



Demokracia në Veprim
Demokratija na Delu
Democracy in Action

ELECTION OBSERVATION REPORT

EARLY ELECTIONS TO THE
ASSEMBLY OF KOSOVO

11 JUNE 2017





DEMOKRACIA NË VEPRIM
DEMOKRATIJA NA DELU
DEMOCRACY IN ACTION

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EXECUTIVE OVERVIEW

Elections of 11 June 2017 were peaceful and were not affected by severe violations and violent actions that would undermine public trust in the electoral process. Exception to this situation was the electoral campaign period in Serb-majority municipalities, where the atmosphere of the campaign was tense and voters felt frightened. Also, the Election Day in these municipalities was closely monitored by increased security forces.

Overall, there were no serious incidents in the Election Day, however, our observers have recorded several irregularities during the voting, such as: i) Violation of vote secrecy that was expressed through family voting, the same person assisted more than once, as well as voting outside the voting booths; ii) Suspicion of creating economic dependency on voters, which was expressed through photographing of the ballot; iii) Abuse of the voting right, which was expressed through efforts to vote more than once; iv) Potential pressure on voters that can be interpreted by the presence of unauthorized persons in polling centres or polling stations, which was quite high in the morning hours; v) Deprivation of the right to vote for persons with disabilities due to the lack of adequate infrastructure for access at all polling stations.

The inaccuracy of the voters list remains a negative element in all electoral processes in Kosovo, including the 11 June 2017 elections. Despite some institutional efforts to remove the deceased persons from the election list, names of deceased persons can still be found on the list.

Voters from abroad have faced difficulties in applying for registration to vote by mail. The information campaign for voters abroad commenced too late, and insufficient guidance has been provided. The CEC was not prepared to handle the high electronic traffic of incoming applications, causing server failures and therefore preventing voters from exercising their voting rights. Electoral reform should address this problem by eliminating unnecessary barriers and by simplifying the procedures.

The high number of invalid ballots is a concerning matter, particularly considering the fact that there is an increasing trend of such ballots, despite the fact that the electoral system has remained the same. The CEC should, as soon as possible, investigate and analyse the causes that have led to the increased number of invalid ballots. Necessary measures should be undertaken immediately in order to address more seriously the identified problems. Above all, the CEC needs to make more efforts to educate and inform the voters on the method of voting, in order to reduce the number of invalid votes.

The new phenomenon noted in these elections was the accreditation of a non-governmental organization which is not an active taxpayer and has no experience in election observation. The large number of accredited observers from this organization has raised doubts about their mission and links to certain political parties.

Funding sources and financial transparency of political parties remains a problematic issue and therefore it should be applied a greater oversight of their finances, especially with regards to observation of constraints imposed by the CEC for this election campaign.

DiA praised the activity and efforts of many commissioners who performed their duties, taking into account the short period of preparations. However, the CEC did not provide adequate training for commissioners who in some cases were not well informed with procedures of voting, counting and filling out the Results Reconciliation Form. The CEC has been transparent at the meetings held.

Nevertheless, observers had no access to the reviewed materials, and the decisions were not published on time.

The Election Complaints and Appeal Panel (ECAP) acted professionally and impartially in addressing the complaints, by adhering to the deadlines.

The election campaign period has been intensified with activities of candidates, whereby various irregularities have been observed such as: i) the use of children in the electoral campaign, in certain cases in an organized way; ii) use of official vehicles for political party purposes and presence of civil servants; iii) placement of promotional material of candidates and political parties in traffic signs, electric poles, public spaces not intended for such purposes; iv) language used during the campaign in certain cases contained elements of hate speech; v) presence of women in campaign activities of political parties has been rather low, and women candidates had no equal opportunities with men to elaborate their views; vi) access of persons with disabilities was not guaranteed in all electoral gatherings.

In Serb-majority municipalities, the situation during the election campaign period was tense, and voters often felt frightened and under pressure to vote for a particular political party.

The presence of media in the electoral gatherings was satisfactory and the same were not impeded to report freely. Failure to participate in television debates of representatives from all political parties has deprived citizens from the right to see the encountering of ideas and presentation of governing programs. The efforts of some political parties to interfere in media editorial policies are unacceptable.

I. INTRODUCTION

Early parliamentary elections have already turned into normal occurrences in Kosovo. The four-year mandate of the Assembly was never fully completed. Dissolution of the Assembly before this deadline and the organization of early elections within the minimum thirty-day deadlines is quite challenging for election management bodies. Consequently, it affects the quality of many electoral processes.

Main challenges remain almost the same from process to process. Among the most expressed challenges in these elections were:

- Increased number of invalid ballots;
- Late commencement of the voter information and education campaign;
- Poor training of the Polling Station Council members;
- Technical problems in registering voters from abroad;
- Inaccurate voters lists, where the presence of deceased persons is still evident;
- Intimidation and pressure on voters from representatives of the same community, reported in Serb-majority municipalities;
- Use of public resources for election campaign purposes;
- Presence of children in campaign and the small number of women in election activities of EMB;
- Violation of the vote secrecy (by photographing the ballot, voting outside the voting booth, group voting or known as family voting);
- Assistance to voters by not respecting procedures such as registration in the voting book;
- Frequent violations of the Code of Conduct by political parties, namely the placement of electoral campaign materials in public spaces;
- Hesitation of political parties to declare campaign planning and expenditures;
- Delays in certification of final election results;
- Large number of ballot boxes that were sent to quarantine for verification;
- Accreditation of political party observers through fictitious NGOs.

Many of the problems identified during the election process could be avoided through amendments to secondary legislation, practices by the CEC and political parties and more qualitative education campaigns and increased representation in PSC. Nevertheless, the electoral reform, which was not carried out despite the fact it started six years ago, would have had greater effect, both in the fair representation of citizens and in the election administration process.

Below are listed some of the positive aspects of organization of election:

- Good coordination between state institutions on Election Day, such as CEC, Kosovo Police and State Prosecution, which have influenced in the regularity of the process;
- Efficiency of the Election Complaint and Appeal Commission in reviewing complaints and imposing fines;
- The electoral campaign was generally conducted without hate speech and incidents;
- Acceptance of election results by political parties and their candidates, which is an indicator of a high level of trust in the process.

Methodology

Democracy in Action, as a coalition of local election observation organizations, remains committed since 2007 to enhancing the integrity of elections through observation of the entire electoral process. Our overall objective is to contribute to the promotion of free, fair and reliable elections through a peaceful and sustainable environment. Specific objectives include:

- Professional and impartial election observation, in order to enhance election integrity and public trust in this process;
- Contribution to education and information of voters on how to vote and on the importance of participation in free elections, without intimidation or violence;
- Elimination of barriers to all society groups for participation in elections, ensuring equal opportunities to all groups of society, gender equality and protection of human rights;
- Assessment of electoral process legitimacy in relation to the fulfilment of international standards, and respecting the local legal framework;
- Provision of recommendations for further improvement of election system and administration.

Election campaign was monitored by 61 long-term DiA observers, who monitored activities of political parties for ten days. Our observers assessed the language used in gatherings, women representation in the campaign as participants in gatherings or candidates of political parties. Children involvement in the campaign in an organized way, presence of public servants, participation of persons with disabilities including access to places where activities were organized, use of public resources were also part of the daily assessment. The collected data are analysed by a special team specialized in this field. DiA observers also observed the meetings of election management bodies, both at central and local level.

On Election Day, held on 11 June 2017, DiA engaged around 2,500 short-term election observers, who were spread out in all polling stations in Kosovo. Observers reported at three regular time intervals regarding the election performance, whereas the data were processed and analysed at the DiA Call Centre, which prepared the public notices.

II. POLITICAL CONTEXT

Early Election of the Assembly of the Republic of Kosovo came as a result of the motion of no-confidence against Government, initiated by “Nisma per Kosovën” and supported by the “Aleanca për Ardhmërinë e Kosovës”, “Vetëvendosje” Movement and several MPs from the ruling coalition and parties from non-majority communities, thus increasing the number of MPs to 43.

The plenary session for Review of the motion of no-confidence for the Government of the Republic of Kosovo was held on 10 May 2017 in the Assembly of Kosovo. Present at the hearing were 117 MPs, 78 voted in favour, 34 voted against and 3 abstained. The motion of no-confidence for the Government was also supported by PDK MPs, which was a government coalition partner with LDK. Votes of PDK MPs regarding the motion of no-confidence for the Government were also understood as a decision to break the coalition with LDK.

In fact, a series of problems and fluctuations, being evident since its first day of work, preceded the dismissal of Government. The elections of 8 June 2014 were followed by a six-month political blockade, as the Albanian parliamentary parties initially refused to join a coalition with PDK, which was the leading party in those elections. The so-called “Opposition Block”, comprised of LDK, VV, AAK and Nisma, ceased to exist when LDK entered into coalition with PDK to co-govern the next mandate on December 2014. The coalition between PDK and LDK was formalized on 19 December 2016, but this coalition was fiercely opposed. Among others, the coalition was also opposed by several LDK MPs, who voted against the Government to be led by the party chairman they represented.

Important events occurred in August 2015 for the outgoing Government, as during this month the Government of the Republic of Kosovo signed two agreements which then became the only issues that took the focus of the entire Kosovar political scene. Initially, Prime Minister, Isa Mustafa signed the Agreement for Establishment of Association of Serb Municipalities (ASM) in Brussels, whereas, one day later, the former Minister of Foreign Affairs, Hashim Thaçi signed the Agreement for Border Demarcation between Kosovo and Montenegro in Vienna. Both of these agreements were signed while the Assembly of Republic of Kosovo was officially on annual leave. The signing of these two agreements caused immediate reaction of opposition parties and of other exponents within the ruling coalition, who strongly opposed both agreements on the grounds that Kosovo is creating preconditions to establish a parallel Serbian state within the country through the establishment of ASM, and is losing over 8,000 hectares of its territory by signing the demarcation with Montenegro. Opposition's objection to the two agreements signed by the Government outweighed the Assembly mechanisms provided for in the Constitution of the country and the Rules of Procedure of the Assembly. Tear gas, egg throwing, Molotov throwing and physical clashes with police within the Assembly were just some of the methods used by the opposition to oppose ASM and the Demarcation. Furthermore, the Assembly of Kosovo was constantly faced with poor work efficiency, where the legislative agenda failed to ever be met by more than 36%. There were major absences of MPs in plenary sessions and in parliamentary committee meetings, the number of laws oversight was very low and generally the work at the Assembly of Kosovo was pale and lacked the dynamics. Moreover, the governing coalition between PDK and LDK was often uncoordinated and with different attitudes over certain issues.

