



Demokracia në Veprim  
Demokratija na Delu  
Democracy in Action

# ELECTION OBSERVATION REPORT

MUNICIPAL ASSEMBLY AND  
MAYORAL ELECTIONS

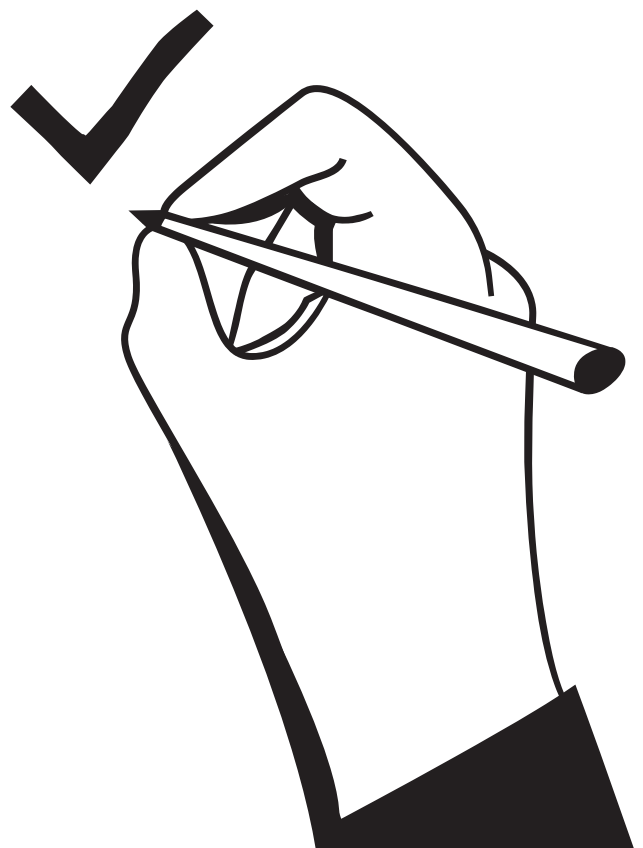
**2017**





# **ELECTION OBSERVATION REPORT**

**MUNICIPAL ASSEMBLY AND  
MAYORAL ELECTIONS**



Copyright ©2018. Democracy in Action (DiA).

Publication of this report was made possible with the support of the United States Agency for International Development (USAID), European Union Office in Kosovo, Swiss Cooperation Office in Kosovo (SCO-K), Danish International Development Agency (DANIDA), Stability Pact for South-Eastern Europe – Ministry of Foreign Affairs of Germany. Opinions, findings and recommendations expressed herein are those of Democracy in Action and do not necessarily reflect the views of donors.

**Democracy in Action**

Street “Bajram Kelmendi” No. 45

10 000 Prishtina, Kosovo

Tel: +381 38 248 038

[www.demokracianeveprim.org](http://www.demokracianeveprim.org)

# I. Contents

<b>SUMMARY .....</b>	<b>4</b>
<b>I. LEGAL FRAMEWORK .....</b>	<b>6</b>
<b>II. ADMINISTRATION OF ELECTIONS .....</b>	<b>7</b>
<i>The work of CEC and PSC.....</i>	<i>7</i>
<i>Registration and certification of candidates.....</i>	<i>8</i>
<i>Certification of Voters' list.....</i>	<i>8</i>
<b>III. VOTER EDUCATION AND OUTREACH.....</b>	<b>9</b>
<b>IV. ELECTION CAMPAIGN.....</b>	<b>10</b>
<b>V. THE VOTING PROCESS.....</b>	<b>13</b>
<i>Opening of Polling Stations.....</i>	<i>13</i>
<i>Closing of Polling stations.....</i>	<i>15</i>
<i>Access for People with Disabilities.....</i>	<i>15</i>
<i>Political party propaganda materials.....</i>	<i>16</i>
<i>Electoral Material on Election Day.....</i>	<i>18</i>
<i>Other lack of election material.....</i>	<i>20</i>
<i>Unauthorised Persons.....</i>	<i>21</i>
<i>Family Voting.....</i>	<i>21</i>
<i>Secrecy of Vote.....</i>	<i>22</i>
<i>Photographing.....</i>	<i>22</i>
<i>Irregular voter assistance.....</i>	<i>23</i>
<i>Attempts to vote twice.....</i>	<i>24</i>
<i>Irregularities and Incidents involving Violence or Threat.....</i>	<i>25</i>
<b>VI. ELECTION COMPLAINTS AND DECISIONS.....</b>	<b>27</b>
<b>VII. VOTER TURNOUT.....</b>	<b>31</b>
<i>Invalid Ballots.....</i>	<i>32</i>
<b>VIII. RECOMMENDATIONS.....</b>	<b>35</b>
<i>For Electoral Reform.....</i>	<i>35</i>
<i>For the Central Election Commission.....</i>	<i>35</i>
<i>For Municipal Election Commissions.....</i>	<i>36</i>
<i>For Polling Station Commissioners.....</i>	<i>36</i>

## Summary

The year of 2017 for Kosovo was the year of elections since during the first part of the year were organized the early general elections and after few months were organized regular local elections. Organization of two elections in one year, with all the logistics this requires, is a challenge for each country and for every institution that manages and administers the elections. However, Kosovo has established now a good tradition and practice for organizing elections and the state institutions respond well to their constitutional responsibilities.

The coalition of civil society organizations for observation of elections "Democracy in Action" (DiA) had engaged over 2,500 short-term observers to observe local elections, held on 22 October 2017. Observers were present in all 2505 polling stations of the 899 polling centres. Whereas for the second round of mayoral elections, were engaged 1,777 short-term observers to observe the election process in 19 municipalities. While seven (7) other observers observed the mayoral re-election process for Municipality of Partesh. DiA engaged 61 long-term observers for observing the 30 days of election campaign, who observed 1,369 activities of certified political entities.

Based on the observation of the entire local election process by Democracy in Action, these elections were free, democratic, and were preceded by a competitive and largely peaceful campaign. The process for the election of mayors of some municipalities was compromised, specifically in two municipalities. In municipalities of Partesh and Istog, the mayoral elections were repeated and the process was corrected through re-voting. Local elections turnout was higher than in the general elections held also this year, and this appears to be a constant trend in Kosovo. But the turnout in these local elections was lower than in the local elections of 2013 and 2009.

Although the electoral process was generally free and fair, these local elections were followed by some challenges from the past and some new challenges that must necessarily be addressed by Kosovo institutions. Narrow results in some municipalities like Istog, Prishtina and Prizren highlighted some shortcomings in the electoral system that require addressing and clarification with legislation. Interpretations of judicial institutions after the contestation of the results in these municipalities raised to some extent the tension between the parties that triggered some ambiguity. However, following the decisions of the judicial and electoral institutions, these challenges were addressed in a timely fashion and the political entities agreed to the interpretations and decisions of the state institutions.

Conditional voting and especially voting by mail, in some municipalities, revealed some shortcomings regarding the regularity of this voting method. In the municipality of Istog, voting by mail proved to be manipulated. Meanwhile, these two types of voting complicated the counting process and were followed with some doubts as in the past. The results for the municipality of Prishtina and Prizren were decided by the ECAP to be renumbered, but after the appeal, the Supreme Court overruled this decision.

These were the second local elections that were organized throughout the territory of Kosovo, including the four Serb-majority municipalities in the north of the country, however, again this time, OSCE office in Kosovo took most of the responsibilities for organizing the elections in these four municipalities, in agreement with the Central Election Commission. Tensions also

aroused in some Serb-majority municipalities, where there were some cases of pressure on voters in the campaign, election day incidents, and even cases of manipulations that resulted in a re-vote in one municipality.

The opening and closing of polling stations took place on time, in almost all polling stations. The procedures of opening, securing the boxes, presence and arrangement of election material turned out to have been regular. The procedures of closing the voting were regular. There were some minor cases of mismatches in counting, in total in 24 polling stations reported from DIA observers. However these were addressed in the Counting Centre of CEC.

Challenges that were also present in the past were voting with assistance, which in some cases was reported by our observers to be not regular and legal. This was also noted on several occasions in the re-voting for Mayor of Istog. Then the family voting and the presence of political party materials at the polling stations and in vicinity of the polling stations, although at a lower rate than last time, were present and were noted. This time in some municipalities there was some mix-up with the stamps and ballots since the stamps were sent to the wrong polling stations, mainly in the municipality of Dečan, and the number of ballots in four municipalities turned out to be smaller than what was planned. However, this turned out to be a logistical issue that even though it posed obstacles to voting for a short time, it was regulated by the electoral institutions.

Election campaigns are turning out to be more peaceful with every round of elections, according to our observation mission that has observed election campaigns since 2007. However, the low level of women's participation and cases of participation of civil servants and the usage of official vehicles are still observed. The financial transparency of the election campaign by political entities remains at a low level which raises suspicions about the funding of some of the political entities, since the expenditures for election campaign are shown to be quite high. The CEC for the first time acted by not certifying candidates with criminal offenses in the past, as is required by law, however, the Supreme Court overruled this decision and those candidates were certified before the Election Day. This matter remains to be clarified through legislation.

For both rounds of elections, the Election Complaints and Appeals Panel have in total received 1,127 complaints and appeals. Out of these, 448 or 38% were rejected, 312 or 27% were accepted, while for 415 or 35% were taken other decisions (submitted after the deadline, inadmissible or considered as withdrawn).

Informing voters about how to vote, namely for municipal assembly, and where to vote is not advanced enough. Although to a lesser extent than in the past, a considerable number of voters did not find themselves in the voter lists as a result of the mixing of their polling stations. Meanwhile, the level of invalid votes for municipal assembly appears to be over 8% and in some municipalities it reached up to 13%. The CEC attempted to clean up the voter lists this time as well, by removing thousands of people who were found to be already dead, however, the number of the electorate on the voter list, namely 1,890,952 voters, was still considered unrealistic and there were reports of deceased people on this list.

The performance of election commissioners requires improvement. There were commissioners who were not prepared, as proven by some of the cases in this report. The fact that over 30% of polling stations had to be recounted at the CRC indicates that CEC has failed to provide the appropriate training for election commissioners, a matter which was consistently raised by civil society. It is true that the members of the PSC are nominated by

political entities, but it is the CEC that provides the training and the mistakes that are being made especially during the processing of the data in the respective forms is proving that the trainings are not being done properly. CEC trainings for commissioners should be on-going, and the commissioners should be further professionalized and conditioned with certification before they are involved during the Election Day.

## II. Legal framework

The Constitution of Kosovo is the basis for determining the electoral system, while the Law on General Elections and the Law on Local Elections determines the details of organization of elections. On the other hand, important aspects of the progress of the electoral process and the financing of political entities are regulated by the Law on Financing Political Parties and the Criminal Code of the Republic of Kosovo. Two other important laws related to local elections are the Law on Local Self Government and the Law on Administrative Municipal Boundaries. The Central Election Commission (CEC) as an election management body has also the authority to issue Electoral Rules and Decisions that serve to regulate specific aspects of the electoral process. However, for the 2017 Local Elections, the CEC has largely used the Rules that were issued for earlier general elections.

Despite some attempts by the Kosovo Assembly and recently by the President of the country, the legislation that regulates the organization of elections has remained unchanged since 2010. From that time until now, all the stakeholders involved in the elections have expressed the need to amend the legislation, however, in the end there lacked a serious and comprehensive process that would enable such a thing and to avoid all those shortcomings that have been observed so far. In this respect, perhaps the fact that Kosovo has never held a regular election cycle for parliamentary elections has contributed to all this, thus leaving no room for proper reform. However, political will is a crucial factor that has hampered the process of amending the legislation. Nonetheless, despite the gaps that have been encountered during the implementation in practice, the current legislation has provided the basis for Kosovo to organize elections within the internationally accepted standards.

Regarding the local elections, each municipality is considered a single electoral zone. Each Municipal Assembly is directly elected through the votes of the voters who are registered in the municipality where the elections are held. The political entity presents a list of candidates for certification for each municipality participating in the elections based on the procedures established by the Law on General Elections, Law on Local Elections, Law on Local Self Government determining the number of Municipal Assembly Members and the rules of CEC. Each list of candidates shall contain at least 30% of candidates certified, belonging to the gender other than the majority on the list. The 30% gender quota ensures that at least every third political entity candidate belongs to the less represented gender, also applied to the allocation of seats for deputies in the Assembly.

Each certified political entity is presented on a list which is open for each municipality in which the certified political entity competes in the elections. By exercising his/her voting right, the voter votes for a certified political entity and may vote for a candidate from the list of



candidates of this political entity. If there is more than one candidate marked on the ballot, only the vote for the political entity is counted. The vote cast for the political entity is considered as a vote for the first candidate on the list of candidates of the political entity.

While Kosovo's legislation on elections has a good basis, Kosovo needs to advance the electoral legislation and especially in areas where there were the most problems identified. We can list here the issue of the voter list, including voting from abroad, the issue of deadlines for filing complaints and appeals, the issue of financing political parties, the large powers of CEC for issuing electoral rules, television programs transmitted with payment from political parties, as well as sponsorships in social networks, provisions on who can compete for political parties from minorities, representation in election management bodies, etc.

### III. Administration of elections

#### The work of CEC and PSC

The work of the Central Election Commission is advancing with each election. Transparency in presentation of results and the process at the Counting and Results Centre has increased, thus showing a positive trend. The CEC had removed about 5,000 people from the list of voters who were found to be dead. However, on Election Day it was noticed that these were not all the dead persons on the voter list. The OSCE Mission in Kosovo, also in these elections has assisted the CEC in organizing elections in four (4) northern municipalities of the country. In these municipalities was allowed the identification of voters with documents of the state of Serbia, which is contrary to domestic legislation.

However, there are some shortcomings in the functioning of the CEC as the institution responsible for organizing the elections in Kosovo. The CEC has rarely met and did not share the meeting materials, thus making the process of observing these meetings difficult.

