

# standards of representation in political parties



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ALBANIA





standards  
of representation  
in political parties

2017

# STANDARDS OF REPRESENTATION IN POLITICAL PARTIES

Institute of Political Studies

Prof. Afrim Krasniqi  
Author

Main Research Contributors:

Dr. Klea Faniko, Key Consultant  
Dr. Dorina Berdufi, Methodology Expert  
Prof. Ervin Karamuco, Legal Framework Expert  
Dr. Edlira Gjoni, Media and Focus Groups Expert  
Msc. Lufti Devishi, Media and Focus Groups Expert  
Msc. Silvana Jaupaj, CEC and Survey Expert  
Msc. Luljeta Progni, Interviewer  
Dr. Arta Sakja, Gender Policy Expert  
Msc. Megi Llubani, International Models Expert  
Msc. Rigels Xhemollari, Organizational Coordinator

Editors

Dr. Ada Hyso, Researcher  
Msc. Albana Veizi, Researcher

Data Processing

Msc. Rudina Niklekaj  
BA. Elba Krasniqi

UN Women Albania

Ma. Fiorela Shalsi, National Programme Manager –  
Leadership and Political Participation  
Supported the development of this report from the  
research design to interpretation of findings from  
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UN Women Country Office Albania  
Rr. Skenderbej, Pall. 8, ap. 29-31, Tirana  
Tirana, Albania  
Tel: +355 4 450 2555 / 7575  
Facebook: unwomenalbania

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Institute of Political Studies  
Rr. Luigj Gurakuqi, Shk.A, Pall. 89, Kati 3, Ap.16 Tirana,  
Albania  
Tirana, Albania  
Email: [contactaips@isp.com.al](mailto:contactaips@isp.com.al)  
[www.isp.com.al](http://www.isp.com.al)

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# LIST OF ACRONYMS

NA	National Assembly	OSCE	Organization for Security and Co-operation in Europe
EU	European Union	MSWY	Ministry of Social Welfare and Youth
EDU	European Democratic Union	HRUP	Human Rights Union Party
EPP	European People's Party	DP	Democratic Party
CT	Counting Teams	PDIU	Party for Justice, Integration and Unity
SPWF	Socialist Party Women Forum	PES	Party of International Socialists
IPS	Institute of Political Studies	PKD	Christian-Democrat Party
CoE	Council of Europe	PPSH	Labour Party of Albania
SC/NC	Steering Committee/ National Council	RP	Republican Party
EC	Electoral Code	SP	Socialist Party
VCC	Voting Centre Commission	NSDI	National Strategy for Development and Integration
CPD	Commissioner for the Protection from Discrimination	UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
CEC	Central Election Commission	ODIHR EMM	Office for Democratic Institutions and Human Rights Elections Monitoring Mission
CEAZ	Commission of Election Administration Zone	DCM	Decision of the Council of Ministers
WLDP	Women League of the Democratic Party		
WFSMI	Women Forum of the Socialist Movement for Integration		
SMI	Socialist Movement for Integration		
ODIHR	Office for Democratic Institution and Human Rights		
NGO	Non-Governmental Organization		

# 1. EXECUTIVE SUMMARY

Gender equality is widely accepted by political and institutional actors in Albania and is prominently anchored in the country's legal framework in line with Albania's international obligations<sup>1</sup> and its efforts towards EU Acquis approximation. Achieving full gender equality at the national level is a human rights issue, closely linked to rule of law and non-discrimination in society.

Equal representation in Albania's political party system is concurrent with the country's democratic standards, the constitutional obligations and state responsibilities to fight gender-based discrimination, the specific features of the Albanian political system, and the legislation on elections and on political parties. Achieving equal representation plays a key role in mitigating Albania's challenges also in the framework of EU accession.

Women's representation in parliament, government, and local government has increased considerably nationwide after the application of the gender quota in 2013 and 2015. Although the growth curve is reflected across the country, there is a noticeable difference between the regions and among competing political entities.

Equal representation in party structures is associated with the introduction and enforcement of gender quotas. Despite positive trends and promises by the political parties in this regard, women's representation in party decision-making bodies remains low. The main obstacles to the present representation gap are linked to the patriarchal culture that prevails in the society and the political class of the country, and to the weak voice of women in the media and civil society, which has not yet been able to maximize its chances to promote gender equality.

However, the existence of positive models of women politicians in social, political and media that effectively promote women in politics and decision-making shows that further investment in promoting gender equality and equal political representation is needed to achieve sustainability and success.

<sup>1</sup> Albania's agreements with the Council of Europe: [http://www.puneteshjshme.gov.al/files/userfiles/Aktet\\_e\\_KiE-se.pdf](http://www.puneteshjshme.gov.al/files/userfiles/Aktet_e_KiE-se.pdf) ; List of international agreements ratified by Albania: [www.puneteshjshme.gov.al/dokumenta/akte-nderkombetare/trak-tate-dhe-konventa-shumepalshje](http://www.puneteshjshme.gov.al/dokumenta/akte-nderkombetare/trak-tate-dhe-konventa-shumepalshje).

## 2. MAIN FINDINGS: OUTCOMES, ISSUES, AND CHALLENGES

- The proportional electoral system applied in Albania's local and national elections has resulted in an increased women's representation in the parliament and local city councils. The adoption of the majoritarian system for the election of city mayors was impaired by a low number of women candidates, which was less than the legal 30% gender quota providing for the minimum level of representation of either sex. The most substantial amendments to the Electoral Code took place in 2008, enabling for the first-time application of the 30% gender quota in the parliamentary elections of 2009 and 2013, and subsequently in the eve of the elections of 2015, enabling for the application of the 50% gender quota for candidates participating in the 2015 local government elections. The positive experience gained so far in this regard calls for the application of the obligatory gender quota in the parliamentary elections.
- In 2017, female politicians held a record level of women MPs (28%) in the history of post-communist Albania. For the first time, the Government had high female representation (10 women ministers out of 20 government ministers in the technical government, and 7 out of 14 in the new government). In total, 39 women MPs were elected, of which 22 became MPs for the first time.

These are significant achievements of political and civil society lobbying groups, which worked successfully towards the realization of the 30% quota in parliament. These achievements enable the further advancement of women representation in all walks of life particularly with regards to decision-making.

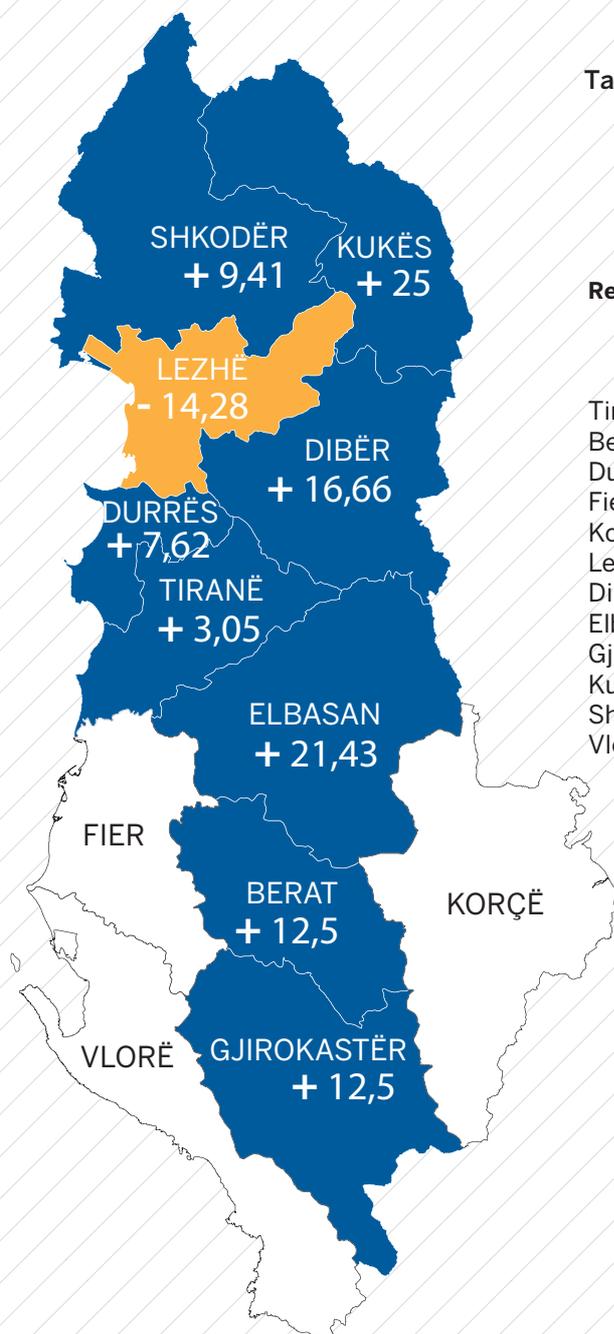
- The 2013-2017 legislature saw the increase in the number of women MPs mostly because of an obligation sanctioned in the Electoral Code to replace outgoing MPs with candidates from the least represented sex, rather than from direct seat wins. In more concrete terms, out of 36 mandates that were replaced in the period 2013-2017, 17 mandates were handed over to the women candidates in the party lists because of this legal obligation. This number is higher than the number of women who directly won a parliamentary seat in the 2013 elections. In the new 2017-2021 legislature, the division of ministerial mandates from the MP mandates was not applied, thus proving that the application of the provisions of the Electoral Code on the replacement of an MP with candidates from the least represented sex might not yield similarly good results in the future if no mandates are waived. Therefore, it does not assure equal representation in future parliamentary sessions.

- At the beginning of the legislature 2013-2017, the region of Lezha had the highest number of women MPs, 42%) or 3 out of 7. As a result of further changes during the legislature, the region of Shkodra came to lead Albania in terms of women MPs with 36.63% (4 out of 11 MPs), followed by Elbasan and Lezha with 28.57%, (4 out of 14 MPs) and Berat, Korca, Kukes and Vlora with 25%. Durres has 23% women MPs followed by Tirana with 21.87% and Dibra with 16.66% (1 out of 6 MPs).Gjirokastra is the only region in Albania with no woman MP. All five Gjirokastra MPs are males.
- The changes in the composition of the parliament of Albania in late 2016 show improvements towards the gender equality dimension aspect in the regions of Tirana, Berat, Dibra, Kukes, and Shkodra. These regions saw an increase in the number of women MPs as a direct result of the application of the Electoral Code gender equality-related provisions. Lezha is the only region that saw a decrease of the equal gender representation, from 42% to 28% at the beginning of 2017, as a result of the substitution of female candidates with male candidates. From 3 women MPs in 2013, Lezha has only two as of 2017. The regions with the highest increase in women MPs were Kukës by 25%, Elbasan by 21,4%, Dibra by 15,6%, etc.

## **A. GENDER REPRESENTATION IN THE NEW PARLIAMENT**

- Eighteen political parties registered to participate in the 2017 parliamentary elections and were represented by 2,666 candidates, out of which 1073, or 40%, were women. The main political parties failed to abide by the principle of equal representation and honor their pre-electoral commitments. The OSCE/ODIHR report stated that despite their increased numbers, women continue to be underrepresented in politics. None of the chairs of the political parties competing in the 2017 parliamentary elections were women, and the percentage of women in the levels of electoral administrations was low, just about 20%.
- CEC applied the sanctions provided for in the Electoral Code regarding the infraction of the gender quota provision. It first fined SMI with 1 million ALL for failing to comply with the gender quota in Tirana, and then SP for the same amount for failing to do so in Berat. After the elections, the DP was fined by 12 million ALL for failing to abide by the gender equality quota in all of Albania's 12 regions. This is the highest fine that has ever been imposed on a political party in Albania since the introduction of the quota system.

Table 1. Difference in the number of women elected in the regions in the legislature 2013-2017



Region	2013	End of legislature 2013-2017	Difference
Tiranë	18.75	21.8	3.05
Berat	12.5	25	12.5
Durrës	15.38	23	7.62
Fier	18.75	18.75	0
Korcë	25	25	0
Lezhë	42.85	28.57	-14.28
Dibër	0	16.66	16.66
Elbasan	7.14	28.57	21.43
Gjirokastër	0	0	0
Kukës	0	25	25
Shkodër	27.22	36.63	9.41
Vlorë	25	25	0

Table 2. Data on the percentage of women MPs in the 2009-2017 parliamentary elections

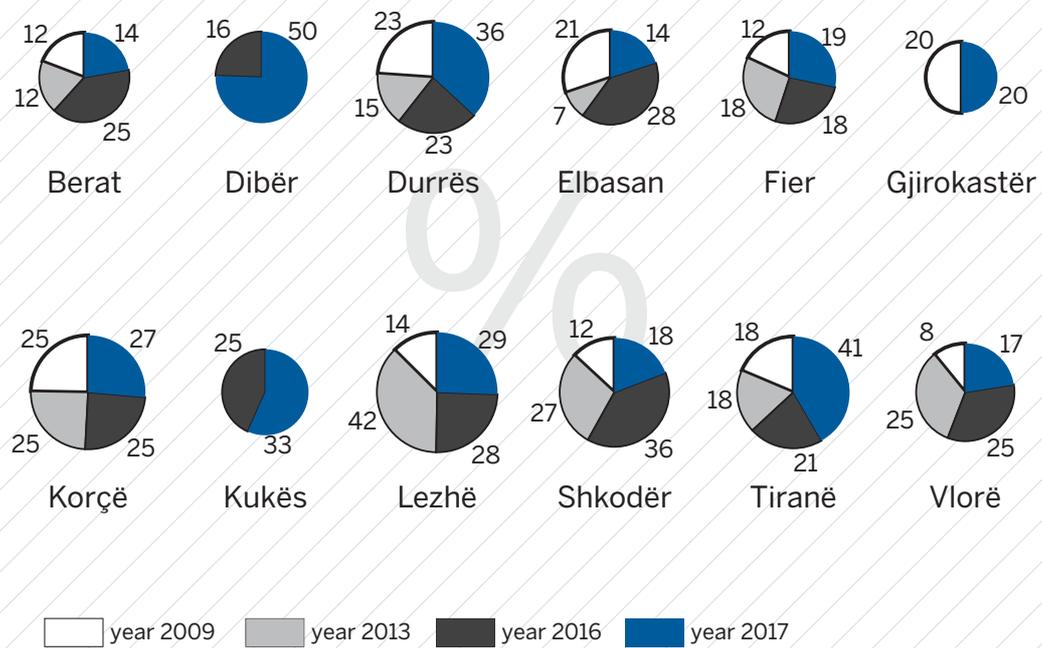


Table 3. Candidates for MPs in the Parliamentary Elections 2017 by gender

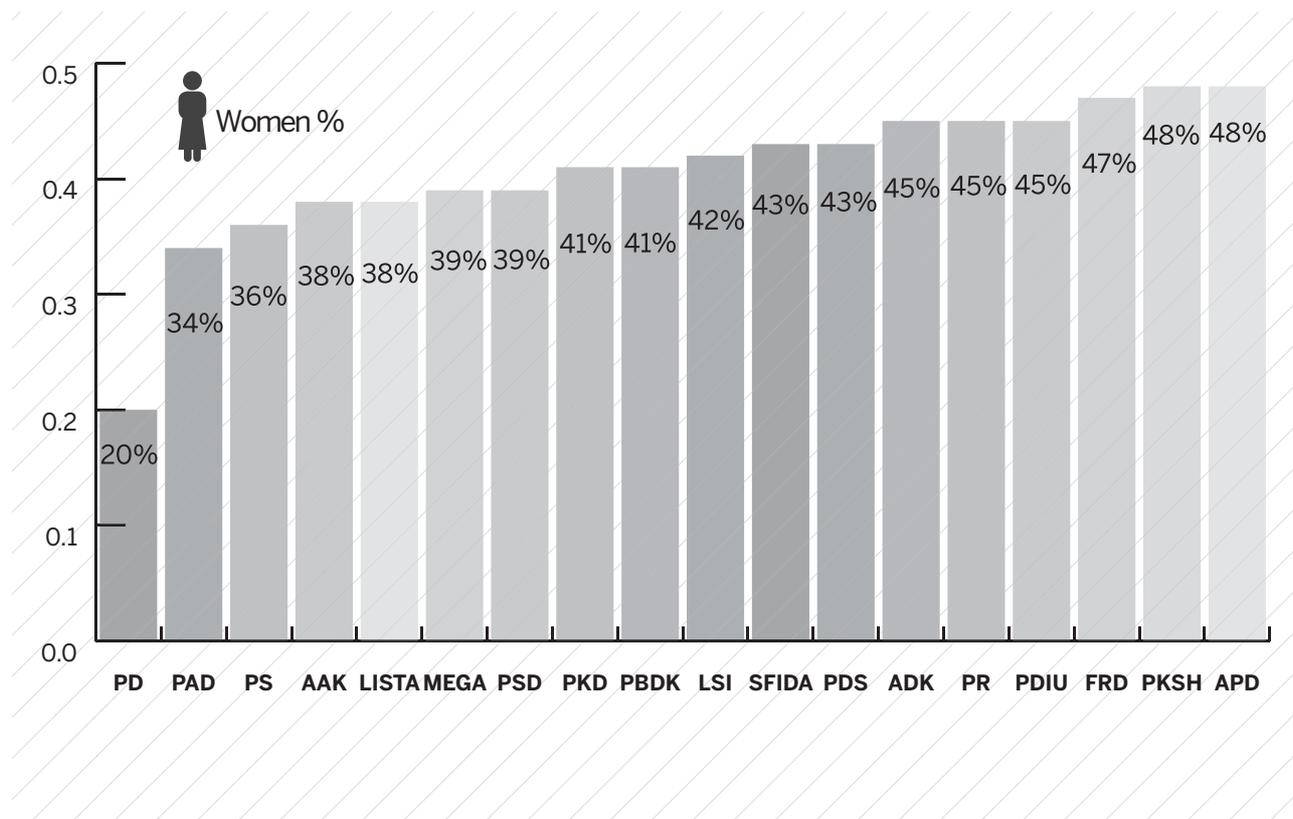


Table 4. Percentage of women MPs elected in the regions in the parliamentary elections of 2017

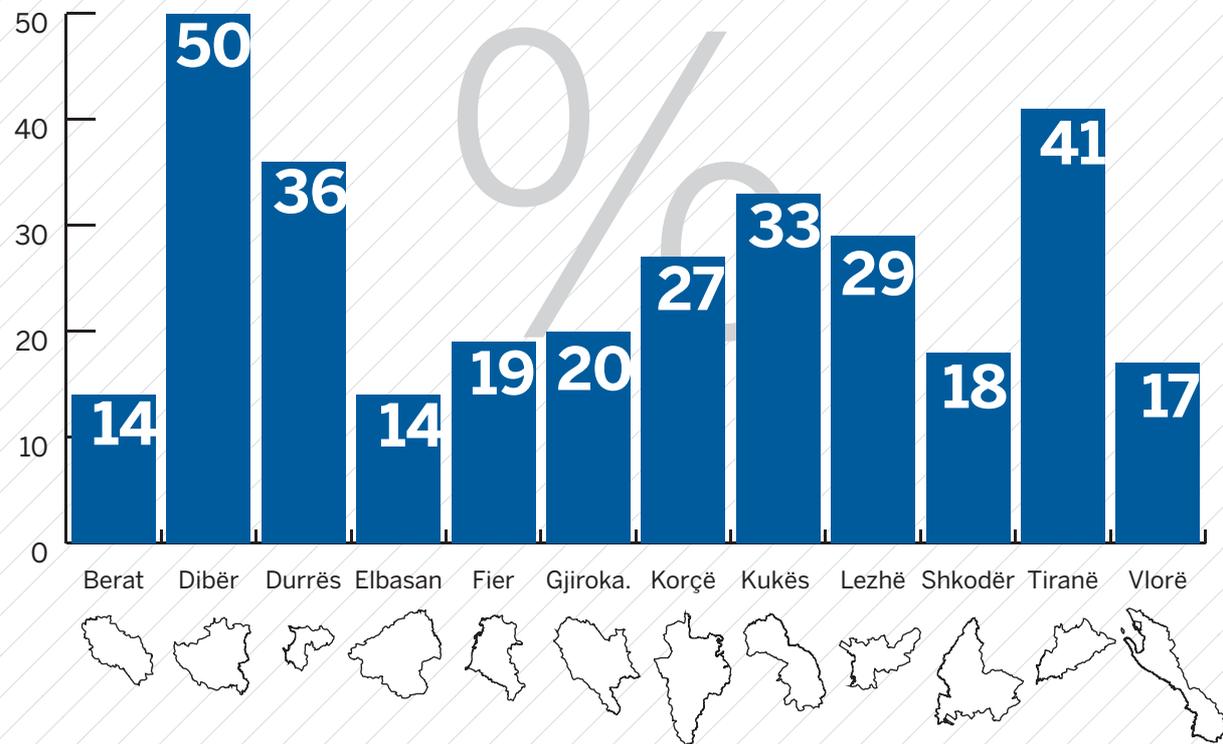


Table 5. Representation by region after the parliamentary elections of 2017

Region	Men	Women	Women in %
Berat	3	3	50%
Dibër	20	14	41%
Durrës	9	5	36%
Elbasan	2	1	33%
Fier	5	2	29%
Gjirokastrë	8	3	27%
Korcë	4	1	20%
Kukës	13	3	19%
Lezhë	9	2	18%
Shkodër	10	2	17%
Tiranë	6	1	14%
Vlorë	12	2	14%
Total		39	27%

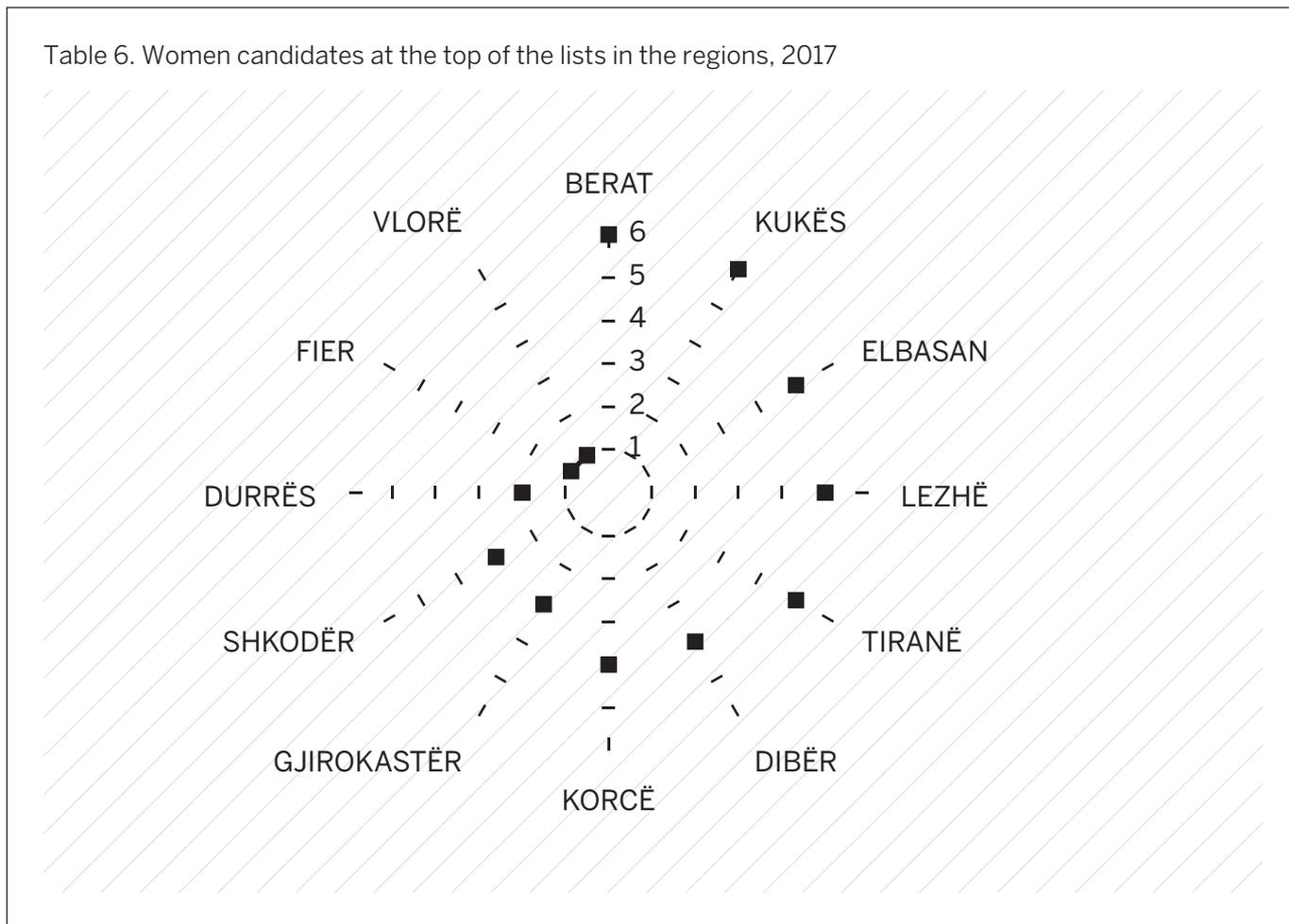
- In the past, these fines failed to be sufficiently effective. As the fines imposed on the parties increase, their effect might improve and might lead to the introduction of the obligatory linear candidates' lists with mixed composition ranging through the entire list.
- With the establishment of the new 2017-2021 legislature/session, the region of Dibra leads nationally in terms of women MPs with 50%, followed by Tirana with 41%, Durres with 36%,

Kukes with 33%, Lezha with 29%, Korca with 27%, Gjirokastra with 20%, Fieri 19%, Shkodra 18%, and Vlora 17%. Berat and Elbasan are the two regions with the lowest representation of women and girls with 14% each. This is, at any rate, the first parliamentary session that sees women represented from 14% to 50% of the overall number of seats. Dibra has a 50% representation, whilst the lowest level is seen in Berat with 1 woman in 7 mandates and Elbasan with 2 women in 14 mandates.