The emphasized problems for establishment of the Association, failure to ratify the demarcation agreement with Montenegro and other problems of the country's citizens that remain unaddressed

in the Assembly led to the opposition's motion to overthrow the Government, which was supported by the coalition partner PDK.

The President of the Republic of Kosovo by decree dissolved the Assembly of Kosovo and set 11 June as the date for early parliamentary elections.

III. LEGAL FRAMEWORK

A. Primary and secondary Legislation

The legal framework governing the organization of the electoral process in Kosovo consists of the Constitution of Kosovo, Law on General Elections, Law on Local Elections, Law on Financing Political Parties and Criminal Code of the Republic of Kosovo. The Central Election Commission (CEC) as the election management body has also adopted Electoral Rules that serve to regulate specific aspects of the electoral process.

The Law on General Elections in the Republic of Kosovo¹ is the most important law governing the election process in the country. This law regulates the electoral system of elections for the Assembly of the Republic of Kosovo and the organization of elections for the Assembly of the Republic of Kosovo; recognition and protection of the right to vote and eligibility criteria for the vote; maintenance of the voters' list; registration of political parties and certification of political parties; responsibilities and functioning of the Central Election Commission; establishment and functioning of the Election Complaint and Appeal Commission; organization and functioning of election commissions and councils; rules for accreditation of election observers, as well as their rights and responsibilities; campaign spending limits and financial disclosure obligations; coverage of election campaigns by the media; Code of Conduct of Political Parties, their candidates and supporters; voting procedures, counting and announcement of results as well as other important aspects related to elections and the electoral process in Kosovo.

Another important Law regarding the election process in the country is the Law on Local Elections². The purpose of this Law is to organize and hold elections for Municipal Assemblies and Mayors of Municipalities of Kosovo, which among others determines the mandate of Municipal Assemblies and Mayors, the distribution of seats in the municipal assemblies, registration and certification of candidates, etc.

One of the most important laws with regards to the elections, more specifically regarding the expense of political parties and the pre-election campaign is the Law on Financing Political Parties.³ This law regulates the financing method and conditions, administration, oversight, transparency and reporting on the spending of assets and the income of political parties in the Republic of Kosovo. More specifically, this Law specifies in detail the important issues regarding the finances and expenditures

¹ Official Gazette – Law on General Elections in the Republic of Kosovo: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544> (accessed on 11.07.2017)

² Official Journal – Law on Local Elections: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2549> (accessed on 11.07.2017)

³ Official Gazette – Law on Financing Political Parties: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2705> (accessed on 11.07.2017)

of political parties, including during the time of elections. Among the main specifics of this law are the regulation of aspects about the status of the political party, financial and material resources of political parties, the forms for contributions to the political parties, the fund for supporting the political parties that is allocated by the state budget, and similar.

In particular, this law also regulates the allocation of funds for election campaigns. According to Article 10 of this law, for funding the central and local elections campaign for regular and extraordinary elections, the Assembly allocates, from the Fund, the means upon the proposal of the Government in a value of not more than 0.05% of the Kosovo budget. Means for financing the pre-election campaign are allocated to political parties that participate in elections based on the criterion where 90% of the funds are allocated based on the number of seats in the Assembly, whereas 10% of the funds are allocated proportionally to the newly registered political parties, certified for elections by the CEC.

With the aim of preventing manipulations and misuse during the electoral process, the Criminal Code of Kosovo regulates with a separate chapter the offences towards voting rights. In 11 Articles, this Code envisages all offences that, according to the law, sanctions and convicts the perpetrators regarding election-related crimes.⁴ Some of the election-related offences envisaged in the Criminal Code are: stopping or impeding a person from running in elections; impeding a candidate from their campaign activities; impeding a voter from voting or influencing their choice; abuse of official election position of election staff; giving or receiving bribe in relation to voting; intermediating a bribe in relation to voting; voting or attempting to vote on behalf of someone else, more than once, and/or using more than one voter list; Illegally impeding or stopping the voting process; violating the privacy of voting; falsifying the results; damaging the voting documents etc. Violations of these rights are penalized by a fine or effective imprisonment, which includes, among other things, severe criminal penalties of up to 5 years of imprisonment as well as confiscation of the material benefit as a result of such criminal offences. The purpose of these provisions is to protect the citizen's free vote at all costs. It is characteristic that in the Criminal Code are included all the offences that can be performed before, during and after the election day, focusing not only on the prosecution and punishment of perpetrators but also on their prevention.

In addition to primary legislation, the electoral process in the country is regulated by secondary legislation. More specifically, CEC has adopted a considerable number of so-called "Election Regulations", which regulate certain aspects of the electoral process. Some of the main regulations adopted by the CEC are: Regulation No. 19/2016 on Polling Station Councils; Regulation No. 18/2016 on the Appointment, Composition and Functioning of Municipal Election Commissions; Regulation No. 03/2013 on Voting out of Kosovo; Regulation No. 01/2013 on Registration and Operation of Political Parties; Regulation No. 08/2013 on Certification of Political Entities and their Candidates; Regulation No.12 / 2013 on Campaign Spending Limit and Financial Disclosure; Regulation No. 02/2013 on Drafting, Confirmation and Challenge of Voters List; Regulation No. 04/2013 on Voting of Persons with Special Needs and Circumstances; Regulation No. 05/2013 on Mailboxes and Electronic Communication with Political Subjects; Regulation No. 06/2013 on Count and Results Centre; Regulation No. 07/2013 on Election Observers, etc.

⁴ Official Gazette - Criminal Code of the Republic of Kosovo, Articles 210 - 220. See: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2834> (accessed on 11.07.2017)

A. Election system and distribution of seats

The electoral system in the Republic of Kosovo is defined by the Constitution of the country and by specific laws. The Constitution of the Republic of Kosovo guarantees the freedom of association and the right to elect and to be elected.

The Republic of Kosovo applies a proportional electoral system with an open list, where the voter votes for a political entity and up to 5 candidates for MPs from the same political entity. Kosovo is not divided into electoral zones; therefore, there is only one electoral zone that enables voters to choose to vote for any candidate regardless of the candidate's geographical background.

The Assembly of Kosovo has a total of 120 MPs, out of which 20 seats are guaranteed for representation of non-majority communities in Kosovo. From 20 guaranteed seats, 10 of them belong to members of the Serbian community, while 10 others are guaranteed to members of other communities.

The Republic of Kosovo applies a 5% election threshold for political entities, coalitions and independent candidates in order to have the right to be represented in the Assembly. Political entities representing non-majority communities are not subject to the election threshold.

The gender quota is foreseen by the Law on General Elections, which stipulates that at least 30% of the candidates of the least represented gender should be on the candidate lists of each political entity. The same criterion applies to the distribution of seats in the Assembly, with at least 30% of the least represented gender. MPs are elected for a four-year term.

I. ADMINISTRATION OF ELECTIONS

B. Announcement of Elections

Initiation of the motion of no-confidence for the Government by opposition political entities and backed by some MPs of the ruling political entities was justified by the Government's loss of power in decision-making and by not pushing forwards some of the important issues. Until the last moments, Prime Minister Mustafa hoped that the motion would not be backed by his coalition partner PDK, with which even in the agreement on co-governance had set a special point stating that the motions filed by third parties would not be supported by partners in the Government. However, the motion of no confidence against the Government was voted by the PDK MPs as well, thus bringing the mandate of the Mustafa Government to an end. From this moment, the Government was considered as resigned, while the decision to dissolve the Assembly was taken that day by President Thaçi.

The date of the early elections was set to be 11 June, giving the CEC, as the responsible institution, along with its respective bodies, a 30-day deadline for organizing and holding these elections. Since after the dissolution of the Assembly the elections can be held no earlier than 30 days and no later than 45 days, the expectations were to use the maximum deadlines in order to provide more time to CEC to handle the organization of the elections, such a request was however not taken into account by the President.

C. Administration of elections

i. The work of CEC

Based on the legal provisions, the Central Election Commission began preparations for organizing the elections shortly after their announcement by the President, by holding an extraordinary meeting, where were set the main deadlines for activities that are related to the electoral process.⁵

During the period from the announcement of the election date to the Election Day, CEC organized meetings in intensive manner. Some of these meetings were held without warning, and consequently without stakeholder participation.

The CEC initially approved the budget of 4,944,900 Euro for the organization and management of these elections. Further, the CEC approved the limitation of campaign spending by political entities. The maximum amount that can be spent by the political entities was set to be 942,573.50 Euro, which means 50 cents per registered voter.⁶

ii. Functioning of MECs

Similar to the previous elections, the functioning of the Municipal Election Commissions has remained this year as well as a challenge with regards to managing and running the electoral process. This challenge comes mainly as a result of not holding regular meetings, failing to inform the public and lacking the minutes of the held meetings. Most of the abovementioned irregularities are related to the lack of CEC Secretariat oversight to MECs, especially with regards to organization and conduct of MECs' meetings.

iii. Training of PSCs

During these elections, just as in the previous elections, Democracy in Action has paid particular attention in monitoring the training of election commissioners. The long-term observers of Democracy in Action have monitored a considerable number of training sessions for PSC officials. A challenge to monitoring the trainings was the lack of training schedule, which was the case in many municipalities. From the trainings monitored by DiA observers, in comparison to the previous elections, a greater seriousness was observed in the organization, as well as in the participation of political party commissioners in trainings. However, there is still a lot of work to be done, both in terms of organizing the trainings, as well as the qualifications of commissioners. Of course, in this regard, there is a commitment of all stakeholders, especially of political parties since they are the ones who nominate their members in the PSC.

iv. Educating and informing the voters

The high number of invalid votes is a clear indicator that information of the public about the electoral process, particularly about voting procedures, was not at the right level. Apart from technical reasons, the short period for informing and educating the voters, especially the young voters, contributed to the lack of proper and targeted public information.

⁵ "Decision on Setting Deadlines for Election Activities for Early Elections" taken on 11 May 2017. CEC: Prishtina. Accessible at: http://kqz-ks.org/Uploads/Documents/vendim%20per%20caktimin%20e%20afateve_accdhsdawl.pdf

⁶ "Decision on Limiting Campaign Spending for Political Entities" taken on 15 May 2017. CEC: Prishtina. Accessible at: http://kqz-ks.org/Uploads/Documents/Vendim%20Kufizimi%20i%20Shpenzimeve-2017_qtlhvdngqc.pdf

Through the tendering procedure, the CEC has selected an external company to manage the component of voter information and education. Just as in the previous elections, the CEC has aired TV spots in the public broadcaster and other media.

A characteristic of this process was information of voters whose Polling Centre was changed. As there were a large number of complaints about changing the Polling Centre, the CEC developed information campaign by placing lists with names of persons in the Polling Centres about a week before Election Day.