Given that local elections were regular elections, the CEC had the time to mobilize for the best possible organization. Although it is a general assessment that the organization of local elections in Kosovo has been within the accepted international standards for free and fair elections, however many problems continue to accompany the organization of elections in Kosovo. Numerous mistakes of commissioners during the Election Day (later avoided in CRC), delays in announcement of results (preliminary and final results), omissions in the process of registering voters from abroad, as well as delayed education campaigns for voters are only some of the shortcomings that have followed the work of the CEC.

The DiA positively evaluates the work of many members of Polling Station Councils (PSCs) to take immediate action in addressing problems that have accompanied the voting and counting process. Although more qualitative trainings are extremely necessary, as some PSC members are not well acquainted with voting procedures and particularly with filling out the forms and with packing of materials. The presence of women commissioners is 29.24%.

The fact that over 30% of polling stations had to be recounted at the CRC indicates that the CEC has failed to provide the appropriate training for election commissioners, a matter that was consistently raised by civil society. It is true that the members of the PSC are nominated by political entities, but it is the CEC that provides the training and mistakes that are being

made especially during the processing of the data in the respective forms demonstrate that the trainings are not being done properly.

Another issue related to the administration of elections was the registration of voters from abroad, where it seems that due to the omissions of CEC, the second round of mayoral elections had to be repeated in Municipality of Istog.

The CEC in the first round of elections has failed to provide preliminary results through the so-called K-vote system, although the announcement of the results was done in relatively quick time. This problem was remedied in the second round of elections where the system worked much better and preliminary results were published much earlier than in the first round.

What has been observed during the local elections is that the CEC has not held frequent meetings. The CEC is still not fully transparent by not sharing the materials with the CEC meetings monitors, as well as the non-publication of most of the materials on the CEC website. Although around 70 CEC meetings were held until mid-December 2017, the CEC has published minutes of only five meetings, while it has not published additional materials for any of them.

## Registration and certification of candidates

On 31 August ended the process of certification of political entities and final (corrected) lists of candidates for Municipal Assemblies. The CEC certified for municipal elections of 22 October, 91 political entities, out of which 35 political parties, one coalition, 30 civic initiatives and 25 independent candidates. CEC also certified 7,080 candidates of political entities who competed for a seat in municipal assemblies of the respective municipalities.

The deadline for applying for certification of political entities for local elections commenced on 22 June and ended on 22 August 2017. The draw to determine the order of political entities on the ballot paper took place on 11 September 2017, although it was initially planned to take place on 6 September.

The CEC for the first time since the entry into force of the Law on General Elections (LGE) in 2008 has requested verification of candidates for political entities who have been convicted of criminal offenses in the last three years. The CEC, after certifying candidates of political entities, had sought verification if the same were convicted of criminal offenses in the last three years, as required by the LGE.

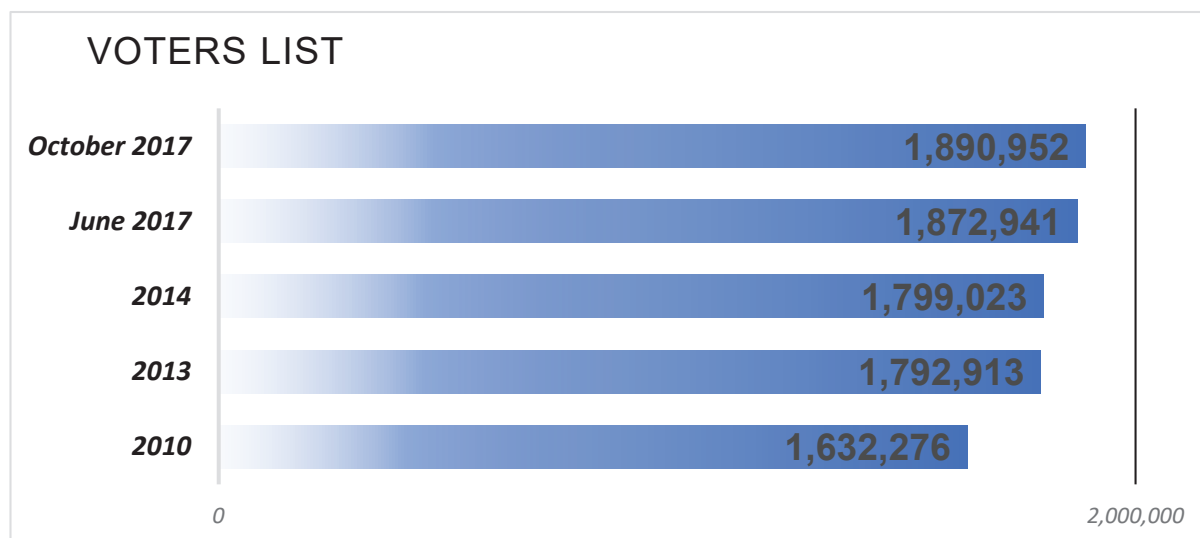
The Kosovo Judicial Council found that 87 candidates were convicted in the last three years for criminal offenses, and thus CEC issued decision to decertify these candidates. The ECAP confirmed the decision of the CEC, but not the Supreme Court, which after the appeal of three of the candidates found that this legal provision was in violation of the Constitution. Consequently, CEC annulled its decision for decertification and allowed all candidates to return to the election race.

## Certification of Voters' list

In the final voter lists there were a total of 1,890,952 voters, out of which 18,011 are eligible voters that vote for the first time. More than 5,000 people have been removed from the list of

voters after the 11 June elections, with the aim of removing the dead people from the voting list.

The CEC has also approved the number of polling stations. The number of Polling Centres in these elections was 899 (10 Polling Centres more than in the 11 June early parliamentary elections), with a total of 2,505 polling stations (15 polling stations more than in June 2017).



## IV. Voter education and outreach

DiA estimates that the CEC has had delays in informing and educating citizens about the process and manner of voting, namely it started only one week before the elections took place. However, the 2017 local elections were organized on a regular timeframe. Our observers have reported on a number of cases when citizens have encountered difficulties finding their name on the voter lists and cases when citizens found the names of their deceased family members on the lists. This undermines the public's confidence in the accuracy of the voter lists.

The large number of invalid ballots is partly related to the lack of proper information and education of voters. In addition to the delay, the CEC is failing to develop its own information campaign beyond the familiar formats created years ago, thus failing to make the campaigns attractive to voters. However, the CEC has started cooperating with NGOs by sending them TV videos and other materials that it has prepared, and the NGOs have distributed these materials through their websites.

However, for the upcoming elections, the CEC should find ways for its education and information campaign to start on time, to be more attractive and to deepen the cooperation with non-governmental organizations. Furthermore, the CEC should organize education campaigns for voters even before the election period so that the citizens have the right knowledge on the importance of participation in elections and voting procedures.

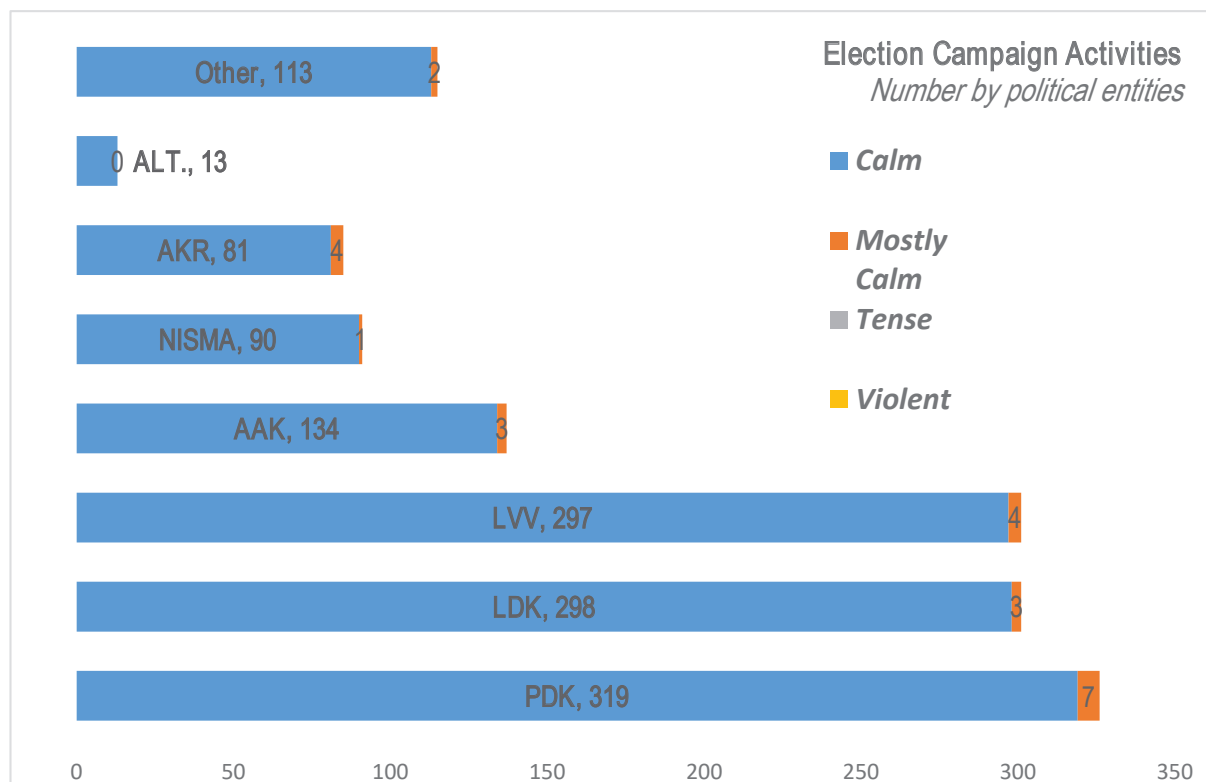
## V. Election Campaign

*Democracy in Action* during the electoral campaign had engaged 61 long-term observers, whereas for the election run-off, it had engaged 30 long-term observers. The DiA has observed a total of 1,369 political party activities in the campaign, almost all the activities that were public and were disclosed to the DiA observers. Most of the activities observed were of the PDK, 326 activities, followed by LDK, 302 activities, LVV, 302 activities, AAK, 137 activities, NISMA, 91 activities, AKR, 85 activities, Alternativa, 13 activities and 113 activities of other competing parties.

DiA estimates that the electoral campaign was calm, in a competitive environment where political entities have disclosed their governing programs and candidates for mayors and Municipal Assemblies. During the electoral campaign, the participation of citizens and media in electoral activities carried out by political parties was safe and unimpeded. While, a small number of incidents have been recorded that were isolated cases which did not hurt the election campaign.

The electoral campaign in Serb-majority municipalities has been developed in a more tense atmosphere, where there was a lack of free competition among political entities. The presence and direct influence of Serbian state officials have aimed at influencing the free will of citizens on choosing who to vote for.

The phenomenon of lack of transparency of spending on election campaigns is a long-standing weakness in the electoral processes in Kosovo, where the same situation was noted in these elections as well. Only a small number of political entities, respectively six (6), responded positively to the DiA request for declaring their election campaign expenditures.



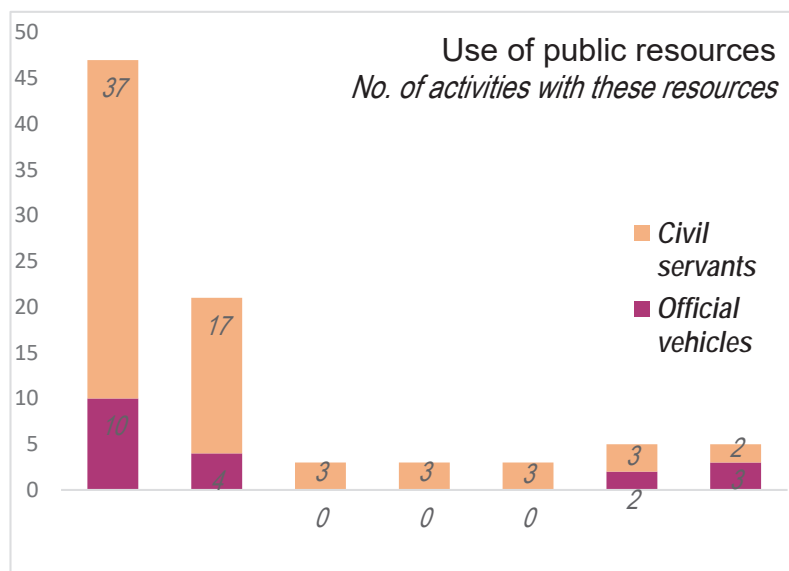
During the election campaign for local elections 2017, most of the activities conducted by political entities were electoral gatherings with up to 100 participants, meetings with citizens,

interest groups and door-to-door meetings. The last week of the election campaign marked an intensification of electoral activities of political entities and meetings with citizens of up to 1,000 participants.

The most frequent irregularities that accompanied the election campaign were the use of public resources, namely the use of official vehicles, the participation of civil servants and official persons in the campaign. Official vehicles were reported in ten (10) PDK electoral activities, four (4) LDK activities, two (2) NISMA activities and three (3) activities of other parties. Meanwhile, an excessive presence of civil servants has been reported in 37 PDK activities, 17 LDK activities, 3 activities of AAK, LVV, AKR and NISMA, and two (2) activities of Serbian parties.

Political entities were more restrained in the use of hate speech, however, during the electoral activities of political parties there were cases of use of hate speech, for which the ECAP also imposed fines. Hate speech was reported in nine (9) PDK activities, five (5) LDK activities, three (3) LVV activities, two (2) NISMA activities and three (3) activities of Serbian parties.