## B. SPECIFIC FEATURES OF GENDER REPRESENTATION

- Parties fail to uniformly adopt the principle of a gender representation as provided for in the gender quota. The two parties with the highest percentage of women candidates in their lists were two historical rivals, the party of the formerly political persecuted persons (Popular Alliance for Justice – PAJ) and the Communist Party (CP), with 48% in the candidates' list each. The Party for Justice, Unity and Integration leads parliamentary parties with 45%, followed by SMI with 42% and SP with 36%. The DP is the party with the lowest number of women candidates (only 20%) in its multi-names list. The two main parties applied double standards in listing women, as each of them put women at the top of the lists in some regions, yet overall, the lists were dominated by men in positions with the highest probability to win.
- In addition to the proper application of the gender quota and the fair distribution of women in the multi-names list, it is important to place women in electoral areas where they actually stand a real chance to win. In the 2017 elections, the party that led the others in terms of actual gender representation was the SP with 27%, followed by DP with 25% and SMI with 21%.
- With reference to the Electoral Code, the candidates with actual chances of winning parliamentary seat are most certainly those placed at the top of the lists. Very often parties apply their obligation to include 30% of the least represented sex by putting women at the bottom of the lists. In the 2013 parliamentary elections, women led party lists only in two regions where they were likely to win: Lezha and Shkodra. In Kukes and Gjirokastra, no women were put in the multi-name lists. Women were put in the second position of the lists in 10 cases and in the third position in 13 cases (in the three main parties of Albania). This way of acting shows that the parties often fail to live by their promises and to respect the spirit of the law.
- Improvements were made in 2017. The parties, especially those with lesser chances to win, were more open towards promoting women and girls in elections. For the first time, the parties put more women and girls at the top of the multi-name list in several regions. In more concrete terms, the SP put 3 candidates at the top of the lists: Lezha (Lindita Nikolla), Kukes (Mimi Kodheli), Durres (Eglantina Gjermeni), DP put 2 candidates at the top of the lists: Diber (Dhurata Cupi) and Korca (Valentina Duka). SMI put 3 women at the top of its lists: Tirana (Klajda Gjoshaj), Elbasan (Monika Kryemadhi) and Kukes (Selvi Becaj). The regions featuring the highest number of women candidates in top positions are Tirana, Lezha, and Elbasan.
- Approximately 90% of the political parties entered the electoral race without having in place local structures and grassroots support necessary to win parliamentary mandates. The Albanian electoral system discourages the establishment of new political parties with national coverage, and most of the smaller parties don't have sufficient human and infrastructural resources to effectively support a nation-wide campaign. Most of the smaller parties become active around the eve of elections

Table 6. Women candidates at the top of the lists in the regions, 2017



only. To avoid penalties and comply with the legal obligation of gender quotas, these parties register women and girls as candidates, many of whom are closely related to party leaders at the central level or the top candidate in the proportional multi-name list in their region. ISP was able to ascertain that this practice was followed by more than 60% of the political parties, mostly by the smaller ones. The deformation of the positive goal of the legal gender quota to support the advancement of women in politics through speculative practices is a negative phenomenon that ought to be duly considered by the lawmakers and by the CEC so that proper remedies can be effectively found and applied.

- The comparative data collected from the ISP monitoring of the Assembly of Albania (2016 and 2017) shows that female MPs are in average more active than male MPs. Its results show that 90% of the female MPs have taken the floor in the plenary sessions, compared against 71% of male MPs. According to the data of the Institute of Political Studies, in total, 30 female and 77 male MPs addressed plenary sessions of the Assembly over the last legislature. A higher level of female MP activity is indicative of the quality of women MPs and should serve as proof against skepticism towards increases in numbers of female MPs.

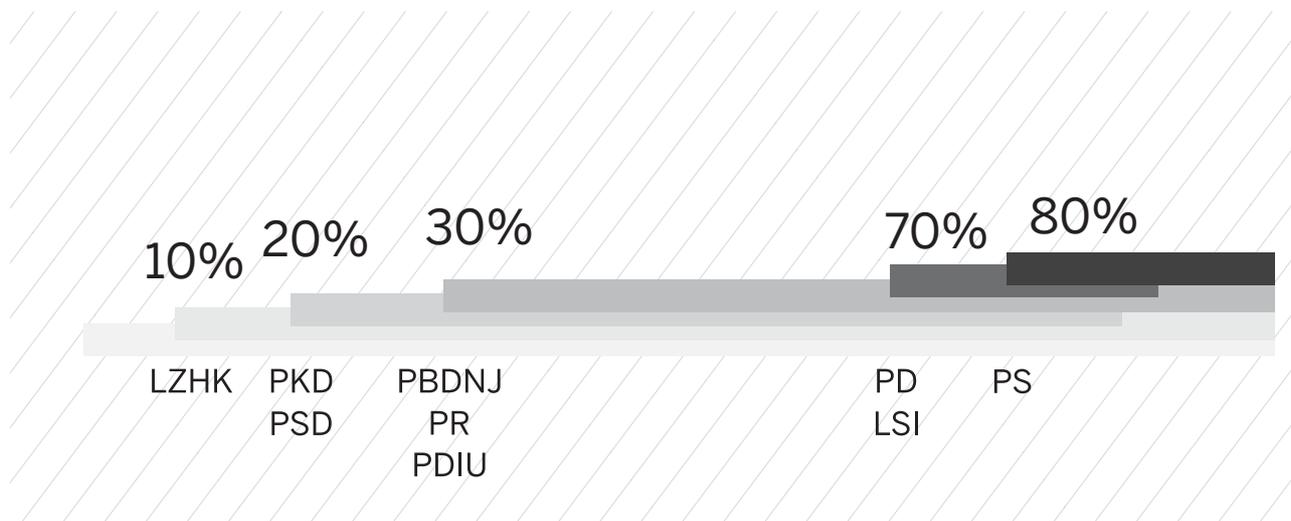
### **C. GENDER REPRESENTATION IN POLITICAL PARTIES**

- Since the mid-nineties, Albania's main political parties (SP and DP) started to apply special representation quotas for women and girls. The trend of women's representation has steadily grown since then. In 2017, two out of the three main political parties applied quotas for their candidates' lists and 50% electoral quotas for their central structures (steering committee, national council, and national assembly). Their party statutes sanction positive discrimination provisions and internal quotas, in conjunction with engagements on the promotion of women in politics. However, despite the formalization of these practices, there is a lack of political will and concrete strategies to realize these commitments.
- Women politicians account for 35% of the seats in the Steering Committee of the SMI, 33% in the SP Steering Committee and 23% in the DP Steering Committee. In the National Assembly and National Councils, women occupy 45% of the seats in the SP, 33% in the SMI, and 19% in the DP. Findings also show that women politicians take up to 25% of the seats in the SP Secretariat, 33% in the DP Secretariat, and 50% in the SMI Secretariat. The SMI has no women chairs in any of the 61 local party branches, and lack of women representation is also noticeable in the other political parties. In contrast, women chair 12 out of 61 SP local party branches, and 40 out of 383 SP administrative units. Lack of equal representation is a severe deviation from the standards of gender equality and represents an issue that needs addressing by the political parties.

- Political parties have made positive steps towards achieving equal representation in their decision-making structures. In general, party statutes provide for gender quotas and parties have shown an interest in the increase of women's participation in politics. The above table presents party rankings based on equal representation and women's positions in parties.
- The three main political parties have the highest female representation, unlike smaller political parties. This table shows that standards for equal

gender representation are not uniformly applied across the political spectrum. These standards have some substance only in larger political parties. Albanian parties are still in the firm grip of male leaders who have a de facto monopoly of political power. Albanian parties have failed to establish mechanisms that enable trust, support, and fair competition to help bring about the necessary changes. This situation constitutes a deviation from the democratic standards that ought to be taken into account by the political parties.

Table 7. Ranking of Political Parties by Gender Equality Indicators



## D. ISSUES RELATED TO WOMEN'S REPRESENTATION

- Equal gender representation and participation generally are only on the radar during elections and electoral races but are not reflected through a significant percentage of women elected to decision-making positions. This, in turn, makes their participation as candidates largely formal. In addition, the legal sanctions applied on infringements of quota requirements are often too soft and often parties have chosen to face the sanctions and compete with men lists rather than overcome the gender barrier and comply with the law.
- Significant evidence points to the fact that despite the progress achieved to date regarding the improvement of the level of the women's representation of in politics and in particular in decision-making, many serious impediments are related to the lack of political will by leaders and intentional interference. These leaders use technical barriers to block women participation in high-level political decision-making and reduce their chances to compete for leadership positions in political parties.
- Women candidates often have to face gender-based prejudice, which often limits women's freedom of professional opportunity and fair competition in an internal party race. The findings from the focus groups and from the interviews corroborate this thesis and point at the heart of the issue, from which effort towards cultural reform from within the main political parties ought to start up from. A negative environment marked by prejudice against women politicians is deliberately built in order to prevent women from succeeding in politics so as to perpetuate the male dominance in all levels of political decision-making.
- Inflammatory rhetoric and conflict-laden politics are two further factors singled out by this study as a formidable barrier to higher standards of equal representation. They demotivate women's political careers and create an overall environment that is not conducive to women politicians. Over the last parliamentary session, no woman MP was ever penalized because of the language used in the parliament, whilst the number of the penalties applied to male MPs goes up to twenty. This clearly shows a significant difference in ethical behavior in the parliament between male and female MPs.
- Equal chances for high-level careers for women are also limited due to beliefs by parties that tough political challenges and competition faced in local and central elections can only be handled by men.
- The full implementation of the decriminalization law ought to contribute towards creating a positive environment that is conducive to an increased participation of women in political parties and in the parliament. No women at the central or local level had to give up their mandates as a consequence of the application of the decriminalization provisions regarding their criminal past.

- The positive experience related to the establishment of the Alliance of Women MPs, despite its modest results, is worthy of further support and assistance in order to strengthen/improve its institutional sustainability during the future parliamentary sessions. The cooperation of women MPs in the framework of this alliance and a renewed focus on gender equality policies ought to constitute the bulk of the work and engagement of this alliance.
- No Albanian political party has ever held any special meetings of its parliamentary group or of its steering structures to specifically address gender representation amongst its ranks. None of the parties has an in-depth program that properly structures goals, strategies, and concrete commitments to this end.
- Women's forums in political parties continue to be considered as auxiliary structures of the parties. They don't have their own resources and office space, and they are not able to play a corrective role towards mainstream party policies and practices. They still function as satellites of the party structures, along with parties' youth organizations.
- Media plays a fundamental role in the promotion of equal political representation. It does so by publicly promoting positive models of women in politics. According to ODIHR, women candidates received less media attention, and public and private TV channels monitored by the ODIHR Elections Monitoring Mission only dedicated 13% of their total campaign coverage to women. Significant effort needs

to be made in this regard, in cooperation with women politicians and their representative and organizational structures.

- The Albanian civil society and international organizations have a specific role to play in this context. Their contributions and their capacities to raise awareness among political parties regarding an increase in women's leadership, participation and representation in political structures and politics, in general,, are highly valued. These organizations play an important role in awareness-raising for this cause. Positive role-models among women politicians that inspire greater political participation exist. These politicians are perceived to have the professional capacities needed to obtain and maintain leadership and high-level positions in the country.

## E. MAIN RECOMMENDATIONS

- To better address the current discrepancy between the many capacities of women in Albanian society and their actual low level of representation in political decision-making, the IPS suggests enhancing the representation of women horizontally and vertically in political parties, political institutions, and electoral processes.
- Fair gender representation in the decision-making structures of political parties is closely linked to their internal democratization and the establishment of a meritocratic system in party structures. It should be regulated by the law of political parties.

- The Electoral Code should set gender quotas every 3 multi-name list names even for parliamentary elections, and sanction stronger penalties against parliamentary political parties that do not correctly apply this system in parliamentary and local elections.
- The Electoral Code should sanction the same standard for 50% gender representation throughout the entire electoral administration structure (CEAZ, EAZ, VC, CG, MMB, etc.); in the appointment of unit administrators and other decision-making bodies depending on the structure of the municipality; and equal gender representation in the mayor-vice-mayor partnership.
- The Electoral Code should set up effective barriers against the practice of; it should provide for penalties for discrimination against women, family voting, and voting pressure.
- The Electoral Code should provide for special awareness-raising funds for women candidates in parliamentary and local elections, to be used also for studies and training on gender representation of women as candidates, members of the electoral administration and voters, and also the importance of individual voting as the only means of expressing political will.
- The Central Elections Commission (CEC) should establish an accurate database with the data of all electoral candidates, provide sex-disaggregated data, and make this database available to the public and academia.
- Political parties should engage in a sustained manner with women by strengthening their women's organizations and institutionalizing joint sessions of parliamentary groups, municipal councils and the group of ministers with women's forums. Parties should create their specific electoral programs on gender issues and gender-discriminatory discourse cases should be addressed by provisions enumerated in their Codes of Ethics as flagrant violations sanctioned with career-related penalties.
- Civil society should be supported by international organizations and institutions to monitor internal party processes in order to increase the quantity and quality of representation of women at all levels of political parties, and the selection process of candidates and MPs focused on candidate withdrawal or their replacement into the multi-name list.
- Women's organizations and political parties will need to cooperate closely with the media towards greater media promotion of women's electoral campaigns from each party, as well as promote positive women's career models.
- Good practices that have been able to sustain themselves so far, such as the Women's Alliance of MPs and the Alliances of Women Councillors should be encouraged to be more active, create debate forums and raise awareness on gender issues, including issues of political representation at all levels of government.
- Special funds for internal party campaigns and electoral campaigns should be allocated to

women's forums and women candidates, so as to establish positive gender budgeting practices in parties, the Parliament, and the government.

- Women's forums in political parties should ensure public transparency (through websites) to showcase their activity and structures, as well as initiate debates on concrete issues of women's position in society and politics.
- Civil society, parties, and international partners should regularly conduct media, legislative and political training programs for women candidates and women in politics to help them get informed on current forms of communication and political activity.

## 3. INTRODUCTION, GOAL, AND METHODOLOGY

Albania held its parliamentary elections on 25 June 2017. These were the first elections to be held after the 2015 local elections in which legislation setting a new gender quota of 50% for municipal councils was enacted. The election results are based on a mixed system consisting of closed lists of candidates endorsed by competing political coalitions on the one hand, and mayors directly elected through a majoritarian vote on the other. The 2017 elections served as an important litmus test regarding the achievement of better democratic standards compared to the last local elections. The election proceedings were peaceful, with little to none incidents. The results were not contested by the political parties.

### 3.1 INTRODUCTION

Fair gender representation and gender equality are widely acknowledged concepts amongst public institutions and political actors. It is promoted as an important cause that has also been addressed in the Albanian legislation, in the framework to its approximation to the EU Acquis, and pursuant to the fulfillment of Albania's obligations under the international treaties it adheres to<sup>2</sup>. Gender equality

<sup>2</sup> Albania's agreements with the Council of Europe: [http://www.puneteshjshme.gov.al/files/userfiles/Aktet\\_e\\_KiE-se.pdf](http://www.puneteshjshme.gov.al/files/userfiles/Aktet_e_KiE-se.pdf) and list of international treaties adhered to by Albania: <http://www.puneteshjshme.gov.al/al/dokumenta/akte-nderkombetare/trak-tate-dhe-konventa-shumepaleshe>.

is a goal to be pursued at the national level needed to ensure the further advancement of human rights, gender equality before the law and the enforcement of the non-discrimination principle. The legal framework in force, as discussed and analyzed in the following pages, constitutes the entirety of the national and international rules and norms that regulate the participation of women in Albania's political life, as representatives of political parties. The legal framework in force entails many positive aspects, yet the legal principle of fair representation has not been yet morphed into a sustained political culture and into a viable legal obligation. Seen in relation to the level of representation in politics, to the fulfillment of equal rights and equal quotas in decision-making, women's representation suffers from a considerable gap that is exacerbated from the distance between the formally attained rights and their practical implementation.

Our study proves that the advancement of the women's political representation requires synergy between the written rules and statutory norms, and the strong political will of the decision-makers within political parties. The gender gap is not just urban-versus-rural. It also consists of the ways parties approach their electoral campaigns, and their get out the vote efforts.

The elections in 2013 and 2015 showed two major phenomena:

- In some cases, a clear preference for rich and powerful candidates neglected/undermined



the professional qualifications and leadership potentials of many women candidates.

- Political parties adopted a post-factum correction by taking internally-sponsored measures to increase the numbers of women and girls in the parliament, in their own structures and in the government.

Women's involvement in political party's decision-making is not a formal or legal criterion linked only to a number of mandates. It should be first and foremost a democratic standard and a moral and programmatic obligation that is vital for the creation of a truly representative, functional and proportional democratic system.

### 3.2 CONTEXT OF THIS STUDY

Albania strives to establish/achieve a functioning democracy in the framework of its bid for EU membership. Gender equality in political representation constitutes an important aspect of the criteria required for Albania's EU integration. Taking into account the patriarchal tradition and the fragility of the democratization process, gender equality in politics and in decision-making is to be considered as an indicator of a particularly high importance for measuring the quality of Albania's democracy.

After 2008, Albania started applying new and improved standards geared towards the effective advancement of gender equality in politics. The last parliamentary elections of 2013 and the last local government elections of 2015 bore witness to the positive trend of an improved gender balance

in political representation and to the joint future challenges of the political parties in this regard. The 2017 parliamentary elections took place in a new legal and political context, marked by a wide consensus among political parties to further advance gender representation in qualitative and quantitative terms. The upcoming elections will see the first impact of the decriminalization law, and the effect of an initiative launched from several MPs from different sides of the political spectrum to apply the same gender quotas in the Albanian parliament as during the last local government elections.

Political parties play a pivotal role with regard to the fulfillment of the constitutional principle of citizen's representation in political decision-making. They have a monopoly of political representation. An analysis of the political parties in Albania (statutory framework, organizational structures, actual functioning, decision-making patterns, electoral programs, political programs, electoral behavior, political narratives etc.) gives a snapshot on the issues and problems related to political representation in Albania, and to their impact on elections in the country. The Institute for Political Studies maintains that an analysis of women's participation in elections and political parties is an important part of the comprehensive analysis on internal democracy in the political parties and the quality of the representative system as a whole.

However, the trend towards a proportional gender representation in line with the most advanced democratic standards requires an enabling environment that entails public support, the application of gender equality standards within the parties themselves, and a host of sustainable institutional mechanisms able to support this effort

regardless of the changing dynamics of specific interests or electoral imbalances.

### 3.3 AIM OF THIS STUDY

This study aims to provide an analytical review of the situation and of the main features of the women's representation in Albania's political parties. The study discusses the legal framework on gender equality, the related strategic documents, and the most updated data related to women's representation in political parties. Our review also included the 2013 and 2015 elections, and the situation on the eve of the upcoming 2017 national elections.

This study focuses on political parties, their organizational structure, the gender relations in them regarding representation and decision-making, the representative functions of women's forums within the parties, and future challenges. The study measures each factor against the standard of fair gender representation and asserts that the political will and vision of party leadership, rather than statutory requirements, play a greater role in the advancement of gender equality in politics.

The study also intends to make short-term and long-term recommendations and address future improvements that need to be made. Improvements in the legal framework and internal party statutes, as well as strengthening of the representative and political role of women organisations within the parties are preconditions for establishing a sustainable and effective institutional context, that can have a positive and long-lasting effect on the improvement of gender

representation in the parliament, local government institutions and all levels of political decision-making.

### 3.4 RESEARCH METHODOLOGY

The methodology of the study builds on quantitative and qualitative data. It covers most of the aspects of gender equality seen from the perspective of parliamentary parties, media, civil society, academia and gender equality experts.

This study focuses on the 2013–2017 period, and we analysed Albania's parliamentary parties<sup>3</sup> from that legislative mandate: The Socialist Party of Albania (SP), the Democratic Party of Albania (DP), the Socialist Movement for Integration (SMI), the Party for Justice, Integration and Unity (PJIU), the Republican Party of Albania (RP), the Human Rights Union Party (HRUP) and the Christian-Democratic Party (CDP). Where necessary, we referred to earlier legislative periods by also referring to data on political parties competing in the 2013 parliamentary elections.

Several focus groups were held, and interviews and questionnaires were administered on Election Day on 25 June 2017. We cross-checked the data with the findings collected from our research. The research data was collected through the review of public and confidential documents, individual interviews, and focus groups with representatives of political parties, public institutions, and field experts.

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3 Parliamentary parties are those parties that have won seats in the Assembly of Albania as political entities (running alone or as part of a coalition) in the last parliamentary elections of the year 2013.

***The main documents used for this study are:***

- The constitution and the legislation in force with a bearing on gender equality and political representation in conjunction with the relevant by-laws and the administrative acts, including the Electoral Code and the Law on Political Parties;
- Regulatory party documents (statutes, electoral programmes, political programmes, electoral strategies);
- Elements related to the functioning of parties and to the conduct of electoral campaigns (electoral discourse, decision-making of electoral structures, National Assemblies/Congresses, budgets available for women candidates in elections, election programmes targeting women voters, the role of women's organizations in political parties, post-electoral strategies, etc; and
- Studies and data concerning the role of women and girls in the new governing structures in political parties and institutions, and their role in decision-making (Assembly, central and local governments), mainly referring to parliamentary political parties.

## 4. LEGAL FRAMEWORK ON GENDER REPRESENTATION

Albania's legal hierarchy is laid out in the Constitution of Albania and includes the international treaties adhered to by Albania and the Albanian legislation in force pursuant to the constitutional principles. Albania boasts a solid legal framework regarding gender representation, which enables for its improvement up to the achievement of a balanced representation. Albania's gender gap problem persists due to a discrepancy between de jure rights and their de facto implementation. This phenomenon is particularly visible in matters of women representation in parliamentary and local elections.

Annex A of this study provides a detailed description of the legal framework on gender equality and gender representation. The paragraphs below specify only the most salient features of the legal framework in this regard.

Points 6 and 7 in the Electoral Code provide amongst others, that at least 30% of the multi-name list and every third name in the multi-name list ought to belong to either sex. The party shall declare its candidates in accordance with the gender quota. In case of the local elections, for all municipal councils, one in every two subsequent names shall belong to the opposite sex. Should this criterion remain unfulfilled in the multi-name list, then the CEC is entitled to apply sanctions.

Article 175 of the Electoral Code on sanctions related to gender equality has been amended several times,

by striking several differences with Law no. 74/2012, dated 19.07.2012 and Law no. 31/2015. It provides amongst others, that the failure by the electoral subject to comply with the obligations specified in point 6 of article 67 of the Code regarding the composition of the list, is punishable by the CEC with a fine of ALL 1,000,000 as well as the additional sanction, in accordance with point 2 of this article, in the case of elections to the Assembly, and with refusal of the political party's list of the candidates for municipal councils for elections for local government bodies.

In case a violation by an electoral subject is identified, the CEC applies as an additional sanction the replacement of each vacancy in the list of the subject, in the zone where the violation has been identified, with the next candidate in the list belonging to the least represented gender until the gender quota is reached. These sanctions were applied in the 2013 and 2017 elections.

Law no. 221/4.2.2010 "On Protection from Discrimination" adopted by the Albanian parliament is another significant step forward for the protection of equality and non-discrimination in Albania. It significantly widens the scope of rights and their safeguards for women and men by introducing new concepts and their application in spheres related to the economy and social protection, in addition to the political dimension

The law “On political parties” regulates the organization and functioning of political parties. It stipulates the organizational principles, their establishment and registration at the court, the functioning of their structures, the eligibility for funding from the state and other entities and reporting and transparency requirements towards the Central Election Commission. The law goes at great lengths in providing details on principles of the party establishment, but it fails to provide sufficient grounds to support gender equality within a political party.

The law on political parties is not harmonized with the legal framework regulating gender equality in Albania. It is, therefore, necessary to quickly and effectively amend this law to harmonize it with the other laws, by imposing gender equality criteria on political parties as soon as they are established. It should be imperative for political parties to anchor gender equality as one of the pillars of their statutes. Sanctioning gender equality and gender-sensitive representation principles for the steering structures of the parties would be an important step that would ensure a greater long-term sustainability,, viability , and effectiveness than the periodical reviews of the electoral rules in the framework of the Electoral Reforms.

Gender quotas and proportional gender representation within the parties would create the preconditions for a new political culture stemming from within the political party structures. It would

enable new approaches towards gender equality and it would force political parties to compete so as to appeal more to the voters of both sexes.

*“Equal and meaningful participation of women in political and public life is a necessity for an effectively-functioning democratic society... Women leaders need support for networks that strengthen their voice, advocate how women leaders can take real action to protect the interests of citizens and create solidarity to overcome obstacles.”*

BRIAN J. WILLIAMS, UN RESIDENT COORDINATOR AND UNDP RESIDENT REPRESENTATIVE

## 5. INSTITUTIONS OF WOMEN'S REPRESENTATION IN POLITICAL PARTIES

The constitution of each political party consists of its statute in conjunction with its programmatic principles. All political parties function as independent institutions, with its specific ideology, bylaws, organizational structures, grassroots organizations, members and supporters that enable them to carry out the typical functions of a political party in a pluralist system. Albanian political parties share the same features. They have statutes and programs, structures and members, women's forums, political priorities, and programs. This chapter focuses on the situation of women's organizations in political parties and on the challenges related to their functioning.

### 5.1 ANALYSIS OF THE STATUTORY DOCUMENTS OF POLITICAL PARTIES

The party statutes are the internal party documents that constitute the legal foundation for their organization and its functioning. Party statutes are registered in a court of law that checks their compliance with constitutional and legal requirements. The contents of the party statutes are a very important element regarding the fulfillment of these fundamental requirements that also include gender equality criteria. In the paragraphs below, we list a summary of the statutory provisions of Albania's parliamentary parties to enable an analysis of their level of compliance in terms of gender equality requirements deriving from the relevant national legal framework in force.