II. CERTIFICATION OF THE VOTER LIST

According to the deadlines set forth by CEC, 1st of June was set as the date for the certification of voter list. In these elections, the final voter list consisted of over 70,000 more voters than in the 2014 elections. The final voters list, certified by the CEC, consisted of a total of 1,872,941 voters. About 30,000 deceased people have been removed from this list this year. However, based on numerous statements, the number of deceased people on the voter list remains worrying.

There is a total of 118,448 young voters in the final voter list who reached the age since the 2014 elections were held and will consequently vote for the first time in these elections, whereas 36,754 other voters were registered for the first time in the Civil Registry, most of whom obtained documents of the Republic of Kosovo after elections of 2014.

The number of Polling Centres in these elections was 889 (91 Polling Centres more than in 2014), with a total of 2,490 Polling Stations (116 Polling Stations more than in 2014).

III. VOTING FROM ABROAD

Voting from abroad has been identified as one of the main problems of these elections. This year, the number of citizens interested to vote from abroad has been extremely high. Email, postal service and fax were the mechanisms made available by the CEC for registration of these voters. However, due to the large number of applications for registration as voters voting from abroad, the electronic mail made available by the CEC, which was the most used form for registration, faced technical problems on the last day appointed by the CEC for registration, since this account was overloaded by the high number of applications.

Based on the data provided by the CEC Secretariat, 20,354 persons have applied for registration outside Kosovo, out of which CEC has approved 15,118 and rejected 5,236 due to the lack of evidence to prove their right to vote. Over 5,000 people have exercised the right to vote from abroad.

IV. REGISTRATION AND CERTIFICATION OF CANDIDATES

The deadline for applying for certification of political entities for these elections began on 11 May and ended on 19 May 2017, which was set as a deadline for submission of initial lists of candidates for MPs, whereas the certification of political entities and candidates was conducted on 23 May.

CEC has accredited 26 political entities for participating in elections, which are included on the ballot, out of which are 19 political parties, 5 coalitions and 2 civic initiatives. The draw for the ranking of political entities on the ballot was casted on 26 May.

Each political entity may have on its list up to 110 candidates for MPs, or 10% more than the number of seats for which they compete. In general, the number of candidates who competed in the elections was 971. ECAP has received several complaints from candidates who have declared to have been included in the list despite the fact they did not want to.

V. ELECTION CAMPAIGN

The CEC determined that the election campaign for early parliamentary elections to be ten days, starting from 31 May to 9 June 2017. Election silence was one day before the polling day, respectively on 10th of June. It is worth mentioning that political parties have conducted activities prior to the official commencement of the election campaign, due to the lack of adequate legal provisions that regulate this issue. The funding sources and the financial transparency of political parties remains to be a problem and therefore greater oversight of their finances needs to be performed, especially in terms of the constraints determined by the CEC for this election campaign. The expenditure limit for certified political parties was 50 cents per voters registered at the country level, or a total of EUR 942,573.50.⁷

Democracy in Action (DiA) has monitored ten-days of electoral campaign at the country level, through 60 long-term observers who have reported on daily basis on the progress of the electoral campaign carried out by the political parties for the early parliamentary elections of 11 June 2017. DiA observers have monitored 655 activities of political parties nationwide, majority of which were public gatherings with up to 500 participants. Only 49 activities have had more than 1,000 participants.

D. The election campaign environment

The election campaign has gone smoothly, except for the Serb-majority municipalities, respectively municipalities of Leposaviç and Graçanica where it was reported for a tensed atmosphere and incidents between Serbian political parties competing in these elections. Hate speech has accompanied the activities organized by political parties during the election campaign, respectively in 30 activities of 655 monitored by DiA. In most of the monitored cases, the Kosovo Police has provided security for election activities. The media were not present in 56% of the electoral activities monitored at the country level, while in the activities in which they took part they were not prevented from reporting freely.

⁷ CEC Decision on limiting campaign expenditures for political parties, link: http://kqz-ks.org/Uploads/Documents/Vendim%20Kufizimi%20i%20Shpenzimeve-2017_qtlhvdnggc.pdf available from 20.06.2017

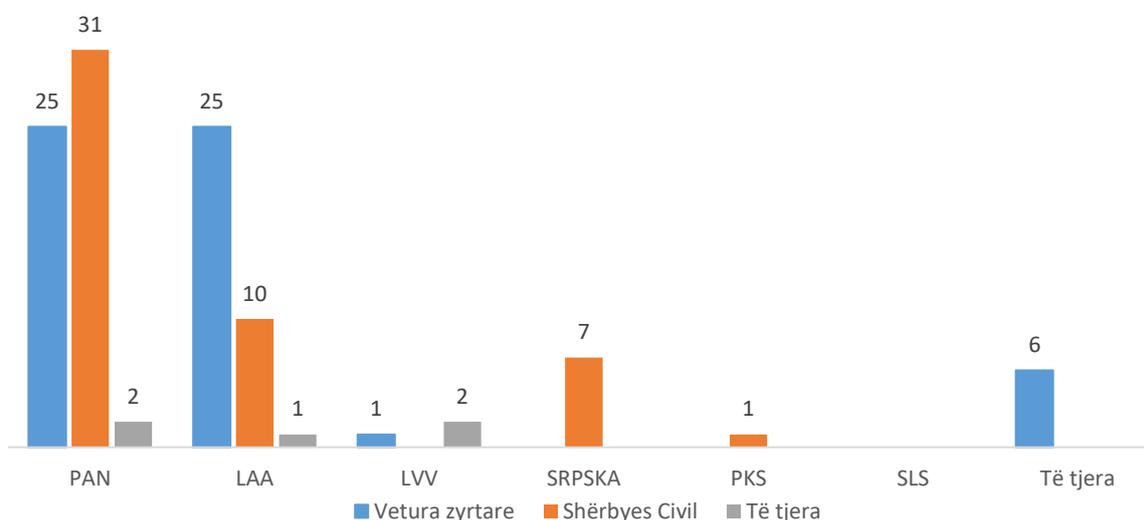
E. The use of public resources and participation of civil servants in electoral activities

The Law on General Elections, Article 2 defines the basic principles, respectively Article 35 defines the prohibited acts of public servants and strictly forbids the use of public resources and staff of any central or local level institution with the purpose to support a political entity in the elections.

Regardless of clear legal restrictions, the phenomenon of using public resources has characterized this election campaign as well. For 10 days, that this campaign lasted, DiA observers have reported 96 cases of public resources use. The use of public resources was mostly expressed in the two largest pre-election coalitions, PAN coalition in 48 cases, and LAA in 32 cases, whereas LVV had only 3 such cases, followed by Serb community political entity SRPSKA in 6 cases, PKS in 1 case, and other political parties in 6 cases.

One of the public resources that were most frequently used by the political parties during the election campaign is official vehicles, respectively in 57 activities. Of these reported cases, PAN and LAA lead with 25 cases each, out of all other political parties by the number of cases where official vehicles were used. While in other political parties in election race, the use of official vehicles in their election campaigns was very low. It did not lack also the presence of civil servants in the activities of political parties. Our observers have managed to record 49 cases where civil servants were present in the campaign. Also in these cases, the two pre-election coalitions PAN and LAA have dominated with the greatest use of these resources, PAN in 31 activities and LAA in 10 other activities. In 5 other cases is noticed the use of other types of public resources.

USAGE OF PUBLIC RESOURCES ALLOCATED BY POLITICAL ENTITIES



F. Presence of children

The Republic of Kosovo has not yet regulated the legal framework on the participation of juveniles in election campaigns. This issue must be addressed as soon as possible through the Law on Children. However, the involvement of children in election campaigns is contradictory to the spirit of the Convention on the Rights of the Child, 1989. The Constitution of the Republic of Kosovo, in Article 22,

stipulates the direct implementation of this convention in Kosovo, giving priority in cases of conflict with the provisions of laws and other legal acts of public institutions.

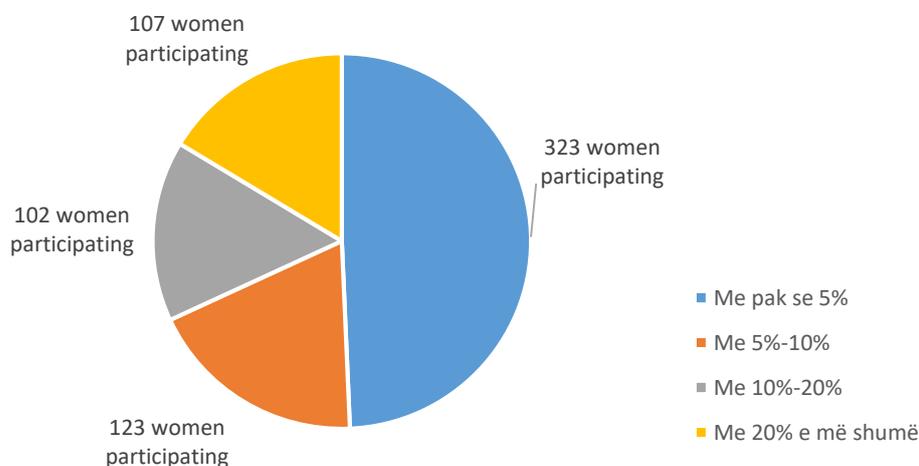
Involvement of children was also a phenomenon present during the parliamentary election campaign of 11 June. DiA has consistently expressed concerns about this violation which has been observed in most electoral activities of the political parties. The total number of children present in electoral activities was 3,653, or in 32% of the activities monitored by DiA. In the electoral campaign of PAN coalition, children were present in 33% of the activities monitored by our observers; in LAA campaigns they were present in 38% of monitored activities, LVV in 32% of monitored activities, SRPSKA in 8% of monitored activities, SLS in 50% of activities and other political parties in 28% of monitored activities.

G. Participation of women

This election campaign has also marked a low participation of women. Despite the increased awareness of political parties about the importance of women's vote, this was not translated into their participation or in the provision of equal access of women to the electoral race.