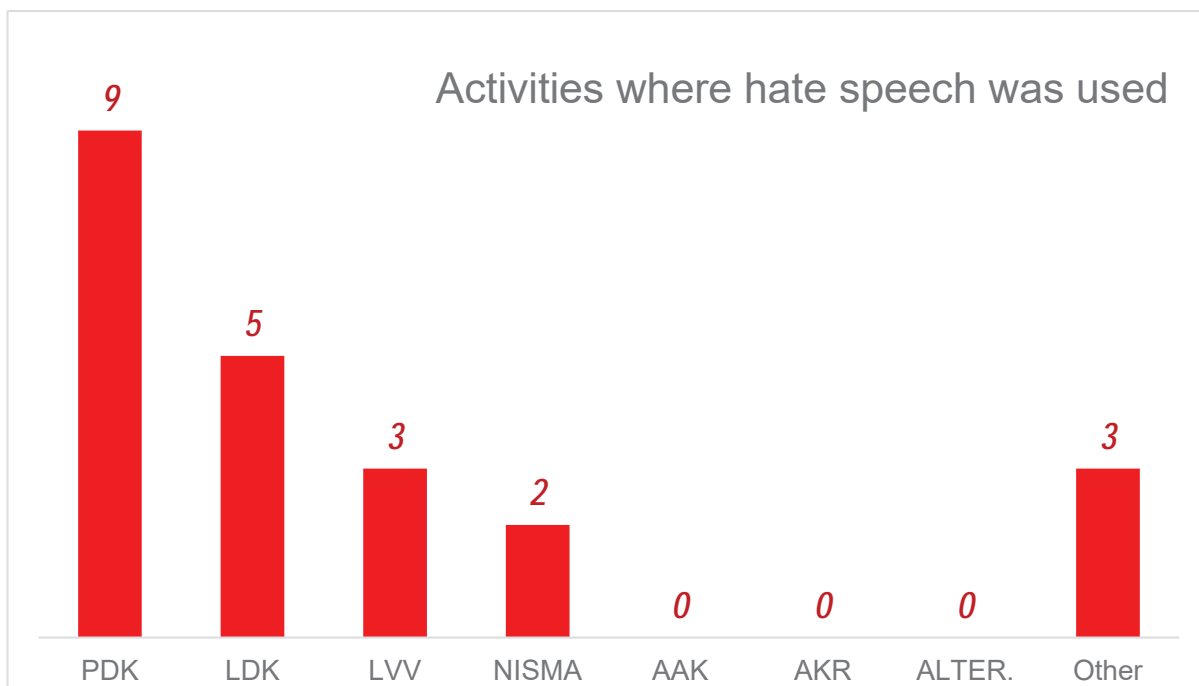
The inclusion of children in the electoral campaign in the activities of political parties was a problem evidenced in 30% of electoral activities monitored by DiA and the total number in these activities was 3,994 children, while access for people with disabilities was not guaranteed in 29% of the electoral activities of political entities.



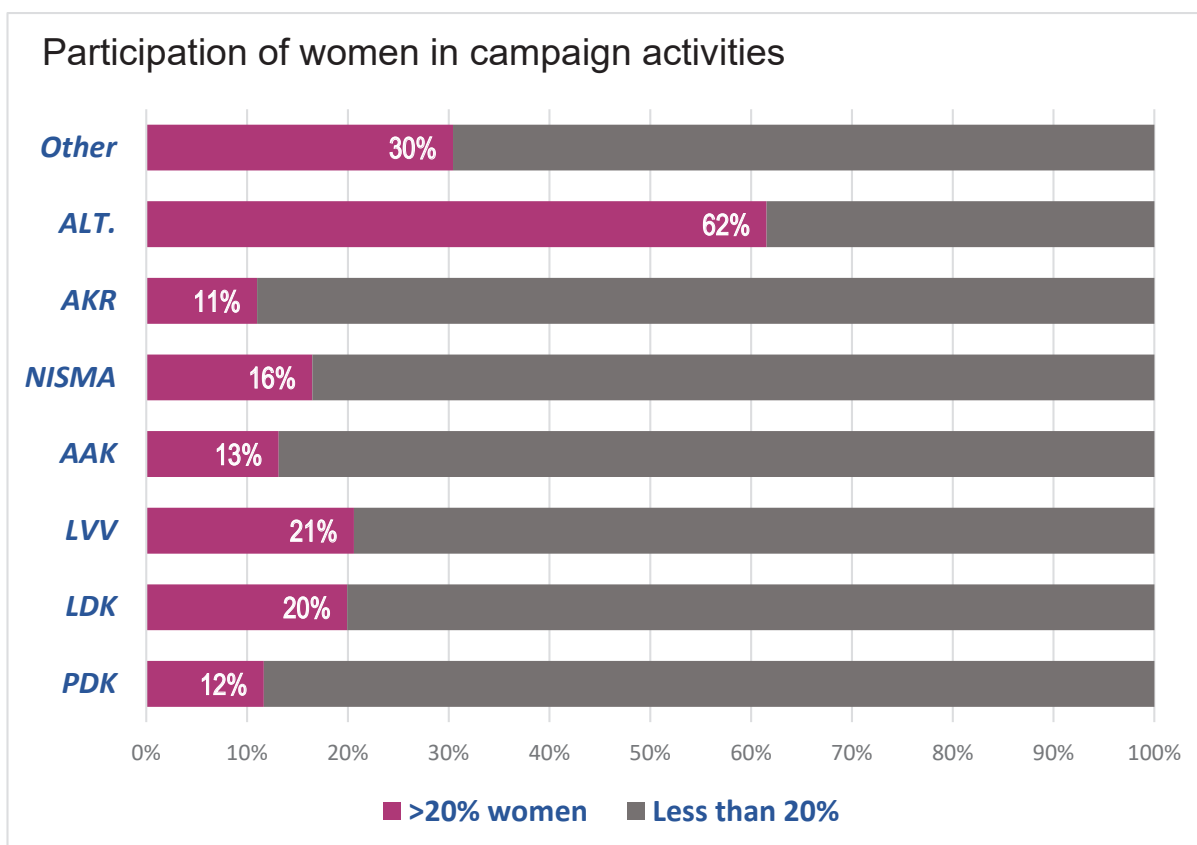
During the election campaign, women's participation was low, while only 8 women were candidates for mayor out of 204 candidates.

Women's participation has continued at low levels throughout the electoral campaign period. In all activities monitored by DiA, women's participation has been on average 10%. As far as the participation of women as speakers, it was 21%.

In most of the cases monitored, Kosovo Police has taken care of securing election activities. For the 30 days of the campaign, it can be seen that half of the activities that were held by the political entities were not secured at all. While the media were present in 51% of the electoral activities of political entities and could report freely.



The election campaign for the second round of mayoral elections was quiet with only a small number of irregularities. Political entities have been mature and have contributed to the development of a competitive and peaceful electoral campaign where they have disclosed their options and programs to citizens. The most numerous irregularities that have accompanied the election campaign were: i) the use of public resources, ii) the participation of children in electoral activities; iii) lack of access for people with disabilities. The election campaign was dominated by male candidates both in public and as speakers in the activities of political entities.

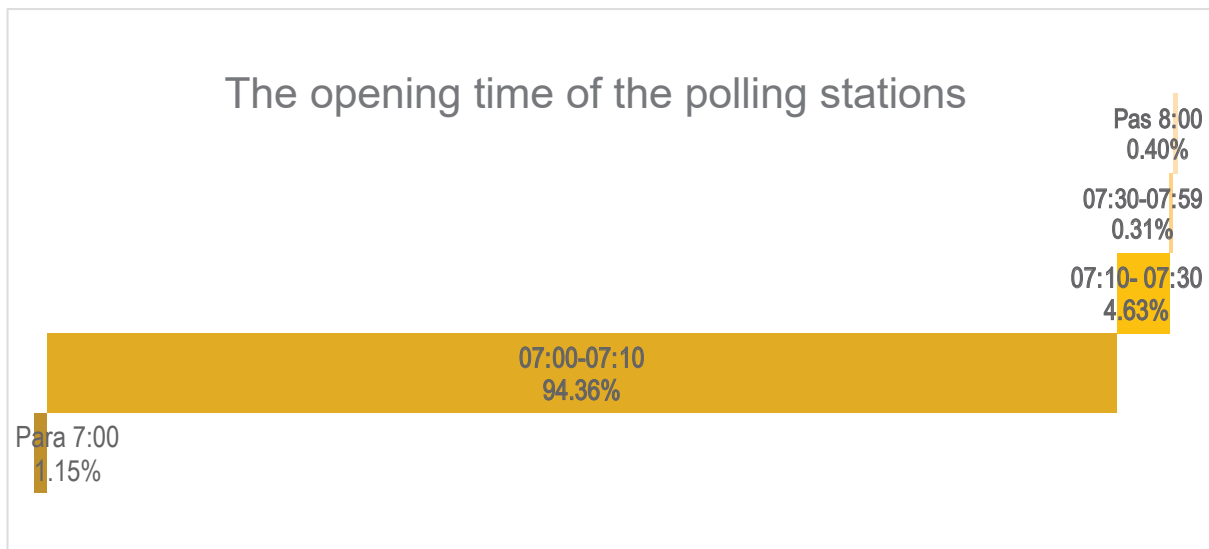


## VI. The voting process

### Opening of Polling Stations

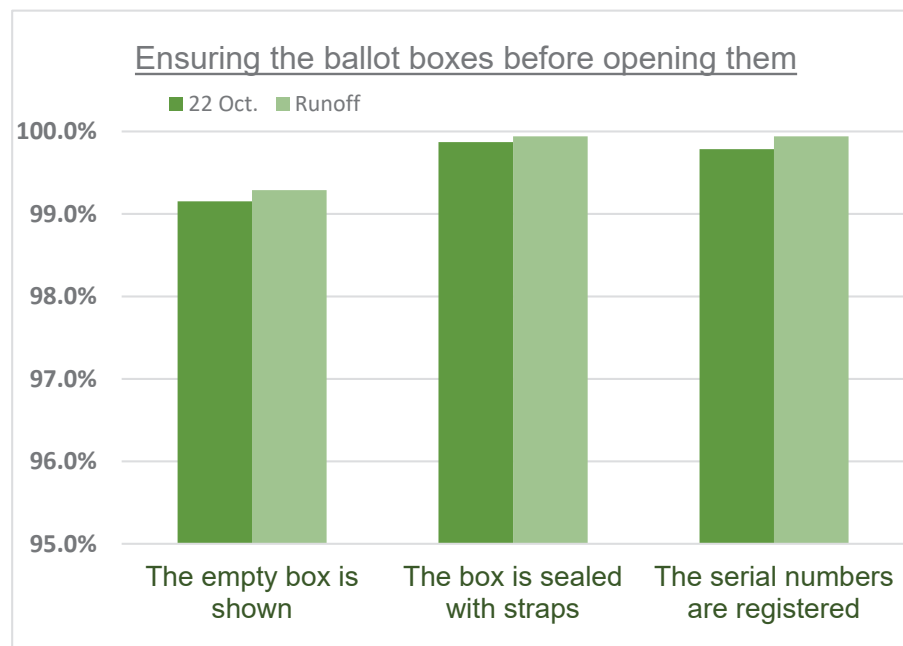
Polling centers across the country should be opened at 07:00 am to receive the first voters, while the preparations to start the voting process should start at 06:00. This procedure involves preparing the ballot boxes, placing sensitive and non-sensitive material in their proper place, checking the signing of the commissioners serving that polling station, and party or non-party observers that will observe that day. DiA observers were instructed and trained to observe the voting process since the preparations at six o'clock in the morning.

From our observers' data it emerges that 7.8% or 164 polling stations reported on October 22 began preparations after 6:30 am whereas 5.9% opened the polling station with at least 10 minutes delay, while 16 polling stations were opened with more than 30 minutes delay. The most common cases were in Prizren (22 polling stations), Deçan (22 polling stations), then Mitrovica (9 polling stations) and Gjakova (8 polling stations). In the runoff on November 19, only 12 polling stations were opened with over five minutes late. Municipalities where there were delays in opening were Prizren (in 5 cases), Suhareka (in 3 cases), Prishtina (in 2 cases) and Klina and Rahovec (one case per each).



However, our observers did not report any deliberate delay or violation of the right to vote, but the delays were due to the preparation and completion of the Polling Station Commission. In Decan there was some stagnation in the opening of polling stations as a result of some issues with stamps. Whereas in some municipalities such as Prizren, polling centre 2042 A, polling station 07R, the polling station chairperson did not show up at the polling station until 7:30 am. But in this case also, the process then went on normally.

During the preparations, prior to the opening of the polling station, the most important duty of the commissioners is the procedure to be followed for the ballot boxes. First, the commissioners must show everyone present that the ballot boxes are empty before they are closed. While this happened and was clear to all



commissioners and observers in 99.2% of the polling stations, in 20 polling stations, the box was not shown clearly that it was empty. At polling centre 1802X at polling station 03R at "Naim Frashëri" school in the Municipality of Podujeva, although the polling station was opened on time, the closing tapes were not placed in the ballot box until 7:43, with the reasoning that the commissioners had forgotten to place them.

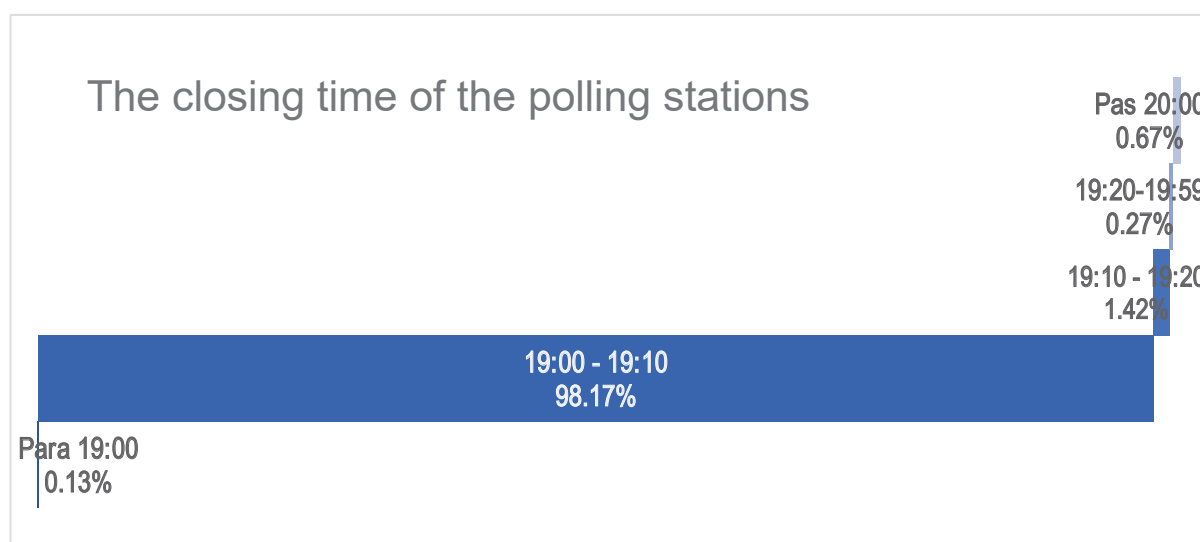
However, observers did not report any suspicion of procedural omission in these polling stations. In the run-off elections, this slight but procedural omission was made in 12 polling



stations. Secondly, boxes should be sealed and secured with serial numbers and serial numbers then recorded. In the first round of elections, this was not clear in two cases, whereas in a case of runoff it was not observed that the serial numbers were recorded.