- **THE STATUTE OF THE SOCIALIST PARTY OF ALBANIA (SP)** sanctions equal opportunities for the representation of women and men through Article 3, focused on internal democracy. Article 23 provides that all party organizations shall ensure a minimum 30% quota for women participation in their ranks. Article 37 on the rules for the election of delegates in the party congress stipulates that the candidates' list and the list of successful candidates shall ensure a 50% quota for either sex. The 50% quota also applies for candidates to be selected by the national party congress as members of the National Assembly of the Socialist Party. According to Article 43, the representation of women in the pool of candidates running for membership in the party's steering committee shall not be less than 30%. Article 63 of the party statute provides that the list of candidates running for Local Council should be subject to a 50% gender equality quota. The statute also establishes the Socialist Women Forum which declared a registered membership of 30.000 women and girls in its December 2016 election.
- **THE STATUTE OF THE DEMOCRATIC PARTY OF ALBANIA (DP)** provides in Article 22 that the steering committees of its branches should consist of women at a ratio of no less than 30%. These women ought to be elected party members. Article 36 of the DP statute stipulates that a 30% quota applies to the elected members of the

National Council. This statute does not provide rules for applying gender quotas in internal party elections and establishing gender-sensitive rotations in the monocratic steering boards of the party. At any rate, the DP statute at least respects the initial minimal gender equality quota set by the gender equality law. The DP establishes through its statute a partner organization, the Forum of Democratic Women (FDW), which is responsible for representing the interests of its female members. Article 21, point J provides that the Assembly of Party Branches should be composed of up to 5% of elected DLW members. In its last elections of 2016, this organization declared a registered membership of 20.000 women and girls.

- **THE STATUTE OF THE SOCIALIST MOVEMENT FOR INTEGRATION** provides in Chapter 17 point 3 that the Women Movement for Integration is represented by special candidates' lists drawn for all SMI forums at all levels at no less than 50%. The application of the gender equality principle is obligatory for all SMI party forums. This is the only provision on gender equality in the SMI statute. It confirms the resolve of SMI to ensure full gender equality in all its forums. The SMI statute also provides for the establishment of the party's partner organization in the field of women representation, the Women Movement for Integration. This organization has not publicly declared any data on the number of its registered members.

- **THE STATUTE OF THE PARTY FOR JUSTICE, INTEGRATION AND UNITY (PJIU)**, overall and especially through Article 23 on representatives to the party's congress held every fourth year, provides that one-third of the delegates present ought to be female party members. In case such a quota is not achieved, a smaller level of representation is possible. Article 24 lays out the same conditions for women representation in the PJIU National Council. As is the case in the statutes of other parties, the PJIU statute does not lay out gender equality rules for running as candidates in internal party elections, nor does it provide for gender equality-minded rotations in the party's monocratic steering structures. At any rate, it should be noted that the PJIU statute complies with the minimum initial gender quota as established by the gender equality law. PJIU's statute provides for the establishment of a partner organization in charge of representing the interest of its women members within the party. The PJIU women's forum has not made public the number of its registered members.

Table 8. Key data on women forums / women organizations in political parties in Albania

Features of gender equality in the statutes of the political parties	Parliamentary Parties*			
	PS	PD	LSI	PDIU
Women representation in all party forums	≤30%	<30%	≤50%	<30%
Membership of women in all party organisations	≤30%	<30%	≈30%	<30%
Women representation in party's national assembly / congress	50%	<30%	>30%	<30%
Women representation as elected candidates in the party assembly / national council	50%	<30%	>30%	<30%
Women representation as candidates for the party assembly / national council	≤30%	≤30%	30%	<30%
Women representation as candidates for party's steering committees	30%	30%	>30%	<30%
Women representation in local councils	≤50%	≤30%	>30%	<30%
Women representation in steering committees of local branches	-	≤30%	30%	<30%
Membership of women's forums	30,000	20,000	No info	No info

\*The statutes of the Republican Party, Human Rights Union Party and PKD have no gender equality provisions.

- **THE STATUTE OF THE REPUBLICAN PARTY OF ALBANIA (RP)** has, to our knowledge and based on the information received from its party officials, not been amended to include gender quotas for ensuring the participation and representation of women in its decision-making structures. It would be therefore advisable to update this statute in the spirit of the new legal standards in force. The RP women's forum has not made public the number of its registered members.
- **THE STATUTE OF THE HUMAN RIGHTS UNION PARTY (HRUP)** does not provide for gender equality criteria or concepts. It only provides for the establishment of and recognizes the Women Forum of HRUP as a partner organization. It is therefore advisable to update this statute in the spirit of the new legal standards in force. The HRUP women's forum has not made public the number of its registered members.

- **THE STATUTE OF THE CHRISTIAN-DEMOCRAT PARTY (CDP)** does not provide for gender equality criteria or standards related to gender equality in its representation and decision-making. It is therefore advisable that this statute is updated in the spirit of the new legal standards in force. The CDP women's forum has not made public the number of its registered members.

## 5.2 WOMENS' FORUMS IN POLITICAL PARTIES

Most of Albania's political parties rely on two main partner organizations for their functioning – women's forum and youth forum. None of the political parties in Albania has any of the forums that are usually attached to the European parties, such as forums of the veterans, forums of the entrepreneurs, forums of the trade unions, and so on. The women's and youth forums of the Albanian parties were established much later than their parties. To describe the situation in more concrete terms, the following paragraphs provide more details on the women's forums vis-a-vis the political parties they are attached to.

The Democratic Party of Albania was established in December 1990. The DP women's forum was established in August 1991. The SP was established in June 1991, changing its name to SP from the former Labour Party. The SP women forum was established several months later. The reason for such delay is of a political rather than technical nature. At the outset of political pluralism in Albania, a public debate ensued on whether political parties ought to have women's and youth organizations, considering the negative legacy of

such auxiliary organizations under the communist regime of the party-state. At that time, the international partners of the SP and of the DP, mainly the Socialist International and the Democratic European Union, today EPP, advised them on the importance of having party organizations focused on women and youth. Therefore, the Albanian parties decided to establish such forums.

The relations between political parties and their partner organizations continue to remain marked by total political, organizational, financial and structural dependence. The existence and survival of the partner organizations depend solely on the party. This relation of dependence has been understood by the parties as a right to impose decisions on the partner organizations and to shape all political actions and internal policies and structures within the women's and youth forums.

In the below section we provide a brief analysis of the statutory provisions of the women's forums of Albania's main political parties.

### 5.2.1 THE SOCIALIST WOMENS' FORUM (FGSSH)

Article 75 of the Statute of the Socialist Party of Albania provides that "The Women's Forum of the Socialist Party of Albania is a political organization attached to the party structure, bringing together female party members and supporters. The aim of the forum is to promote and increase the access and the contribution of women to the party." The SP statute stipulates that the program and the activity of the Women's Forum shall be in line with the statute, program and political activities of the party. Nonetheless, the Women's Forum of the Socialist Party has its own statute and its own rules of functioning.

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*“During my time as an Ambassador here in Albania, I have met many talented and capable women/female politicians.”*

JOHAN NDISI, AMBASSADOR OF SWEDEN IN ALBANIA

- The main objective of the forum is to enable for equal opportunities for women in all areas of life, in particular regarding the provision of equal opportunities for women in the labour market, state institutions, in the political representation and also as regards the promotion of women representation in the public life and in the country's governance. The forum establishes its structures at the local and at the central level. The members of the forum must not be necessarily members of the Socialist Party.
- The leaders of the forum must be party members and are automatically members of the party steering structures at different levels. The candidates for the chair of the women's forum remain to be approved by the party's local assembly based on the proposals made by the structures of the forum of the socialist women.
- The structure of the Socialist Women Forum is described in the Forum's statute. The candidates for the forum's chairwoman at all levels and the rules of the forum are approved by the party's steering committee based on the proposals made by the steering structures of the forum. The Chair of the Women Forum is elected by secret ballot by the Forum's Congress in a competitive procedure involving the candidacy of at least an alternative candidate. The Forum engages in activities and events aimed at the fulfilment of the educational, cultural and entertainment needs of its members that are not necessarily linked to the party's program.

### 5.2.2 DEMOCRATIC WOMENS' LEAGUE (DWL)

The Democratic Women's League is the women organization of the Democratic Party of Albania.

Article 1 of the DP statute includes the party's gender equality goals, which, amongst others aim at "promoting gender equality and equal gender representation in the elected and in the executive party functions. In an interview, the chair of the DWL has mentioned that her organization numbers 20,000 members<sup>4</sup>.

DWL is a statutory "partner organization" of the Democratic Party of Albania. Partner organizations are stipulated in Article 53 of the DP statute. According to Article 53 "partner organizations work to promote the ideas and program of the DP in the social groups they are active in, and to promote and represent the interests of these groups in the policies of the DP. The main organizational principles of their structures are similar to those of the DP. The forum's statute has to be preliminarily approved by the Chairmanship of the DP."

The DP statute stipulates that the partner organizations work to promote the program and the ideas of the DP in their respective social milieus and to reflect the interests of these milieus in the policies of the DP. The main organizational principles of their structures are similar to those of the DP. The forum's statute must be preliminarily approved by the Chairmanship of the DP. The party decides on the establishment of other partner organizations through a decision of the National Council and approval/confirmation by the National Assembly through amendments to the party statute.

The DWL party statute stipulates that its main goal is the "promotion and advancement of the liberal and democratic principles and worldviews, as laid out in

<sup>4</sup> Empowering women in politics, interview, Albana Vokshi. OSCE, 2015.

the DP platforms and programs. The DWL represents the political interests of its members, it works to implement the policies of the Democratic Party, and it promotes the participation of democratic women in the policy-making and decision-making structures of the party and their engagement in political functions.”

### **5.2.3 WOMENS’ MOVEMENT FOR INTEGRATION (WMI)**

The Socialist Movement for Integration also refers to its Women’s Movement for Integration as one of its two partner organizations. Article 17 point 3 stipulates that the Women’s Movement for Integration is represented by separate candidates’ lists to be elected in all levels of the SMI forums at no less than 50%. The gender equality principle is to be applied in all forums of the SMI.”

With reference to the Women’s Movement for Integration and to the Youth Movement for Integration, Article 17 point 5 stipulates that “the allocation of specific quotas for the participation in the SMI forums does not limit the election of representatives of youth and women into these forums outside of these specific quotas.”

The WMI statute stipulates that “the Women’s Movement for Integration is an Albanian women and girls’ voluntary association based on shared ideas, viewpoints, and socio-economic interests, which aim to advance the role of women in society.” It also adds that WMI works to implement the political program of SMI.

The statutes of the remaining parties included in this analysis (HRUP, RP, PJUI, and CDP) fall broadly within

the descriptions provided above. Since these parties have a modest membership and little geographical coverage, the existence of a women’s organization with high public visibility has not been part of their key priorities. For these reasons, these parties and other parties that are indirectly represented in the parliament (Agrarian-Environmentalist Party, Movement for National Development, etc.), have largely symbolic women’s forums, with a modest program of activities and with little public exposure, mostly during elections.

### **5.3 ROLE OF WOMENS’ FORUMS IN POLITICAL DECISION-MAKING**

Regardless of the statutory provisions and the attention that parties formally pay to gender equality considerations in their public discourse and to women’s forums as institutional carriers of gender equality in the political life, the actual influence of these forums in the political decision making was and remains largely symbolic. In no case to date, has a woman who did not fully share the viewpoints of the party leader managed to be elected at the helm of a women’s forum.

No woman has ever run for the position of chair in the country’s main political parties, the SP and the DP, in the 26 years of Albania’s post-communist pluralism. Towards the end of the nineties, a positive trend was recorded in the Socialist Party, related to the participation of women in races for secondary leadership positions in the party, mostly political secretaries. In two cases SP saw a competition between candidates of different sexes for the position of the Prime Minister.

The first case dates to 1999 (Ilir Meta vs. Makbule Ceco) and the second to 2003 (Pandeli Majko vs. Ermelinda Meksi). Neither DP nor LSI had women candidates running for the position of Prime Minister or party chair. Out of today's parliamentary parties, only the Republican Party has had a female candidate, Mirela Bogdani, who unsuccessfully challenged the party's chair Fatmir Mediu for the party leadership at the end of the nineties. Of the non-parliamentary parties, only two women were/are party chairs, those of the Green Party (2005) and the Red and Black Alliance (2017).

Women's forums have focused their work mostly on social issues in the framework of their respective parties. They have shunned the major political debates and any involvement in the rivalries related to the party leadership. For these reasons, these forums have never had any role in affecting the political decision-making inside their parties. In several cases, the leaders of the women's forums or the persons in charge for gender equality policies and for partner organizations within the parties have been intimidated or just bullied out of a normal political career because of the decisions are taken at the party's highest levels. A typical case of such behavior was registered in the 2009 elections, when the two main parties, the SP and the DP, refused to include the names of the chairs of their respective women forums in the proportional candidates' list, even though they included several women in the candidates' lists.

This way of handling women's forums and other acts of differentiating and distributing preferences among women in politics have damaged the importance of women's forums by preventing them to establish a political career system for women politicians that

could effectively promote new entries through a merit-based system. On the contrary, party leaders often have handpicked and promoted women with no significant political contributions for the party. They have single-handedly decided who was going to lead the women's forums, and by doing so they have relativized their value. The two big parties are not exempt from such acts.

Since more than two years the women's forums of the political parties, especially of the "big two" – the SP and the DP, but also the SMI, and to a lesser extent the RP and the PJUI, have embarked onto ambitious endeavors to extend their geographical coverage and their membership base. The forums have held elections in their local branches; they have drawn programs and organized frequent trainings and have engaged in cooperation projects and a host of political and social activities. The recent party-specific and initiatives aimed at supporting the advancement of the gender quotas in politics, and the public campaigns, declarations, and initiatives launched against domestic violence and gender-based violence, in particular with regard to the approval of laws with a specific social and gender-related focus, and the establishment of a network of communication and representation that pays attention to the gender dimension, have yielded positive results.

## 5.4 ANALYSIS OF ELECTORAL PARTY PROGRAMS

The political program of the Socialist Party of Albania (published in 2013)<sup>5</sup> dedicates a specific chapter to the issue of gender equality. The aim of the

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5 [SP Program, www.ps.al, 2013.](http://www.ps.al)

SP party program in the field of gender equality is to enable the *“real empowerment of women and girls and equal opportunities for women and men to make gender equality a reality in all fields of life”*. The program focuses on issues such as gender-based violence, victims of violence, living conditions, support for women’s employment, promotion of gender equality in the education system, and so on. The SP program lists two specific promises related to political representation: 1) a 30% quota in elected and appointed positions and 2) the establishment of an Office for Gender Equality to monitor the respective legal framework and its implementation.

The political program of the Democratic Party of Albania (published in 2013) lists specific promises related to the improvement of the role of women in executive and public decision-making, social policies, the promotion of women in science, protection from violence, equal opportunities, positive discrimination with regard to access to credit, and other issues related to family values and the role of women in the society. Regarding women’s political representation, DP promises quotas at the level of 30%. In 2015, the DP changed its stance by committing towards a quota higher than 30%.

The program of the Socialist Movement for Integration focuses on social and economic aspects rather than an agenda of political reform. It considers women’s empowerment as a democratic value, by stressing the following: *“the equal participation of women through representative quotas is a reality for SMI. We want to extend this reality to the public administration and politics overall.”*

In general, the political discourse of most of the Albanian party leaders includes their commitment to increase the level of representation of women in decision-making. Yet little is found on this commitment in the parties’ written programs in terms of specific quotas or short-term objectives. Women and girls are often mentioned in relation to social policies, to the importance of family and to the promotion of anti-discrimination measures.

The lack of concrete references to gender equality policies in the political programs of the parties is a clear indicator of the minimal advancement achieved over these years in relation to the horizontal political representation system and the real political decision making of women inside the political party structures. In general, parties seem to maintain that gender equality should be an issue confined within the discourse of the women’s forums. Whilst this is certainly one of the main jobs of the women’s forums, it should be also noted that women’s forums do not have decision-making power within their parties. By discussing gender equality within their own structures, the women’s forums can do little to fill the gender equality gaps within their party programs. The juxtaposition between gender equality promises during elections and the implementation of actual gender equality measures when in power ought to be naturally processed through the functioning / eventual non-functioning of the legal and institutional instruments available to the ruling majorities in Albania.

This monitoring report considers that during the SP-SMI government coalition, attention on gender equality has increased. The Council of Ministers has resorted to passing several draft-laws, decisions, and



orders to actually implement some of the electoral promises of the majority government in relation to gender equality. In the period 2013-2016 the government send to the parliament 48 laws containing the word “woman” and approved some decrees and orders aimed at improving women’s position in society. These laws and decisions bear witness to the government’s particular attention towards gender equality, as applied to laws in the remit of economic and social affairs, and public participation.

The most substantive intervention recently undertaken by the government of Albania in the field of gender equality is the approval by the Parliament of the Law No.136 dated 5.12.2015 “On some additions and changes to the law No. 7961, dated 12.7.1995, “Labour Code of the Republic of Albania” amended. The recent reviews of the Labour Code also related to the clarification of the term “sexual harassment”.

- It is the legal obligation of the employer to provide suitable workplace conditions for pregnant women and breastfeeding mothers who decide to return to work 63 days upon giving birth. These women benefit from a paid break from work of two hours within the normal working hours or they can work two hours less for the same amount of payment.
- Additional guarantees to ensure the return of a woman to her workplace upon the conclusion of her maternity leave.
- Equal pay for all employees regardless of their sexual orientation.
- In the framework of the amendments applied to the Labour Code on the protection of pregnant

women and young mothers, a Council of Ministers’ Decision (CoMD) has been recently approved to define working hours and breaks, and occupational safety issues related to allowable and prohibited types of work.

In relation to women’s economic empowerment, the Council of Ministers’ has passed CoMD No. 375 dated 11.06. 2014 “On changes and amendment to Decision No. 904” providing female spouses with the right to receive the economic aid, as many cases had shown that economic aid was misused when only male spouses were entitled to receiving it.

Another positive act is CoMD No. 339, dated 19.06.2014 “Action plan to support women entrepreneurs 2014-2020”, CoMD No. 592 dated 10.09.2014 on the establishment of the fund to support women entrepreneurs. The aim of this fund is to provide for direct financing to women entrepreneurs from non-banking institutions. The fund covers up to 50% of the interest of the credit. Decision No. 4/2014 “On the procedures for the administration of the fund for agriculture and rural development” lays out the bonus system and the competitive criteria for farmers benefiting from the fund. It stipulates for a bonus of 5 points in the evaluation of the applications if the applicants are farmer women.

The Ministry of Social Welfare and Youth in cooperation with the sub-committee for minors, equality and domestic violence of the Assembly of Albania have presented to the Members of the Parliament and civil society organizations a set of proposals related to approximating the Albanian legislation to the standards of the Istanbul Convention. It should be noted however that these achievements

have not fulfilled the electoral promises of the Socialist Party in relation to gender equality. Among the promises that were not honored, the following are to be singled out:

- National 24-hours counseling line for women and girls and establishment of a functioning partnership with civil society and religious communities
- Establishment of the Gender Equality Office to ensure that the draft-laws brought to the Parliament are in line with the legal obligations on gender equality and do not entail gender-based discrimination.
- Real implementation of the 30% quota for women and girls in the appointed and elected functions in public institutions.
- Free vocational training for all female applicants under 25 within the first 6 months of the new government.
- Priority employment for women and girls from minorities and for women and girls with disabilities.
- Better access to loans through programs aimed at self-employment, and through social protection programs.
- Free legal aid for women seeking their rights to co-ownership.

As a result of the abolition of the Ministry of Labour and Social Affairs and the restructuring of the Cabinet (2017), responsibilities on gender issues and referral strategies were dispersed across several ministries. This development weakened the mechanism for promoting an integrated gender representation and may also cause a weakened level of attention to priority issues associated with the engagement of the

executive structures on the above-mentioned gender equality issues and concerns.

Neither the government nor the parliament can rely on a dedicated administrative or political structure in charge of the four-year monitoring of the program of the ruling majority on gender equality and gender mainstreaming-related issues. The lack of such an instrument makes it difficult to officially evaluate achievements and failures. This absence has not been counterbalanced either by a process of analysis undertaken by any of the Women's Forums within the main parties in the government, nor by the group of women MPs of the ruling majority, nor by any civil society structure engaged in the continuous monitoring of such issues. Moreover, this is not only a flaw we attribute to the present majority but a consolidated institutional behavior during the Albanian democratic transition that has been displayed by every government. Hence it can be considered as a structural failure of the political system and its governing institutions.

## 5.5 GENDER BUDGETING IN POLITICAL PARTIES AND STATE INSTITUTIONS

Women organizations in the political parties are considered as structurally dependent components of the parties rather than independent partner entities with their own finances and structures. The expenses incurred by the structures of the women's forums, and all operating costs and the costs for materials and activities are directly paid for by the party. Most of the activities of the women's forum are made on a voluntary basis. This also includes the activities of the forum's steering committee and its secretariat.

The forum's offices are hosted in the headquarters of the parties. The party pays for a minimal number of staffers (1-2 persons) out of its budget. The forums share their costs, office space and organizational arrangements with their parties.

Some parties have specific statutory provisions or internal rules that also refer to the activities of the women's forums. Article 75 of the Statute of the Socialist Party of Albania stipulates that the forum *"may not enter into political cooperation or contribute financially or through other means to other parties, whose program is incompatible with the program of the Socialist Party. It cannot carry out property-related transactions and it cannot employ personnel."* With regard to party financing, the SP statute stipulates that *"the funding for the Socialist Women Forum is provided by the Socialist Party and donations"* (General Statutory Provisions).

The DP does not have specific statutory provisions on the financing of the Democratic Women's League or excluding rules on the funding of its partner organizations. It has internal administrative regulations that regulate the relations between the DP and its partners. The same applies for the remaining parties analyzed in this report – PJUI, RP, HRUP and CDP, which lack statutory provisions on the financing of their women's forums.

It should be emphasized that gender budgeting is not applied in any of the political parties under this review. The parties lack accurate membership registers; they don't have regular funding from the state budget and lack a regulated electoral budget.

They don't have consistent donations and membership

fees, and they are unable to associate gender equality concerns of their members with gender budgeting and representation issues related to it.

The main parties that have the potential to govern Albania, the SP, the DP and the SMI, have continuously piloted concepts of gender budgeting in the social affairs section of their electoral or government programs. These endeavors are aimed at the redistribution of the budget, so that the public services and public investment can effectively address the different needs of women and men<sup>6</sup>. They are supported by best international practices and by Council of Ministers' Decree No.465 dated 18.7.2012 *"Mainstreaming gender in the Mid-Term Budgetary Program"* later reflected in the National Strategy for Development and Integration 2013-2020.

Gender budgeting is considered as an instrument for mainstreaming gender equality in the processes of policy implementation and as an effective tool to include women and girls in the debates on the allocation of resources. As such, gender budgeting can bring about the empowerment of women and improve the response of the policy-makers towards their needs. Gender budgeting may be beneficial in increasing citizen participation and promoting good governance and transparency.

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6 [http://www.financa.gov.al/files/userfiles/Buxheti/Buxhetimi\\_gjinor/Fletpalosje-Poster-BuxhetimiSHTYP\\_\(1\).pdf](http://www.financa.gov.al/files/userfiles/Buxheti/Buxhetimi_gjinor/Fletpalosje-Poster-BuxhetimiSHTYP_(1).pdf)

*“Women are bringing a new dynamic to Albanian politics and a considerable number of initiatives related to women and vulnerable groups’ issues. Amendments to the Electoral Code encouraged by the Alliance of Women MPs and inter-party initiatives of women MPs are a good example of that. They have shown that opposing parties can come together and cooperate on issues that matter.”*

BERND BORCHARDT, HEAD OF THE OSCE PRESENCE IN ALBANIA

## 6. WOMEN'S REPRESENTATION IN ELECTIONS AND IN POLITICAL PARTIES

The main focus of this study is the presentation of the research findings on women's representation in Albania's political parties. The object of this research is a novelty. It is the first time that a research study provides detailed and professional data related to women representation in Albania's main political parties, in the government, in the parliament, and in the local councils as per the last electoral cycles. Our findings are complemented by their analysis and by the comparison of the situation of gender equality in parliamentary parties. This chapter points to the fact that an equal gender representation is not possible in the absence of a quantitative and qualitative representation of women in political parties. Such representation is the direct product of the political will of the political parties.

### 6.1 COMPARATIVE DATA ON WOMEN'S FORUMS IN POLITICAL PARTIES

The analysis of the statutes and of the programs of the women's forums in the parliamentary parties' points to several problems and outstanding issues. As shown in the below table, only the main parties (SP, DP, and SMI) have qualitative representation indicators, with the rest of the parliamentary parties lagging in terms of quality, as they manage to account for only formal representation criteria. This gap is also reflected in the potential for women's representation

across the political spectrum. The larger parties aim at establishing ruling majorities and are inherently interested to have active partner organizations, including active women's forums. On their side, smaller parties have minimal representation goals and specialize only on certain audiences that can fulfill these minimal demands through electoral support.

The above table shows that in general parties fulfill their statutory commitments towards gender quotas. Unlike the first years of Albania's transition to democracy, that saw gender quotas at a level of 25% of the positions in the central steering committees and in the committees of the local branches, over the last two years the percentage has been increased and it is very likely to grow further. The two main political parties, the SP and the SMI apply higher gender quotas in the list of their delegates and in the structures of their national congresses, by using these quotas as an instrument to enhance women's participation in political decision-making.

On the positive note, we can point at periodical elections in women's forums, especially in the parties' local branches, at the existence at dedicated office space for the women's forums and to the existence of statutory documents.