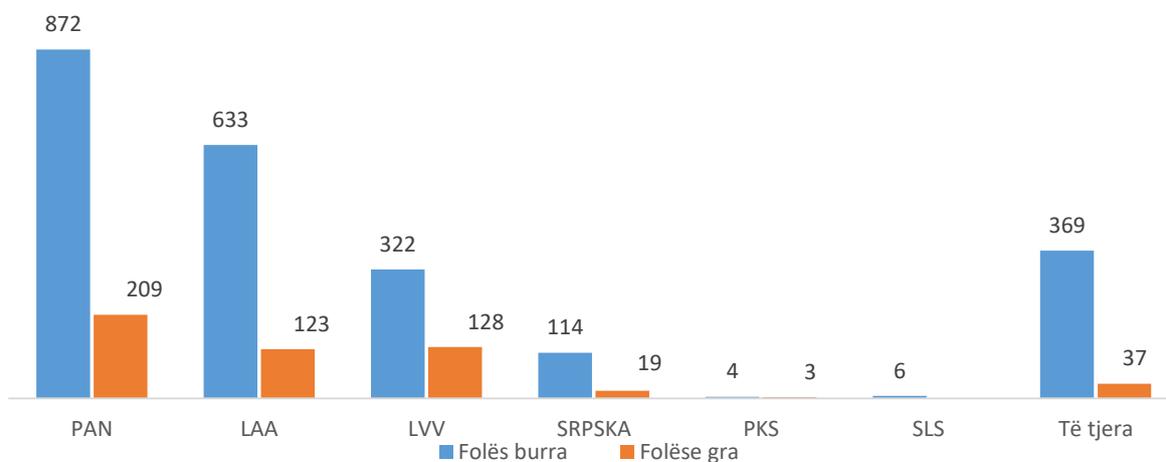
During the election campaign activities, it was noticed a very low presence of women in election campaign activities. Participation of women in the 655 monitored activities was only 17%. Based on our data, the representation of women in the electoral activities of political parties was marginal. In almost half of the electoral activities, in 323 activities, the participation of women as a public was less than 5%. Participation of women of 5-10% was evidenced in 123 activities. With almost the same number of activities, in 102 of them, women's participation was 10-20%, while with more than 20% of women's participation in the electoral campaign of all political parties were only 107 activities. In the aspect of political parties, PAN has had less than 5% of women participation in 147 activities, LAA in 61 activities, LVV in 53 activities, SRPSKA in 5 activities, other parties in 57 activities. With 5-10% of women's participation, PAN has had 50 activities, LAA 39 activities, LVV 17 activities, SRPSKA 9 activities, SLS 2 activities, other parties 6 activities. PAN has had 49 activities with 10-20% of women's participation, LAA 26 activities, LVV 22 activities, SRPSKA 3 activities, and other parties 2 activities. Participation of woman of 20% was marked in 35 activities of PAN, LAA in 37 activities, LVV in 11 activities, SRPSKA in 9 activities, PKS in 1 activity, and other parties in 14 activities.

PARTICIPATION OF WOMEN IN ELECTION CAMPAIGN



In addition to the low presence of women in the campaign, there is also a low percentage of women that speaks in these activities, or only 18% of speakers were women. Regarding the gender-based speakers by political parties, we notice that out of total 1,081 speakers from PAN, only 209 speakers were women or expressed in percentage 19%, out of 756 speakers from LAA, only 123 were women or 16%, out of 6 speakers from SLS none of them was woman speaker, out of 450 speakers from LVV, 128 were women or 28%, out of 133 speakers from SRPSKA, only 19 of them were women or 14%, out of 7 speakers from PKS, three of them were women or 43%, and out of 406 speakers from other parties, only 37 of them were women or 9%.

SPEAKERS IN GENDER-BASED SEPARATE ACTIVITIES BY POLITICAL PARTIES



H. Participation of persons with disabilities in the campaign

Participation of persons with disabilities was low during the election campaign activities. Only 266 persons have participated in 655 monitored activities, while in 19% of electoral activities no adequate access was provided for the participation of persons with disabilities.

In the aspect of political parties, the LAA coalition has had a larger number of activities, 46 of them, where persons with disabilities were present, PAN in 31 activities, LVV in 19 activities, SLS in two activities, SRPSKA in one activity and other parties in 12 activities.

I. Electoral campaign on social networks

The use of social networks for campaign purposes, unlike past experiences, was very pronounced in these elections. DiA has followed the activity of political parties and coalitions in the election race, of candidates for prime minister and list holders in social networks, respectively their official Facebook profiles. Based on the data on monitoring the ten days pre-election campaign, it was evidenced that the political party with the highest number of likes and followers on its official website, on its Facebook social network was Lëvizja Vetëvendosje (LVV), which on the last day of the pre-election campaign reached a total of 280,564 likes and 272,160 followers, followed by the pre-election coalition PAN with a total of 139,361 likes and 137,624 followers.

With regards to the number of postings, political parties, which were part of the LAA coalition, have made the most posts on their official Facebook sites, compared to other political parties that were

subject to monitoring. During the ten-day campaign, the LAN coalition has made a total of 282 postings on social network Facebook, followed by the PAN coalition, with a total of 172 postings.

Whereas, of candidates for prime minister and list holders, Avdullah Hoti has made the most postings compared to others, with a total of 146 postings in his official Facebook profile, followed by Kadri Veseli with 63 postings and Ramush Haradinaj with 62 postings.

In their postings, the political parties in question have used, in addition to written stances, various photos and videos. More specifically, political parties part of the LAA coalition have posted a larger number of pictures compared to other political entities, with a total of 729 photos posted during the campaign, followed by political party LVV with a total of 594 photos posted on its official Facebook page.

The LAA Coalition also leads with the number of posted videos, with a total of 119 posted videos, followed by PAN coalition with 69 videos posted, whereas, from the candidates and list holders, Avdullah Hoti leads with a total of 44 videos posted on his site, followed by Kadri Veseli with 33 posted videos.

With regards to the number of likes received from the postings made, shares and the number of comments, political party LVV has received the highest number of likes, compared to the two pre-election coalitions, with a total of 190,748 likes, 17,755 shares and 62,822 comments in the postings made, followed by the LAA coalition with a total of 48,810 likes, 1,241 shares and 983 comments on the postings made during the pre-election campaign.

VI. ELECTORAL RIGHT

a. Complaints and appeals

The Law on General Elections⁸ defines the manner how political parties should behave during elections. In a very clear way, the law through the Code of Ethics,⁹ integrated therein has defined the behaviour of all political parties during the election campaign period, during the election silence and on the day of elections.

Democracy in Action (DiA), through long-term observers, besides monitoring the election campaign, silence and observation on the elections day, has also monitored possible violations of the law by political parties throughout the process.

In order for the electoral process to be in line with established national and international standards, the Law on General Elections has foreseen the possibility that parties regarding violations of the law and the Code of Ethics should address an independent institution, such as the Election Complaints and Appeals Panel (ECAP). ECAP is a permanent and independent institution responsible for deciding on complains and appeals pertaining to the electoral process. ECAP in its composition has 10 members,

⁸ LAW NO. 03/L-073 ON GENERAL ELECTIONS IN THE REPUBLIC OF KOSOVO (Official gazette: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544>).

⁹ Chapter V, CODE OF CONDUCT FOR POLITICAL ENTITIES, THEIR SUPPORTERS AND CANDIDATES, Article 31 to Article 38.

who are judges working in the local courts and who are appointed by the President of the Supreme Court.

Any irregularities and violations of the law or Code of Ethics, which may be evidenced by material evidence by the parties, should be addressed, by an appeal to the Election Complaints and Appeals Panel, to decide on the alleged violation of the law or electoral rules.

The Law on General Elections has foreseen exactly who is entitled to file complaints to the ECAP as well as the timelines for these complaints to be submitted and reviewed by the ECAP. All eligible voters, representatives of the political entity, commissioners of polling station councils and local observers have the right to file a complaint to the ECAP. The complaint must be filed based on a unique form for all complaints and can then be sent by mail or by hand in person to the ECAP. The deadline for filing a complaint about a violation of the Code of Conduct during the Election Campaign to the ECAP is 72 hours from the moment when the violation is alleged to have occurred. If the complaints are related to the voting and counting process, then the law has foreseen a deadline of 24 hours from the moment the voting ends. The same 24-hour deadline for filing a complaint applies also for complaints at the Count and Results Centre (CRC). All complaints addressed to the ECAP must be in writing by filling out the complaint form with the information on the complainant and the alleged infringer as well as the statement regarding the alleged violation and any evidence supporting that statement (photographs, video/audio recordings, relevant documents, clear instructions on where the evidence can be found, and anything else that supports the claims of the complaint).

After receiving the complaint, ECAP archives it by affixing to it a serial complaint number and recording the date and time of its receipt. Upon receipt of the complaint, a panel of judges is appointed, who decide on the complaint of the party. The panel of judges acts according to the Law on General Elections and the Rules and Procedures of ECAP as well as the Regulation No. 01/2012 on Categorization of Sanctions and Penalties¹⁰. Regulation No. 01/2012 defines sanctions and fines that may be imposed on political entities for electoral violations.

b. During the election campaign

The election campaign for early parliamentary elections in Kosovo lasted for 10 days, from 31 May to 9 June 2017.

For this period ECAP has received 191 complaints regarding alleged violations by political parties. For violations of electoral silence, ECAP has received 88 complaints, while for Election Day 32 complaints. In ECAP decisions until 13 June 2017, were filed 18 appeals. The amount of fines imposed by ECAP until 13 June 2017 on political parties was 336,950.00 euros.

Most of the complaints addressed by various parties to the ECAP at the time of the campaign were a violation of the Code of Conduct. Even DiA in the election campaign monitoring process has found a violation of the Code of Conduct by political parties participating in the election campaign. Long-term observers in all Kosovo municipalities have noticed posters or billboards from the political parties participating in the elections. DiA has photographed and documented 78 different cases of placing

¹⁰ Accessible at: http://pzap.rks-gov.net/wp-content/uploads/2015/09/Rregullen_Nr.01-2012_Per_Kategorizimin_e_Sanksioneve_dhe_Gjobave.pdf

posters in public spaces such as city trees, electric poles, electricity transformers, traffic signs, and other public spaces.

Democracy in Action for the time of the election campaign from 78 documented and photographed cases filed 73 complaints (in 5 complaints are involved two political parties because their posters have been placed close to each other) regarding violations of the Code of Conduct from political parties. Most of the violations documented and photographed by DiA were approved by ECAP and the total fines imposed by the political parties in the DiA complaints are at 134,450.00 Euro.

During the electoral silence period from the ECAP report, it turns out that this institution has received 88 complaints about violation of electoral silence by political parties or candidates for MPs. Despite the fact that DiA has monitored the day of electoral silence, they did not find any violation that they could document to file a complaint in ECAP.

c. Regarding voting and counting process

For the voting day, political parties, as well as domestic and international organizations, can engage observers to observe the election process.¹¹ The law has clearly regulated the rights and obligations of each observer and any subject he/she represents. Initially, it is required that all Election Day observers and counting process to be accredited by the Central Election Commission.