## Closing of Polling stations

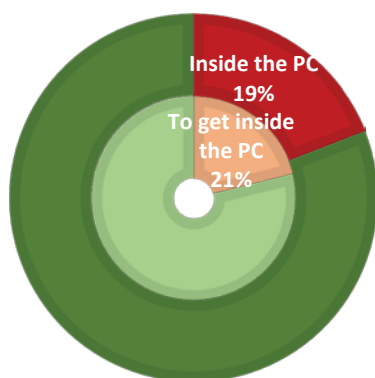
Closing of polling stations is scheduled to take place at 19:00, except in cases when there are voters waiting in line. In this case, commissioners should allow all those still standing in the line to vote at 19:00. Mostly, the closing of polling stations took place on time and regularly in the 22 October elections and the runoff on 19 November. On October 22, 75 polling stations were evidenced to remain open after 19:00 as a result of voters in the line, while 3 polling stations were evidenced to be closed a few minutes before 19:00; Prizren (*P.S. Dëshmorët e Zhurit* 10 minutes before 19:00), Lipjan (*S.S. Haxhi Zeka* 5 minutes before 19:00) and Istog (*P.S. Topliqan* almost half an hour before 19:00). In the runoff elections, 12 polling stations remained open after 19:00 o'clock for the reason of voters in the line.



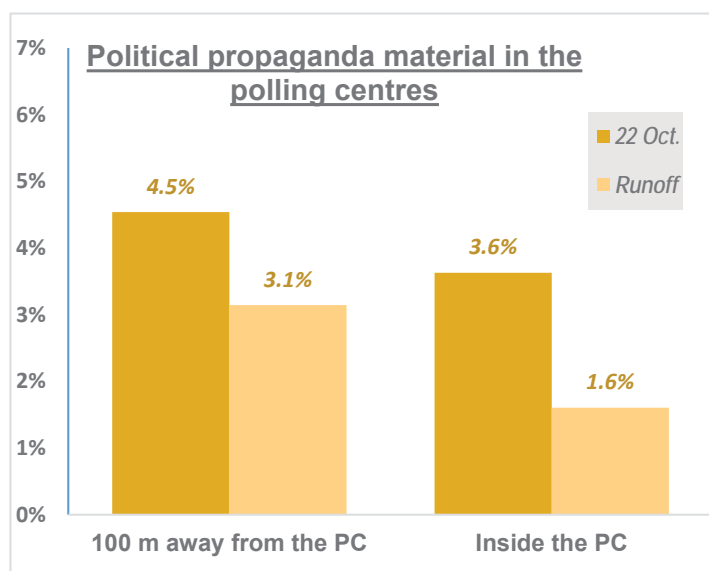
## Access for People with Disabilities

Access to polling centres by persons with disabilities remains a challenge in a great number of them. However, an improvement is reported compared to the 2013 local elections. Our observers at 37% of polling centers reported obstacles to access to polling stations by persons with disabilities. While in 19% of voting centres it was reported that there are barriers within the centres to access polling stations. Because many of the voting centres are primary and secondary schools, a major responsibility lies here with education institutions for not providing this access. However, election institutions should provide easy access to all voters, including people with disabilities and elderly people.

### Barriers to access the polling centres *for People with Disabilities*



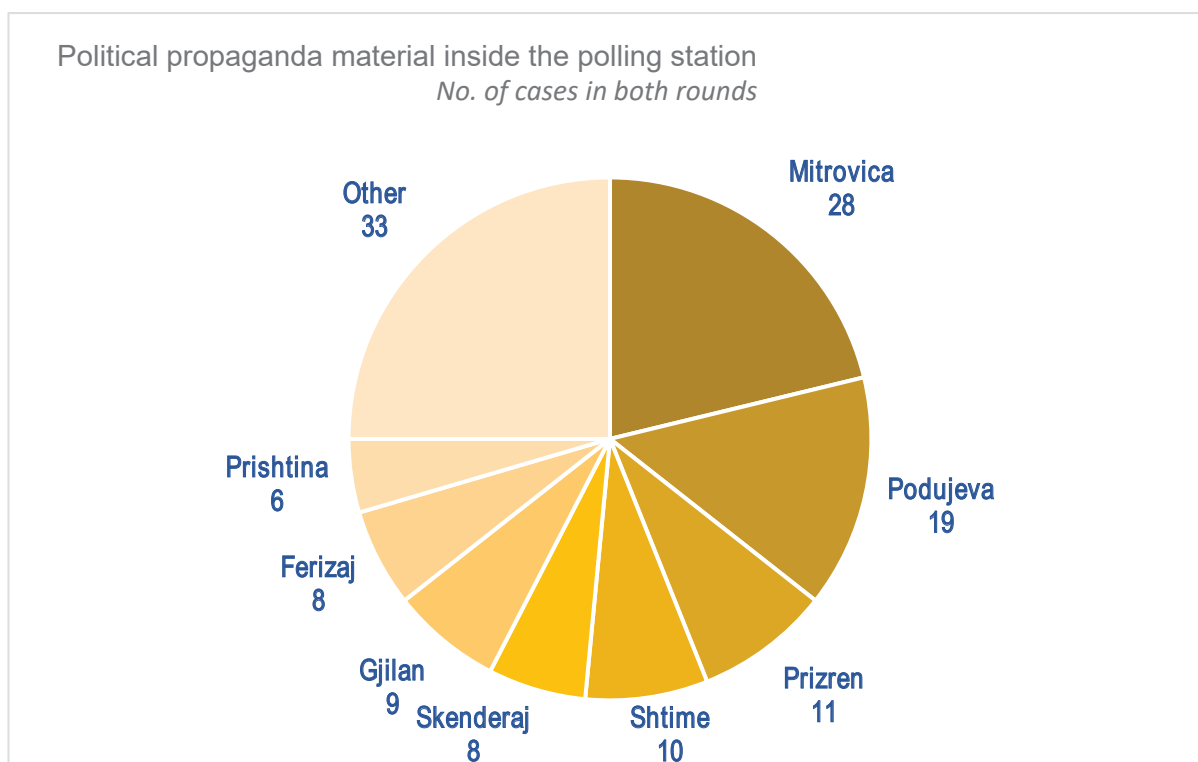
### Political party propaganda materials



The presence of the propaganda materials in the vicinity of 100m from the polling station and within the polling station is sanctioned by the Law on General Elections (LGE), Article 85. While MECs should ensure that the material of competing candidates and parties is removed from the vicinity of polling stations before the campaign silence, political propaganda within the polling station should be prevented by polling centres managers.

Our observers reported that 4.5% of polling centres on October 22 had propaganda material (billboards, posters) in the vicinity of the polling stations, while in the runoff elections 3.6% of polling centres had propaganda material. Our data show that the municipalities where most of the propaganda materials are observed in the vicinity of the polling stations are in Prizren (10 cases), Gjilan and Mitrovica (8 cases each), Klina, Prishtina, Skenderaj (7 cases each), Viti (6 cases), Gjakova, Peja, Podujeva (5 cases), while in 15 other municipalities, up to four cases have been observed in the vicinity of polling centres.

But the most serious cases of party campaigning on election day are those that take place within polling centres. The data of our reporters highlight 101 cases where some type of party material appeared in polling stations on the October 22 elections and 27 cases in the runoff elections.



Some of these cases that are worth mentioning were in the run-off elections at the polling centre 0803 C, the polling station 01R at the "Emin Duraku" school in the Municipality of Klina, where two people after voting have publicly displayed the ballot before all the participants. The same case was observed also in the polling centre 0810 C, the polling station 01R in the primary school "Dëshmorët", in the municipality of Klina, a person after voting has disclosed the vote and showed who he/she voted for.

In the October 22 elections, at the polling centre 1905E, polling station 04R at the "Shtjefën Gjeqovi" school in Pristina, in the polling booth were found lists with which voters were instructed who to vote for. While at the polling station 05D, there were also instructions found on the candidate list on who to vote for. In Killokot, a member of the Serb List was arrested by the police in front of the polling station "Sveti Sava" because he tried to influence the voters by orienting them on who to vote for. At the polling centre 0805 C, polling station 01R at "Ali Krasniqi" school in the municipality of Klina, inside the polling booth was evidenced the marking of one of the names of the candidates for mayor. In Podujeva, at the polling centre 1808 E, polling station 01R at the school "Emin Duraku" behind the polling booth of this polling station, a brochure with names of LDK candidates was found. At the polling centre 1408D, polling station 01D at the "Nushi dhe Tefiku" school in the municipality of Novobërda, an LDK candidate for municipal assembly was seen to distribute business cards for people coming in to vote.

All these cases with political parties' material and campaigning on Election Day are unacceptable and sanctionable. In some cases, commissioners took immediate action, and in some other cases, commissioners and managers of polling centres were more tolerant of these phenomena.

## Electoral Material on Election Day

The presence of electoral material enabling voting is essential for the voting process. Kosovo's electoral institutions have already embraced the logistics of organizing elections that is quite complex everywhere the elections are organized. On the Election Day on October 22 and in the runoff election, the electoral material was distributed fairly throughout the country, however, in these elections there were some significant mix-ups in some municipalities that were not noticed in previous elections by Democracy in Action. Problems appeared in the municipality of Decan with a lack of and mix-up with stamps and discrepancies between the stacks of ballot papers for mayor and municipal assembly in Klina, Suhareka and Mitrovica which resulted in the detention of some polling stations' chairpersons.

In general, in the morning at the time of the polling stations opening, 2.4% of the polling stations at the country level lacked electoral materials. In the municipality of Decan, 22 polling stations were identified with irregularities with the stamp for the stamping of ballots that caused delays in the opening of polling stations and their temporary closure. Other irregularities were related to isolated cases of lacking the Poll Book and ballots.

### Lack of stamps for ballot papers

The lack of and mix-up with stamps was a phenomenon manifested in the morning in the municipality of Decan. It was not clear from our observers whether this was intentional or just an instance of confusion on the side of electoral institutions. However, this phenomenon was manifested in a large part of the municipality of Decan. At polling centre 0105C, polling stations 03R, 04R and 05D at "Bajram Curri" school in the municipality of Decan, polling station was not opened due to the lack of stamps for the stamping of ballots. At polling centre 0101X, polling station 04 R at the "Lidhja e Prizrenit" school in this municipality, the polling station was not opened until 8 o'clock due to the lack of material. At the polling centre 0101 C, polling station 01R in the "Vëllezërit Frashëri" school in the municipality of Decan, the deputy director of the school took the stamp at 7:20 am and did not return it until the reporting time at 7:45. At polling centre 0112C, polling station 02D at the "Rexhep Kadrijaj" school in the village of Rastavica, the polling station was closed after the stamps for the stamping of ballots were taken. At the same school at the polling station 05 R although the polling station was opened at 7:00 am, it was again closed after 10 minutes, due to the lack of stamps, at least until the reporting time at 08:06. At polling centre 0114C, polling station 02R at "Dëshmorët e Kombit" school, the polling station was opened at 7:00 am and was also closed due to the lack of stamps.

At polling centre 0108C, polling station 03R at "Isa Boletini" school, the polling station was opened at 7:03 am and closed immediately after a problem with the ballot stamp. The polling station was opened again after 08:07. At this polling centre, at polling station 04 R, the polling station was closed from 07:10 to 8:10 because of a stamp issue. While in polling station 05D, the polling station remained closed from 7:00 am to 8:15 am, again because of the lack of stamp. At polling centre 0102C, polling station 01R at "Sylë Alaj" school in the municipality of Decan, the polling station was opened on time but because of a problem with the stamp, the polling station was closed as of the time of call at 08:14 am. Even at the polling station 02R is in this polling centre, the polling station was closed after 15 minutes since the stamp

was missing. Also at the polling station 03R, the polling station was closed from 07:05 to 08:20 when it was re-opened due to the lack of stamp. Also, in this polling centre, the polling station 05R remained closed from the start of voting until 8:00 am, due to the lack of stamp.

At the polling centre 0110C, polling station 01R at the "Lan Selimi" primary school was closed from 07:08 to 08:24 because of the lack of stamps. Afterwards, the polling station was opened. At polling centre 0106C, polling station 03D at the "Avni Rustemi" school in the municipality of Decan, the polling station was opened at 7:00 am and closed at 7:50 am because the stamp was taken, and it is not reported from whom. At polling centre 0103C, polling station 03R at the "Drita" school, the polling station was closed from 07:10 to 08:20 because of a problem with the stamp.

### **Mismatch of ballots**

The second part of the election day of October 22, respectively after 12:00, has been accompanied by an irregularity not marked before. It was reported that the voting process was terminated in a number of polling stations in different municipalities of the country due to the discrepancy between the number of ballots for mayor elections and the ballots for municipal assembly members. After reporting these cases, police have arrested a number of polling station chairpersons. Such cases are more evidenced in the municipalities of Mitrovica, Klina, Suva Reka and Prishtina.

