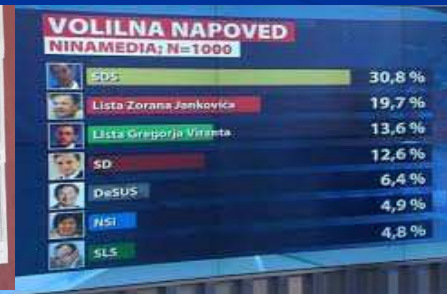
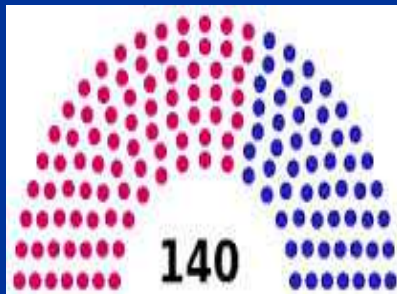


THE INDEPENDENCE OF EMBs and ELECTORAL MANAGEMENT MODELS:

Cases of Albania (and Slovenia)

by

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STRENGTHENING THE INDEPENDENCE OF EMBs

Principles
Requirements
Key stakeholders
Challenges

THE EMBs IN DIFFERENT MANAGEMENT ELECTORAL MODELS



Models of Election Management Bodies

- Governmental Model
- Independent model
 - Mixed model

The Governmental Model

- Election administration may be carried out directly by government agencies, with or without a special supervisory body to oversee process.
- Budget falls within the ministry or local authorities

Institutional quotas – representatives from State institutions such as executive, legislative and judiciary

Representatives from the judiciary – civil servants who take leave from their permanent offices to join the EMB

Government Ministries – i.e. MoI

Austria, Finland, Germany, Sweden, Belgium, Italy

The Independent Model

- EMB is institutionally independent and autonomous from the executive branch of government, its members are outside the executive.
- EMB has and manages its own budget and is not accountable to a government ministry or department
- Model is intended to strengthen confidence and transparency in the process

The Independent Model II

Multi-party composition – major political parties take part in the administration of elections through their designated representatives

Non partisan composition – CEC is composed of respected suitably qualified individuals nominated for their professional qualifications rather than party allegiances

Albania, Croatia, Bosnia and Herzegovina, Montenegro, Slovenia, Serbia

The Mixed Model

Model with parallel structures where the policy level/supervisory component is independent of the executive government (like independent model) while the implementation component is located within a department of state or/and local government (like an EMB under the governmental model)

France, Spain, Portugal, Slovakia

Elements / Characteristics

- Mandate
- Structure / composition
- Leadership
- Independence and stability
- Cooperation with other stakeholders
- Accountability
- Budget

Challenges

- Political environment
- Political culture and level of political dialogue
- Role, rights and responsibilities of EMBs, political parties and other stakeholders
- Commitment of EMBs members to independent decision making
- Leadership
- Building trust

Albania – independent model

- Permanent
- 7 members – Chairperson and 6 members
- Chairperson has a four year term in office with the right to be re-elected, whereas the other six members have a six year term also with the right to be re-elected. **Selection**

Albania Independent model

- 3 members are proposed by the majority parliamentary parties, namely to by the main and one by smaller majority parties and 3 are proposed by the opposition parties, namely to by the main and one by the smaller opposition parties.

Slovenia – independent model

- 6 members – Chair and 5 members and their substitutes
- The EMB members/commissioners are selected on the basis the combination of partisanship and expertise
- Appointed by the National Assembly

Slovenia Independent model

- Chair and Deputy Chair are judges of the Supreme Court
- 2 members (and two substitutes) are legal experts
- 3 members (and their substitutes) are appointed on the proposal of political parties whereby the proportional representation of political parties is observed

Lessons learnt from Albania

- EMBs and political parties are key stakeholders in the electoral processes. The CEC is to contribute to the development of substantive democracy through effective election administration. Political parties are essential in consolidating democracy and maintaining its vitality.
- Albanian election administration is composed based on the principle of political balance. This model aims to increase the efficiency and transparency of the process.

Lessons Learnt

- In theory this mechanism in Albania which gives political parties opportunity to work together and cooperate, increases the impartiality and independence.
- Fostering consensus within election administration bodies seems to be an issue of continuous debate an important legal objective.
- A new trend increasing role of judiciary in conflict management in some countries.

Lessons learnt

- Politicization of the EMBs and politicized nature of discussion – political parties have so called participatory rights in election management:
 - right to nominate and dismiss the commissioners and CT members - strong engagement of political parties and influence over the election administration.
 - right to appoint party observers to attend the CEC meetings, to take floor, to pose requests and to propose draft decisions or amendments.

Key is

Education

- **Election administration trained on democratic standards as well as all the other stakeholders under the framework of the civic democratic education to promote confidence building in electoral processes and trust**

Thank you

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