For the voting process and the violation of this process, the Criminal Code of Kosovo has foreseen criminal offenses related to elections and voting rights.¹² Criminal offenses that may be committed during the electoral process but also on Election Day are: Violation of the right to be a candidate¹³, Threat to the candidate¹⁴, Preventing exercise of the right to vote¹⁵, Violating the free decision of voters¹⁶, Abuse of official duty during elections¹⁷, Giving or receiving a bribe in relation to voting¹⁸, Abusing the right to vote¹⁹, Obstructing the voting process²⁰, Violating confidentiality in voting²¹, Falsification of voting results²² and Destroying voting documents²³. For each of these offenses other than a fine, a punishment of imprisonment for their perpetrator is foreseen. Penalty sentences range from one to five years of imprisonment, depending on the form and manner of committing the offense.

On the Election Day, DiA, besides the mobile teams that monitored the voting process, there was also one observer at each polling station in the entire territory of Kosovo. Observers from the field reported at any time on their findings in the monitoring.

¹¹ LAW NO. 03/L-073 ON GENERAL ELECTIONS IN THE REPUBLIC OF KOSOVO (Official gazette: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544>), Article 54 of the law.

¹² CHAPTER XVIII CRIMINAL OFFENSES AGAINST VOTING RIGHTS, Article 210 to Article 220.

¹³ Article 210

¹⁴ Article 211 of KCC

¹⁵ Article 212 of KCC

¹⁶ Article 213 of KCC

¹⁷ Article 214 of KCC

¹⁸ Article 215 of KCC

¹⁹ Article 216 of KCC

²⁰ Article 217 of KCC

²¹ Article 218 of KCC

²² Article 219 of KCC

²³ Article 220 of KCC

DiA from the received reports sent to ECAP two complaints about propaganda material located less than 100 meters away from the polling station, and both appeals were rejected by ECAP due to lack of sufficient evidence.

The complaints received from the field in DiA have been of different nature, which have been addressed and made public by DiA on Election Day. After the publication of which there was a reaction from the bodies responsible for the administration of elections, including the Office of State Prosecution.

ECAP on Election Day has received 32 complaints from different subjects regarding the violations during Election Day.

The State Prosecution, together with the Police and the Courts on Election Day, have been active throughout the territory. The State Prosecution officially announces that 12 criminal reports were issued for 13 persons, on suspicion that they have committed criminal offenses against the voting right and the offenses related to the electoral process. From all cases, the Prosecution has filed four indictments while the Courts have acted by rendering three judgements of conviction.

VII. OBSERVATION OF ELECTIONS

The deadline for accreditation of election observation and observer organizations was 4 June. With the recommendation of the Office for Political Parties Registration and Certification (OPPRC), CEC accredited a total of 29,264 observers for these elections. Out of the total number of accredited observers, there are 160 observers from 8 diplomatic missions operating in Kosovo, 301 observers from 7 International Organizations, 27 observers from international institutions, 8,830 observers from local NGOs, 3,657 observers from political parties participating in these elections, 15,784 observers from the Coalitions participating in these elections, 1 observer from 1 local institution (IMC), 468 accredited observers representing local media and 36 accredited observers representing the international media.

The accreditation process is followed by some irregularities. It should be mentioned the case of accreditation of observers of a civil society organization unknown to the public. Prior to the closure of the observers' accreditation deadline, on the recommendation of the PPRC, the CEC has certified the Regional Institute for Human Rights Democracy and Political Studies, which is not active as a taxpayer and is not known for election observation in the past. The number of observers accredited by this NGO was 4,548, which has raised reactions because the CEC accredited as observers persons suspected of being close to political parties competing in elections.²⁴

DiA observers reported on the presence of international election observers in 454 polling stations or expressed in percentage at 18.23% of them. The presence of international observers, especially the European Union Mission (EU EOM) and other diplomatic missions in Kosovo have positively contributed to the election process by increasing voter confidence in the elections and by detecting the shortcomings of the election administration system. Particular emphasis should be placed on the

²⁴ Kallxo.com, "Zyrtarë të AAK dhe PDK: Akreditimet në emër të OJQ-së i morëm në parti (Officials of AAK and PDK: We obtained the accreditation on behalf of NGO in the political party)", accessed on July 4th, 2017: <http://kallxo.com/zyrtare-te-aak-dhe-pdk-akreditimet-ne-emer-te-ojq-se-morem-ne-parti/>

role of EU EOM on intensive work in monitoring the Count and Results Centre (CRC). In addition, another positive aspect is the presence of the media and their timely reporting of possible irregularities, which has prompted immediate intervention by the bodies dealing with electoral justice. The media presence is evidenced in 364 polling stations or 14.62% of them.

VIII. VOTING

On Election Day, DiA was present in all polling stations opened in Kosovo. In general, the process has been quiet although some irregularities have been noted, which have not been serious violations and violent incidents to influence voting and vote counting. The voting process has flowed normally and there have been no interruptions as a result of serious incidents.

The access of persons with disabilities to polling stations is not guaranteed in 737 or 29.6% of polling stations, thus limiting the right to vote for all citizens. Placement of polling stations in the upper floors of schools and lack of slopes for wheelchair access constitute the main obstacles in this direction. In these elections, the CEC has enabled for the blind or visually impaired people to vote independently, providing polling stations with the template in the *Braille* alphabet.

A. Opening of Polling Stations

The Law on General Elections, Article 88, point 1, stipulates that the Voting Centre shall be opened at 7:00 and close at 19:00 if there are no persons waiting in line to vote. Polling Station Committees (PSCs) have an obligation to perform all the necessary preparations in order for the voting process to flow smoothly.

Delays in the opening of the polling stations did not cause serious problems; however, there were delays in the interval of 5 to 15 minutes in 331, or expressed in percentage 13.3% of all polling stations. Mainly delays were due to the delay of commissioners or lack of necessary materials. A polling station in the Municipality of Prizren was not opened during the entire voting day, due to the poor state of the building where the polling station was assigned. The most serious delays are those of more than 15 minutes at polling stations, which in 11 June elections were recorded at 49 polling stations. Most of the delays were in the municipality of Prizren, out of a total of 25, then in Ferizaj and Gjilan 4, in Mitrovica 3, in Prishtina, Peja and Drenas 2, and with 1 opened polling station with a delay of over 15 minutes in Gjakova, Kamenica, Klina, Leposaviq, Malisheva, Shtime and Viti.

OPENING OF POLLING STATIONS

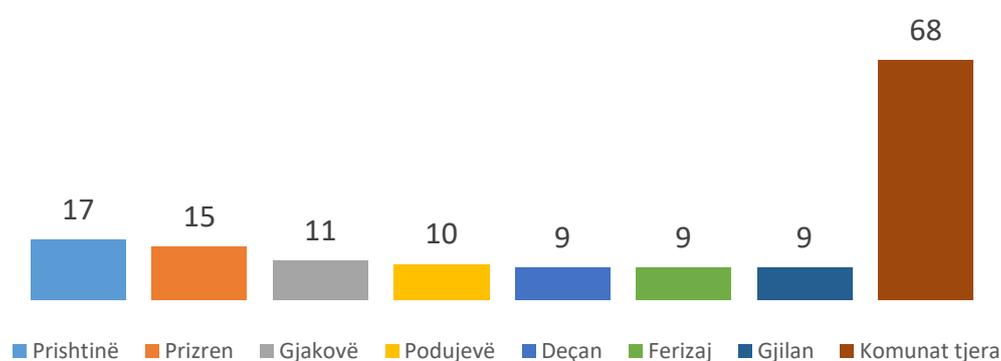


B. Campaign on Election Day

The presence of propaganda materials outside the Polling Centres

Electoral campaign development at polling stations is prohibited, including the placement of propaganda material at polling stations or outside the polling station in the vicinity of 100 meters.²⁵ DiA observers reported for the placement of electoral campaign materials in the vicinity of 100 meters of Polling Centres in 148 cases or at 5.9%. Divided in municipalities are as follows: Prishtina 17, Prizren 15, Gjakova 11, Podujeva 10, Deçan, Ferizaj, Gjilan each 9 cases, while in 24 other municipalities there were 68 cases.

PROPAGANDA MATERIALS IN THE VICINITY OF 100 m

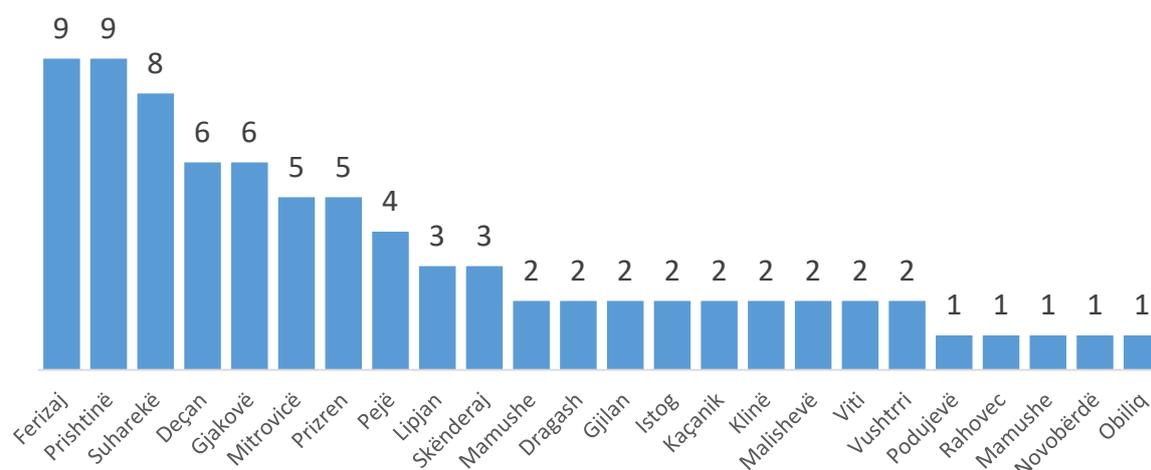


Political propaganda within Polling Station

Political propaganda within the polling stations is evidenced in 80 of them or 3.21%. This includes cases such as allowing voters in polling stations with symbols of political parties, promoting political parties orally through commissioners or observers, and presence of propaganda materials within the perimeter prohibited. Municipalities with the highest political propaganda within the polling stations are: Ferizaj and Prishtina (in 9 polling stations), Suhareka (8), Deçan and Gjakova (6).

²⁵ Law on General Elections, Article 36, point 1

POLITICAL PROPAGANDA WITHIN POLLING STATIONS



C. Implementation of voting procedures

The implementation of voting procedures by the Polling Station Councils (PSC) members is essential to guarantee a fair election process and to avoid manipulation opportunities. These procedures include the control of voters with the ultra-violet light to verify whether the voter has voted before, identifying voters on the voter list through identification documents, spraying with spray the voters' fingers, and stamping ballots to verify the authenticity of the ballot.