After these cases, there were also arrests of polling station chairpersons. Specific cases include: In the polling centre 0802 C, polling station 01R at the "Isa Boletini" school in the municipality of Klina there was a one vote difference between the stacks of ballots for mayor and municipal assembly which each have 50 ballots. There was one extra ballot out of the bundle of ballots for the municipal assembly, which has caused the polling station to close for 30 minutes. The same problem was noted in the polling centre 2403A, polling station 06D, at the Edit Durham school in Suhareka. Two ballots for the municipal assembly were excessive. Also in the polling centre 0401D, polling station 03R, Abaz Ajeti School in the municipality of Gjilan, two ballots for municipal assembly had remained unused.

In Mitrovica, at polling centre 1113 B, polling station 01R, at "Trepça" school there was a mismatch between the ballots for electing the mayor and the ballots for municipal councillor. The police had arrested the polling station chairperson. At polling centre 1102 B, polling station 01R at "Migjeni" school there was a discrepancy between the ballots for electing the mayor and the ballots for candidates for municipal assemblies. The polling station chairperson was also arrested in this case. Similarly, at the polling centre 1102 X, in two polling stations, at the "Abdullah Shabani" school, the ballots used for mayor and the ballots for municipal advisors did not match. The police have arrested two polling station chairpersons. At the polling centre 1117 B, in the polling station 02D, at "Shemsi Ahmeti" school, there was no match between the ballots used for mayor and the ballots for municipal advisors. The police have arrested the chairperson of the polling station.

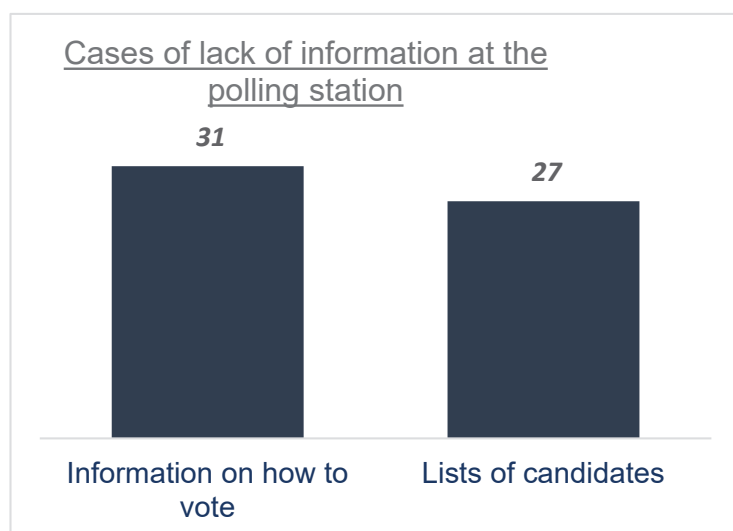
In Pristina, at the 1905 E polling centre, in the polling station 01R, at the "Shtjefën Gjeqovi" school, the polling station chairperson closed the polling station for 10 minutes as there was no match between the ballots for the mayor and the ballots for the candidates for municipal assembly.

## Lack of voter list

The lack of the voter list was reported at a polling station (1124B / 01) in Kaçandoll village, primary school "Bislim Hajdari" since this polling station was not operational until after 10:30. The chairman was escorted by the police, while another member the polling station council was appointed in his place. After the provision of the Final Voters List, the voting process continued.

## Other lack of election material

During the election process of 22nd October, there was a case when the polling stations were not opened or were interrupted due to the lack of election materials as a whole or lack of ballots, lack of a polling station book. At the polling centre 3804B, in the polling station 01D at the "Sveti Sava" school in the village of Suhodoll i Epërm, in the municipality of North Mitrovica, the polling station was not open until 7:45, due to a lack of the election material.



At polling centre 1915E, in the polling station 06R at the "Iliria" school in Pristina, there was a lack of ballots in this polling station. At the polling centre 1706C, in the polling station 09R at the "7 Shtatori" school, in the Prizren municipality, there was no voting book. Similarly, at the polling centre 1116B in the polling station 01R, at the "Elena Gjika" school, in Mitrovica municipality, there was a lack of the voting book.

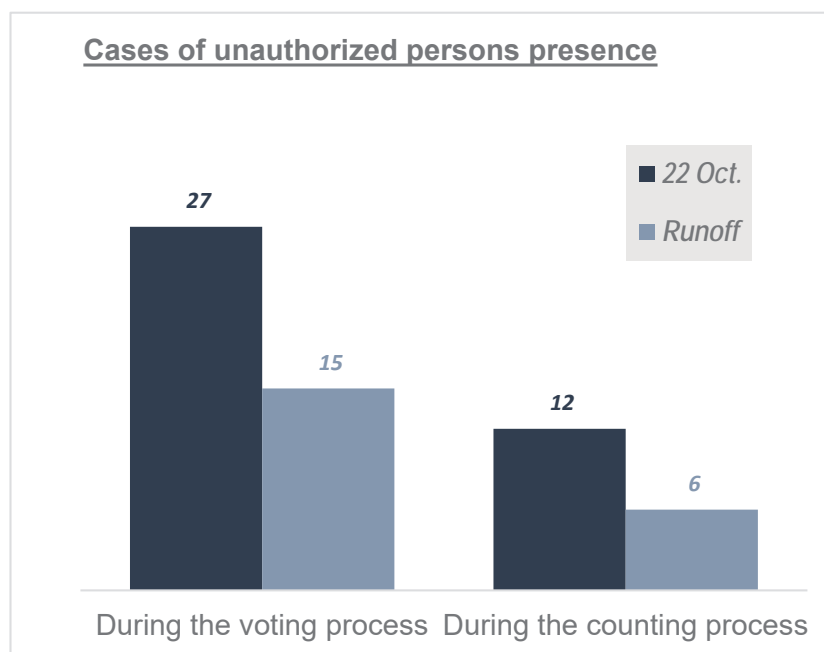
Among the non-sensitive election materials are: information on how to vote and the lists of competing candidates for municipal assembly. Our observers identified several polling stations in the elections of 22nd October, where these materials were missing. The candidate lists were not present in 27 polling stations, while voting information was not observed at 31 polling stations.

A problematic technical issue with the ballot was presented in Drenas, where, at the polling centre 0311E, in the 02R polling station "Luigj Gurakuqi" school, it was noted that some ballots had a line printed next to the entity Nisma. Consequently, the commissioners have removed the whole stack of 50 votes out of use.

While in the run-off elections, the lack or mix-up of election materials was not so emphasised, even though there were some isolated problems. Regarding the lack of election material, from the field it was reported that 60 polling stations lacked election materials at the time of the opening of polling stations (or 3.4% of polling stations). The leading municipalities are: Gjilan and Mitrovica (with 8 cases each), Klina and Prishtina (with 7 cases each) and Gjakova (6 cases).

In 10 polling stations at the country level, DiA observers reported on the presence of less than three commissioners at the polling station. The municipalities where this phenomenon has been most pronounced are: Prizren (in 3 cases), Rahovec (in 2 cases).

## Unauthorised Persons



The presence in the polling station of persons such as candidates if they are not voting, police officers or other persons who are not commissioners or accredited observers, is not authorized at the polling stations, during the voting process or the counting process, unless requested by the chairperson of the voting council. However, our observers identified some cases, albeit few, of unauthorized persons in the voting process and the

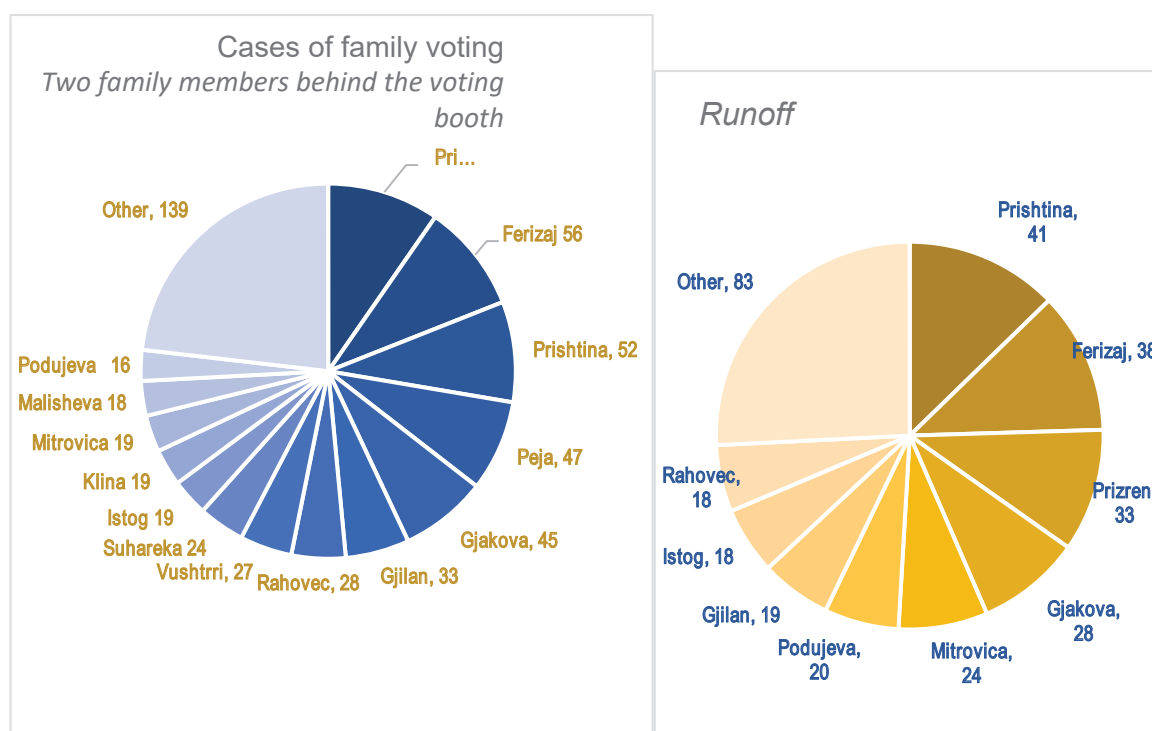
counting process. In the elections of the 22nd October, 44 cases were identified where unauthorized persons were present in the polling stations in municipalities such as Mitrovica (3), Rahovec (3), Ferizaj (2), Prizren (2), Pristina (1), Gjakova (1) and Gjilan, Peja, Istog and Fushë Kosovë. Also in the run-off elections on 19 November, 21 cases of unauthorized persons were identified. Podujeva in 4 polling stations, Gjakova and Prizren 3 polling stations each, Mitrovica, Prishtina, Istog 2 polling stations each. At the polling centre 1802X in the polling station 03R at "Naim Frashëri" school in Podujeva municipality, 6 observers of the LDK party were present. In the run-off elections, in the Prizren municipality, in some polling stations, persons with expired accreditation were present at the polling station.

## Family Voting

Family voting is a phenomenon that has been constantly present to a considerable extent in the Kosovo elections, namely the voting whereby more than one person, two or three family members are behind the polling booth and where one family member instructs the other on how to vote. Although in many cases this is because a family member is not sure how to fill the ballot paper, however, this type of voting violates the secrecy of the vote. In general, during these local elections, there is a decrease of cases related to family voting in relation to parliamentary elections. The family voting was identified in a total of 3,060 cases in one-third of polling stations. The municipalities leading in family voting are: Prizren, Ferizaj, Prishtina, Peja, Gjakova and Gjilan. However, these are larger municipalities with more polling stations. But in proportion to the number of voters and the polling stations, it is mostly emphasised in Klina, Istog, Rahovec and Vushtrri. In election run-offs, family voting was



identified in 21% of polling stations, with the leading municipalities being: Prishtina, Ferizaj, Prizren, Gjakova and Mitrovica.



## Secrecy of Vote

As in all election cycles, in the local elections 2017 as well, there have been cases of voting outside the polling booths (or publication of the vote), while voter assistance has been recorded more than once in a total of 193 cases, at 65 polling stations (or in 2.6% of polling stations). Leading municipalities are: Peja (40 cases), Suhareka (31) and Prizren (28).

In the run-off, DiA observers encountered instances of voting outside the polling booths, where during the election day, a total of 29 cases were recorded (1.6% of all polling stations). In the municipalities: Prizren, Suhareka and Podujeva at 3 polling stations per each, Rahovec and Klina at 2 cases per each; Mitrovica, Gjakova, Gjilan and Obiliq 1 case per each.