On a more critical note, it should be pointed out that in general the elections for the position of the chairs of the women's forum of most of the parties

Table 9. Women's forums in Albania's parliamentary parties

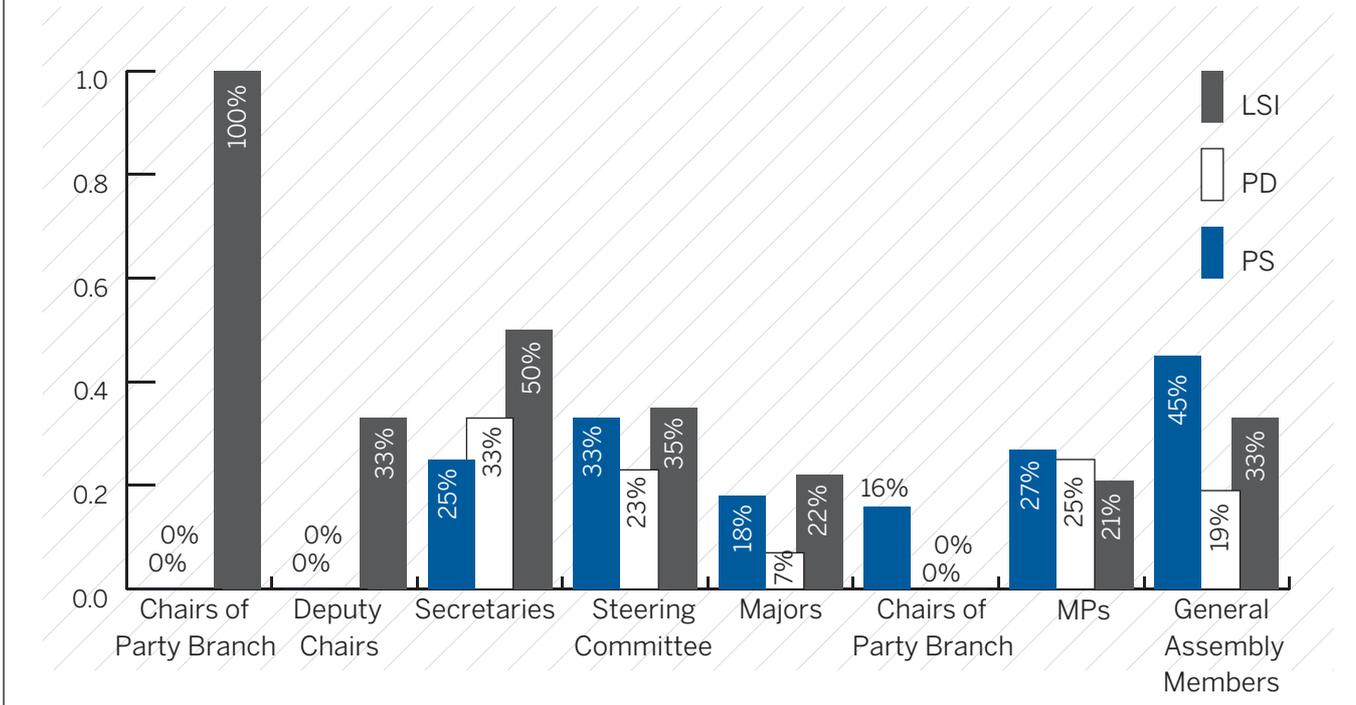
<b>DATA ON WOMEN'S FORUMS IN ALBANIA'S PARLIAMENTARY PARTIES</b>							
ISSUE	SP	DP	SMI	PJUI	RP	HRUP	PBK
Gender quota	30%	30%	50%	30%	30%	30%	25%
Active Women's	Yes	Yes	Yes	No	No	No	No
Forum Co-opting at the Steering Committee	Yes	Yes	Yes	Yes	Yes	Yes	Yes
National Reach	Yes	Yes	Yes	No	No	No	No
Periodical elections	Yes	Yes	Yes	No	No	No	No
Competitive elections	No	No	No	No	No	No	No
Active webpage	Yes	No	No	No	No	No	No
Active forum's program	No	No	No	No	No	No	No
Active forum's statute	Yes	Yes	Yes	No	No	No	No
Dedicated office space	Yes	Yes	Yes	Yes	Yes	Yes	Yes

have been formal exercises, as all chairwomen of the forums currently in duty have had no competitor to run against so as to get elected. Also, it should be noted that the women's forums have no regularly updated websites; they have no active programs related to gender issues and fail to have a national membership register.

## **6.2 WOMEN'S POSITION IN THE DECISION-MAKING STRUCTURES OF THE POLITICAL PARTIES**

An important element for measuring the actual weight of the women's participation in political life is their role in their parties' decision-making structures. The comparative data collected from Albania's two major parliamentary parties show none of them has ever had a woman leader or a candidate for the party's leader.

Table 10. Data on the position of women in leading positions in political parties



The SMI elected a woman as the party chair in 2017, through non-competitive election coming as a result of the history and identity of this party. A positive development is related to the fact that the DP delegated a woman in the position of the Deputy Prime Minister in the “technical” government of May-September 2017. The SP continued this practice in the new government established after the parliamentary elections of 2017 by appointing a woman in the position of the Deputy Prime Minister.

Parties are built around differing organizational models. Some of them have active party secretariats; some of them have several vice-chairs. The SP has no vice-chair, the DP has two vice-chairs, and both are males. SMI has three vice-chairs, one of which is a woman. Compared to the party's top positions, women fare better in party secretariats. In the SP secretariat, women account for 25% of the overall number, in the DP secretariat women account for 33%, whilst half of the members of the SMI secretariat are women. SMI leads the other parties regarding steering committees with 35%, followed by SP with 33% and DP with 23%.

With regard to the data on women mayors from Albania's three main political parties, SMI springs to the eye as the leading political formation with the highest percentage of women in mayoral positions. It should be noted however that SMI won significantly fewer municipalities than the other main parties. The SP women mayors account for 18% of the total number of SP mayors, whilst DP women mayors account for only 7% of the DP mayors, or 1 out of 14 mayors DP has in total.

As far as the parliamentary groups are concerned, as of 2017, the SP has the highest number of women MPs with 27%, followed by the DP with 25% and SMI with 21%. The gender balance in the national party conventions is another ratio worth considering: in the SP Assembly, women account for the 45% of the delegates, in the SMI Steering Committee women account for 33% of the members, whilst in the National Council of the DP women account for only 19% of the delegates.

The DP is hampered by the fact that it has no woman chairperson in its local branches, which would automatically be included in its National Council as delegates entitled to vote.

### 6.3 THE CONCEPT OF GENDER QUOTA AND ITS POLITICAL IMPACT

The concept of gender quota as an obligation anchored in legislation was introduced relatively late in Albanian politics. It was first applied in the 2009 elections, upon the amendment of the Electoral Code in 2008. At first, a gender quota was applied only on the list of candidates at a level of 30%. The 2008

code provided as follows *"in each Electoral Zone, at least 30% of the multi-name list and 1 out of 3 names of the multi-name list shall be from either sex"*. As this provision did not yield the expected impact, the legislator, under the public pressure of the interest groups and with the advice of the international community introduced new changes in the code in the year 2012. New and tougher sanctions were introduced for the political parties that failed to fulfill the gender equality criteria. The sanctions consisted of fines up to 1 million Albanian LEK (ALL) for parliamentary elections and 0.5 million LEK for local government elections.

The new provisions were put to test in the 2013 parliamentary elections. The Central Election Commission applied sanctions against the main political parties who failed to comply with the gender equality quotas in the candidates' lists. The Socialist Party of Albania was fined with 6,000,000 ALL for failing to comply with the quota in the regions of Tirana, Durres, Elbasan, Kukes, Dibra, and Gjirokastra. The Democratic Party of Albania was fined with 4,000,000 ALL<sup>7</sup> for failing to comply with the quota in the regions of Elbasan, Kukes, Diber, and Berat. The Socialist Movement for Integration was fined with 4,000,000 ALL<sup>8</sup> for failing to comply with the quota in the regions of Berat, Kukes, Durres, and Gjirokastra. For the first time, the Central Election Commission fined an Albanian political party for failing to fulfill the 30% gender equality quota on the male side. The party that did not comply in this case was the People's Christian-Democrat Party<sup>9</sup> which failed to comply

7 CEC Decision, No. 340, dated 11.05.2013.

8 CEC Decision, No. 341, dated 11.05.2013.

9 CEC Decision, No. 373, dated 14.05.2013.

with the legal quota in the regions of Diber, Durres, Elbasan, Fier, Gjirokaster, Korca, Tirana and Vlora.

In the 2017 elections, the CEC continued with the sanctions that included the three main political parties – one case related to the discrimination of one male candidate (SMI, proportional list in Tirana) and the rest of the cases related to the discrimination of female candidates in party lists (DP, SMI, SP, etc.).

The most influential amendment in the Electoral Code that triggered political debate was related to the introduction of the obligation to replace the members of the parliament in the case of resignations or incompatibility of functions. The 2012 amendments to the Electoral Code provided as follows: *“if a vacancy arises from a mandate won in accordance with point 6 of article 67, it is filled with the first candidate in the list belonging to the respective gender, regardless of the ranking in the list.”* On this basis, several important changes in the composition of the parliament were applied after the 2013-elections (resignations, incompatibility of functions, cases of revocation of mandates from the Constitutional Court, etc.). The women were the main beneficiaries from these changes, as the least represented sex in the respective party lists.

The replacements based on the gender equality criteria caused public and political debate in at least two cases, related to the lists of MPs in Lezha and in Durres. In Lezha, upon the resignation of the Minister Kodheli from her seat in the parliament, her parliamentary mandate had to be transferred, in accordance with the gender equality criterion, to the next woman of the two following women in the SP list, respectively number 5 and 8 of the Lezha candidates’

list. Both women candidates resigned, by waiving their claim to the parliamentary mandate, so that at the end a male candidate acceded to the parliamentary seat. The same situation happened with SMI in Durres. After the resignation of Minister Koka, four women of the multi-name SMI list in Durres waived their claim to a parliamentary mandate, by enabling a male candidate (number 3 in the list) to accede to the vacant parliamentary seat.

At any rate, there have been cases in which the above-mentioned provision in the Electoral Code has yielded positive results for women candidates in the multi-name party lists. For example, upon the resignation of the MP Shehu (DP, Dibra, 2016), his mandate was given to the last candidate in the multi-name list, a woman, who took precedence over two male candidates that were on the top of the list. Also, after the resignation of the MP Turku (DP, Elbasan, 2015) the mandate was passed to the woman candidate in the list, who took precedence over a male candidate who was placed higher in the list.

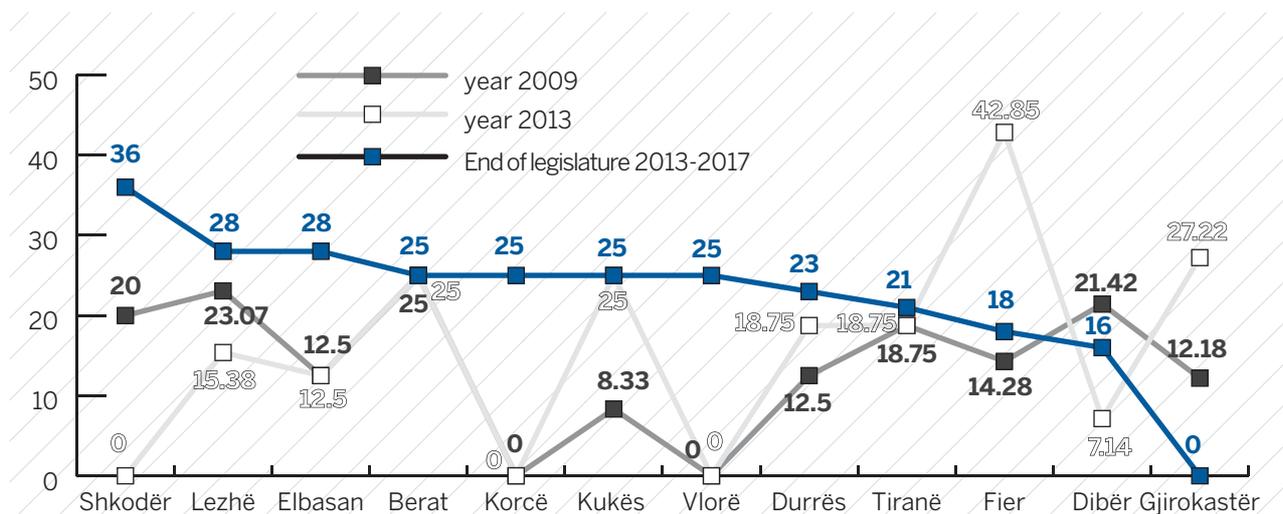
It should be noted that these replacements, which had their fair share in establishing a balancing effect in the gender equality domain happened to pass more frequently within the ranks of the Socialist Party of Albania, mostly because of the incompatibility of the mandates of MPs with those of the ministers. More concretely, after the resignation of Minister Felaj (SP, Berat, 2014), her mandate went to the next woman in the multi-name list by taking precedence over two male candidates in higher positions. In Durres, the resignation of Minister Beqaj from his parliamentary mandate caused next woman candidate, who was positioned at the very bottom of the list, to overtake seven male candidates and to claim a seat in the

parliament. Same developments took place in the SP lists of Elbasan, Vlora, and Tirana. In Tirana, the woman candidate overtook seven male candidates in order to claim her seat in the parliament. In Fier, the woman candidate overtook two positions and in Vlora one.

In October 2016 a group of MPs<sup>10</sup> proposed an amendment to Law No.10019, dated 29.12.2008 "Electoral Code of the Republic of Albania, amended". They asked that gender equality quota should apply to the multi-name party lists of the political parties and of the coalitions running in

the national elections at a 50% level. The initiators stated that regardless of the gender equality quotas applied on the Electoral Code in 2008 "we have noted that the political parties managed to avoid this legal obligation, by hiding behind minimal financial sanctions." They further noted that "despite the provisions of the Electoral Code stipulating a 30% quota for women in the candidates' lists for every region, the political parties used the fact that the multi-name lists are closed lists and put the women at the bottom of the lists, with minimum chances to get elected. In certain cases, political parties put more candidates in the lists than the theoretical number of

Table 11. Ranking of women in multi-name party lists: SP, DP and SMI 2013-2017



10 <http://fgs.al/2016/10/24/ligji-ri-50-relacion/>

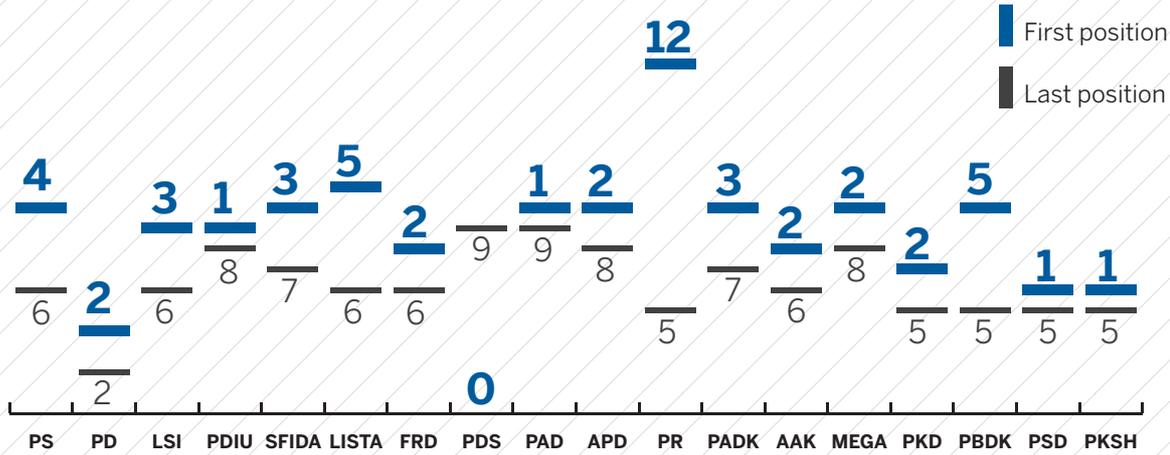
MPs seats they could win so as to formally provide for the 30% quota in the list, regardless of the fact that these women stood no mathematical chance to get elected”.

The data brought forward as evidence by this initiative point to the fact that upon the introduction of the 30% gender quota for the 2009 elections, only 16% of the members of the parliament for the period 2009 – 2013 were women. Some parties openly refused to apply the legally enforceable gender equality quotas and had to pay fines to the tune of 22,000,000 ALL in September 2013. Based on the experience

gained over the years 2009 – 2015 with regard to the application of the quota system at the level of candidates’ lists, the initiators of the changes to the Electoral Code asked for real gender equality (50/50) at the representation level, so that “for both males and females a positive impact regarding the equal participation and representation of women in politics can be achieved.”

Regarding data from the multi-name lists, as shown in the table below, in 2013, women led party lists in several regions (Kodheli in Lezha, Hafizi in Shkodra

Table 12. Women’s’ ranking on multi-name lists by party in the 2017



(SP), Topalli in Shkodra (DP) and Kryemadhi in Lezha (SML). The main parties preferred to put women in second positions so as to fulfill the legal quota obligations (10 cases of such placements in the three main parties), or in third positions (13 cases of such placements for the three main parties).

The Electoral Code does not specify an obligation to apply gender quotas in every three candidates. This causes a significant drop in the number of women who have managed to be included in the lists of the main political parties at the fourth place (only three women), at the fifth place (only five women), at the sixth place (only eight women) at the seventh place (only 5 women), while more and more women are pushed towards the end of the lists. More specifically, at the eighth or ninth places in the ranking, there are respectively 11 and 13 female candidates from the SP, DP, and SML.

Taking into consideration that out of Albania's 12 regions only 8 have more than eight MPs, it results that putting women after the eighth or the ninth position makes real sense only in those regions with a high number of parliamentary mandates.

In the 2017 parliamentary elections, a positive change was noted regarding women ranking in the multi-name lists, as there was an actual increase in the number of women MPs. However, this innovation was not proportionally distributed among all political parties, but only among some of them. The table illustrates the number of women candidates in the first and last places in each of the parties running in the 2017 elections. It is clear that the two main parties (SP and DP) have placed women in the top places of the multi-

name list respectively in four and two regions, as well as in the last places, respectively in the six and two regions. Also, the SML has twice as many women at the bottom of the list as it has on top of it.

As far as the other political parties are concerned, the RP has the most representative list of women in the first places of its lists, so in 12 regions women lead the lists - a unique case, but also a tactical scheme to attract positive attention. Only one of the 18 electoral subjects, the Social Democracy Party, does not have any women at the top of the lists in the regions, also Democratic Social Party and the Democratic Alliance Party have a negative record, with women in the last places on the list of candidates in 9 regions.

## **6.4 WOMEN'S REPRESENTATION IN THE PARLIAMENT FROM 1991 TO 2017**

The below table illustrates the trend of political representation of women in Albania's transition period for us to better understand the impact of the gender equality quota on candidates' lists (2009) and the advancement of some elements of gender equality quota at the outcome level (2013). It points at the electoral system as one of the most important factors affecting women's representation in addition to the political will of the parties and to the overall level of democratic development in the country. Back in 1991 under the majoritarian system, the women MPs constituted only 4% of the parliament. This level of representation greatly contrasts the historical memory of the early nineties, when women and girls were as active and as engaged as the men in bringing

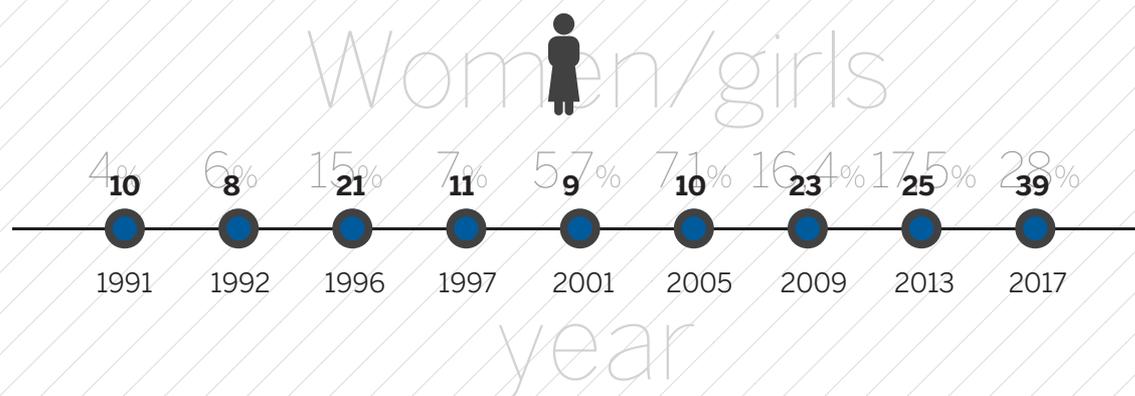
about the great systemic shift into a representative democracy.

The mixed electoral systems of the period 1992-2005 brought a modest increase in the share of women's political representation, ranging from 5.7 to 15%. The peak was marked in the 1996 elections that belong to the two most contested elections in Albania of that period. The high number of women MPs resulting from the 1996 national elections is related to the "safe electoral areas" in the majoritarian system and also to the "safe slots" in the proportional lists of candidates. The transition towards a regional proportional system in the 2008 and in 2009 elections brought about a

further increase of the number of women MPs in the parliament. The positive trend continued in the 2013 elections. As of the year 2016, the number of women MPs in the parliament has steadily increased as a result of the parliamentary dynamics.

One of the main factors for the growing number of women MPs over the last years is to be found in the legal obligation anchored in the Electoral Code, to replace outgoing MPs with names from the party's multi-name list from a member of the least represented sex. The implementation of this legal obligation from the main political parties, especially from the SP and from the SMI, has clearly given an

Table 13. Data on numbers and percentage of women MPs, 1991-2017



edge to women as the politically least represented sex, who were able to replace outgoing male MPs. This legal provision has enabled the number of women MPs to rise from 25 in 2013 to 33 in 2017, even though no parliamentary elections were held in between.

### **6.5 WOMEN REPRESENTATION IN PARLIAMENTARY ELECTIONS 2009, 2013 AND 2017**

The parliamentary elections of 2013 and 2017 and the local elections of 2015 saw the continuation of the positive trend related to the participation and representation of women in politics. More concretely, in the Assembly of Albania, further to the changes to the list of the members of parliament after some MPs run as candidates in the last local government elections, the number of women MPs reached 33, which is a record level for all of the years of Albania's transition. This level of representation accounts for 23% of the Assembly's 140 parliamentary seats. From 2013 to 2016 the number of women MPs increased to 23% from the initial 18% of the 2013 elections. A comparison of the data related to the last elections, affected by the application of the regional proportional system turns interesting results. Once the new proportional system with closed lists came into force, the percentage of women candidates significantly increased, from 31.9% in 2009 to 39.6% in 2013.

In the 2017 elections, the number of women MPs went to 39, the highest number to have ever been achieved in Albania's parliamentary history.

Albania is a country with scarce human resources and with a comparatively high number of political parties competing in elections (66 political parties), the total number of 7149 candidates is quite high and the inclusion of 2839 women candidates in these lists marks a historical record. At any rate, a closer look into the multi-name lists of candidates, especially of the lists presented by the smaller parties, and those who have only a symbolic local presence (they account for the vast majority of Albania's 66 political parties) will reveal that the majority of the women candidates enrolled in the lists are women and girls related to male politicians in their respective areas. The legal obligation to include a certain percentage of women and girls has forced most of the smaller parties, with the exception of the 3-4 major parties, to provide fictitious candidates' lists, filled with the names of their female family relatives. This has significantly increased the percentage of women candidates, yet no indicators can be possibly used to measure the quality of their political representation.

With reference to recent reports (2017) on the gender distribution of MPs in Albania's twelve regions, there results that Shkodra is the region with the highest number of women MPs with 36,63%, followed by Elbasan and Lezha with 28,57% each, then by Berat, Korça, Kukës and Vlora with 25% each. Durrës has 23% women MPs followed by Tirana with 21,87% and by Dibra with 16,66%. Gjirokastra is the only region with no woman MP, as all of its five MPs are male. The 2016 gender distribution of the Assembly of Albania differs significantly from its initial composition in 2013.

The comparison between the 2009, 2013 and 2017 elections, added to the changed gender distribution in the year 2016 show that the regions of Korca

Table 14. Data on women candidates in the parliamentary elections, 2005, 2009 and 2013

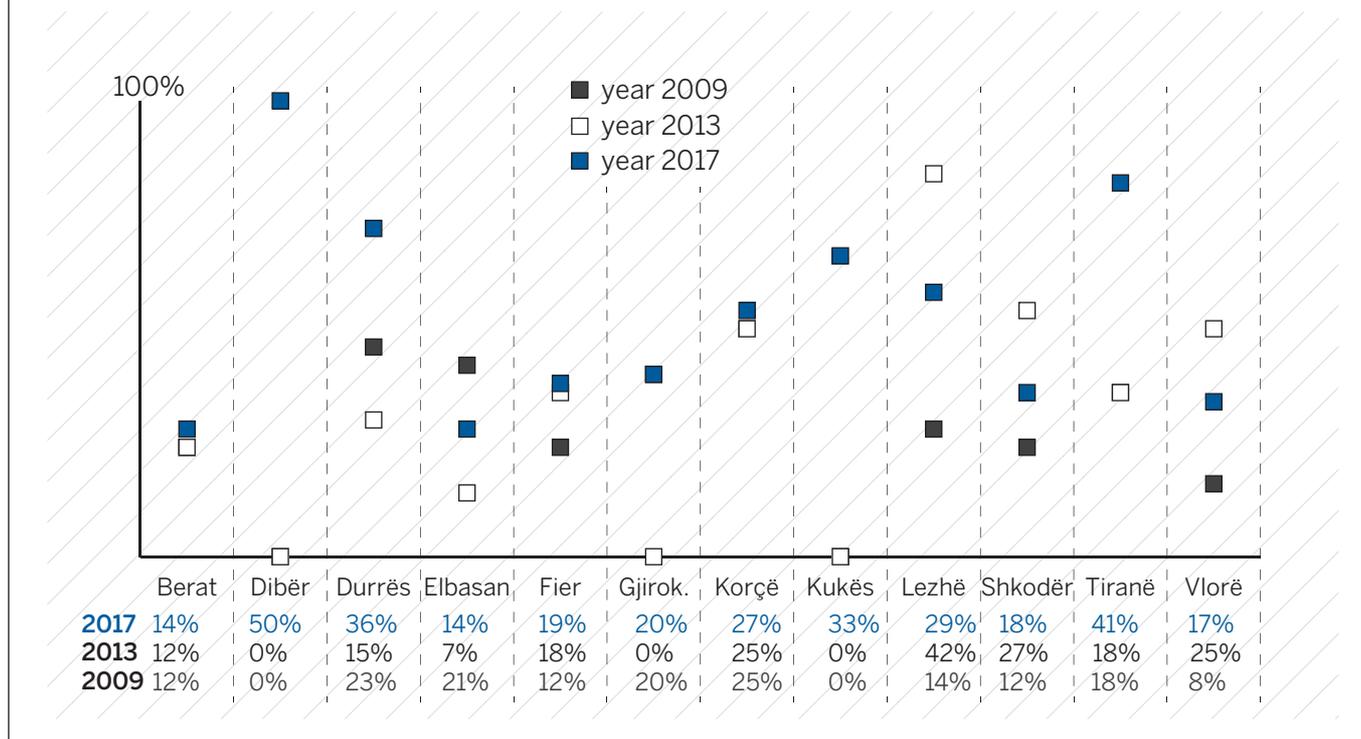
	<b>CANDIDATES</b>	<b>TOTAL</b>	<b>FEMALE</b>		<b>MALE</b>	
2005	Direct candidates	1235	98	7,94%	1137	92,06%
	Candidates in lists	1968	169	8,59%	1799	91,41%
2009	Candidates in lists	3713	1185	31,91%	2528	68,09%
2013	Candidates in lists	7149	2834	39,64%	4315	60,36%
2017	Candidates in lists	2666	1073	40,25%	1593	59,75%

and Berat are the only ones showing stability with approximately 25% of women representation throughout the years. The region of Tirana has a similarly stable dynamic of women's representation over the last three electoral cycles. The other regions show marked differences between the elections of 2009, 2013 and 2016. In 2009 Gjirokastra had a women representation of 20%, with one out of five MPs being a woman. In the years 2013 and 2016 the level of women representation in Gjirokastra was zero. The region of Durres shows high levels of women representation in the years 2009 and 2016, whilst Berat has the same levels in 2009 and 2013. In 2017 in Durres, the SP had a list led by two women MPs, and SMI had 3 women on the top of the Tirana list. Lezha saw a decrease of women candidates in 2017, related to the transfer of the chief women candidate of SMI to Elbasan.