DiA observers reported that these procedures were followed strictly in general by 98.8% of cases. Frequent cases where these procedures were not always followed in comparison with other procedures were the stamping of ballots, which was reported in 1.53% of polling stations. Identifying voters through documents as well as ultra-violet light checking was not always followed at 1% of polling stations. Spraying of fingers with spray was not always followed by 0.92% of polling stations.

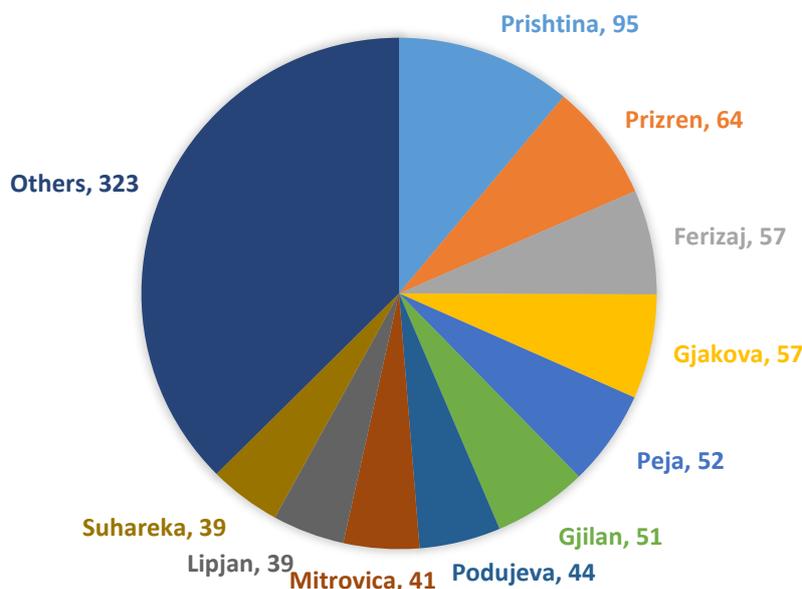
D. Secrecy of the vote

Group (family) voting

The secrecy of the vote is one of the election standards that need to be met, as it enables voters to cast their vote independently. Protecting the secrecy of the vote makes the threat or the bribe much less effective.

Group Voting or otherwise known as family voting occurs when some people, often with the justification of family proximity, vote in the same voting booth at the same time. This phenomenon was most common in the elections of 11 June, which was reported in 845 polling stations, or 33.94% of polling stations at the country level. The figures are almost similar to the 2014 elections. Broken down by municipalities, municipality of Prishtina leads, followed by Prizren, Ferizaj, Gjakova and Peja.

GROUP (FAMILY) VOTING

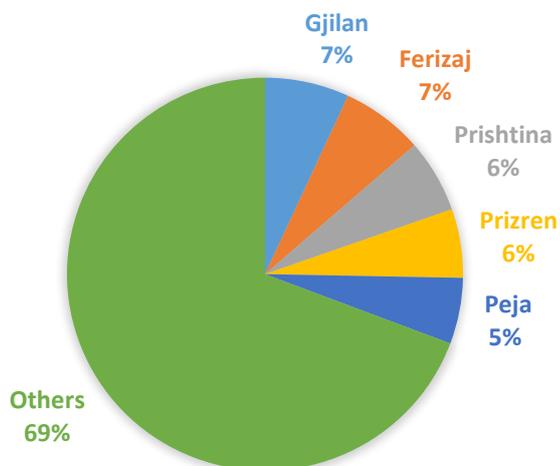


Assistance of the voters

Assisting the voters who need help to vote is allowed but cannot be done more than once by the same person who must be registered in the voting book in advance. Cases when the same person has assisted more than one person are 424 cases, a high figure and it is a sanctioned offense. In the absence of adequate training of the chairperson of polling station, there were cases when the same has asked from political party observers to assist the voters. From reporting of our observers during the Election Day, were evidenced 31,477 regular voting assistances registered in the Voters Book. This is 4.21% of all voters who voted on Election Day. Compared to 2014 parliamentary elections when were registered 40,561 cases, now this number is lower for 9,084. The phenomena of voting assistance were encountered in 716 polling stations, or expressed in percentage in 28.76% of polling stations in the entire territory of Kosovo.

Broken down in municipalities, we see that the most voting assistance were conducted in Municipality of Gjilan (2,169 cases), then in Ferizaj (2,114), Prishtina (1,899), Prizren (1782) and Peja (1,711).

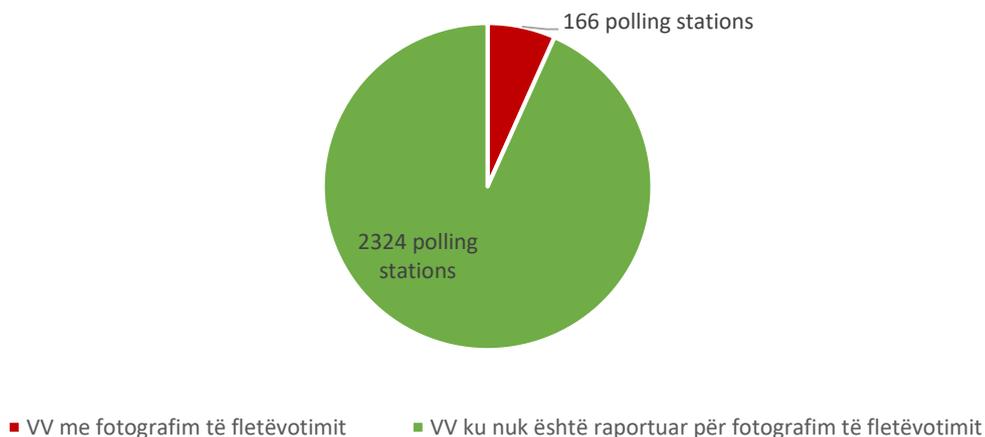
VOTING ASISTANCE



Photographing of the ballot

Photographing of the ballot has also occurred in this election process, and it is evidenced even more than in the previous elections of 2014. Our observers have managed to evidence 166 cases of photographing the balloting, or five times more than in the last elections (33 cases). Expressed in percentages, the photographing of the ballot was encountered at 6.671% of all polling stations.

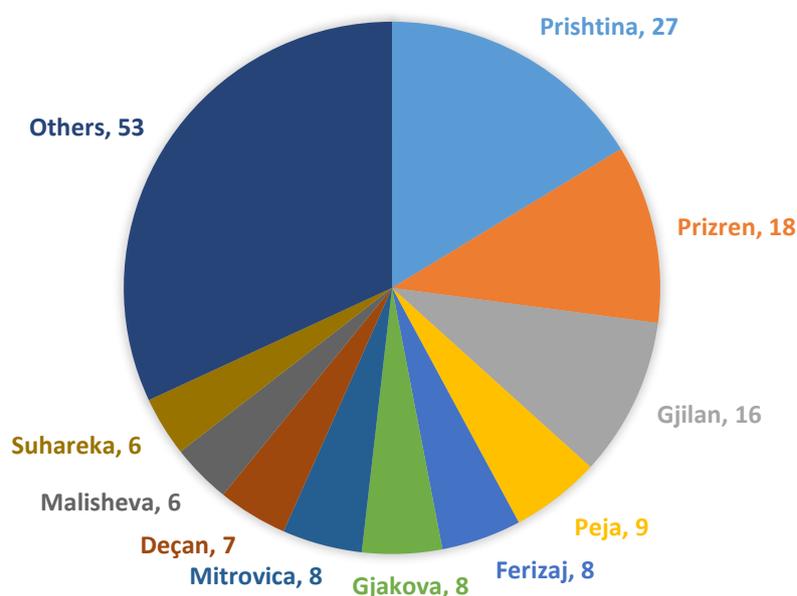
POLLING STATIONS WHERE IS ENCOUNTERED PHOTOGRAPHING OF BALLOTS



The police also detained persons related to the cases that were reported for photographing the ballot. However, in most cases it has not been proven that they were related to the creation of an economic dependency towards the voters, for which the same were released. We recall that photographing of the ballot for the purpose of taking bribe related to voting is a sanctioned offense under Article 215 of the Criminal Code of the Republic of Kosovo. Municipalities with the largest number of photographing of the ballot are Prishtina (27 polling stations), Prizren (18), Gjilan (16) and Peja (9). Meanwhile, municipalities that have not been reported for photographing of the ballot are:

Municipality of Partesh, Ranilluk, Hani i Elezit, Junik, Kaçanik, Klllokot, Leposaviq, Shtime, Zubin Potok and Zveçan.

PHOTOGRAPHING OF BALLOT

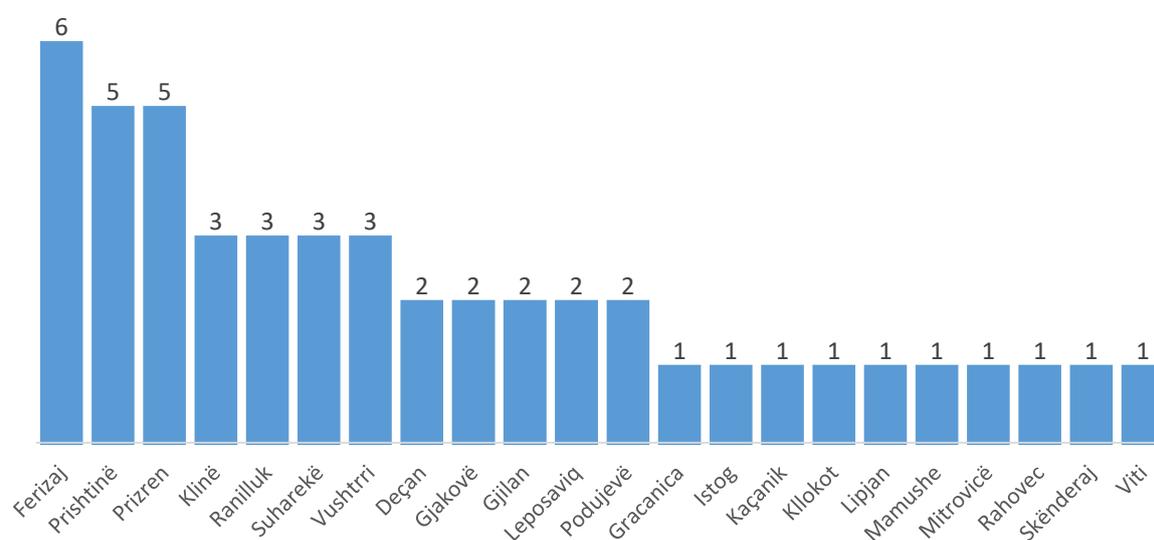


Voting outside the polling booths

Voting outside the polling booth is another aspect that threatens the secrecy of the vote, but which in this case happens voluntarily by voters. Voting outside the polling booth, or open voting can also be interpreted as an expression of loyalty to a political subject that comes from the fear or threat for voting in a certain way. Out of all 2490 open polling stations in the country, DiA observers reported that in 48 of them were conducted voting outside polling stations, which expressed in percentage, it turns out that this phenomenon was manifested in 1.93% of them.