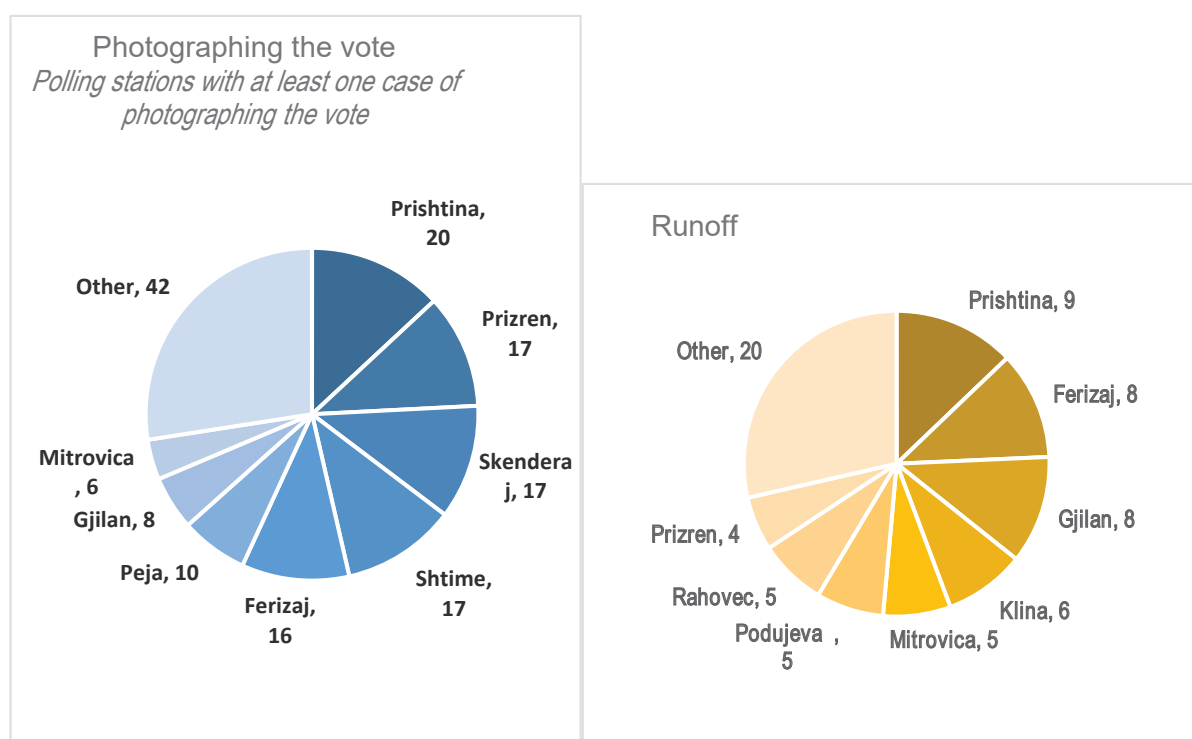
## Photographing

Photographing of the ballots by voters, a practice that may be related to the buying of the vote and already forbidden by the CEC for several elections now, has also been reported this time in several polling stations. It is worth emphasising that the police have escorted a certain number of reported voters for photographing the ballots and undertaking the respective procedures. In the elections of the 22<sup>nd</sup> October, this phenomenon was identified in 121 polling stations (or 5.2% of all reported polling stations). The polling stations with at least one identified photograph of the ballots by voters were: 20 polling stations in Prishtina, 17 polling stations in Skenderaj, 17 polling stations in Shtime, 17 polling stations in Prizren, 16 polling



stations in Ferizaj, 10 polling stations in Peja, 8 polling stations in Gjilan, 6 polling stations in Mitrovica and 42 polling stations in other municipalities. Likewise, in the runoff elections, this phenomenon was identified in 70 polling stations (4.2% reported).

Several cases that have caused problems in the electoral process were those at the polling centre 2419A, in the polling station 02D at "28 Nëntori" school in the municipality of Suhareka, the chairperson of the polling station voted conditionally, however during the voting he photographed his ballot, as well as another instance in Gracanica, at the polling centre 3401E, in the polling station 09D at "Krajl Milutin" school, at 9:30, a person attempting to photograph the ballot was prevented and taken out by the police.



## Irregular voter assistance

The electoral rules clearly specify whether a voter needs assistance, as well as who can assist. A person can only assist another person if the voter asks for an assistant. However, many times this type of assistance is abused by persons assisting more than one voter. In the elections of 22<sup>nd</sup> October, voter assistance has been recorded more than once, in a total of 193 cases, at 65 polling stations (or 2.6% in polling stations). Leading municipalities are: Peja (40 cases), Suhareka (31) and Prizren (28). In the run-off in the Istog municipality, on December 17, the voting with assistance was noted to be extremely high and voting with irregular assistance has also been reported.

A more pronounced case of assistance has been identified more than once at the voting centre 2101B, in the polling station 05D, at the Anton Çetta school in Skenderaj municipality. Residents of the elders' home were assisted by the same person and this has not been prevented. At polling centre 2037 A, in the polling station 01R, at the "Svjetlost" school in Prizren municipality a person voted on behalf of his two disabled girls. Another case that hampered the voting process for a short time was in Gjilan, at the polling center 0401D, in the 11R polling station at "Abaz Ajeti" school, where one person assisted a voter, voting

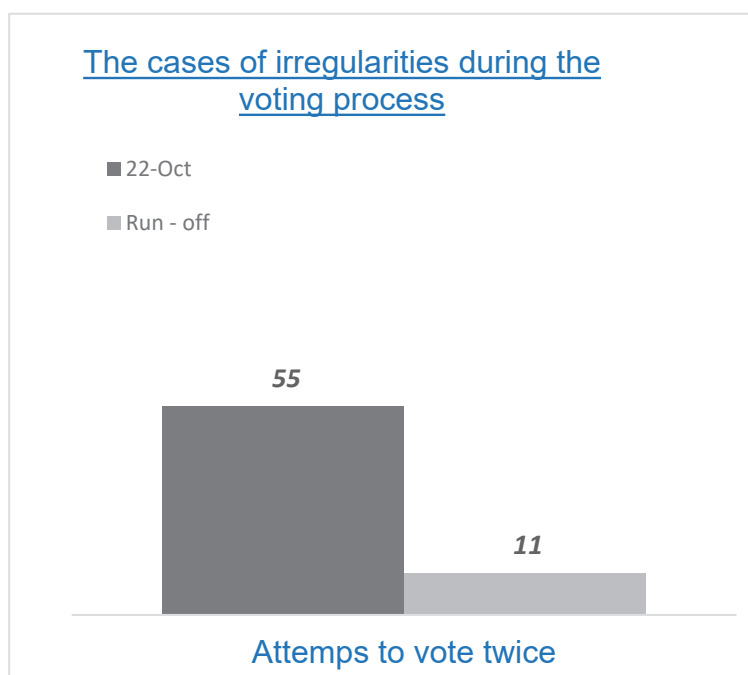
differently from his will. In Prishtina, at the polling centre 1906 E, in the polling station 07R at the Faculty of Philology, the polling station was temporarily closed after a person, more than once, has assisted the voters to vote.

In the run-off elections, DiA observers also reported on voter assistance cases more than once, a phenomenon that was identified in 27 polling stations (1.5% of all polling stations). In the Gjakova municipality, it has been reported that there have been votings with assistance several times, while the assistance was not carried out according to the rules stipulated by law. At those polling stations, the person has voted for himself and for the person he has assisted. In Prishtina, at the polling centre 1906 E, in the polling station 07R at the Faculty of Philology, the polling station was temporarily closed after a person, more than once, has assisted the voters to vote.

In the run-off for the mayor of Istog, in some of the polling stations, our observers reported assistance of up to 20% of the total number of voters who voted in those polling stations. In other polling stations, the polling station chairpersons recorded the assistances in the Voting book. However, the high number of assisted voters, especially when there were young voters seeking assistance, remains suspicious. Therefore, the State Prosecution should verify whether these cases are related to the offense of violation of the free choice of voters.

## Attempts to vote twice

Elections continue to be marred by some ill-intentioned voters, who tend to vote more than once. Attempts to vote more than once were evidenced in 55 cases, in the elections of 22<sup>nd</sup> October, and in 11 cases in the run-off elections. These cases occurred most commonly in the following municipalities: Ferizaj (13 cases), Mitrovica (8 cases), Prizren (2 cases). While, in the run-off elections, in the municipalities: Vushtrria in 2 polling stations, while in Gjakova, Prishtina, Podujeva, Klina, Mitrovica, Suhareka, Ferizaj and Istog in 1 polling station per each.



Among the cases evidenced by the observers of the Democracy in Action were: in Prizren, at polling centre 2004A, in the polling station 03R at "Motrat Qiriazhi" a person attempted to vote on behalf of a deceased person, while the polling station chairperson had cancelled the vote as invalid. In Pristina, at polling centre 1918E, in the polling station 05 D at Gjin Gazulli school, two people were allowed to vote despite the fact that their fingers have been sprayed. While in the run-off, at polling centre 1906 E, in the polling station 08R at the Faculty of Philology

in the Prishtina municipality, a person was allowed to vote, despite having the trace of sprinkler fluid on his fingers. The CEC has been notified of this before voting, however, the person was allowed to vote.

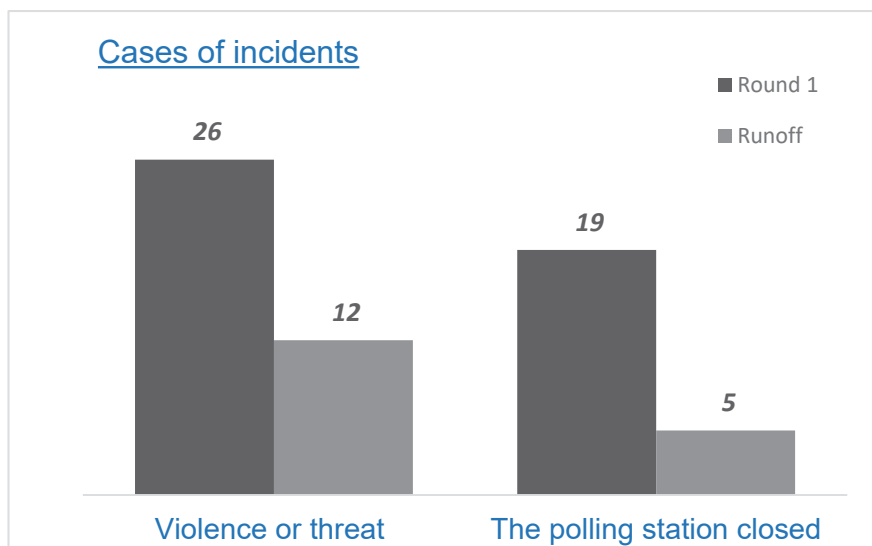
## **Irregularities and Incidents involving Violence or Threat**

In addition to the above-mentioned phenomena, Democracy in Action observers have also reported on some irregularities and incidents that have disrupted the voting process for a while, though fortunately this were few in number and did not affect the overall process in any municipality. The DiA records indicate that in the elections of 22nd October, 26 such incidents were reported and 19 of these cases resulted in temporary closure or hindrance of the electoral process. While in the run-off elections, there were 12 such incidents, 5 of which resulted in temporary closure or hindrance of the voting.

There were three such cases in the Gračanica municipality: the first occurred in "Kralj Milutin" school in Gračanica municipality, during the voting process there was a physical clash between some voters, due to which the police intervened by escorting them to the police station. This incident has affected the hindrance of the voting process for a few minutes and may be qualified an isolated incident. Similarly, in this polling center, the police have arrested a commissioner from the Gradanska Inicijativa because he deliberately damaged the ballot box by hitting it. While, in the polling station 09D at this school, at 9:30 a person attempted to photograph the ballot, he was prevented and taken out by the police. In Kllokot, a member of the Srpska Lista was arrested by the police because in front of the polling centre "Sveti Sava" he tried to influence voters by orienting them who to vote for. At the polling centre 2110B, in the polling station 02D at "Skender Skenderi" school in the Skenderaj municipality, there were constant attempts that more than two people stay behind the booth. But this was never allowed.

Less serious incidents, but causing some hindrances, were: in Gjilan municipality, at the polling centre 0438 D, in the 01D polling station at "Bajram Curri" school, whereby a person had consistently brought in voters and sometimes was presented as a commissioner and at other times as an observer. In the municipality of Mitrovica, at the 1121B/02D center of the school "Mehë Uka", a person was allowed to vote with a photocopy of the ID. At the polling centre 5201A, in the polling station 02R at "Anadolli" school in Mamusha municipality, at 11:30, a person voted using his wife's identification document. A voter reported that his name was previously signed on the Voters List in Prishtina 1921E/01R at the "Asim Vokshi" school in Pristina. A commissioner of Vetevendosje Movement has given a false identity and as a consequence, he was expelled from the polling station in Istog municipality, at the "Ndre Mjeda" school. In Mitrovica, at 11 o'clock, at the polling centre 3805B, in the polling station 11R at "Sveti Sava" school in North Mitrovica a woman looked through the whole signature book, with the claim that she wanted to see who had voted and then she said she wanted to vote as well.

In the run-off for Istog, in the polling centre 0621C, in the village Kalikan, the check with ultra violet lights was not done correctly at all cases, namely checking only one hand.



While in the run-off elections some incidents causing small hindrances were those at the polling centre 0805 C, at "Ali Sokoli" school in Klina municipality, whereby at 07:45, it was hit by stones thrown from the outside, which damaged the front door. The police had gone to the scene, however, the authors had not been identified. There were also reports of some cases, whereby some persons had voted outside the polling booth, at the school "Hysni Zajmi", PC 0606C, polling station 04R in Istog municipality. An arrest had occurred in Mitrovica, at the polling centre 1101 B, in the polling station 01R, at the school "Shaban Idrizi", where a person was found to have a copy of the ballot paper in his pocket and was arrested by the police. At the polling centre 0401D, in the polling station 11T, at the school "Abaz Ajeti", in Gjilan municipality, a person had assisted a voter, voting differently from his will. This caused hindrance in voting, due to the complaints of commissioners and party observers. In Prishtina, at the polling centre 1906 E, in the polling station 07R, at the Faculty of Philology, the polling station was temporarily closed since a person had assisted the voters more than once.

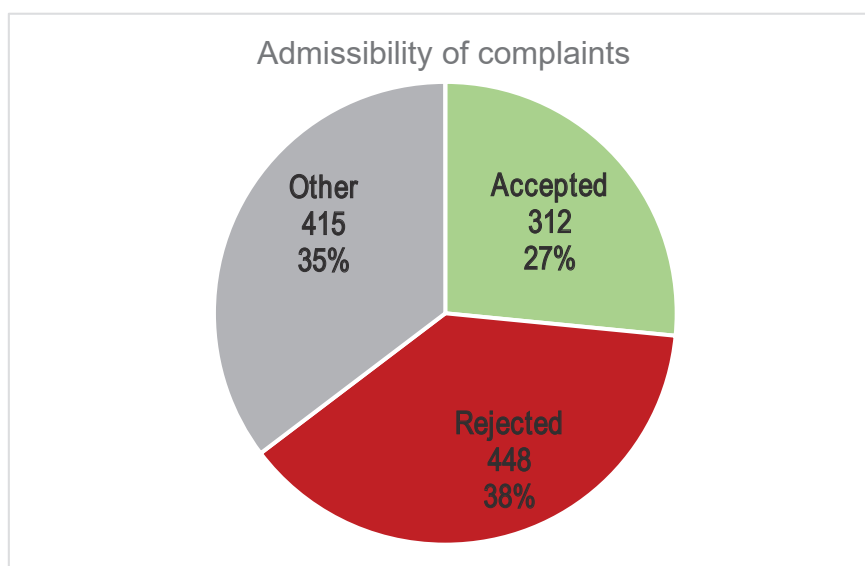
In the run-off, in the locations with Serb majority population, Serb community inhabitants were urged not to vote. Such cases were reported in the Vushtrria municipality, respectively in the villages Grac and Banjsa and in the Obiliq municipality.