Vlora, Lezha, and Shkodra were the regions where the levels of women representation in politics fell in the last elections of 2017. Shkodra was affected by the changes in its local candidates' list (over the last two elections, the DP list was led by a woman), whilst in Vlora the percentage of women in positions with a potential for victory or in secure positions in 2017 was very far below the expectations and from the good practices of other regions.

With regard to the gender equality dimension of the DP in the 2017 parliamentary elections, it marked a very low level of representation of women and girls in its candidates' lists, especially if compared to the other two major parties in the electoral race, SP, and SMI. The DP failed to have a single women candidate in the region of Kukës and had a minimal number of women candidates in major regions such as Elbasan or Berat. The highest percentage of DP women candidates was

Table 15. Percentage of women MPs in the regions and their status in the last three parliamentary elections



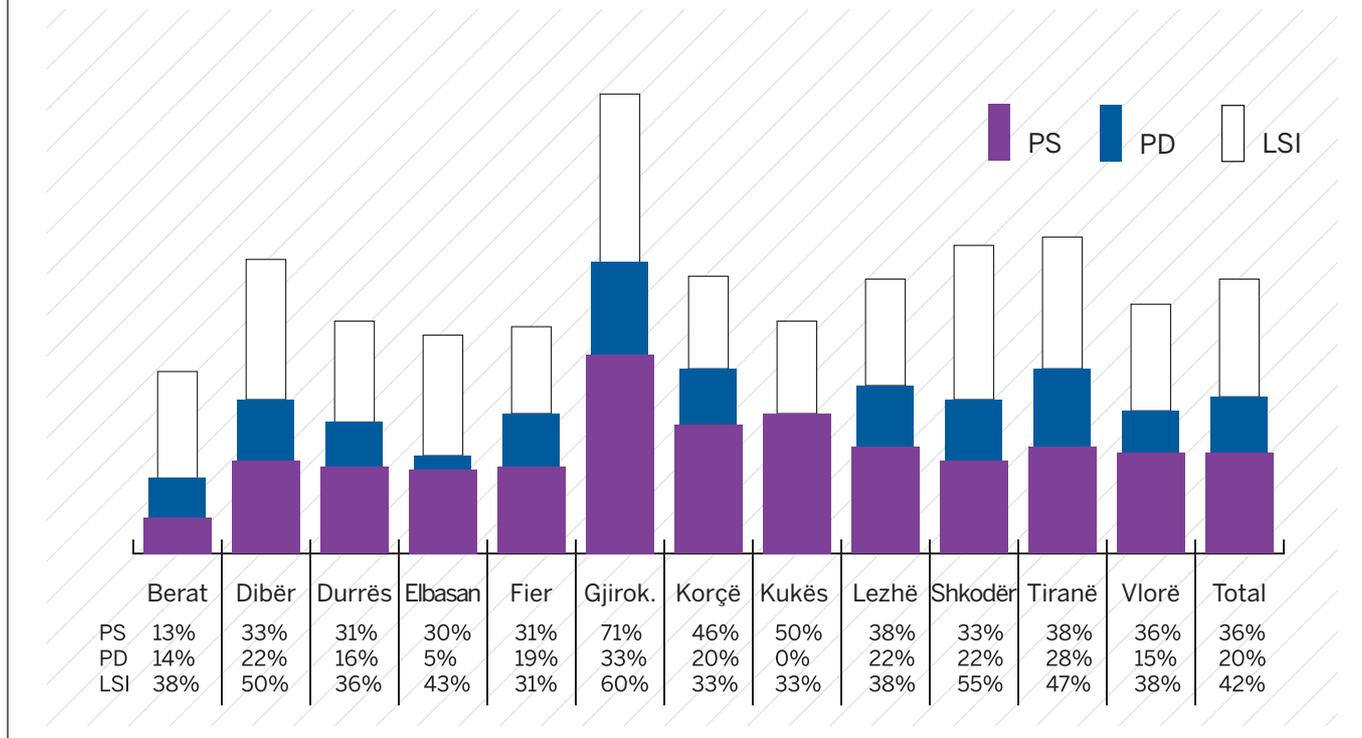
recorded in Gjirokastra (33%), where DP won only one parliamentary seat, and then in Tirana with 28%. As far as the SP is concerned, its highest level of women representation in the multi-name list was recorded in Gjirokastra with 71% followed by Kukës with 50%. The lowest level was recorded in Berat with 13%, the only region with a women representation level below 30% for the Socialist Party. The SMI had its highest levels of women representations in the lists of Gjirokastra, Shkodra and Dibra, and the lowest levels in Fier,

Korça, and Kukës. In all cases, SMI had over 30% women candidates in the multi-name party lists.

## 6.6 WOMEN REPRESENTATION IN THE LOCAL ELECTIONS OF 2011 AND 2015

In general, political parties applied more stringent rules with regard to ensuring equal gender representation in the 2015 local government elections compared to the parliamentary elections of 2013.

Table 16. Percentage of women candidates in the multi-name party lists in 2017



Taking into account the mixed electoral system of the local government elections (majoritarian for the mayors, and proportional for the councilors) the parties applied the gender quota of 50% only on the list of councilors.

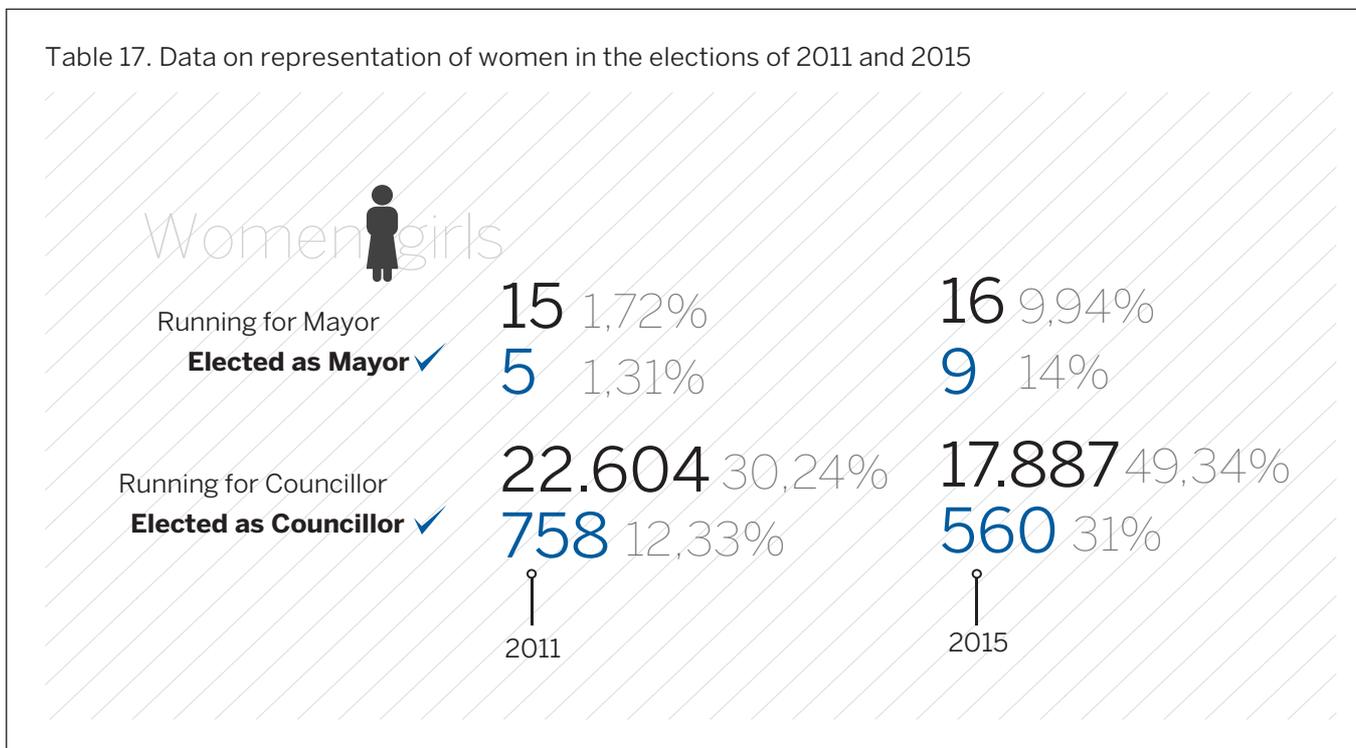
The official statistics of the 2015 local government elections show that women continue to be under-represented at the local level with only 9 mayors out of 61 municipalities, or 14% of the total number of

mayors. In terms of candidates, following women ran for mayors: Voltana Ademi and Keti Bazhdari in Shkodra, Grida Duma in Durrës, Florjana Koka in Saranda, Diana Mile in Pogradec, Zamira Rami in Gjirokaster, Rajmonda Balilaj in Patos, Miranda Rira in Prrrenjas, Valbona Kola in Klos, Luljeta Dollani in Gramsh, Juliana Memaj in Ura Vajgurore, Majlinda Bufi in Roskovec, Luiza Mandi in Libohova, Adelina Farrici in Mat, Lefteri Prifti in Himara, Alma Golemaj in Selenica. Out of these, only Golemaj in Selenica ran as an independent candidate.

*“Political parties as the carriers of the access to political power play a pivotal role in the political empowerment of women. The leaders of the political parties have the power to open windows of opportunities to women, by offering leading positions in the party or by setting up voluntary quotas aimed at an equal political representation. Whilst campaigning, parties may ensure equal funding for women candidates. Parties may run programs to support candidates running for the first time and develop policies that advantage women candidates. After the elections, parties may provide support to elected women politicians, to further advance in their political careers”.*

BRIAN J. WILLIAMS, UN RESIDENT COORDINATOR AND UNDP RESIDENT REPRESENTATIVE

Table 17. Data on representation of women in the elections of 2011 and 2015



There was a noticeable increase in women representation in the proportional system applied in 2015 for the election of local councillors based on party-supplied lists. In total, women account for 35% of the elected councillors or 560 councillors out of a total of 1595 in the 61 new local government units. Compared to the 2011 local government elections, there is a notable increase in the number of female mayors – from 1.3% to 14%.

This increase is considerable also compared to the year 2007 (1.5%). Compared to the 2003 local government elections there is a sevenfold increase in

2015, from 2% to 14% in relation to elected women mayors. It should be noted that the number of women running for mayors in the last four local government elections has increased by 800% in 2015. The number of women candidates for mayor in 2015 increased by 300% compared to the 2007 local government elections. The increase is almost identical to the 2000 local government elections.

The 2015 local government elections mark an important milestone in terms of equality in political representation in Albania. 31% of the women candidates running in these elections were actually elected

compared to only 12% of the 2011 elections. The 250% increase in their success rate comes arguably from the application of the new electoral system that set a 50/50 gender equality rule in the candidates' lists.

At the local level, by applying in 2015 for the first time its 50% quota in the list of candidates Albania had for the first time ever 9 women mayors out of 61 mayors in total. Also, the number of women councilors went up to 35%. In total, 14% of Albania's municipalities are now led by women, 31% of the women candidates running for the city council managed to win, accounting for 35% of the seats in the city councils at the national level. This amount is significantly higher than the previous local government elections of 2011 and 2007. The establishment of the Alliance of Women Councillors is a noteworthy step forward that should be further supported so as to give a further impetus to the advancement of women in decision-making.

## **6.7 2017: TEN MINISTERS IN THE CABINET – A RECORD REPRESENTATION OF WOMEN IN GOVERNMENT**

One of the main aspects related to women's representation in the highest tiers of political parties is their participation in the country's government. Table 9 shows the number of women ministers from 1991 to March 2017. It clearly shows that the Government of Albania has achieved the highest percentage of women ministers in Albania's transition period and in history. Table 9 clearly shows the trend of women representation in the government and the considerable difference between the present time and the beginning of modern democracy in Albania. The first democratic governments had no women

ministers. The first woman minister was appointed in 1995 (Panariti), in 1996 there were four women ministers or state secretaries. The level of women representation in the government had its ups and downs since that time. There is a positive correlation between the level of severity of the political crisis and lack of women representation in the government, parliament, and politics.

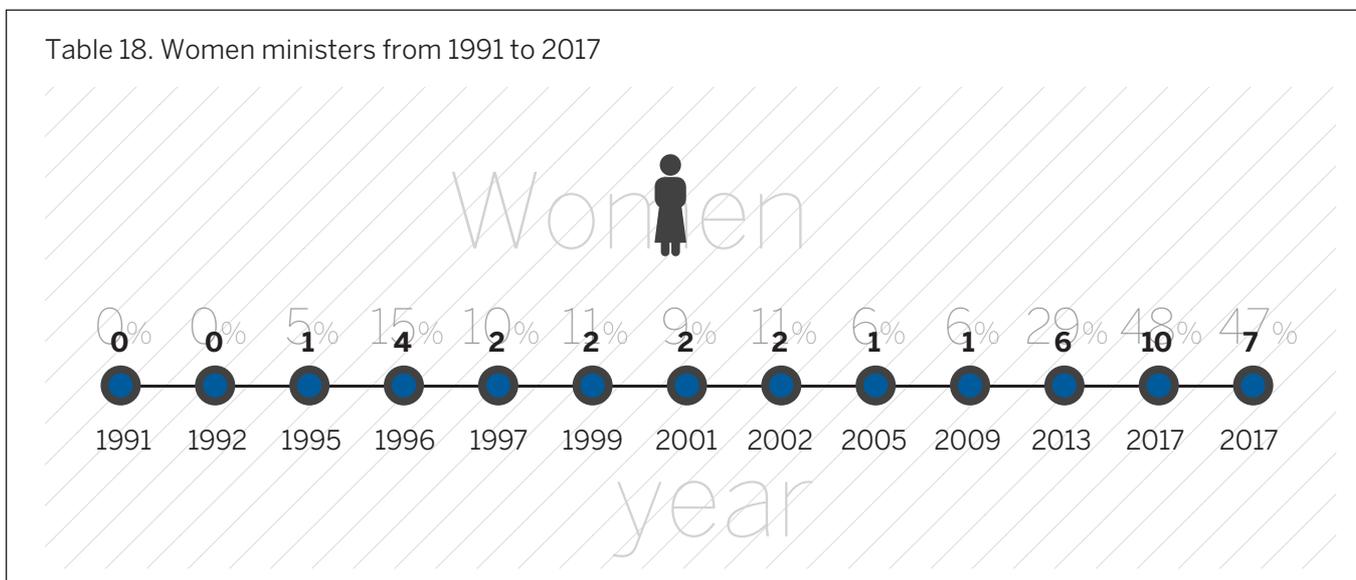
Another interesting feature related to the composition of the Albanian governments in the period 1997-2005 is the presence of a restricted group of 2 to 3 women who are present in all the subsequent governments. No extension of this small pool took place in the said period. There were two unsuccessful attempts within the left-wing majorities to elect women candidates in the position of the Prime Minister in this period, which saw two women politicians, Meksi and Çeço, lose the race to the male candidates Majko and Meta.

The period 2005-2013 saw a minimal number of women ministers. A significant increase took place after 2013, when 6 women ministers were part of the left-wing cabinet, in line with a global trend in left-wing governments all over the world. After the recent government re-shuffle, women took 10 minister positions out of a total of 21 ministers and deputy ministers.

The creation of the new government after the 2017 parliamentary election preserved the positive pre-electoral momentum, with 7 women ministers in a 15-persons cabinet, and with a female Deputy Prime Minister. In percentage points, women minister account for 47% of the cabinet, which is a uniquely high figure in relation to executive structures in Albania.

An internal reading of the dynamics of ministerial appointments shows that in general the left wing and

Table 18. Women ministers from 1991 to 2017



its governments have been more open to women politicians and have allowed for a much higher representation level of women in the top government positions compared to right-wing governments. This trend is also reflected in the studies on the behavior of electoral behavior of women voters.

There are two other elements of importance with regard to parliamentary discourse, in terms of the gender statistics of the Assembly. The first is related to the comparatively high number of women MPs addressing the plenary sessions. The second is related to the fact that gender equality takes a very subordinate position in their discussions.

### 6.8 PARLIAMENT 2016: WOMEN ADDRESS THE PLENARY FOUR TIMES MORE THAN THE MEN

The comparative data shows that women MPs are much more active than their male colleagues. In quantitative terms, there results that 90% of the women MPs have addressed the plenary with their speeches, whilst only 3 out of 30 (or 10% of the women MPs) have failed to do so. In total, 30 female MPs and 77 male MPs have addressed the plenary in the legislative session January-July 2016.

The 32 most active women MPs are mostly opposition MPs (ranked 1-3 and 4-6), The list of the opposition women MPs is led by Topalli, Vokshi and Hajdarmataj of DP (24, 18 and 17 speeches) followed by Doda (PDIU, 16 speeches), Hafizi and Tabaku (14 speeches), Dhima and Halimi (12 speeches). In the SP parliamentary group, two women have never addressed the plenary (Arapi and Shkreli). The SP women speakers' list is led by Gjylameti Hysi, Kushi (10-11 speeches). At the bottom of the list, there are three women MPs (2 from SP and 1 from SMI never took the floor).

Table 19. Number of discussions made by women MPs over two parliamentary sessions of 2016

NAME / SURNAME	PARTYA	SESS I	SESS II	TOTAL	NAME / SURNAME	PARTYA	SESS I	SESS II	TOTAL
JOZEFINA TOPALLI	PD	14	10	24	ARTA DADE	PS	6	2	8
ALBANA VOKSHI	PD	0	8	18	EDLIRA CEKRI21	LSI	4	3	7
MIMOZA HAJDARMATA	PD	10	7	17	DHURATA CUPI	PD		7	7
MESILA DODA	PDIU	9	7	16	IRMA KOPLIKU	PD	2	5	7
MIMOZA HAFIZI	LIBRA	6	8	14	MAJLINDA BREGU	PD	3	4	7
JORIDA TABAKU	PD	5	9	14	ELEINA QIRICI	PD	2	4	6
ANTONETA DHIMA	PS	8	4	12	OLTA XHACKA	PS	4	2	6
ARBIOLA HALIMI	PD	7	5	12	SILVA CAKA	LSI	1	4	5
BLEFUNA GJYLAMETI	PS	8	3	11	ERJETA ALHYSA	PS	3	2	5
VASILIKA HYSI	PS	7	4	11	ADELINA R1STA	PS	3	1	4
MIDI MEHMETAJ	LSI	8	2	10	ESMERALDA SHKJAU	PS	3	1	4
EVIS KUSHI	PS	7	3	10	MIRA SHEHU	PS	2	0	2
KLODIANA SPAHIU	PS	6	4	10	MIRELA FERRACAKU	PKD	1	0	1
ALBINA DEDA	PD	3	6	9	MONIKA KRYEMADHI	LSI	0	0	0
LILIANA ELMAZI	PD	5	4	9	ENKELEJDA SHKRELI	PS	0	0	0
ANILA AGALLIU	PS	6	2	8	LULJETA ARAPI	PS	0	0	0

MONITORING OF THE ASSEMBLY OF ALBANIA: JANUARY-DECEMBER 2016/ ISP

According to the analysis of the content of the speeches of women MPs made by the Institute of Political Studies, there results that most of them were fully in line with the leader's demands and his political narrative and decision making. These speeches were "politically correct" and as such did not really help in advancing a gender equality agenda in the parliament and in the upcoming parliamentary

elections. We have recorded cases of very harsh exchanges between women MPs of opposing camps. At times, the language used between women MPs was derogatory, an imitation of the harsh language used by male MPs. These situations have damaged the positive efforts to lobby for gender equality in the framework of the cross-party parliamentary alliance of women MPs.

## 6.9 DECRIMINALIZATION AND WOMEN POLITICIANS

Decriminalization was high in the agenda of the political debate in 2016 and 2017, in relation to a process that was expected to remove from the political and official positions all persons with criminal records inside and outside of Albania.

The first year of the implementation of the law (March 2016 – March 2017) resulted in 62 resignations, dismissals or investigations that affected only 5 women, politicians/female directors. None of these women was accused of criminal deeds. They had to resign because of their failure to submit on time their decriminalization forms, or because of their failure to fill them out properly. On the other hand, several male politicians and male MPs were affected by the decriminalization process (three MPs resigned, three MPs

were dismissed, and 6 MPs are under investigation) and 25 other male politicians were discharged, most of them because of their criminal records.

The participation of persons with criminal records as candidates in the 2013 and in the 2015 elections is considered as one of the most difficult barriers to a qualitative and gender-balanced political representation in Albania. It is particularly hard for women politicians to lead competitive campaigns in areas in which they have to run against candidates with criminal records. Therefore, the full application of the rule of law principles – in particular regarding the removal from all political positions of persons with a criminal record – is a positive sign that bodes well for the efforts for an increased representation of women in political parties, parliament and in other public functions.

Table 20. Data on the dismissals of public officials owing to the decriminalisation law, seen from the gender equality perspective for the period 2016-2017

	Total
Mayor under investigation	3
Fired Mayor	1
Discharged Advisors	25
Resigned Counselors	16
Resigned Judges	5
Resigned Deputy	3
Deputies under investigation	6
Deputies that left	3



## 7. MAIN FINDINGS FROM THE INTERVIEWS AND THE FOCUS GROUPS

The Institute for Political Studies held 15 interviews with political leaders at party headquarters and in other locations with local party structures. We conducted interviews with the representatives of seven parliamentary parties, of which 4 were male and 11 were female politicians. Out of these interviews 4 targeted SP leaders, 3 DP, 2 SMI, 2 RP, 2 HRUP and 1 LIBRA. The interviews with the major parties included three categories: the chairs of the women's forums, senior politicians responsible for the party organization, and local party figures. For the other smaller parties, ISP met the persons in charge of partner organizations or their chairs of women forums. The purpose of the interviews was to confront our findings with the official views of political parties, and to obtain concrete experiences on two levels: political decision-making and routine organizational activities of the parties.

Representatives from the international community in Tirana, including the EU delegation, the US Embassy, the German, Swedish, and Dutch Embassy, and representatives from other international organizations such as UNDP, OSCE, and USAID, were also interviewed. The selection of the international organizations and institutions was mainly done based on the information available on their engagement with gender equality, and availability to contribute to our research.

The ISP also held two focus groups with representatives from political parties, political resident experts in Tirana, academia, media, well-known NGOs, and members from the alliance of women councilors. The focus groups were attended by 18 participants, divided into two groups. The topics focused on the main features of women's representation in political parties, and also on internal election processes, election campaigns, relations with the media and public discourse.

### 7.1 OPINIONS ON THE ELECTORAL CODE AND ON THE LAW ON POLITICAL PARTIES

We asked our respondents on their opinion on the legal framework in force in relation to gender quotas and on the legislation on political parties. We wanted to know whether they considered these acts as sufficient or not, with a view of proposing possible interventions geared towards further improvement.

We did not receive direct negative reactions by our respondents with regard to the recent amendments enabling for the implementation of the 30% quota in the candidates' lists for the parliamentary elections and of the 50% quota in the candidates' lists for the local government elections.



In general, Albanian political parties tend to refer to their statutory provisions on gender equality, by marketing themselves as positive models of harmony and equal gender representation. In general terms, parties consider the promotion of women politicians through gender quotas as an issue related to attaining certain standards. In many occasions, party representatives speak in positive terms about the gender equality policies of their own parties, whilst disqualifying those of their opponents and rivals.

Over 80% of the participants in the focus groups were critical about the current electoral framework on parliamentary elections. They pinpointed the need to move from the application of gender quotas on candidates' lists into real electoral quotas. They discussed the dynamics of gender quotas in positive terms. The advancement of quotas is visible, especially if compared to their situation at the very outset. At the turn of the millennium, the very concept of gender quotas seemed quite utopic<sup>11</sup>.

Fifteen years from that time, the 30% quota system is widely accepted and implemented, and the debate has moved towards the need for the application of a higher quota.

## 7.2 ASSESSMENT OF THE ELECTORAL CODE

Only two of our respondents gave concrete responses with regard to the effect of the electoral system on the gender representation. Mesila Doda, former Chair

11 Mirela Bogdani, NDS Councillor, Tirana, statement in the focus group discussion.

of the Alliance of Women MPs noted that “a national proportional system, with corrections in electoral areas, would be a more selective system for the purpose of bringing into the parliament women that would have a greater impact in the public and social life”<sup>12</sup>. On a similar note, Rama (SMI) supported the idea of pushing up the quota threshold, whilst also advocating the open list system “so that the voter can directly support those candidates that are more convincing to him/her, those candidates who are able to speak out to the voter and who rely on public acknowledgement”.

It should be noted that the change of the electoral system was not included (and still fails to be included) in the proposals to be debated in the parliamentary commission on electoral reform 2015-2017. Both above-mentioned parties are represented in this commission.