VOTING OUTSIDE POLLING BOOTHS

* by polling sites



E. Attempt to vote more than once and double voting

Attempts to vote more than once were evidenced in 176 cases that were present in 68 polling stations or expressed in percentage in 2.73% of all polling stations opened in Kosovo. Despite this number of attempts to vote more than once, the nature of which was related to detecting traces of spray on the fingers of voters, they were not allowed to vote by commissioners. The exception is 13 cases which, despite spray traces, were allowed to vote, but the same were not signed on the voter list that they had previously exercised the right to vote. The municipalities in which these cases have occurred are: Skenderaj 3, Gjilan 2, North Mitrovica, Mitrovica, Peja, Prishtina, Prizren, Shtime, Novobërda and Dragash 1 case each.

Also, our observers have also reported cases when voters have entered more than one ballot in the ballot box. Observers could not identify whether two ballots were deliberately provided by the members of Polling Station Councils or voters have brought the copies from outside. These are limited cases and the number is low, only 5 in the following municipalities: Mamusha 2, Ferizaj, Kamenica and Skenderaj one case each. The same may have come up with the initiative of the voters themselves and therefore does not mean it is an organized scheme.

F. Other irregularities during the voting

The large number of accredited observers of suspicious NGOs and those of political entities have also received the attention of the institutions that were responsible for maintaining the security during the Election Day. In two cases we have reported a number of people who have been falsely represented allegedly representing civil society organizations and political parties. It is worth mentioning that the prosecution office and the police have played a very positive role in the proper flow of the electoral process by acting promptly and professionally.

The presence of unauthorized persons

After the opening of the poll, our observers reported about a large number of unauthorized persons who were present inside the polling centres or polling stations, but this number has dropped significantly over the rest of the day in just 25 such cases. Kosovo Police provided security for voting centres.

Violence or threats at polling stations

The use of violence or threats to voters, members of Polling Station Councils or observers has been reported in 20 polling stations. Municipalities that were reported such cases are Ferizaj (4 cases), Gjakova (3 cases), Mitrovica (2 cases), and 11 other municipalities (1 case each).

G. Voters list

Increase of the number of polling stations in these elections has caused the change of voting centres for many voters. Failure to properly and timely inform these citizens from EMB has caused a crowd on the voting day. Many voters were unable to find the name on the voter list, and were discouraged to vote. The complaint regarding the inaccuracy of the voter list has also been due to the presence of dead persons in those lists. In general, the number of complaints was reported to be 2,419.

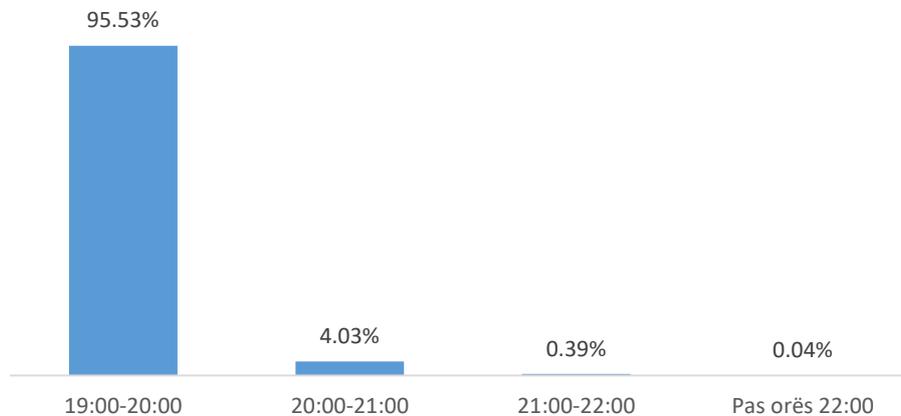
Another problem on the election day was also the attempt of voters to vote with documents that under the Law on General Elections are not eligible to vote. In general, the number of voters who are not allowed to vote due to their identification documents is 865, most of them were encountered in Municipality of Prizren - 114 voters, Ferizaj - 66 voters, Podujeva - 59 voters and Prishtina - 49 voters.

IX. COUNTING AND CERTIFICATION OF RESULTS

H. Counting procedures

Closure of polling stations was not accompanied with problems. On average, all polling stations were closed at 19:20, whereas the voters who were waiting in queue to vote after 19:00 were allowed to vote. Ballot counting procedures started between 19:00 and 20:00 in 95.53% of polling stations. It was reported that during the counting were present unauthorized persons at polling stations, respectively in 9 of those. Broken down by municipalities, unauthorized persons were in Peja in two polling stations, in Gjilan in two polling stations, whereas with one polling station in Istog, Lipjan, Prizren, Skenderaj and Viti.

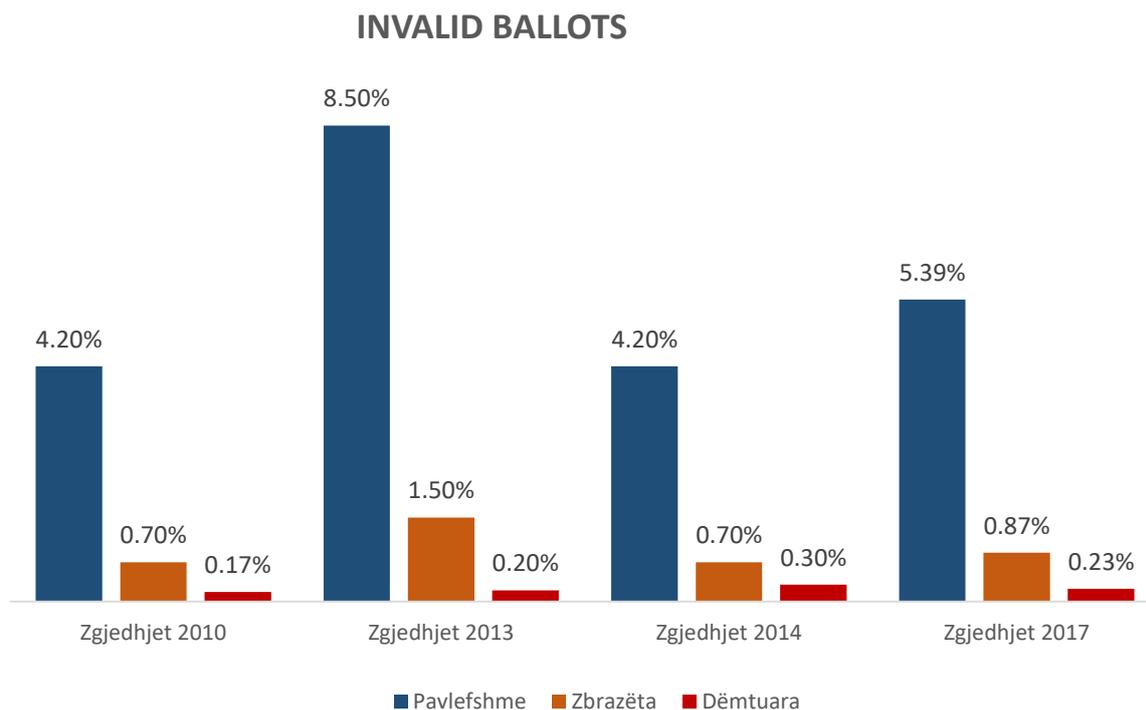
TIME OF COMMENCING THE COUNTING



I. Invalid votes

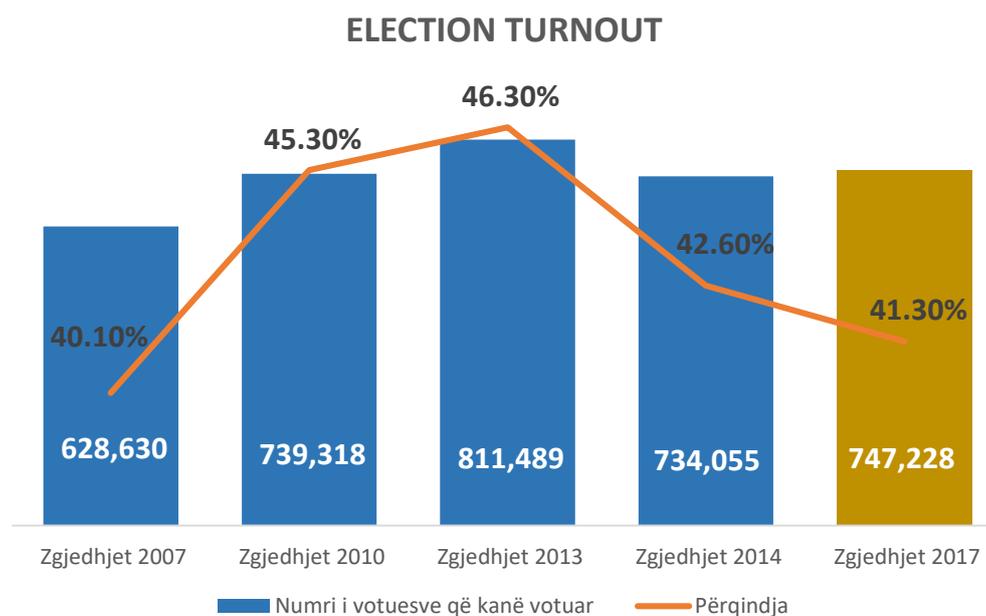
The high number of invalid ballots in these elections is also worrying, especially when we consider the fact that there is a trend of increasing these ballots, despite the fact that the electoral system has remained the same. In elections of 11 June, 42,554 invalid ballots were registered, 6,553 ballots were casted unfilled in ballot boxes by voters, and 1,746 ballots were deliberately damaged by voters. The total number of invalid ballots, including those intentionally and unintentionally damaged, went to 50,853 ballots. Findings from the initial audit that CEC has conducted for invalid ballots indicate that in 48.26% of the cases only the candidates were marked but not the political entity, 39.58% of other cases were marked with more than one political entity, unstamped ballots are recorded in 0.19% of cases, while 11.97% of other ballots have been deliberately damaged by voters.

Observers of the Democracy in Action have also provided their assessments regarding the Polling Station Council's decisions on the invalidation of invalid ballots. According to our assessment, these decisions in 25% of cases were not fair.