## VII. Election Complaints and Decisions

### Election Complaints and Appeals Panel

For both election rounds, the Election Complaints and Appeals Panel received a total of 1,127 complaints and appeals. Out of them, 448 or 38% were rejected, 312 or 27% were accepted, while for 415 or 35% other decisions were taken (filed after the deadline, inadmissible or deemed as withdrawn).

The political entity that has filed the most complaints was PDK with 263 complaints, LVV with 160 and LDK with 151 complaints, followed by AAK and NISMA with 91 and 82 complaints, respectively. From the non-governmental organisations, BIRN has filed 128 complaints and KDI 26 complaints.



The highest number of complaints was made against the election managing bodies, respectively CEC and PSCs. While, regarding political entities, the most complaints were made against LDK (96), LVV (56), PDK (56) and AAK (45).

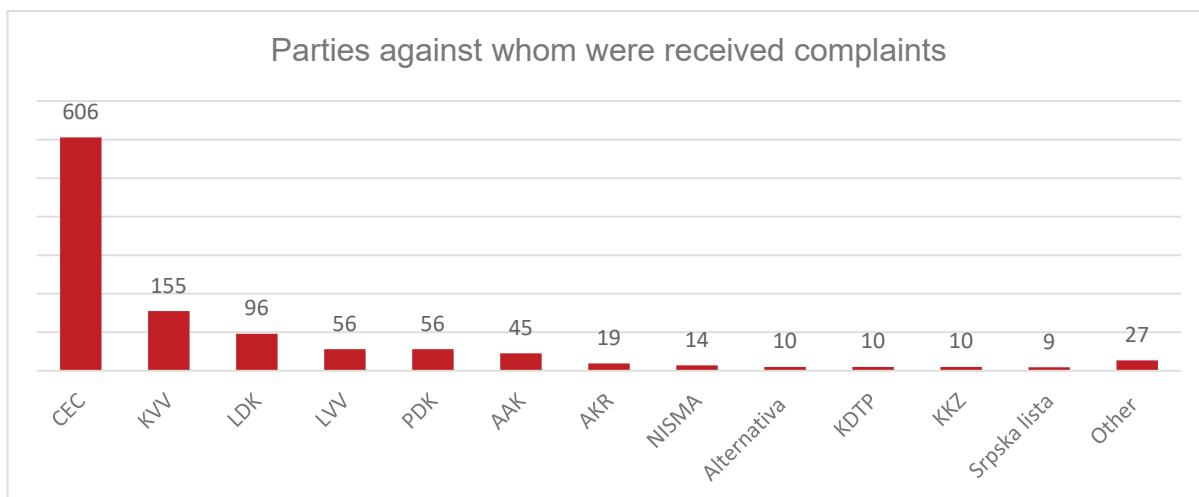
In terms of the election period, the highest number of complaints was made at the time the final results were announced for Municipal Assemblies, respectively 511 complaints during this period. In fact, a significant number of complaints were made immediately following the closure of polling stations, but they were declared as premature, thus causing them to pile up following the final announcement of results by CEC. The election campaign with 223 complaints and the voting day (187) are the other periods when there were most complaints. On the other hand, with regard to the municipalities with the most complaints, Prizren municipality leads with 127 complaints, followed by Prishtina municipality with 110 complaints and Ferizaj with 74 complaints.



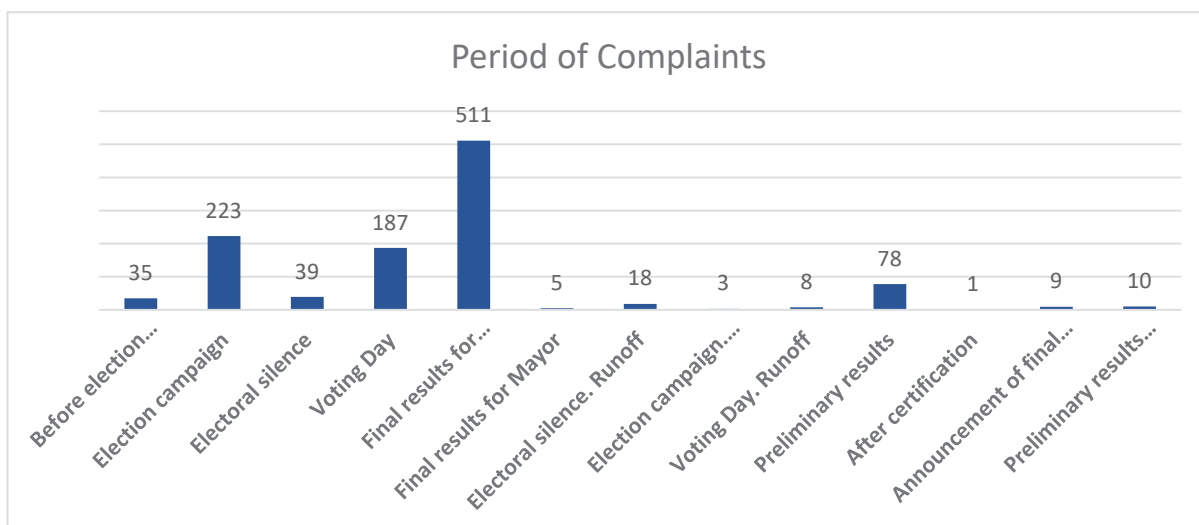
It is clear that the largest number of complaints was made by the candidates for Municipal Assembly members. Their main suspicions were that the result presented by the MECs and finally by the CEC is not the real result they claimed to have received at polling stations. A large number of these complaints have been received by the ECAP and a large number of box recounts have been ordered by ECAP, but only in a very small number of cases there has been a change in the results, and consequently a change in the rankings of candidates. In total, there are 13 cases when the winner of the seat in the municipal assembly has changed as a result of ECAP decisions for recountings by the CRC.

### **The most commented decisions of ECAP**

ECAP has received a considerable number of decisions that have provoked a debate between election stakeholders. Some of the ECAPs decisions were even sent to the Supreme Court, where the latter in some cases dismissed the preliminary decisions of the ECAP. Among the most commented decisions of the ECAP were those for decertification of 86 candidates that were running for Mayor or member of the Municipal Assembly, decision for recount of votes in Pristina, Prizren, partial recount in Dragash and Rahovec, and re-voting in Partesh municipality. Another highly commented issue on ECAP decisions was the decision on the fines that were imposed due to the presence of children in election campaigns.



Having certified the political party candidates, the CEC requested verification of whether they had been convicted of criminal offenses in the last three years, as required by the LGE. This was the first time that the CEC requested such verification, after nine years since the adoption of the law. The Kosovo Judicial Council found that 87 candidates had been convicted in the last three years for criminal offenses, making the CEC decide to decertify these candidates. The ECAP confirmed the decision of the CEC, but not the Supreme Court, which after the appeal filed by three of the candidates found that this legal provision was in violation of the Constitution. As a consequence, the CEC annulled its decision for decertification and allowed all candidates to return to the election race.



The same had happened more or less with the decision of ECAP for the recounting of the votes in the Municipality of Prishtina and Prizren. Initially, ECAP approved the PDK and LDK complaints for the recounting of all ballot boxes in these two Municipalities, however, the Supreme Court had rescinded these two complaints as unfounded. Whilst, on the other hand, the ECAP decision for a recount in the Istog municipality was reaffirmed by the Supreme Court, and thus, this municipality would be the second municipality after that of Partesh to go on a recount in these local elections.

On 02 November 2012, ECAP had decided to conduct the recount for the Municipality of Partesh for the Mayor elections in the first round, because, according to ECAP, the actions

undertaken by one of the candidates for Mayor had influenced the voters. This issue was sent to the Supreme Court, but the same has only confirmed the ECAP Decision. As a result, the first round of elections in Partesh was repeated in the second round of elections, held on 19 November in other municipalities. Given that there were only two candidates in this municipality, there was no need for an additional round of elections.

### **Fines against the political entities**

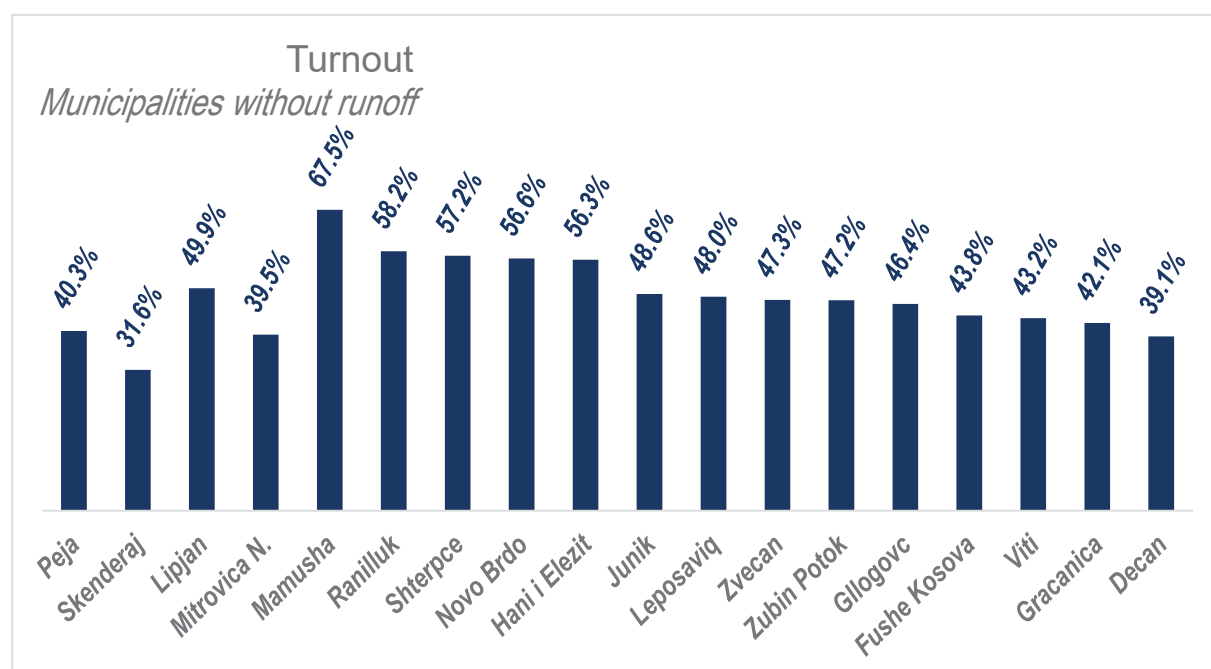
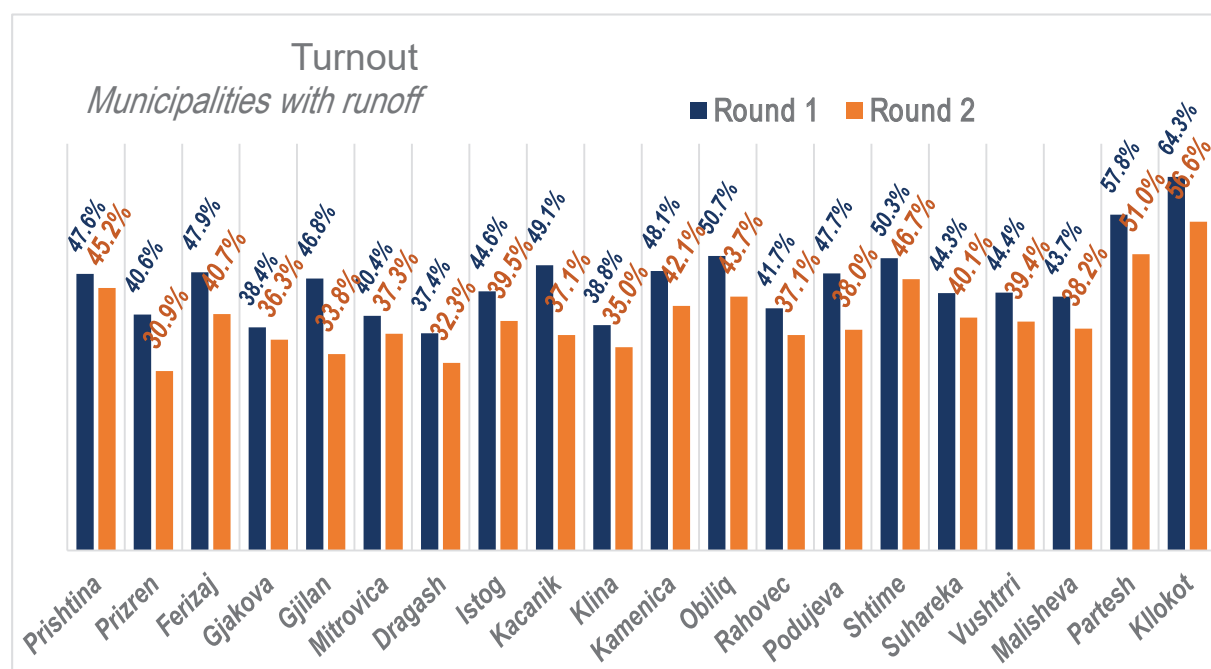
As regards the fines, ECAP had imposed the most fines against LDK, with a total of 70,300.00 €, followed by PDK with 22,450.00 €, LVV with 23,100.00 €, AKR with 18,500.00 €, AAK with 13,550.00 €, Alternativa with 12,950.00 €, NISMA with 2,850.00 € etc. The total value of the fines imposed against the political parties is 196,750.00 €.

KDI, as leader of the Democracy in Action coalition, submitted a total of 26 complaints to the ECAP, out of which 21 have been approved. The amount of fines imposed against political entities as a result of complaints filed by KDI is 12,350 €.