## 7.3 ON THE APPLICATION OF GENDER QUOTA

There was an immediate and unanimous appreciation for gender quota among our respondents. We recorded statements such as “I am absolutely convinced that in the absence of the gender quota the level of representation of women in politics would be much lower than it is today”<sup>13</sup> or “I am convinced that we would have fewer women MPs, maybe on a similar level with the previous legislative sessions when the quota was not

12 Mesila Doda, Chair of the Alliance of Women MPs / Secretary General, PJUI

13 Olta Xhaçka, Chair of the SP Women Forum

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*“The gender equality in political leadership is essential for reasons that go far beyond improving opportunities and conditions for women. Gender equality in politics is necessary because societies that do not empower half of their citizens to play a role in political decision-making are societies that clearly are not inclusive, and that run the grave risk of leaving many people behind. To achieve our vision of a just and inclusively developing world, to achieve the Sustainable Development Goals by 2030, we can take no more critical step than to rapidly expand women’s role in political life.”*

BRIAN J. WILLIAMS, UN RESIDENT COORDINATOR AND UNDP RESIDENT REPRESENTATIVE

yet applied<sup>14</sup>". These statements clearly point to an overwhelmingly positive assessment of the quota. Another MP argued in favor of the quota as follows: "Taking into account the current level of development of our society, a stronger intervention is needed to favor gender equality. If we would wait for a gradual improvement of the situation, we would waste a lot of time. Stronger measures to promote increased women participation are beneficial for society."<sup>15</sup>"

The focus groups participants gave a widely positive review of the quota system, by arguing that quotas have effectively increased the number of women in politics, their interest in politics and in electoral races. On the critical note, it was mentioned that the interest in quotas has had a cyclical nature, as quotas usually became relevant only before elections, and interest in them fell immediately thereafter.

Other criticisms were related to certain ambiguities in the legal framework<sup>16</sup>, the fragmented approach of political parties towards gender representation<sup>17</sup>, abuses and distortions of the legal definition "and/or" with regard to quota, the phenomenon that sees women pushed to the bottom of the candidates' lists, as parties are able to propose put more than 140 candidates<sup>18</sup>, unrealistic lists submitted by smaller parties, and light penalties imposed on the subjects that violate the gender equality provisions.

The focus groups were in unison in relation to the necessity for the establishment of a functioning

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- 14 Albana Vokshi, Chair of the DP Women League  
15 Mimoza Hafizi, Deputy Chair, Alliance of Women MPs  
16 Erisa Xhixho, SMI Tirana councilwoman, statement in the focus group  
17 Klotilda Ferhati, SP Tirana councilwoman, Tirana, statement in the focus group  
18 Anna Xheka, lecturer, statement in the focus group

mechanism that can effectively link compliance with gender quota to the registration of a given party in elections, as the mechanism of the fine is not effective<sup>19</sup>, taking into account that the main political parties are usually in a position to pay the fine and stop bothering about respecting the gender quota.

#### 7.4 ON THE PROBLEMS ENCOUNTERED IN THE APPLICATION OF THE GENDER QUOTA

In regard to the challenges and difficulties of achieving an equal gender representation in politics at the central and local level half of our respondents agreed in considering the dominant conception of politics as "an area that is challenging for women's participation, as politics is about power, and men traditionally hold power"<sup>20</sup>. Some of the interviews pointed at extreme cases of lacking gender balance, such as the 2009 elections in Kukes and Dibra, when no women candidates were present in the list (DP). They noted that at times parties preferred to pay the fine rather than to include a woman on the candidates' list.

The same phenomenon was noted by our respondents with regard to the DP in the 2013 elections in the region of Gjirokastra, with SMI in Kukes in 2009, and with DP in all 12 regions in 2017. These deviations from the spirit and from the letter of the law have been accepted by the parties, which consider them necessary because of the lacking capacities at the local level, and as a result of the tactical schemes to garner

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- 19 Klotilda Ferhati, SP Tirana councilwoman, Tirana, statement in the focus group  
20 Mesila Doda, Chair of the Alliance of Women Parliamentarians

more votes. Also, local differences in the democratic development between certain areas were mentioned among the reasons for such distortions.

Quotas were considered by most of our respondents as a good instrument to overcome political and cultural barriers, and to create more trust in the democratically representative system.

## 7.5 ON THE MODEL OF THE WOMEN MP

Asked whether women MPs represent positive models for parliamentary life, approximately 60% of the interviewees provided answers that were mostly positive, but the positive assessment is linked with the model one is looking for, as much depends on the reference system. According to Vokshi (DP) *“It is hard to single out the best woman politician, or to describe what the best model of a woman politician is – different women follow different models. Yet I maintain that many women MPs can serve as good role models for women and girls, as most of them are good professionals.”* Braho (PJIU) gives a positive opinion on the women’s representation in local government, which is different from the parliament, where *“I have noticed women acting quite tough, as a result of the fiery fight they have to put up every day against their male colleagues... and as a result of the political priorities of a given moment”*<sup>21</sup>. At any rate, one of our women respondents (Ms. Isufi, Chair of the Vlora Women’s Forum of the Democratic Party) said that she does not see a positive model in the women MPs because *“their rhetoric is too schematic”* and because

21 Vjollca Braho, Chair of the Women Forum, PJIU

*“once they get their MP mandate they do not bother to meet with their voters, they have no more interest to see what happened to those who voted for them.”*<sup>22</sup>

## 7.6 ASSESSMENT OF MALE POLITICIANS ON QUOTA AND ITS IMPACT

Most of the criticisms towards the concept of the quota, the current models of women in politics and quality of women representation came from male MPs, who maintain that the quota might bring into the parliament women who do not possess the necessary competencies. According to the DP secretary for organizational affairs (Bozdo), even though the system of gender equality quotas is to be supported, *“it should not be misused. The artificiality of quotas has a certain limit; further problems arise once that limit is exceeded. Quotas should not be used to feed into the system persons who have nothing to do with politics, who are unable to engage in politics. I see gender quota as a chance for political promotion rather than just a forced choice.”*

Also, the SP voices criticisms on quotas. According to Sterkaj, *“all legal and practical preconditions exist for women to fight for their way into politics. There is sufficient place available for them to contribute. Yet there is no such thing as a free lunch. Women have to be brave in order to reach their goals. They have to win their battles for themselves”*<sup>23</sup>.

Karamelo (HRUP) spoke along the same lines. He

22 Barie Isufi, Head of the DP Vlora Women Forum

23 Paulin Sterkaj, MP, SP

notes<sup>24</sup>, “any attempt to increase the gender quota in political parties in purely formal and quantitative terms will convince anyone. It suffices to see that the quality and engagement of the women in the parliament is not where it should be even though in terms of numbers their representation has increased.” Karamelo suggests a gradual political career, departing from the party structures first, to reach out to the public exposure later.

Luan Rama, a seasoned politician and an important member of the SMI leadership noted that “to date, the quota system has produced more names than values. As an MP I can hardly name 10 or 15 women MPs that are worth it. Why? Because some of them come through the quota system. Even though I greatly respect them, they do not represent the real value of the women who ought to be Members of this Parliament. The temple of democracy should not be a temple unable to fulfill the democratic criteria<sup>25</sup>”.

Rama calls for a better balance between quality and quantity. In his words the present closed-list system has brought into existence a model of gender representation in which “women MPs appear more masculine than their male counterparts, so they don’t really represent what the woman in the Albanian reality is<sup>26</sup>”.

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- 24 Ligorag Karamelo, Vice President, HRUP  
25 Luan Rama, Vice-Chair, SMI  
26 Luan Rama, Vice-Chair, SMI

## 7.7 ASSESSMENT OF FEMALE POLITICIANS ON THE IMPACT OF THE QUOTA

Women MPs hold different opinions in relation to the overall impact of the parliamentary activity of their female colleagues. According to them<sup>27</sup> “If one gets to know the women MPs it will be clear that they might represent the best of the Parliament of Albania”.

Xhacka (SP) responds to the “masculine” criticism by noting: “I don’t believe that a comparison of quality and quantity applies in the case of women MPs as long as no similar comparison has been made on men in politics, and as long as there is no agreed-upon consensus on what a “quality” politician really is<sup>28</sup>. “I don’t see any reason why a greater number of women introduced through quotas into the parliament should not coincide with an improved quality in the composition of the legislative branch.”

Vokshi of the DP speaks along the same lines: “Most of the women MPs are way better than their male counterparts. I am able to support this claim on statistics: women MPs have spoken out on issues much often and much better than the male MPs, they take their job much more seriously than they do.<sup>29</sup>” Another obstacle to women’s participation is identified in the harsh verbal exchanges between opposed parties.

Laboviti (RP) notes<sup>30</sup> on several cases of sexist language against women in the Parliament and strikes a difference between women who made their way into

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- 27 Mimoza Hafizi, Vice-Chair, Alliance of Women MPs  
28 Olta Xhaçka, Chair of the Socialist Women’s Forum  
29 Albana Vokshi – Chair of the Democratic Women’s League  
30 Brunilda Laboviti, Vice Chair, RP

the Parliament out of their own merit and those who benefitted from the gender quota. Those who did not come through the quota are *"tougher, much more able to face the debate and to resist to derogatory rhetoric"*, whilst those coming from the quota are less able to do so."

## 7.8 OPINIONS ON THE PROPOSAL FOR A 50% QUOTA FOR PARLIAMENTARY ELECTIONS

The initiative of the SP and SMI women MPs to enact changes in the electoral code for the purpose of applying the 50% gender equality quota of the last local government elections onto the upcoming 2017 national elections was given a special focus in our interviews.

It should be noted that the proposal to increase the level of a gender quota in parliament to 50% does not enjoy the same amount of consensus as for the 30% quota. The SP is the initiator of this proposal by stressing that "this decision needs to have a broader base than only the women inside the political parties"<sup>31</sup>. The opposition considers this initiative as one-sided: "it has not been discussed, consulted or debated by the Alliance of Women MPs". The opposition fears that this initiative might be a "propaganda tool"<sup>32</sup>. Even though allied with the SP, Ms. Mesila Doda thinks that "in order to attain a positive result, we need to adopt an approachable to overcome party-based divisions, and that was not

the case with the SP-sponsored initiative<sup>33</sup>. She would have opted for a preliminary discussion of this initiative within the Alliance of the Women MPs before it was passed to the Parliament. None of the leaders of the main parliamentary parties has made any public statement to support this initiative, and this certainly influences the position of our respondents.

Most of the experts share the view that only a legal obligation to enforce a 30% or a 50% quota may bring the parties to actually apply a quota system. Should the quotas be left outside the legal framework, would effectively suppress them, as moral consideration or political engagement would not bring up the necessary leverage to make quotas a reality. Anchoring a 50% gender quota in the Electoral Code requires a far-reaching political consensus, and a stronger involvement of the Women Parliamentary Alliance, in concert with civil society organizations and political parties.

Authoritative research<sup>34</sup> and experience gained so far point to the fact that the achievement of a level of 30% of women representation in parliament constitutes a critical mass that enables women to self-identify as a representative group, capable of establishing its own mechanisms for the further increase of their representative power. At this point, quality of women's political representation takes precedence over the adoption of the 50% quota, as quotas are a temporary solution, whilst the quality of political representation also guarantees sustainability.

31 Olta Xhaçka, Chair of the Socialist Women's Forum

32 Albana Vokshi – Chair of the Democratic Women's League

33 Mesila Doda, Chair, Alliance of Women MPs

34 Ada Huibregtse, expert, declaration in the focus group

*“Some parties are setting a new standard with the application of gender quotas within their party structures. It is a new trend which I hope will be embraced by other political parties, especially by the largest parties in Albania.”*

DEWI VAN DE WEERD, AMBASSADOR OF THE NETHERLANDS IN ALBANIA

## 7.9 EVALUATION OF LEGAL VS. STATUTORY QUOTAS IN POLITICAL PARTIES

We asked all of our respondents whether they would be able to point at a difference between gender quotas as foreseen in the Electoral Code and gender quotas as established by the internal party regulations. It is clear that the system of legal gender quotas differs from the statutory quota system applied by the political parties, taking into account that legal quotas constitute legal obligations, whilst statutory quotas are indicative and are enforced only if there are sufficient political will and resolve and a positive political climate inside the party. In this regard, Vokshi of DP notes: *“it is really hard for a woman to become part of the party structure if she can't rely on the 30% quota. It's easier for a woman to become an MP than to be part of a local party branch<sup>35</sup>.”* According to Vokshi, local party branches, particularly in rural areas, are dominated by fanatic party militants. She proposes to change the character of party structures from deeply political institutions into more socially capable organizations.

Looking at the situation from the perspective of her party, Braho (PJIU) maintains that there is some progress in PJIU on the merits of gender equality with regard to the advancement of women in its structures<sup>36</sup>. She notes that her party used to be a male-dominated organization in its outset, yet it gradually evolved as the male leaders started to notice the potentials of their women colleagues. *“It was not easy”,* she notes, *“but we managed to work our way to the top.”* Karamelo acknowledges the potentials of women in politics, as

35 Albana Vokshi – Chair of the Democratic Women League

36 Vjollca Braho, Chair of the PJIU Women Forum

he notes<sup>37</sup> *“there were some cases of women activists in Korca, Saranda and also in Tirana, clearly deserving to be at the top of the candidates 'list, who suddenly saw their names at the bottom. Of course, this is quite disheartening, and leads them towards quitting.”*

The outlook for high-level political careers for women politicians are still limited because of the prevailing perception in political parties that political confrontation is tough by nature, and as such it requires tough men, as allegedly only men can stand up to the competitive challenges faced by parties in local and parliamentary elections.

## 7.10 THE FRAGILITY OF INTERNAL DEMOCRACY IN THE PARTIES AS A BARRIER TO REPRESENTATION

The lack of functional democracy within the political party structures is identified as a major barrier towards a merit-based political career leading towards quality in political representation. Democratized parties would most certainly be institutions enabling for *“significantly more space for women in politics, for more new entries, for more openings towards them”<sup>38</sup>.*

Ms. Majlinda Keta, an expert and a former leader of SP's women has critical remarks to make on the contrasts between women forums and their parties<sup>39</sup>. She points at the actual relations between political women's forums with the relationship between a virtual Albania and a real Albania. She notes that women's forums have

37 Ligoraq Karamelo, Deputy Chair, Human Rights Union Party

38 Majlinda Keta, former chair of the SP Women's Forum

39 Majlinda Keta, former chair of the SP Women's Forum

no budgets, no permanent structures, and no regular activities. They play a minor role in political decision-making. Ms. Keta considers that the paramount obstacle towards the functioning of political women forums is the highly centralized and personalized way of functioning of political leadership that prefers direct and personal promotion by the party leader to competition, career, votes and political values and contributions.

### 7.11 INFLUENCE OF STRONGMEN IN THE ELECTORAL RACE

With regard to the 2013 elections, the politicians interviewed by us say in unison that “the strongmen”<sup>40</sup> who entered politics and the parliament represent the main threat for a fair electoral competition, also viewed from the gender equality perspective.

All those participating in the interviews admitted this problem. Xhacker (SP) noted that *“strongmen in politics are without any doubt an obstacle to women’s participation in politics. They are one of the main reasons why political parties choose not to bring too many women at the forefront of the electoral race. Women are prejudiced as “not tough enough”<sup>41</sup> to face all the variables of the electoral equation. Hafizi of Libra recognizes that “strong men” dominated some electoral districts, particularly in North Albania, where “their veto powers were overwhelming, in conjunction to the unchallenged personal decision-making power of the party’s chair”.* Doda (PJIU) notes on the negative

40 “Strongmen” are considered political candidates with past criminal records or individual with strong financial and local connections, who started to leave their mark in the parliamentary elections of 2013 and in the local elections of 2015.

41 Olta Xhacker, Chair of the SP Women’s Forum

experiences of the pressure applied on women MPs in Lezha and Durres to resign from their positions: *“what irritated us the most was the fact that the system pretended not to know what was going on, and the internationals did just the same. They only remembered that situation six months after it had actually happened... As usual, the strongest takes everything in Albania, and then he presents the bill.”<sup>42</sup>*

### 7.12 DIFFERENCES BETWEEN ELECTORAL CAMPAIGNS IN URBAN AND RURAL AREAS

The thesis on the difference of the level of political engagement and involvement between rural and urban women is supported by most of the politicians participating in our interviews and focus groups. In order to support this thesis, an MP brought the example of Kukes when his party had a hard time to provide membership cards to its female supporters because *“their men would not allow them to provide their pictures for the electronic membership card”<sup>43</sup>.* Another MP analyzed for us the representation of women in politics in the 2015 elections in Malesi e Madhe, a Northern municipality that had the lowest level of participation of women voters in the Republic by maintaining that women of that area fail to engage in politics because most of their attention and commitment goes towards their families.

The rural-urban gap is also pointed at by a DP MP who notes: *“especially in mountainous areas in the North as in the South, societies are still too closed-minded, and*

42 Mesila Doda, Chair, Alliance of Women MPs

43 Luan Rama, Vice Chair, SMI

the role of the males continues to be dominant. We have encountered cases in which women might be very good candidates, but the gender-based prejudice bias would not allow for it, as a woman competing against a man in a rural area would mean that at the end of the day the man would win because most of the voters are male with a clear preference for male candidates”<sup>44</sup>. According to Bozdo, in most of the suburban areas, “8 out of 10 persons engaging with politics are men, youth forums excluded. Our society is more prone to authoritarianism because of our totalitarian legacy”. A female SP MP points at her fieldwork experience, during which she “got to know many men, mostly from rural areas, responding to her demands to enroll more women in party lists with the words: “there are no women here.”<sup>45</sup> She links this behavior to entrenched cultural prejudice.

Nonetheless, certain areas of Albania have seen women leaders break gender taboos as related to women in decision-making. Such areas are traditionally conservative, such as Dibra and Mirdita<sup>46</sup>, or towns such as Shkodra, Korca, and Berat. The thesis on the alleged considerable difference between Tirana and the areas far away from it builds on the considerable social and economic gaps, on conservative traditions, and on the approach, parties take towards maximizing their votes. During the last Diber elections of 2016, women and girls were wholly missing from the commissions of electoral zones<sup>47</sup>. Their participation in electoral administration, in particular in peripheral areas continues to remain negligible.

44 Enno Bozgo. Sekretar organizativ, Partia Demokratike

45 Olta Xhaçka, Chair of the SP Women's Forum

46 Aranita Brahaj, AIS, statement in the focus group

47 Englantina Aliaj, Gender Equality in Decision Making, statement in the focus group

## 7.13 THE ALLIANCE OF WOMEN MPS: A POLITICAL NOVELTY

We asked our respondents about the prevailing perceptions on the initiative to create an Alliance of Women MPs. The establishment of the Alliance of Women MPs was considered both directly and indirectly as a novelty with regard to the self-organization of women in the parliament, regardless of their political affiliation. The initiative looked towards a balanced political representation of women in the alliance, jointly led by the women MPs from the opposition and the majority. In practical terms, problems started to arise when the two leaders of the alliance shifted their political allegiances, and the structure established under their aegis minimized its promotional activities.

In this regard, Xhacker (SP) maintains that “*The Alliance of Women MPs has failed to become a network of solidarity able to overcome party boundaries because division along party trenches was far too solid. The Alliance failed to take a stand even when women MPs were exposed to offensive, derogatory and sexist language.*”<sup>48</sup> From the other side of the trench, Xhacker's opposition colleague Vokshi of the DP maintains that at any rate “*the Alliance of Women MPs is one of the best things of this Parliament*”<sup>49</sup> because “for the very first time it managed to bring together all women MPs from all political camps, in a joint attempt to lobby on issues related to women, girls, violence and women's economic empowerment.”

Hafizi of Libra has a more neutral stance on the accounts of the Alliance. She notes that it “*was worth having*

48 Olta Xhaçka, Chair of the SP Women's Forum

49 Albana Vokshi – Chair of the Democratic Women's League

*"In Albania I have met many women involved in local and national politics. They had come a long way. I would like to see more women in these positions. There are many women in politics, media, in the private business sector, in the academia. The positive examples of successful women leaders need to be promoted."*

DEWI VAN DE WEERD, AMBASSADOR OF THE NETHERLANDS IN ALBANIA

at the outset. In its first two years of existence, the Alliance managed to establish good communication between the political camps.” She admits that later on the Alliance changed its course towards being only a formal forum. A significantly higher level of enthusiasm is tabled by the Chairwoman of the Alliance, Doda (PJUI) who maintains<sup>50</sup> that “the Alliance has done an extraordinary job; it proposed excellent law-making initiatives.” She maintains that it is normal for political representatives to have conflicting opinions and divergences, yet she believes that the Alliance will continue to function because “differently from men, women are able to build bridges of communication despite occasional misunderstandings or conflicting views on certain issues.”

## 7.14 ISSUES RELATED TO WOMEN'S REPRESENTATION IN POLITICAL PARTIES

Several claims are made on the effectiveness of the existing schemes used for the promotion of women inside political parties. Women's organizations and electoral strategies constitute the main pillars to sustain these endeavors. The SP and the DP have applied the open doors policy<sup>51</sup> involving the removal of the preconditions for the enrolment of women in the party, a reduction of bureaucracy, the promotion of women with public, academic, and civic contributions. SMI, PJUI and other smaller parties have followed this trend, especially at the first level of political representation (candidates' lists for parliamentary and local elections).

50 Mesila Doda, Chair, Alliance of Women MPs

51 Meri Pone, Councillor, DP, statement in the focus group discussion

This trend has been beneficial to the parties. Several participants in the focus groups have pointed at this, regardless of their previous experience with political parties. In general, the practices on the inclusion of women are not based on written rules, much depends on the subjective approaches adopted by the party structures, in the framework of their efforts to win elections<sup>52</sup>, which require a reliance on well-educated, and renowned candidates with a good reputation and influence over within their local communities.

All parties officially confirm a high level of support for their women's organizations. In practical terms, this support is not as high as stated. There have been cases when the inclusion of women in politics in the framework of gender quotas has involved women with no distinguished career in the ranks of the party. In these cases, party leaders have chosen to involve women from civil society or from other walks of life. This approach has caused the criticisms from the women's forums.<sup>53</sup> Old and archaic party structures constitute formidable barriers for an equitable gender representation. Very often, old party officials entrench themselves into the party structures and stay there until retirement<sup>54</sup>.

The “queen mother” phenomenon, according to which leading women in the party become themselves barriers to the inclusion of more women into the structures, was confirmed by most of the experts participating in the focus groups. This phenomenon is related to the attempt of influential political women to jealously guard their spheres of influence, to their own inferiority complexes, to personal frustration and so on. There exists

52 Ana Xheka, Lecturer, statement in the focus group discussion

53 Mirela Arqimandriti, NGO, statement in the focus group discussion

54 Klodeta Dibra, Councillor, SP, statement in the focus group discussion

the perception according to which men are more capable of establishing alliances and of supporting each-other than women, and that there is a greater sense of solidarity between men than between women<sup>55</sup>. In this case, the biggest problem is not related to barriers established by others, but to the lack of opportunities and motivation.

The inclusion of newcomers into the party ranks might have undermined the career system within the parties on the one side. On the other side, they have increased the quality of the women's representation and their leverage on decision-making. The experts participating in the focus-groups were divided into equally big groups with some supporting newcomers and others objecting them. Same went about the influence of the newcomers on parties. Some maintained that newcomers spur conflict; others maintained that more internal competition is a positive thing in parties and party forums.

## 7.15 GENDER BUDGETING IN ELECTIONS AND IN POLITICAL PARTIES

One of the main barriers for the strengthening of representative women's structures within the political parties is related to the lack of funding and of committed human resources. DP admits that its women's forum is not funded by the party<sup>56</sup>. The DP women's forum cannot apply for financing from the funds available for civil society organizations from national and international donors. Women candidates do not contribute financially for the party during elections, in contrary, they ask for funding from the party, which is not what the parties look for. The same situation prevails in the SP, even though officially its women's forum may

establish its own fund if it is able to collect financing in a legal manner. The situation in the SMI is also the same. The concept of gender budgeting is still not absorbed by all remaining parliamentary parties, and in the parties that participated in the 2017 parliamentary elections, taking into account the fact that the structures supposed to represent women are largely fictitious, the party structures are weak and severely underfunded, and the organisational capacities are simply not there.

Gender budgeting for elections in two levels, -firstly in inter-party elections, and secondly in national and local elections, would eventually result in the added organizational autonomy of women forums inside parties, which in turn would enable for more quality in women's political representation and in an increased interest to engage in politics. The debate in the focus groups pointed out that gender budgeting ought to be applied in two levels: the need to allocate funding for parties in relation to the number of candidates, and the need to set budget priorities by allocating funding only to the candidates that have a real potential to win elections. If a woman is put at the bottom of the list, there is no point to allocate campaign funds for her. Much depends on the position given to women in the candidates' lists.<sup>57</sup> The women forums and the political parties don't seem to apply gender budgeting or to undertake anything concrete in this direction. The Tirana Municipality is a good example in relation to gender budgeting applied on the funds available for activities aimed at the training of women councilors.<sup>58</sup> This practice is missing in the Assembly of Albania and in the parliamentary groups.

55 Erjona Rusi, journalist, statement in the focus group discussion

56 Meri Pone, Councillor, DP, statement in the focus group discussion

57 Ada Hyso, expert, NGO, statement in the focus group discussion

58 Klodeta Dibra, Councillor, SP, statement in the focus group discussion

## 7.16 TRAINING FOR WOMEN CANDIDATES

All parties confirm that they run programs for the training of women in politics. Yet, none of the parties has a program in place for women included for the first time in the candidates' lists. They are trained only after they are elected. This process runs against the best practices applied to electoral competitions.

The experts from the civil society invited to the focus groups point at the need of women politicians to benefit from training so as to bridge their gaps since they are comparatively marginalized groups. The best solution would be the preparation of annual training programs to be organized by the party, targeting women and youth. It is important for parties not to lose their focus on developing policies and programs beyond the electoral phase<sup>59</sup>. In general, it was noted that parties tend to start visiting the constituencies only prior to elections. There is no permanent support for policies and programs in the parties.

## 7.17 ROLE OF THE MEDIA WITH REGARD TO PROMOTION OF GENDER EQUALITY

The role of the media and its relation to gender equality constitutes another important dimension in today's debate related to gender representation in political parties. There is a lot of criticism on the way media portrays women politicians.