X. ELECTION TURNOUT

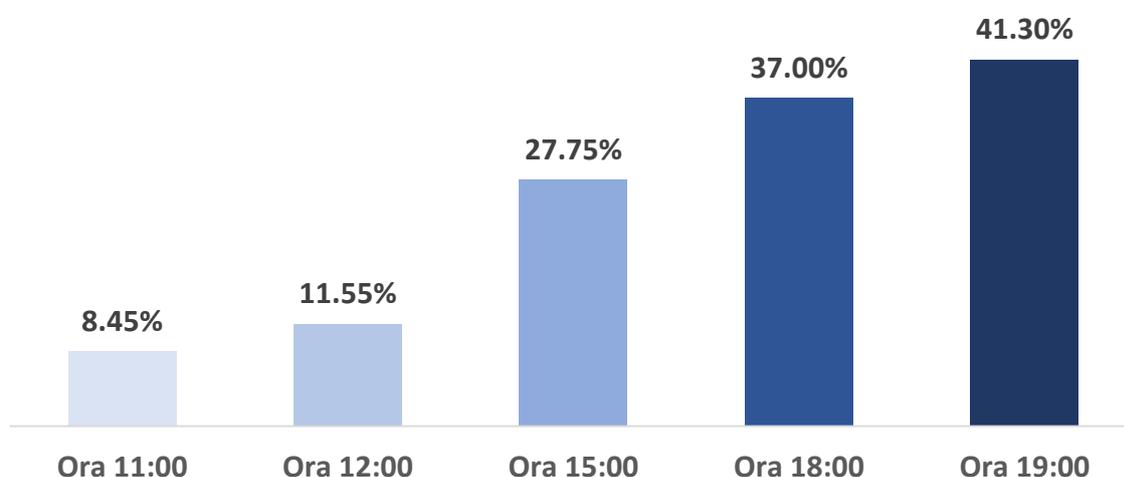
In 11 June elections, participated 747,228 voters or 19,605 voters less than in elections in 2014, 32,501 voters voted outside the polling stations which includes those with mail, conditional voting and voters with special needs. The number of valid ballots received was 727,986. The turnout by time intervals, by 11:00 it was 8.56%, and by 15:00 hours it increased to 27.58%. The final turnout in the elections, after the closure of all polling stations, was 41.30%.



Serb-majority municipalities have had the highest turnout in the elections were municipality of Zubin Potok (63.92%), Shtërpca (54.63%), Raniluk (53.54%), Novobrdo (52.81%), Partesh (52.66%), whereas Prishtina (51.74%) is the sixth municipality which marked the election turnout with over half of registered voters with the right to vote. The municipalities with the lowest turnout in the elections were: Dragash (30.10%), Klina (33.01%), North Mitrovica (33.03%), Gjakova (35.45%), Istog (35.53%).

As in past election processes, election turnout at the end of the process increases significantly. The early hours of the Election Day were characterized by low turnout, but the turnout trend was the same as the previous processes. Until noon, at 12:00 o'clock the turnout was only 11.55% to increase in the second part of the day. The afternoon period marks the greatest dynamics, where by 15:00hrs 27.75% of the voters with the right to vote casted their vote, while this figure has increased to 37% by 18:00hrs. From 15:00hrs until the closing of the polling stations at 19:00 pm, 84.13% of all voters who participated in the elections voted.

ELECTION TURNOUT IN DIFFERENT TIMES



XI. RECOMMENDATIONS

| Recommendation | Institutions responsible for implementation |
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| <p>Voter education and information regarding voting procedures and sensitization for electoral participation should start on time and be appropriate for specific voter groups such as women, first-time voters, non-majority communities, people with disabilities physical, hearing, visual and mental, etc. Education campaign materials and communication channels should be more creative to attract the attention of the public. The use of social networks and other forms of marketing should be taken into consideration by the CEC. Political entities should work with their candidates to explain voting procedures, so they do not give wrong instructions to voters.</p> | <p>Central Election Commission Political Entities and their candidates</p> |
| <p>The members of Polling Station Councils should undergo training regarding their duties and responsibilities for the Election Day. On the other hand, political entities should nominate qualified persons with integrity for PSC members. While, the CEC should provide more qualitative trainings.</p> | <p>Central Election Commission Political Entities</p> |
| <p>Municipal Election Commissions should hold regular meetings, be transparent and notify in advance of meeting schedules. Many of the monitored meetings have been formal meetings.</p> | <p>Municipal Election Commissions</p> |
| <p>The Central Election Commission should maintain a list of contacts of organizations that deal with election observation in order for them to be informed about the CEC meetings. During the electoral period, CEC meetings are held at different time intervals and notifications are not timely updated on the CEC website, making monitoring impossible. Also, the CEC should also provide the materials discussed at meetings so that monitoring is more effective.</p> | <p>Central Election Commission</p> |
| <p>Abusing the assisted voting, assisting more than once, or not registering the persons who assist in the voting book, it is a forbidden act. PSC members</p> | <p>Members of the Polling Station Councils</p> |

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| <p>should not tolerate actions that violate the secrecy of the vote. Group voting of family voting also enters in this category which can also be prevented by PSC members.</p> | |
| <p>Political entities in power should not abuse public resources by using them for election campaign purposes. Going to rallies with official vehicles is a prohibited act by law, as is the prohibition of the use of any public asset for this purpose.</p> | <p>Political entities The Government of Kosovo</p> |
| <p>Civil servants are forbidden to participate in party gatherings during their working hours. The same should be careful not to abandon their jobs to go out on campaign for the political entities they sympathize with.</p> | <p>Political entities The Government of Kosovo</p> |
| <p>Inclusion of children in the campaign is prohibited by international conventions protecting children's rights. Political entities should not use children for their activities, just as they should not take pupils out of their classroom to fill the halls where they conduct their activities.</p> | <p>Political entities</p> |
| <p>During the development of election campaign activities and presentation of programs, political entities should ensure that the premises in which the activity is organized are accessible to persons with disabilities.</p> | <p>Political entities</p> |
| <p>Women's participation in election management bodies should be increased. Political entities have signed a Declaration voluntarily declaring to be represented by women at least 40%. Therefore, the commitments made must be met in order to ensure a fairer gender representation.</p> | <p>Political entities Central Election Commission</p> |
| <p>Funding campaign activities should be transparent, adhere to the constraints imposed by the CEC. This limitation should also include the individual expenses of the candidates. Auditing campaign expenditures should be completed on time.</p> | <p>Central Election Commission Political entities Assembly of Kosovo</p> |
| <p>Electoral reform should be a priority of the new legislature deriving from elections in order to address the identified problems. This should be a comprehensive process and should be benefited from Kosovo's membership in the Venice Commission, taking their experiences.</p> | <p>Assembly of Kosovo</p> |
| <p>The CEC needs to review the ballot design, reducing the likelihood of mistakes by voters that</p> | <p>Central Election Commission</p> |

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| <p>led to the large number of invalid ballots. Removing the numbers on the left side of the ballot where the political entities are listed, and leaving only the numbers of the candidates would help the voter to mark on the ballot only the name of the political entity and the candidate numbers without confusing them with the numbers of the entities.</p> | |
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ANNEX 1: ELECTION RESULTS FOR POLITICAL ENTITIES

| Name of the political entity | Number of votes | Percentage | Seats |
|---|------------------------|-------------------|--------------|
| Democratic Party of Kosovo, Alliance for the Future of Kosovo, Initiative for Kosovo Justice Party Movement for Unification | 245.646 | 33,74% | 39 |
| Movement for SELF-DETERMINATION! | 200.138 | 27,49% | 32 |
| DEMOCRATIC LEAGUE OF KOSOVO NEW KOSOVO ALLIANCE | 185.892 | 25,53% | 29 |
| CITIZENS' INITIATIVE SERBS LIST (GRAĐANSKA INICIJATIVA SRPSKA LISTA) | 44.578 | 6,12% | 9 |
| WORD (FJALA) | 7.991 | 1,10% | 0 |
| TURKISH DEMOCRATIC PARTY OF KOSOVO (KOSOVA DEMOKRATİK TÜRK PARTİSİ) | 7.852 | 1,08% | 2 |
| COALITION VAKAT (KOALICIJA VAKAT) | 6.444 | 0,89% | 2 |
| NEW DEMOCRATIC PARTY (NOVA DEMOKRATSKA STRANKA) | 3.561 | 0,49% | 1 |
| INDEPENDENT LIBERAL PARTY (SAMOSTALNA LIBERALNA STRANKA) | 3.539 | 0,49% | 1 |
| DEMOCRATIC ASHKALI PARTY OF KOSOVO | 2.424 | 0,33% | 1 |
| EGYPTIAN LIBERAL PARTY (PARTIA LIBERALE EGJIPTIANE) | 2.415 | 0,33% | 1 |
| UNIQUE GORAN PARTY (JEDINSTVENA GORANSKA PARTIJA) | 2.369 | 0,33% | 1 |
| PARTY OF KOSOVO SRBA - ACTIVE CITIZENS INITIATIVE (PARTIJA KOSOVSkih SRBA- AKTIVNA GRAĐANSKA INICIJATIVA) | 2.123 | 0,29% | 0 |
| THE PARTY OF THE ASHKALINES FOR INTEGRATION (PARTIA E ASHKALINJËVE PËR INTEGRIM) | 2.107 | 0,29% | 1 |
| PROGRESSIVE DEMOCRATIC PARTY (PROGRESIVNA DEMOKRATSKA STRANKA) | 1.697 | 0,23% | 0 |
| THE NEW DEMOCRATIC INITIATIVE OF KOSOVO (INICIJATIVA E RE DEMOKRATIKE E KOSOVËS) | 1.520 | 0,21% | 0 |
| KOSOVO TURKISH JUSTICE PARTISI (KOSOVA TÜRK ADALET PARTISI) | 1.438 | 0,20% | 0 |
| COALITION SDA | 1.355 | 0,19% | 0 |

| | | | |
|---|-------|-------|---|
| MOVEMENT FOR GORA (POKRET ZA GORA) | 1.020 | 0,14 | 0 |
| THE UNITED ROMA PARTY OF KOSOVO (PARTIA ROME E BASHKUAR E KOSOVËS) | 955 | 0,13% | 1 |
| KOSOVAKI NEVI ROMANI PARTIA | 950 | 0,13% | 0 |
| CIVIC INITIATIVE OF GORA (GRAĐANSKA INICIJATIVA GORE) | 813 | 0,11% | 0 |
| DEMOCRATIC PARTY OF THE UNITY (PARTIA DEMOKRATIKE E UNITETIT) | 478 | 0,07% | 0 |
| GI. FOR PROSPERITY OF KOSOVO (GI. ZA PROSPERITET KOSOVA) | 312 | 0,04% | 0 |
| G I EROMENDJE ALTERNATIVA | 244 | 0,03% | 0 |
| ADVANCED POWER OF KOSOVO (NAPREDNA SNAGA KOSOVA) | 226 | 0,03% | 0 |

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