recruitment of project personnel, procurement of inputs and sub-contracting of services. The core project management team will include a Chief Technical Adviser, the National Project Director, the National Project Manager, and an Assistant Project Manager for each Component.

The core project management team will be assisted by a Technical Advisory Committee for day to day guidance on technical issues related to project implementation. The TAC will consist of members of the following organizations and agencies:

- IFES
- OSCE/ODIHR
- UNDP
- UN EAD/DPA

b) Required Internal and External Co-ordination Mechanisms

According to UNDP practice governing projects involving expected majority contribution from donors, the governance of the Project will be through a Management Board, to be chaired by Government, and that includes the Ministry for Local Government, the Central Elections Commission, UNDP, OSCE, and IFES.

Section G - MONITORING AND EVALUATION

a) Monitoring and Evaluation Mechanisms

The project will be monitored on a day to day basis by the UNDP as part of its routine programming function. In addition, the project will have an informal mid-term and a final formal project evaluation.

b) Scheduling and Responsibility for Monitoring

The Project Manager will prepare monthly progress reports. Every second month, the report will reflect on bimonthly achievements and be submitted for review by a Management Board Meeting. The bimonthly report should provide more emphasis on implementation issues and recommendations for decisions and actions on the part of the Board. An Annual Project Report will be produced by the Project Manager, according to the UNDP guidelines and format, which will serve as the basis of the final review of the project in a Tripartite Review (TPR) with the participation of appropriate Government Authorities and UNDP. The TPR will require stakeholders' advance review and comments on the draft APR.

c) Resources

For substantive meetings at least one a year.

d) Updating Work Plan and Budget

*On an on-going basis, and as when required by project developments,
the Project Manager. An updated work plan and budget will be included
the bimonthly reports to be submitted to the Board for review.*

Section H - LEGAL CONTEXT

The Project Document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of the Republic of Albania and the United Nations Development Program. Revisions can be made to the Project Document with the signature of the UNDP Resident Representative (RR), provided that the RR is assured that the management and government counterparts have no objections to the proposed changes.

Section I - WORK PLAN

Please see the attached comprehensive work plan. A summary of the time required to complete the various components is provided below.

#	Project Component	Elapse Time
1	Planning, Coordination and Project Management	12.3 months
2	Data Center and Project Office: Construction & Fit-up, and Operations	9 months
3	National Civil Registry Database	4.5 (24.4)months
4	Voter Identification Card	7.3 months
5	National Elector Register Database	8.5 months
6	Election Support for Enumeration & Revision	9.1 months
	Total Elapse Time	12.3 (24.4) months
	Earliest Voting Date (assume Nov. 15/1999 start)	August 8/ 2000

* Note: weeks in brackets indicate total time for component, weeks without brackets indicate total time on critical path.

Job Description: National Project Director

Background:

The National Project Director (NPD) is the focal point for responsibility and accountability in a national executing agency for a UNDP-funded project. Given the multi-agency nature of the full project, the NPD should be a high level official of the executing agency, including possibly a Minister or Deputy Minister. While the NPD has many duties and responsibilities, his/her primary function is to supervise the Project Manager PM, request technical advice from the CTA and be an effective advocate of the project. He is also the Chairman of the Management Board. Thus the NPD is a part-time job in addition to the NPD's regular work.

Duties and Responsibilities:

1. Focal point and responsible party for the project in the Government executing agency;
2. Ensures that all Government inputs committed to the project are available to the project;
3. Selects and recruits/appoints the Project Manager (PM) and the CTA;
4. Ensures that the PM is empowered to implement the project;
5. Assists the PM, as necessary to resolve implementation issues;
6. Approves candidates proposed by the CTA for project expert and consultant positions;
7. Supervises the work of the PM, and requests technical advice from the CTA;
8. Approval of certain payments of project funds according to the UNDP procedures and guidelines;
9. Represents the project at the Management Board;
10. Provides assistance in the coordination of project activities that involve other agencies.

Job Description: Project Manager

Background:

Under the overall supervision of the National Project Director, the Project Manager (PM) has responsibility for the operational management of the project and as such, is responsible for the day to day business of the project. The PM will actually plan, initiate and manage project activities. The qualifications of the PM include an advanced university degree from an internationally recognized University and having a minimum of 5 years of project management experience. In addition, the PM of a national executing agency must be experienced in the operation of the executing agency and Government and have demonstrated capabilities required for the job.

Duties and Responsibilities:

1. In general, operational management of the production of project outputs, according to the project documents and the UNDP procedures and guidelines;
2. Selects, recruits, supervises the project management and senior administrative staff;
3. In collaboration with the UNDP Albania office, ensures that all implementing agency letters of agreement are prepared and negotiated with any participating UN agencies;
4. Initiates mobilization of all project inputs not covered by implementing agency letters of agreements in accordance with the relevant procedures; and authorizes expenditures for these inputs;
5. With collaboration of the CTA, preparation and revision of work plans, budgets and financial plans;
6. Organization and management of project activities according to the work plan in order to produce the required outputs;
7. Coordination and supervision of project management and senior administrative staff;
8. Timely preparation and submission of monthly project reports and more detailed bimonthly project reports that reflect on bimonthly achievements and that are submitted for review by a Management Board Meeting.
9. Timely preparation and submission of the Annual Project Report and any other required progress reports according to the UNDP guidelines and format, which will serve as the basis of the final review of the project in a Tripartite Review (TPR) with the participation of the Ministry of Economic Cooperation and Trade, the Ministry of Local Government and UNDP;
10. Assurance that reports prepared by project personnel or participants are prepared as required;
11. Reporting through the CTA to the Management Board and the NPD on a regular basis;
12. Identification and resolution of implementation problems, with the assistance of the CTA and NPD if necessary.

Selection Criteria:

1. Management Skills and experience
2. Problem-solving skills and results orientation
3. English language reading, writing and speaking skills
4. Communication and leadership skills

Job Description: Chief Technical Advisor

Background:

Under the overall guidance of the National Project Director and the UNDP Resident Representative, the Chief Technical Advisor (CTA) has primary responsibility for the production of the project's technical outputs in cooperation with the national counterpart personnel. In cooperation with the PM, he/she will have primary responsibility for coordinating the project's technical personnel and will assist the PM with the mobilization and administration of senior project personnel and other project inputs.

Duties and Responsibilities:

1. Senior advisor to the executing agency on technical matters related to the project;
2. Coordinator for project technical personnel
3. Coordinates project technical experts and consultants, including both national and international personnel, in collaboration with the PM and in liaison with UNDP;
4. Chairs the Technical Advisory Committee;
5. Provides technical advice to the NPD and PM and reports to the Management Board;
6. Provides technical leadership for the production of all project outputs identified in the Project Document and Project Plan under Components :
 - #2 Data Center and Project Office/Office for Coordination of Elections: Construction & Fit-up, and Operations
 - #3 National Civil Registry Database
 - #4 Voter Identification Card
 - #5 National Elector Register Database
 - #6 Election Support for Enumeration & Revision, and for Output 2: Project Plans of Component #1: Planning, Coordination and Project Management
7. Advises the PM with the preparation and revision of work plans, budgets and financial plans
8. Advises the PM in the mobilization and management of project inputs, especially, international project personnel, procurement and contracting;
9. Advises the PM in the activation of the project;
10. Advises the PM in the preparation of requests for disbursements and in reviews of financial reports.

Qualifications:

1. Technical qualifications and experience in Information Technology (Masters Degree), Elections (Experience in automating Lists of Electors, Elector Registers) and Management (MBA) appropriate to the needs of the project
2. English language skills appropriate to the project context.
3. International experience and cross-cultural communications skills.
4. Leadership and management experience in a multi-cultural setting.

APPENDIX VI

2000 IFES/CEC Memorandum of Understanding

CENTRAL ELECTION COMMISSION OF ALBANIA
AND THE
INTERNATIONAL FOUNDATION FOR ELECTION SYSTEMS

CONDITIONS OF AGREEMENT

1. This agreement outlines the areas of support and co-operation provided to the Central Election Commission (CEC) of Albania by the International Foundation for Election Systems (IFES).
2. This agreement becomes effective on the date of signing by the President of IFES and the Chairperson of the CEC and expires on November 30, 2000.
3. By mutual agreement, no later than November 15, 2000, this agreement can be amended and extended for a period not to exceed 12 additional months.
4. Both parties to this agreement may cancel the agreement, with 30 days notice, by means of a letter to the signature of this agreement of the other party.
5. IFES reserves the right, in consultation with the CEC to seek the assistance from national and international nonpartisan election organizations and service providers to assist in the fulfillment of the responsibilities of IFES under this agreement.
6. The CEC reserves the right, in consultation with IFES, to seek the assistance from national and international nonpartisan election organizations and service providers on issues covered by this agreement.

TERMS OF AGREEMENT

Under this agreement IFES agrees to:

1. Maintain an office in Albania during the life of this agreement.
2. Provide advice and support to the CEC in the following areas:
 - Organization, structure and administrative requirements of the CEC
 - Development of an election budget, identification of necessary election supplies and potential international community financial and supply donors
 - Establishment of a field communication and distribution system
 - Drafting regulations and procedures in conformity with the new electoral code
 - Preparation of manuals and training modules for Local Government Election Commission members and election day officials
 - Preparation of a candidate and political party guide to the new electoral code
 - Preparation of a civic education program to be conducted by the CEC prior to and during the local government election period
 - Management of the computerized national voter list
 - Development and function of the independent Electoral Zone Boundary Commission to be created by September 1, 2000 in accordance with the new electoral code
 - Other items as mutually agreed to.

- Development and function of the independent Electoral Zone Boundary Commission to be created by September 1, 2000 in accordance with the new electoral code
 - Other items as mutually agreed to.
3. IFES will undertake to advise on and contribute to the cost of the production of voter education materials, manuals and training modules produced in accordance with this agreement and after approval of the CEC.

Under this agreement the CEC agrees to:

1. Designate one member of the CEC to work directly with IFES in each of the following areas:
 - Administration and material distribution
 - Regulations
 - Civic education including training
 - Voter registration and operation of the computer data centre
2. Provide IFES with full access to CEC staff and other resources/material of the CEC required in the fulfillment of IFES' responsibilities under this agreement.
3. Provide written approval for the content and materials developed and produced by IFES in accordance with this agreement.
4. Actively participate in the development and delivery of voter education materials including training of election officials, public meetings, television and radio programs as developed for the voter education program during the pre election, election and post election period.



Richard Soudriette
President
IFES

14-8-00

Date



Fotaq Nano
Chairperson
Central Election Commission

Am Ait

Date 29 Aug. 2000

IFES

As one of the world's premier democracy and governance assistance organizations, IFES provides needs-based, targeted, technical assistance designed and implemented through effective partnerships with donors and beneficiaries. Founded in 1987 as a nonpartisan, nonprofit organization, IFES has provided integrated, collaborative solutions in the areas of democratic institution building and participatory governance in more than 120 countries worldwide. IFES' Washington headquarters houses eighty-five employees specializing regionally in Africa, the Americas, Asia, the Middle East, and Europe, as well as functionally in rule of law, civil society, good governance, election administration, applied research, gender issues, public information technology solutions, and more. IFES' staff offers vast country-specific experience and facility in more than 30 languages. IFES employs an additional 120 people in twenty-five field locations.



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