## VIII. Voter turnout

Voter turnout in the local elections held on 22 October was higher than in the general elections, a long-standing trend in Kosovo elections. However, the participation of 43,68% of eligible voters results to be lower than in the local elections of 2013, which was 46,3%, and in the local elections of 2009, which was 44,7%. On 22 October, the highest voter turnout was in the municipality of Mamusha, 67.5%, and in the municipality of Klllokot, 64.3%. While the lowest voter turnout in the elections of 22 October was in the municipality of Skenderaj, 31,6% and in the municipality of Dragash, 37,3%.



Voter turnout in the second round was lower than in the first one in all municipalities where a second round took place. In addition, voter turnout in some municipalities was drastically lower: in Prizren, it was close to 10% lower in the second round; in Gjiilan, it was 13% lower in the second round. In some municipalities, such as Prishtina and Gjakova, voter turnout was roughly the same in both rounds. This trend was not the same in the 2013 local elections.

In the second round, mainly in the Serb-majority localities, the Serb community residents have been urged not to go out to vote. Such cases have been reported in the municipality of Vushtrri, respectively in the villages of Grac and Banjska and in the municipality of Obliq.

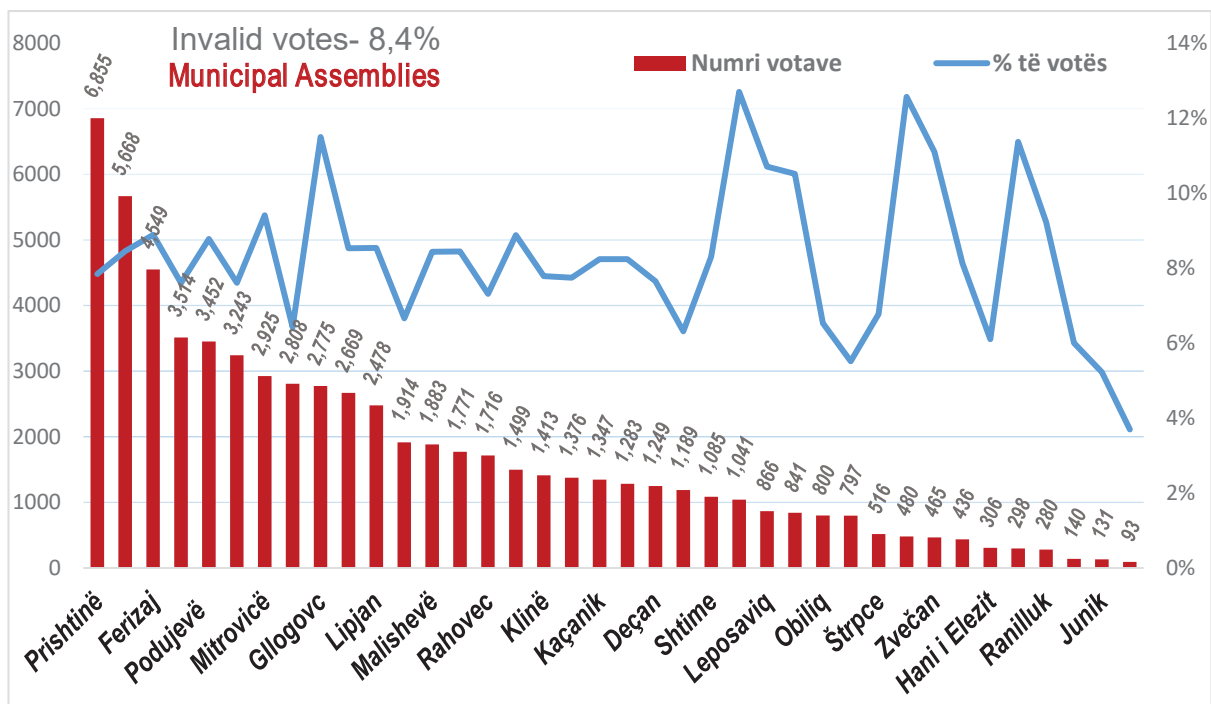
On 22 October, voter turnout was 14.6% until noon, while on 9 November, only 10.2% of voters voted until 12:00. This shows that most voters voted after 12:00.

## Invalid Ballots

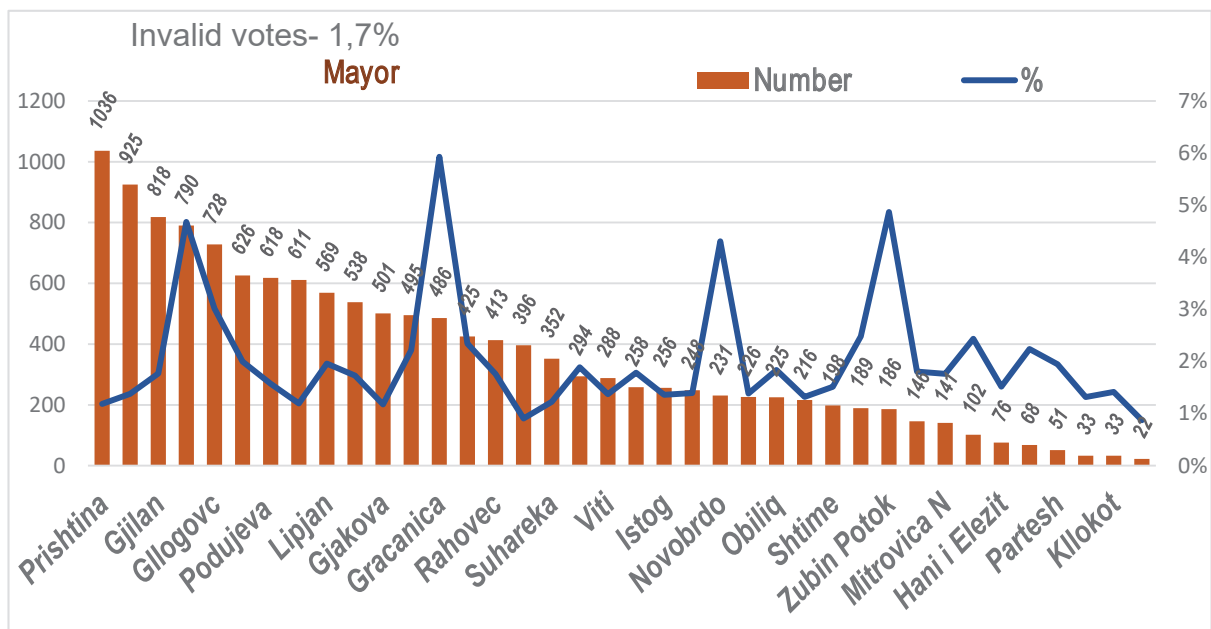
Invalid ballots were problematic this time too, especially in the elections for Municipal Assemblies, although the overall level of invalid ballots is slightly lower than in 2013. As regards the elections for mayors, although the level of invalid ballots was not high, it exceeds the difference between the two candidates in the second round in some municipalities.

In general, the invalid ballots for members of Municipal Assemblies was 8.4% (in 2013, it was 8.6%). This is because the ballot paper for Municipal Assembly is more complicated. The voters have to indicate the political entity, as well as another number intended for a candidate of that entity. However, in the general elections, the voters have to indicate one entity and up to five candidates of that entity. Many voters confuse the filling out of the ballot paper for the Municipal Assembly with that for the Assembly of Kosovo, i.e. general elections.

As regards the level of invalid ballots per municipality, the municipality of Gracanica leads with 13%, followed by two other Serb-majority municipalities: Zubin Potok and Partesh, with approximately 12% and 11%, respectively. Another municipality with more than 10% of invalid ballots is the municipality of Glllogovc. Whereas, by the number of invalid ballots, the municipality of Prishtina presides with 6.855 invalid ballots, followed by Prizren and Ferizaj, although in proportion to the number of voters, the level of invalid ballots in these municipalities was around 8% (see the graph below for more accurate data). The municipalities with the least invalid ballots as regards the elections for Municipal Assembly were the municipalities of Mamusha and Junik. All the other municipalities had more than 6% of invalid ballots, which is considered to be a fairly high level.

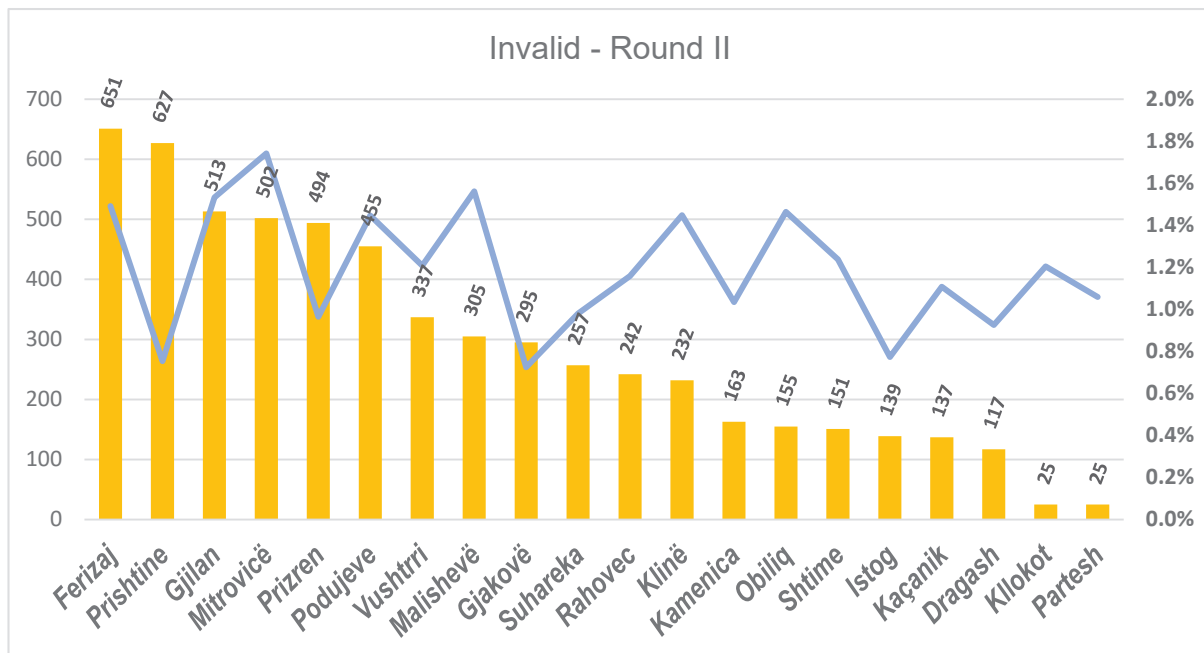


In the elections for mayor, the level of invalid ballots was normally lower. This is because voters had to indicate only one candidate. In the elections of 22 October, there were several candidates in the ballots, whereas in the second round, there were only two candidates. In the elections for mayor of 22 October, the total level of invalid ballots was 1,7%. Even in the elections for mayor, the municipality of Gračanica had the highest number of invalid ballots, with approximately over 6% of all ballots.



In the second round, the total level of invalid ballots was 1.2%. However, in the municipalities where the result was extremely tight, such as in Prishtina, Prizren and Istog, the number of invalid ballots was higher than the difference between the competing candidates (although the second round in Istog was cancelled and renewed). The highest level of invalid ballots

was in Mitrovica, over 1.6%. However, by the number, the highest number of invalid ballots was in Ferizaj (651) and in Prishtina (627).



## IX. Recommendations

### For Electoral Reform

- Conditional voting in local elections is unnecessary and it is time to remove it. This would prompt a lot of voters to refresh their address in order to have the polling centre as close as possible to the place of residence and, at the same time, would simplify the counting process and would alleviate doubts about manipulation;
- Voting from abroad via mail should be removed because it is very easy to abuse and difficult to identify the manipulators. This voting form can be replaced by voting in consular missions and embassies in Kosovo. The abolition of this voting form would simplify the counting process and reduce the chances of manipulation;
- The law on local elections should clarify what action can be taken in case of tight results in elections for mayor. In cases when the result is less than 1%, the possibility of a recount should be considered, due also to the considerable number of invalid ballots, especially when the number of invalid ballots is greater than the difference between the candidates;
- The legislation should be clarified as regards the certification of candidates with criminal offenses in the past, since the CEC decision that was in compliance with the law on elections was dismissed by the Supreme Court;
- Auditing of campaign costs should be carried out on time and in a regular manner as the political entities lacked transparency as regards to this. The responsibility of selecting external auditors should be transferred from the Assembly to the CEC.

### For the Central Election Commission

- The invalid votes for municipal assembly remain high and this especially holds good for some municipalities. The voter information campaign should be based on a preliminary poll with voters and on a thorough research in order to target the groups who need such information the most, such as young voters and women, and to adapt it to them therefore. The CEC should focus the information campaign in filling out the ballots of elections it organizes, in order to prevent the high level of invalid ballots, as well as focus it in the mechanisms of complaints and submissions in order to inform the citizens to ensure a regular electoral process;
- Polling station commissioners should be certified for their trainings, as in some polling stations it was noted that the commissioners were not well trained or trained at all. In this respect, the cases can be highlighted of allowing the voting with irregular assistance at some polling stations, cases of family voting and allowing party propaganda at the polling station. In this regard, the CEC should look into the possibilities of establishing a Training Centre to provide regular trainings for commissioners, political party observers, new students and voters on the importance of participating in elections;

## For Municipal Election Commissions

- Formal and regular meetings should be held throughout the electoral process so that the organizational issues of elections are discussed as foreseen by law and decisions taken in official form;
- Should go on the field before the Election Day and identify all campaign materials (billboards and posters) within 100 meters diameter from the polling station and remind political entities to remove the materials 24 hours before the voting process starts. As our data on the election day show, 4.5% of polling stations had electoral propaganda within a 100 meters diameter;
- Make greater efforts to educate voters and clear the voters list, especially when not in the election process period;
- Be active in identifying the placement of election campaign materials in public spaces.

## For Polling Station Commissioners

- PCS members should not tolerate voting with irregular assistance and in case this still happens following their remarks, they should call on law enforcement bodies (this has happened in some cases, but it should be more consistent);
- Should pay greater attention to the removal and prevention of party propaganda materials at polling stations.



SUPPORTED BY:

