



Resolution 1709 (2010)¹

Final version

Functioning of democratic institutions in Albania

Parliamentary Assembly

1. The Parliamentary Assembly deplors the political crisis which has seriously affected Albanian politics since the parliamentary elections of June 2009, with the opposition, led by the Socialist Party, boycotting the parliament and contesting the political legitimacy of the government, led by the Democratic Party. In a parliament where the governing majority does not have the three-fifths majority required to pass major constitutional reforms, this boycott makes further much-needed reforms impossible. This situation harms the Albanian people and their European integration ambitions.
2. The Assembly regrets that this boycott has damaged its relations with Albania. Following the June 2009 elections, a new Assembly delegation was not appointed within the required six months and opposition members of the old delegation no longer participate in the activities of the Assembly.
3. The Assembly notes that the absence of parliamentary dialogue and recourse to boycotts, especially following election results, is a recurrent problem in Albania which seriously hampers the democratic functioning of the state's institutions.
4. The Assembly further regrets that, in the absence of any meaningful parliamentary dialogue, inflammatory political rhetoric is being increasingly used by all involved. This could further destabilise the country.
5. The Assembly recalls that Albania applied formally for European Union membership on 28 April 2009. On 16 November 2009, the Council of the European Union invited the European Commission to submit its opinion on Albania's application for membership. However, in the current situation, the country's progression towards European integration is made much more difficult. Albania, contrary to its three neighbours, has not yet qualified for visa liberalisation by the Council of the European Union.
6. The Assembly expresses its readiness to act as a forum in which a solution for Albania can be reached, and to work, in close co-operation with other international organisations, to find a political solution to the crisis. It supports all efforts, including those undertaken by Albanian President Topi, to bring the Albanian political parties back together. In this respect, it considers that a round table, gathering all political parties of Albania, could contribute to improving the political climate and laying the groundwork to restore parliamentary dialogue.
7. The Assembly urges the Albanian Government and the opposition to put an end to the current political crisis in the country and assume their responsibilities in order to proceed with critical reforms and mark progress towards further European integration, a goal common for all. In particular, it urges the government to set up, without further delay, a parliamentary inquiry committee into the June 2009 elections that will respect the relevant Constitutional Court ruling on the parliamentary inquiry committees. At the same time, it urges the opposition to return to parliament and fully participate in its work.

1. *Assembly debate* on 28 January 2010 (8th Sitting) (see [Doc. 12113](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), co-rapporteurs: Mr Laakso and Mr Wilshire). *Text adopted by the Assembly* on 28 January 2010 (8th Sitting). See also [Recommendation 1902 \(2010\)](#).



8. The Assembly calls upon the Albanian authorities to implement the recommendations of the Ad hoc Committee of its Bureau, which observed the June 2009 elections, with a view to improving, in close co-operation with the European Commission for Democracy through Law (Venice Commission), the legislative electoral framework and enhance the capabilities of the electoral administration, in particular as regards:

- 8.1. the civil status register and the electoral register, and in that context, the need to find a solution to the problem of the franchise for Albanian citizens residing abroad;
- 8.2. the regulation of media coverage and public funding of campaigns, which puts political parties not represented in parliament at a disadvantage;
- 8.3. the rules of transparency relating to media ownership and their effective implementation so as to strengthen voters' confidence in the equity of the electoral system;
- 8.4. the manner of dismissal of members of the lower-level election commissions, which is incompatible with an impartial, professional electoral administration;
- 8.5. the ambiguous requirements as to the inclusion of women on the lists of candidates, which should be reviewed so as to guarantee that women candidates are in an eligible position;
- 8.6. the need to abolish the granting of special rights to political party chairs to stand for parliamentary elections.

9. The Assembly also invites political party officials and representatives of Albanian civil society to set up a joint group to examine all cases of pressure exerted on people during the election campaign and to establish the responsibility of any offenders under the electoral law.

10. In order to support the process of resolving the current political situation and assist President Topi in his role of mediator and his efforts to restore political dialogue and help put an end to the boycott through the acceptance of the recent election result and the full restoration of parliamentary democracy, the Assembly decides to ask:

- 10.1. President Topi if there is any way it can assist his efforts to achieve reconciliation;
- 10.2. the international community and diplomatic representatives in Tirana whether they can suggest any further action to the Assembly;
- 10.3. its own political groups to exert their influence on the respective Albanian political parties;
- 10.4. the Presidential Committee together with the co-rapporteurs of its Monitoring Committee to visit Albania as soon as possible after the January 2010 part-session of the Assembly.