The focus groups noted that women do not receive the same coverage with their male counterparts; they are mostly invited to cover soft topics. Media has created a host of negative stereotypes with regard to successful

women in the public scene. Their reporting on women politicians is superficial, full of prejudice and gender bias. Women are not expected to engage in tough debates on television if invited to do so they have to show restraint. Sexism dominates the TV screens. Women are attacked much more than men on account of their personal life, the toughness of the political narrative of party leadership forces women either to conform themselves to that narrative or to refrain from engaging in the public discourse. In fact, the language used by the media is only a reflection of the daily discourse, conditioned by the culture and by the society.

The conclusions we extracted from the focus groups and from the interviews point at some positive developments in relation to a more visible role of women in the media, coming as a result of their own pressure to present themselves and what they stand for, as political experts or as experts in other specific domains, through their impressive professional CVs, and through a good performance in front of highly mixed audiences.

Nonetheless, it was also noted that by now several women politicians have established a high public profile. Some women serve as ministers in the government, and some of them lead important municipalities and public institutions. The focus groups maintained that these positive models ought to be further promoted by the media, by the women organization inside political parties and by civil society organizations active in the field of gender equality.

59 Gasper Gjeluci, NDI, statement in the focus group discussion

*“My personal opinion, which is of course subjective, on the role of women in the Albanian politics is very positive. I perceive the arguments made by women in debates often as more rational, better supported by logics, whilst men often argue on the grounds of political convictions, they use slogans and a tough language.”*

BERND BORCHARDT, HEAD OF THE OSCE PRESENCE IN ALBANIA

## 8. MAIN FINDINGS FROM THE QUESTIONNAIRES

Over March 2017, the staff of the Institute for Political Studies administered a questionnaire to 130 respondents (65 women/girls and 65 men) addressing issues related to women's representation in political parties, electoral campaigns and in important

leadership positions in political parties and in the government system. 50% of the respondents live in Tirana. The rest come from the following regions: Elbasan and Shkodra 6.6% each, Fier and Lezha 5.8% each, Vlora 5.6%, Durrës and Korça 4.8% each, Berat 4.6% each, Kukës 2.4%,

Table 21. Data from the questionnaire administered in 2017

Gender	Number	Category	In % points
Male	65	NGO	28,4%
Female	65	Media	19,8%
		University	16,4%
		Official	7,6%
		Other	28%
Domicile	Number		
Tirana	65		
Regions	65	Age Group	In %
		18-25 years	21%
		26-35	59%
		36-45	30%
Party/No	Number		
Party member	78	46-55	11%
No political	52	Over 55	8%
		Without answer	3%

Kavaja 2.2%. Out of the total number of the respondents, 60% resulted to be /to have been members of political parties. 40% had no previous experience of participation in political parties. 28% of the respondents came from civil society organizations, 19% from the media, 16% from academic staff, and 7% from the political parties. The rest was randomly selected among common citizens. All age groups are represented as shown in the below table.

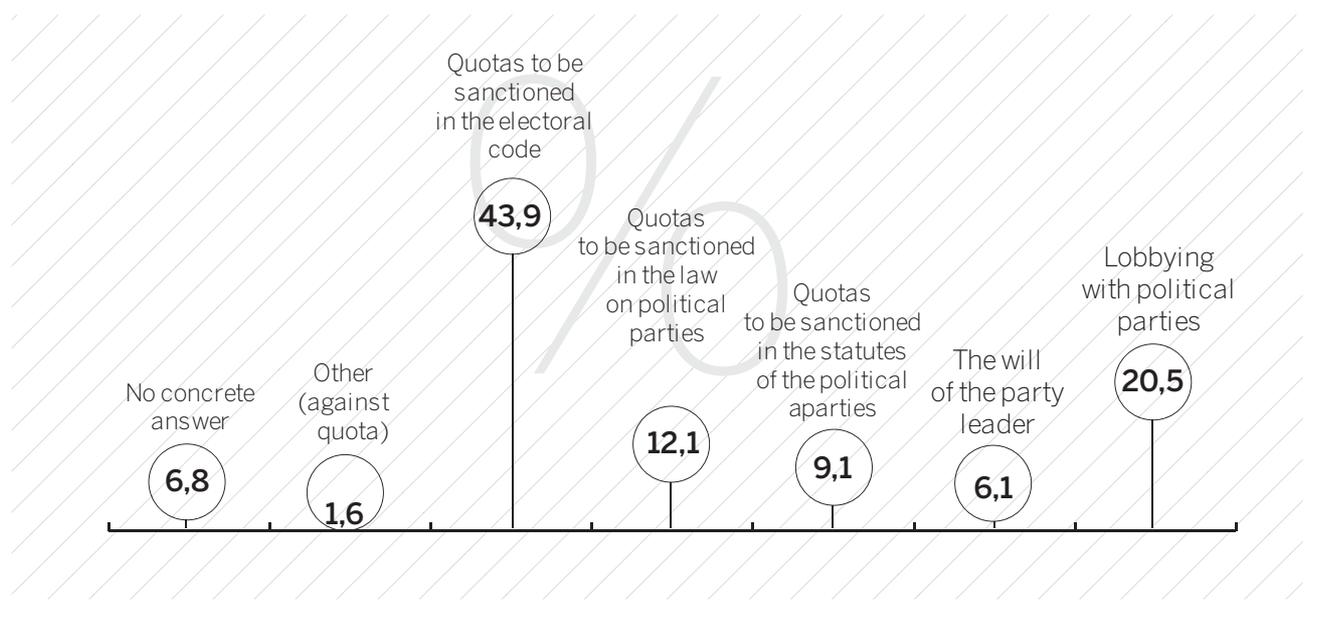
The goal of the questionnaire was to cross-check the findings of the study, the interviews and focus groups, with data and information coming from other strata of

the society, which have little or no access to political representation and to political leadership.

## 8.1 GENDER REPRESENTATION? THE MAJORITY SUPPORTS GENDER QUOTA

We asked our respondents about the most effective avenues for the passing from obligatory candidates' quotas for parliamentary elections to obligatory mandates' quotas. Approximately half of the respondents indicated the inclusion of a legal obligation in the Electoral Code as their preferred solution.

Table 22: Which is in your opinion the best option to pass from the quotas at the candidate level to quotas at the representation level in parliamentary elections?

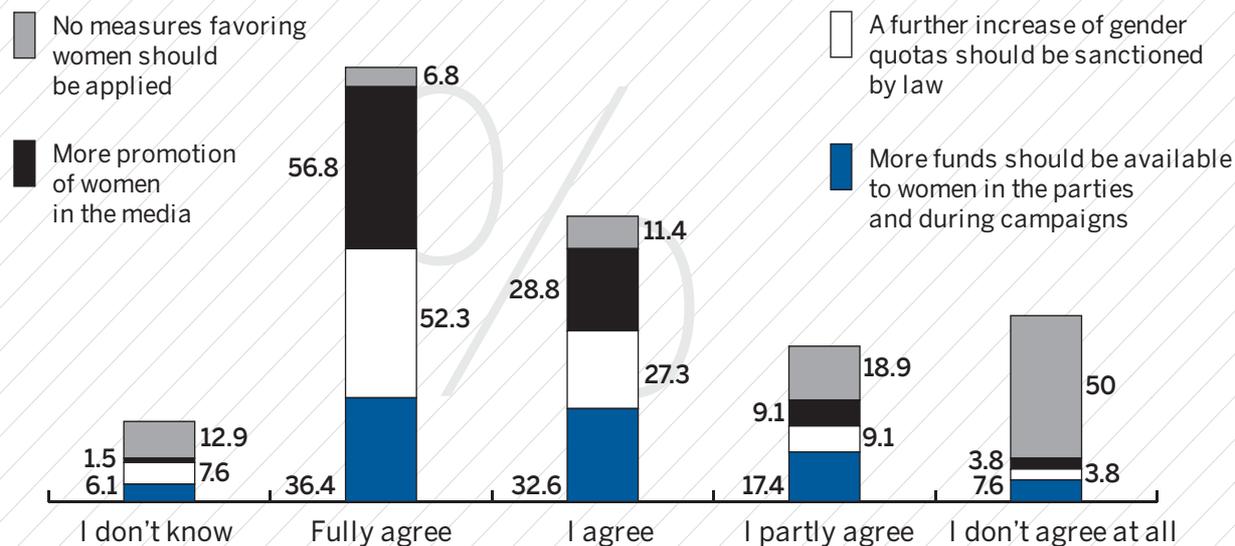


The second-best solution is identified in lobbying with political parties (20%), only 12% think quotas ought to be anchored in the law on political parties, 9% think that a solution in this regard might come through political party statutes.

The level of trust in the political will of party leaders to apply gender quotas is minimal –only 6%, with small differences in the preferences of women and men.

These results clearly indicate the distrust of the majority of our respondents towards the political resolve of party leaders and towards the effectiveness of internal regulatory documents of the parties with regard to the gender quota. The prevailing attitude is that only a legal obligation will effectively force the parties to apply gender quotas in the parliamentary elections in a similar manner it did in the last local government elections.

Table 23. Best solution to ensure an increased participation of women in politics



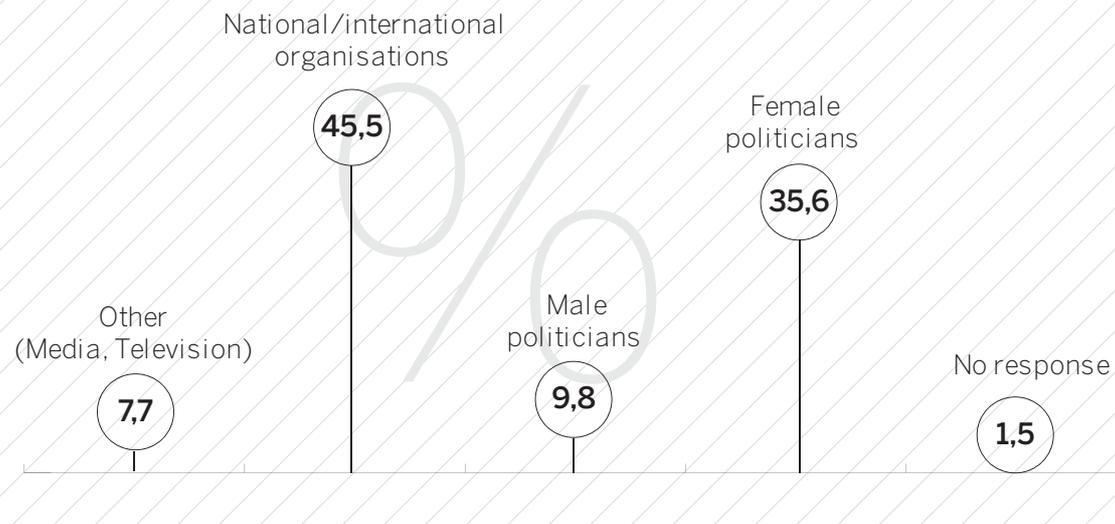


## 8.2 MEDIA PLAYS A CRUCIAL ROLE TO PROMOTE WOMEN IN POLITICS

To our question on the best way to promote participation of women in politics, promotion through media took the top position among the four proposed alternatives 56%. If we put together the two categories ("fully agree" and "agree"), there results that 84% of the respondents consider media as a key component. Some 69% of the respondents, agree or fully agree with the importance of greater funding to support women in politics as displayed in the below table, and 70 agree that this should be anchored in the law.

It is quite noticeable that 50% of our respondents answered negatively to the question whether there is no need to apply measures to support women. This shows a high level of awareness amongst the representatives of the social groups targeted by our survey, with regard to the need to support women in their quest to increase their political representation and participation.

Table 24. Which actors are most effective in promoting women in politics?



*“It is a known fact that the quality of work and of the decision-making improves when women and men are present in the same positions. More women in politics enable for the inclusion of more issues in the agenda, such as education, road safety, measures against violence against women”*

DEWI VAN DE WEERD, AMBASSADOR OF THE NETHERLANDS IN ALBANIA

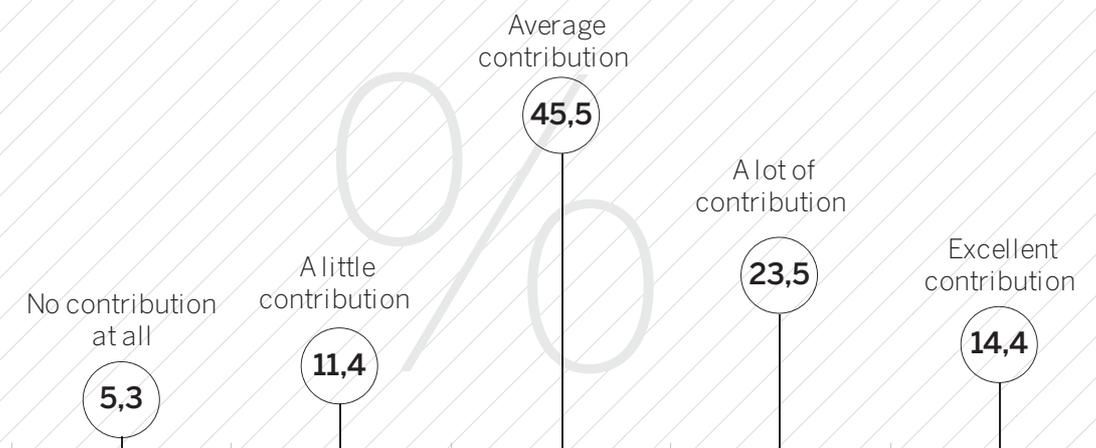
### 8.3 ROLE OF INTERNATIONAL ORGANISATIONS

Asked about the role specific actors can play to promote women in politics (this time we left media outside the available options), almost half of our respondents recognized the important role of civil society organizations and international organizations present in Albania. The civil society organizations include all the non-governmental organizations active in Albania, whilst the international organizations include those international organizations with a presence in Albania.

The second category in terms of popularity with regard to the specific positive role for the promotion of women in politics is given by the category “women politicians”, embodied through their public and career-based contributions and also through their lobbying efforts inside political parties and decision-making institutions (35.6%).

Women results to be more supportive than men with regard to this specific category. One of the lowest levels of trust in this table pertains to the engagement of male politicians towards women’s representation in politics – this level is five times inferior to the level of trust

Table 25. What is the extent of the contribution of women politicians in Albanian politics?



towards the engagement of civil society organizations and international organizations in this regard.

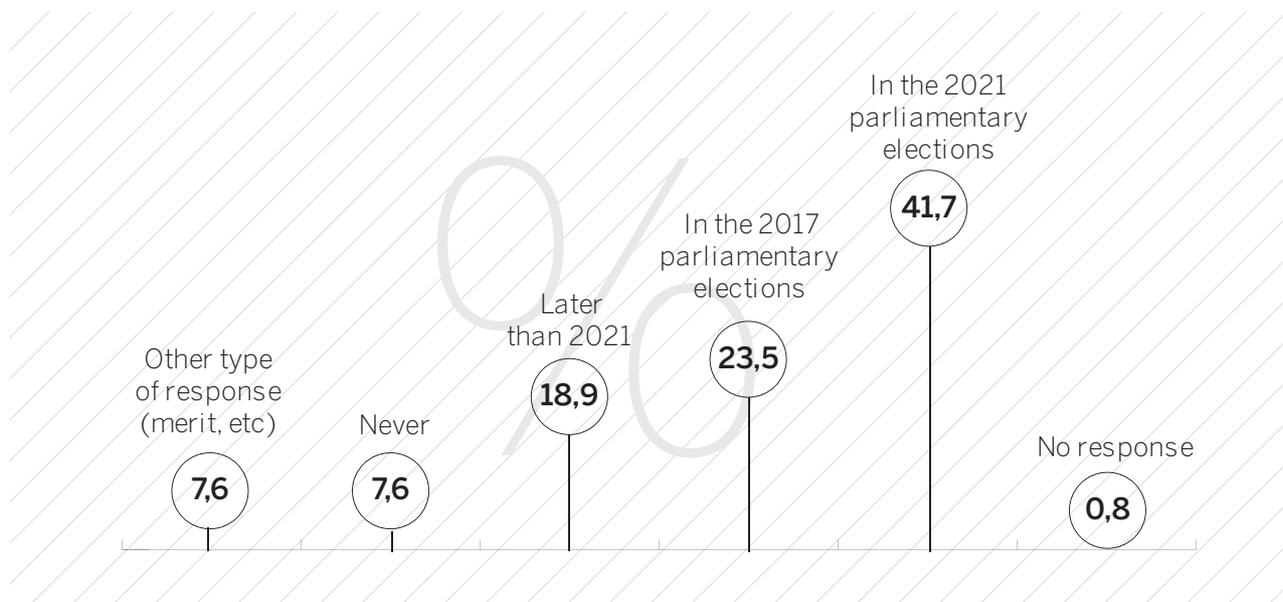
#### 8.4 PERCEPTIONS ON WOMEN'S CONTRIBUTIONS TO POLITICS

Over eight legislative periods, Albania has witnessed several women in leading political positions. It is therefore important to discuss the existence of systems of reference and the role they have/ can play in advancing women representation in politics.

ISP asked the respondents to rank the perceived contribution of women in Albania's politics. Those who recognize a maximally positive role to women in politics are thrice as many as those who don't recognize such role. Also, those recognizing a positive role are twice as many as those who recognize only a minimal role of women in politics.

Almost 45% of the respondents maintain that the contribution of women in politics has been moderately positive, but in general, those looking at the political contribution of women in positive terms are 2.8 times more present as those having critical remarks.

Table 26. When will the 50% quota be applied in parliamentary elections?



In more concrete terms, to the question whether women have contributed in Albania's political life in positive terms, only 14% give an extremely positive assessment, 23% recognize positive contributions, whilst those on the grey zone dominate with almost 45% of the respondents. Those who maintain that women have no positive contributions in politics account for 15% of the total number of the respondents. In terms of gender differences of opinion, there is a balance of opinions of women and men with regard to this issue.

### **8.5 THE 50% QUOTA: SHOULD IT APPLY IN THE 2017 OR IN THE 2021 PARLIAMENTARY ELECTIONS?**

We asked our respondents whether the 50% gender equality quota ought to be applied immediately or in a later phase. Most of the answers clearly pointed to the first option. It is important to take into account this conclusion for the purpose of setting up an agenda for lobbying for the inclusion of this quota in the electoral reform for the 2017 parliamentary elections, for the upcoming elections or in principle, for any initiative aimed at the application of the 50% gender quota in the parliamentary elections.

42% of our respondents support the application of the 50% quota in the 2017 parliamentary elections, out of which 22% are female and 20% male. The percentage we received from the questionnaire feedback is generally higher than the feedback from the focus groups and from the one-to-one interviews.

24% think that the 50% quota may be applied in the 2021 elections. They are 5% more than the respondents who think that such quota may be applied after 2021. In the latter category, men

outnumber women by 3%. A possible hypothesis explaining a delayed application of quota may relate to a protracted process of electoral reform for the 2017 elections, hence respondents may be tempted to see 2021 as a more realistic timeframe. 7.6% of the respondents think that the 50% will be never implemented. The same percentage of women maintains that the quota system is redundant under a regime of meritocracy and fair inner-party competition, and as a consequence in parliamentary elections.

### **8.6 IMPACT OF AN INCREASED WOMEN'S PARTICIPATION IN POLITICS**

Our questionnaire proposed several alternatives on the perceptions of the positive impact of an increased women's participation in politics. The alternative: "it narrows the gender gap" leads our list with 55% of the positive responses. The alternative "more women participation in politics minimizes sexism in politics" sees a balanced response. The columns "agree" and "don't agree" provide very minimal differences by gender and the number of the respondents subscribing to them is in itself minimal, showing a high expectation on the impact on quotas in regard to the minimization of sexism in politics.

#### **Question: An increased participation of women in politics would improve following aspects**

- Reduce the gap in the mentality of gender roles
- Minimize sexism in politics
- Minimize harsh political rhetoric
- Makes parties more representative
- Legitimizes the political system
- Increases voters' turnout in elections

Table 27. Preferences on the selection of women candidates in the multi-name lists

<b>WOMEN'S INCREASE IN POLITICS WILL IMPROVE DIFFERENT ASPECTS</b>	<b>"I don't know"</b>	<b>"Fully agree"</b>	<b>"I agree"</b>	<b>"I partly agree"</b>	<b>"I don't agree at all"</b>
It reduces the mentality of gender roles	11.40	35.60	9.10	40.20	3.80
Minimizes sexism in politics	8.30	34.10	16.70	34.10	6.80
Minimizes severe political rhetoric	3.80	28.80	27.30	35.60	4.50
Minimizes corruption in politics	13.60	19.70	34.10	20.50	12.10
Makes parties more representative	1.50	31.10	18.90	40.20	8.30
It makes the political system more legitimate	4.50	32.60	17.40	38.60	6.80
Increases voter turnout	6.80	32.60	26.50	24.20	9.80

The thesis according to which an increased women's participation in politics "minimizes the harsh political rhetoric and the strong posturing in politics" is supported by two-thirds of our respondents, who do not display a significant gender-based difference in their preferences. This is one of the most gender-balanced responses we received in our survey. It is indicative of the fact that the problems with the parliament "strongmen" and the harsh political rhetoric are seen as a major barrier for a more gender-balanced participation in political life and for a more normal advancement in the political career.

The thesis according to which an increased women's participation in politics "makes parties more democratic and representative" is a key argument for the proportional balancing of gender representation in decision-making. There are very small gender-related differences related to these perceptions, pointing at an

overarching acceptance of this thesis by a substantive portion of the political and social spectrum. Asked whether an increased women's participation in politics makes the political system more legitimate and more representative, the large majority of the respondents reacted positively.

## **8.7 PREFERENCES RELATED TO WOMEN RUNNING FOR SEATS IN THE PARLIAMENT**

We asked a specific question on the problems related to the inclusion in the candidates 'lists encountered over the last parliamentary elections of 2013. Some of the issues were related to the inclusion of candidates from Tirana in marginal constituencies in faraway locations in Albania and to the inclusion on non-political candidates in the lists. The question whether women candidates from

Table 28. Preferences regarding roles women politicians could potentially cover

<b>WOMEN CANDIDATES IN THE MULTI-NAME LISTS OF THE PARTIES OUGHT TO BE SELECTED AMONGST</b>	<b>"I don't know"</b>	<b>"Fully agree"</b>	<b>"I agree"</b>	<b>"I partly agree"</b>	<b>"I don't agree at all"</b>
Women politicians from Tirana should be sent in the other electoral districts	40.90	28.80	9.10	8.30	12.90
Local women politicians	5.30	25.80	22.00	37.90	9.10
A mix of local women politicians and women politicians from Tirana	11.40	31.80	18.20	23.50	15.20
Women with an outstanding political career	7.60	28.20	26.70	25.20	12.20
Socially successful (not politically successful) women	3.00	25.00	15.90	47.00	9.10
A mix of women politicians and successful women from other domains.	0.00	26.50	21.20	45.50	6.80

Tirana ought to be included in these lists receives a predominantly negative response with 41% against it, and only 8% fully supporting it.

Asked about the alternative of a mixed form of representation –with women politicians from Tirana and from the local constituencies, our respondents gave the above answers, with those fully supporting this alternative only twice as many as those standing against it. Asked whether they would vote for socially successful, non-political women, the crushing majority says yes, with only 3% against and 15 times more than that fully agreeing. No-one objects a mixed formula that brings together women politicians and successful women from other walks of life (art, culture, sports and so on), whilst half of the respondents clearly supports it.

## 8.8 WOMEN WITH HIGH LEADERSHIP POTENTIAL

Another issue we addressed in our questionnaire is related to the leadership capacities of present women in politics. We asked whether among the women currently engaging in Albanian politics it is possible to identify at least one name capable of performing in a highly positive manner in the position of the President of the Republic, Prime Minister, Speaker of the Assembly, Mayor of Tirana and Chair of either the Socialist or the Democratic Party of Albania. The questions were asked based on the assumption that the respondents take into account the current incumbents in the above positions.

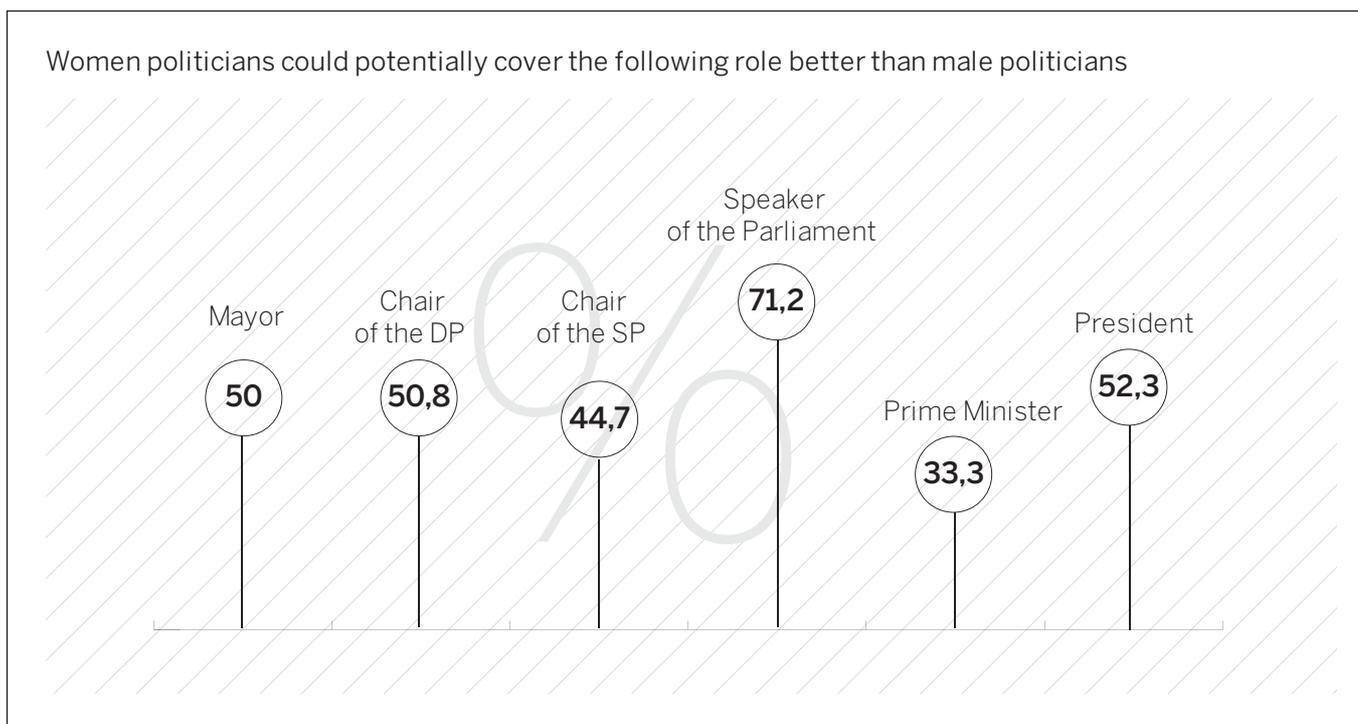
The collected data show that over 72% of the respondents can identify at least one woman politician able to perform better as Speaker of the Parliament. They said that a

woman politician might perform better as the President, Chair of the DP and Tirana Mayor (51-55%). As to the SP Chair, only 44% think a woman might do a better job, whilst regarding the Prime Minister, only 1 out of 3 thinks that a woman could perform better than the present PM.

It should be noted that at present these six above-mentioned functions are presently carried out by men of different political denominations. The big difference between reality and the preferences provided by the respondents show the gap between expectations and what politics is able to offer.

### 8.9. CONCRETE NAMES OF WOMEN POLITICIANS NAMED AS PREFERRED CANDIDATES FOR LEADING POSITIONS

The survey gave to all respondents the opportunity to mention concrete names of women politicians actually contributing in Albania's political life, in relation to the above-mentioned high-profile positions of the head of state, the prime minister, speaker of the parliament and chairs of the political parties. 43% of our respondents declined to give a concrete answer to all the proposed categories. The rest of the respondents gave concrete names. Based on the



## 9. RECOMMENDATIONS

received responses, the current women politicians perceived as presently having the highest potential to serve as the President of the Republic are Jozefina Topalli (from the right wing) and Arta Dade (from the left wing). For the position of the Prime Minister the top left-wing personalities quoted were Mimi Kodheli (left) and Majlinda Bregu (right).

The most quoted names for the position of the Chair of the SP were Arta Dade and Mimi Kodheli. The most quoted names for the position of the Chair of the DP were Majlinda Bregu and Albana Vokshi. The top names of female politicians associated with the position of the Chair of the Tirana Municipality were Majlinda Bregu and Jorida Tabaku from the DP and Mirela Kumbaro from the SP.

Finally, to the question related to concrete examples of successful and inspiring women in politics in the areas targeted by this survey, the highest ratings went to the following women politicians: Majlinda Bregu (DP), Arta Dade (SP), Grida Duma (DP), Mimi Kodheli and Eglantina Gjermeni (SP), Jozefina Topalli (DP), Lindita Nikolli and Vasilika Hysi (SP) and Mesila Doda (PJUI).

There is a strong connection between preferences for women politicians and political orientations, with the left and right-wing supporters proposing mostly women politicians from their own camp. Those who show no clear political orientation mostly support women politicians who have critical opinions against

their parties or who have been removed from the party because of these criticisms.

The Institute of Political Studies has compiled, in addition to the present research, a study report on the representation of women in the 2015 local elections, which provided 33 concrete recommendations. The 2017 elections marked advancements in the status of women representation in politics as measured against some of these recommendations, yet no recommendation was addressed at 100%. Women representation in political parties continues to have the same features as the ones of 2015. The pace of advancement is slow.

Our research into the level of representation in political parties and political institutions points at several priorities and recommendations, to be taken into account so as to achieve progress in the upcoming elections, the local elections of 2019 and the parliamentary elections of 2021.

ISP is convinced that the possibilities for a higher representation of women in political decision-making are much higher than the present level of political representation. Women's capacities to ensure a greater representation of women in decision-making are considerably higher than what is available at the present.

The increase of such representation at the vertical

and at the horizontal level, in political institutions, and in electoral processes, ought to be considered as a matter of priority in relation to the quest towards higher democratic standards, that are closely inter-related to a host of factors. Under the present circumstances, the Institute of Political Studies brings forth following recommendations:

### 9.1. ON THE LAW ON POLITICAL PARTIES AND ON THE ELECTORAL CODE

- A political agenda focusing on gender representation needs to be preliminarily drawn up. This agenda ought to address the need for a parliamentary resolution obliging the institutions to specifically put concrete efforts on this area.
  - The law on political parties should be amended so as to include effective provisions focused on ensuring an equal gender representation in the decision-making structures of the parties, for the purpose of ensuring higher standards of internal organization and establishing the basis for merit-based career advancement in political parties. The law ought to oblige political parties to respect equal quotas for candidates at all levels, especially for positions that are politically relevant, by considering as a priority the parliament, the cabinet, and the local government.
  - The Electoral Code ought to reflect on the advancements achieved in local elections, so as to provide not only for quota for candidates' lists but also for quotas at the outcome level, at all levels of representation, including seats in the parliament. The obligation for the effective result-focused enforcement of gender quotas should not be restricted in the first top three positions in the multi-name candidates' lists. It should apply to every three names from the top to the bottom of the lists. This demand requires strong political resolve to fundamentally reform women's organizations within the political parties, so as to better respond to the upcoming challenges with better new candidates.
- The Electoral Code ought to entail tougher sanctions towards parliamentary parties who do not apply the quota provisions on the candidates' lists in parliamentary and local elections. Financial sanctions, even though have had some impact, do not represent a sustainable solution. A sustainable solution would be to directly make the registration of the political parties in parliamentary and local elections conditional upon the fulfillment of the quota.
  - The Electoral Code ought to bring on the same standard of 50% gender representation throughout the electoral administration structures (CEAZs, EAZs, VCs, etc.). At present, the gender quota obligation applies only to the two main political parties at the CEAZ level. An increased number of women and girls at all levels of electoral administration, especially at the lower levels, would positively influence in minimizing incidents and electoral contestations.
  - The Electoral Code ought to provide for clear provisions that effectively address the unfair practices of pressure on women candidates who are forced to resign from their seats attained through their position in the multi-name candidates' lists. The parties and the electoral subjects, who apply such pressure, ought to be criminally prosecuted upon the request of the CEC.
  - The Electoral Code ought to provide for special funds for women candidates running in parliamentary and local elections to be used for awareness-raising

and promotional purposes. If gender budgeting and real support for women's organization is missing, it is unrealistic to discuss their autonomous, competitive and qualitative representation.

- The Electoral Code ought to provide for a fair gender representation of women in local elections through gender quotas in the lists of candidates running for mayors or through an obligation to have the deputy mayor from the opposite sex. The 50% quota ought to apply also in the appointments of municipal administrators and in other decision-making structures under the line authority of the municipality.
- The Electoral Code ought to provide for sanctions in the cases of public speech that discriminates based on gender, especially when it is directed against women and girls participating in electoral campaigns. The Code of Ethics in the Parliament and in the elections ought to be complemented with ethical provisions applying to political parties, which should be supplemented with mechanisms for the verification of the infractions and remedies to address them.
- The Electoral Code, the Central Election Commission, and other electoral bodies should further engage in penalizing family voting and in raising awareness against its adverse effects on the quality of the elections, for the purpose of curtailing voting done on behalf of women/girls, pressures on voters, on the voting process and pressures through the vote.
- The Central Election Commission ought to provide for research studies and special training related to gender representation in elections, including the gender dimension of the citizens' participation in elections as candidates, as administrators and as voters, so as to promote a higher participation of

women and girls in elections. The CEC should and could invest in supporting in-depth reports focusing on specific cases, so as to influence the political decision-makers and to raise public awareness.

- The Central Election Commission ought to establish an accurate database with information on women participating as candidates in the elections over the years and also with information on the gender representation of voters in all electoral zones, so as to provide for transparency and to enable for further future research.

## 9.2 ON POLITICAL PARTIES AND POLITICAL REPRESENTATION

- The issues and problems related to gender representation oughtn't to be addressed only on the eve of elections and only by means of campaigns. They ought to be addressed as priority issues deserving continuous attention and engagement also in the periods between the electoral cycles. The political parties ought to publish annual programs listing the activities that contribute to the achievement of progress in the field of democratic representation.
- Parties should focus on concrete issues and problems related to and concerning women, by strengthening their women's organizations and by developing specific electoral programs on gender equality. The program should be adequately transferred into the government program upon the completion of elections by the winning party/ coalition, so as to build a solid base that can serve as a benchmark and as a system reference for monitoring in the future.

- Political parties ought to hold regular joint sessions of the parliamentary groups, of the ministers, and of their mayors (every 6 months) with their women forums to specifically discuss issues related to gender equality and gender representation.
- Political parties should anchor provisions addressing discriminatory language, and gender-based discrimination in electoral activities, party activities and public discourse in their Codes of Ethics. Discriminatory discourse based on gender ought to be penalized and reflected in the political careers of the perpetrators. To this end, the party courts and appeals structures ought to take actions should these infractions come to pass.
- Civil society ought to receive further support from the international organisations and partners so as to be able to monitor internal party processes, including the internal decision-making within parties, their organisational documents, the internal party races, and the related internal procedures and details for the purpose of ensuring an increased quality and quantity of women's representation at all party structures and at all party levels.
- Civil society ought to receive further support for the purpose of monitoring the process of the selection and election of the candidates to run for MP, in particular for the purpose of eliminating the negative practices recorded in the previous elections, related to the resignation of women candidates or to their removal from top positions in the multi-name lists in the 2013 elections. Civil society ought to have access to the political parties, to be able to monitor their electoral standards. Civil society ought to actively engage to improve women's participation and representation in politics through active and functional networks established for this end.
- Women's forum in political parties ought to cooperate more closely with the media to achieve more effective media coverage and for the purpose of advancing more effectively the campaigns of women candidates from all parties and their positive models as women in politics. The media ought to develop more professional and ethical reporting, monitoring, and coverage standards in relation to electoral campaigns and to the internal party developments.
- The pilot initiatives related to the launching of the Alliance of Women MPs and to the establishment of the alliances of women councillors throughout Albania ought to be further supported so as to enable for more active women networks, capable of functioning as platforms that sustain and bring forward an open debate on issues of gender representation and the presentation of alternatives for women's political representation at the local and central level, including the parliament, the local government and the political parties.
- Women's forums of political parties and women candidates ought to be supported through special funds for their electoral campaigns. These funds should be harmonized with the commitment to establish the principle gender budgeting in the parliament and in the overall country's governance. The CEC ought to request political parties to include specific data and information on the budget of their women's and youth organizations in their annual financial reports.
- Women's forums of political parties ought to ensure for public transparency (through dedicated web-pages) providing information on their structures and activities. They should become able to actively run debates on concrete issues and challenges related

to the situation of women in society and in politics. The women forums ought to reform themselves, in terms of becoming actually functioning entities, thriving on competition, new ideas, thematic representation, able to mediate between the large community of women and girls and political decision-making inside parties.

- Women's organizations in political parties and the Alliance of Women MPs should support a Memorandum of Ethics for cooperation with the media and civil society aimed at the achievement of more balanced representation of women in political decision-making.
- Civil society, the parties, and the international partners ought to regularly support the organization of political development training, training on legislation, and media skills training for women in politics, so as to assist them through information and through the provision of modern communication and public relation skills. Civil society ought to initiate the establishment of a public database on issues related to gender representation, so as to keep the public informed on positive and negative changes in political parties and political institutions in relation to gender equality.





# ANNEX A

## A.1 CONSTITUTIONAL FRAMEWORK AND PRINCIPLES OF GENDER REPRESENTATION

The Constitution is the fundamental law that provides the principles for the organization of the state functions and harmonizes the principles of international standards with the national legislation, aiming at creating a spirit of uniformity, especially on priority issues such as human rights, by bringing Albania closer to the international human rights framework.

Article 3 of the Constitution of the Republic of Albania provides that “human rights and freedoms constitute the fundamental principles this state is obliged to honor and protect”. The principle of equality and non-discrimination is also reflected in Article 18 that provides among others that “everyone is equal before the Law. No one can be discriminated against on the grounds of gender, race, religion, ethnicity, language, philosophical or religious belief, economic, educational, social or family background. No one can be discriminated against on the grounds mentioned in the above paragraph if there are no legal, reasonable and objective grounds.”

The Constitution of Albania addresses the concept of equality, yet it does not spell out anything with regard to the gender aspect, by mostly using gender-neutral pronouns such as everyone, every person, and so on. The only provision with a gender-specific dimension

is Article 54/1, that inter stipulates: “children, youngsters, pregnant women and young mothers are entitled to special protection from the state”. Yet this provision only discusses social equality and positive discrimination. It does not spell out anything regarding the political dimension, decision-making and equal gender representation in this field. The language used in the constitution is widely neutral, mostly referring to neutral pronouns as anybody, every person, etc.

The constitutional amendments of July 2016 through Law 76/2016, that affected, amongst others, also several articles of Chapter II of the Constitution on issues related to the election of the members of the Parliament did not mention, in any way, gender equality in relation to the electoral competition, by thus allowing for a gap as far as the principle of gender equality is concerned. At any rate, the reference to the main principle of equality and non-discrimination in Article 18 of the Constitution, harmonized with the human rights regime and its implementation by all state institution is a valid premise for enabling for the concrete implementation of this principle in the Albanian legal framework.

## A.2 INTERNATIONAL ACTS RELATED TO GENDER REPRESENTATION

The international principles and standards and Albania’s obligations under covenants and treaties

represent important commitments to be implemented domestically. They should be perceived as a perpetual commitment to deliver in practical terms on formally recognized rights, in order to honor Albania's regional, continental and global obligations in the domain of human rights.

Article 5 of the Constitution of the Republic of Albania<sup>60</sup> provides, among others, that our country is bound to implement domestically ratified covenants and treaties that supersede domestic legislation that is not in line with them. Same law provides that the ratified international treaties and covenants are an integral part of the Albanian judicial system upon their publication in the Official Gazette of the Republic of Albania and that they are directly applicable in the country except for the case their application requires the approval of a dedicated law for them to be enforced.

Gender equality is a fundamental right and a common value of all countries of the European Union. It represents an important precondition for Albania's EU integration and a key element for the fulfillment of the objectives of the Stabilization and Association Agreement. Gender Equality is a priority issue as identified by several progress-reports published by the European Commission. In this framework, the fight against gender-based discrimination and for more equality in decision-making is an open challenge for Albania. The Copenhagen criteria<sup>61</sup> ask from all countries aspiring EU membership to establish and to

consolidate democratic institutions, rule of law, human rights, and protection of minorities. In this regard, Albania has approved a national strategy for the implementation of the Stabilization and Association Agreement, in conjunction to several laws and acts in the wider framework of the approximation of its legislation with the European *acquis*. Albania pursues sectorial policies aimed at the approximation with the European normative framework in line with the EU directives.

The 1948 Universal Declaration on Human Rights of the United Nations sets the scene for considering any kind of discrimination as unacceptable. It declares that all human beings are born equal in dignity and enjoy equal rights and that each and everyone is entitled to enjoy the full set of rights laid out in the declaration in the absence of any form of discrimination. The Declaration addresses the principle of equality and non-discrimination in its Article 7 providing that "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination." Article 21 of the Declaration provides that everyone has the right to take part in the government of his country, directly or through freely chosen representatives. This provision opens a clear perspective to the member states to contribute towards the attainment of full political rights also through the attainment of gender equality.

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) is the most important document at the global level, which was ratified by Albania in 1993 through Law No. 1796 dated 9.11.1993. This convention obliges the State

60 Constitution of the Republic of Albania, 1998, amended by Law No. 9675, date 13.1.2007, Law No. 9904, date 21.4.2008, Law No. 88/2012, Law No. 137/2015 and Law No.76/2016.

61 European Commission. [http://www.europa.eu/rapid/press-release\\_DOC-93-3\\_en.htm?locale=en](http://www.europa.eu/rapid/press-release_DOC-93-3_en.htm?locale=en)

Parties to take political, legal and social measures to against the inferiority or superiority of either gender in all fields of life by also harmonizing women's political rights into a normative framework of non-discrimination and equality. Article 7 of the Convention on the Elimination of all Forms of Discrimination Against Women, entitled "*Women's participation in decision-making*" provides inter-alia that States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to be eligible for election to all publicly elected bodies.

Albania ratified the Optional Protocol of the CEDAW through Law 9052 dated 17.4.2003. The protocol sanctions individual rights of reporting and complaining to the Committee on the Elimination of Discrimination against Women about violations of the Convention. This procedure may be invoked only upon the exhaustion of all the other instruments at the national level, by thus increasing the guarantees for a proper implementation of the CEDAW principles by the State Parties. On several occasions, the Committee on the Elimination of Discrimination against Women has monitored the situation of gender equality in Albania in the framework of the political participation in elections. It has made recommendations to Albania on improving the situation. Gender quota has been mentioned in some of these recommendations. Albania has positively reacted towards these recommendations by enabling for gender quotas in its legal framework.

The European Convention on Fundamental Human Rights and Freedoms was ratified by Albania through Law no. 8137, dated 31.07.1996 "On the ratification of the European Convention on Fundamental Human

Rights and Freedoms". Article 14 of this convention on the prohibition of discrimination provides that the enjoyment of the rights and freedoms shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or opinion, national or social origin, association with a national minority, property, birth or another status. This provision indirectly addresses gender equality in the domain of political representation. Therefore, the European Convention on Fundamental Human Rights and Freedoms is often referred to when discussing the advancement of gender equality at the national level.

The meaning of concept of non-discrimination as covered by Article 14 of the European Convention on Fundamental Human Rights and Freedoms was widened through Article 1 of the Twelfth Protocol of the Convention that looked to equality and equal treatment towards a more comprehensive perspective, by including into it every right as stipulated in the national frameworks, by thus implying also gender equality. At any rate, the European Convention on Fundamental Human Rights and Freedoms focuses more on anti-discrimination measures than on guaranteeing equality. Its special protocols focus on social issues in an endeavor to provide stronger guarantees for social groups so as to advance towards greater and more comprehensive social cohesion. It should be noted that in this aspect the European Court of Human Rights has not yet built a rich body of jurisprudence on issues related to gender equality in political representation or in similar matters.

### A.3 LAW ON GENDER EQUALITY IN ALBANIA AND ITS IMPACT

Law no. 9970, dated 24.07.2008, *"On gender equality in the society"*, This law regulates fundamental issues of gender equality in public life, the protection and equal treatment of women and men with regards to equal chances and opportunities for the exercise of their rights, as well as their participation and contribution in the advancement of all social spheres. This law sanctions and enacts the principle of equality and non-discrimination that is grounded on the Constitution of the Republic of Albania, on the Convention on the Elimination of All Forms of Discrimination against Women, and by all the international treaties and conventions ratified by Albania.

Article 7 of the law *"On gender equality in the society"*, provides for the necessary measures to be taken by the state institutions for the purpose of eliminating gender-based discrimination. As to enabling for an equal gender representation, Article 8 spells out several temporary/provisional measures, including the quota for reaching equal gender representation, increasing the participation of the less represented gender to decision-making and public life, empowering persons of each gender both economically and in terms of their status, equally improving their education level, as well as additional measures in every field, where persons of one gender do not enjoy an equal status with that of the persons of the other sex.

Point 2 of Article 8 provides as follows: "Instances in which the state takes temporary special measures, including legal provisions which aim at speeding up the establishment of a factual equality between

females and males, shall not constitute gender discrimination. Such measures shall stop existing once the gender equality goals for which they were taken are reached."

Article 15, of Law 9970, dated 24.08.2008 *"On gender equality in the society"* enables for the application of the gender quota as a special temporary measure aimed at making the implementation of gender quota a reality. It lays out, inter alia, the following: Equal gender participation and representation in all legislative, executive, judicial power bodies as well as in other public institutions shall be achieved when:

a) A representation of above 30% of both sexes, including their steering bodies, is ensured;

b) Equal observation of competition procedures and criteria for both genders for the assignments in these bodies is ensured;

c) A participation of above 30% of both sexes in the list of candidates for the local government elections is ensured.

ç. A participation of not less than 30% of each sex in the candidates' list presented by the political parties for the proportional system for the General Assembly elections is ensured.

d) A participation of above 30% of each sex in the central and local elections process administration bodies is ensured.

2. Political parties shall define methods and measures to comply with the requirements provided in section 1 of this article.

3. Political parties shall pay a fine of up to one-tenth of the state funds for the electoral campaign if they violate the provisions of this article until they undo the violation.

A generic analysis of the above provisions leads us to the conclusion that Albania's Law 9970, dated 24.08.2008 "*On gender equality in the society*" provides a comprehensive and well-detailed regulatory framework on gender equality that enables for a better participation in political competition and in public decision-making. At any rate, problems persist in relation to translating the goals of the law into enforceable sub-legal acts in the spirit of the letter of the law.

With reference to the most recent changes in the Electoral Code of Albania, it should be noted that the 30% quota envisaged in Law 9970, dated 24.08.2008 "*On gender equality in the society*" has been by now overtaken by higher quotas applied in local elections and will be most likely overtaken also in the upcoming parliamentary elections. The legal provisions of the law "*On gender equality in the society*" should not be considered anymore as minimum quotas. They should be amended with new quotas so as to raise the bar for fuller gender equality. Sanctioning a 50% quota for all political races or for all public and political decision making should be included in this law.

#### **A.4 THE GENDER DIMENSION OF THE ANTI-DISCRIMINATION LAW**

Law no. 221/4.2.2010 "On Protection from Discrimination" as adopted by the Albanian parliament is a significant step forward for the protection of equality and non-discrimination in Albania. It significantly widens the scope of rights and their safeguards for women and men by introducing new concepts and the application of new instruments

in the political dimension and in other remits related to the economy and social protection.

Article 1 of this law regulates the implementation of and respect for the principle of equality in connection with gender, race, colour, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, economic, education or social situation, pregnancy, parentage, parental responsibility, age, family or marital condition, civil status, residence, health status, genetic predispositions, restricted ability, affiliation with a particular group or for any other reason.

Article 9 of this law prohibits discrimination in the exercise of the right to vote, to be elected and to be appointed to a public duty for the causes mentioned in Article. This provision is a strong legal safeguard for gender equality creating the preconditions for other sub-legal acts to reinforce gender equality in practical terms. A novelty brought forth by this law is the establishment of the Commissioner for Protection from Discrimination, an independent institution that assures the effective protection from discrimination and from every other form of conduct that incites discrimination. It is clear that gender equality and non-discrimination in the field of political decision-making falls within this remit.

Article 32 of the law provides that the commissioner has the competence to examine complaints from persons or groups of persons who claim that they have been discriminated against as provided in this law, to examine complaints from organizations that have a lawful interest to act in the name and with the written consent of individuals or groups of individuals who claim that discrimination has occurred and to perform administrative investigations after the receipt

of credible information about a violation of this law. The law also enables the commissioner to impose administrative sanctions according to the specification of this law. This competence greatly increases the authority of the commissioner to ensure proper implementation of the anti-discrimination law.

The law also enables the Commissioner to decide on administrative sanctions in case it notices that there discriminatory arrangements of any nature, which greatly improves the capacities of this institution in relation to the effective enforcement of the anti-discrimination law. Based on Article 32, the commissioner is entitled to make recommendations to the competent authorities, especially by proposing the approval of new legislation or the amendment or reform of existing legislation, to contribute to reporting and, as the case may be, to submit reports to international and regional bodies, to represent a complainant in the judicial organs in civil cases, with his approval. The law provides that all public institutions and private subjects are obliged to support the commissioner in the fulfillment of his duties, especially by supplying information needed by him.

Article 33 of the law stipulates among others that every natural person who violates the provisions of this law is punished by a fine from 10,000 to 60,000 ALL and that every natural person who violates the provisions of this law is punished by a fine from 60,000 to 600,000 ALL. A natural person within a legal person who is responsible for the violation is punished by a fine ranging from 30,000 to 80,000 ALL, whilst any person who exercises a public function and is responsible for the violation on the basis of this law is punished by a fine ranging from 30,000 to 80,000 ALL.

Regardless of the powers endowed upon the commissioner by the provisions of this law, the actual role of the Anti-Discrimination Commissioner remains relatively weak. In some cases, its competencies overlap with those of the Central Elections Commission, especially with regard to the infractions of the provisions of the Electoral Code in regard to the implementation of the gender equality quotas. The Electoral Code and the Law on Protection from Discrimination need to immediately harmonize their provisions and the competencies of the institutions supervising gender equality so that their functioning can be more effective in preventing illegal actions in this field.

## **A.5 ANALYSIS OF THE ELECTORAL CODE FROM THE GENDER PERSPECTIVE**

The Electoral Code of the Republic of Albania, approved through Law no. 10019, dated 29.12.2008, amended by Law no. 74/2012, dated 19.07.2012 and Law no. 31/2015, dated 02.04.2015 includes the first-time gender quotas aimed at an improved level of representation of women in the parliament. From gender perspective this Code represents a milestone in Albania's quest to advance gender equality in political representation, even though many issues remain to be addressed in practical terms, calling for further amendments of the Code.

Article 67, points 6 and 7 of the Electoral Code on the list of candidates of parties and party coalitions provide, among other, that for each electoral zone, at least thirty percent of the multi-name list and one of the first three names on the multi-name list shall belong to each gender. The subject that submits

the list declares the seats, according to the gender quota. Furthermore, for elections for local government bodies, for each municipal council, one in every two consecutive names in ranking shall belong to the same gender. In case of non-compliance with any of the conditions provided for in this article related to the composition of the multi-name list, the CEC can impose sanctions.

Article 175 of the Electoral Code on sanctions related to gender equality has been amended several times, by striking several differences with Law no. 74/2012, dated 19.07.2012 and Law no. 31/2015. It provides amongst others, that the failure by the electoral subject to comply with the obligations specified in point 6 of article 67 of the Code regarding the composition of the list, is punishable by the CEC with a fine of ALL 1,000,000 as well as the additional sanction, in accordance with point 2 of this article, in the case of elections to the Assembly, and with refusal of the political party's list of the candidates for municipal councils for elections for local government bodies. In case a violation by an electoral subject is identified, the CEC applies as an additional sanction the replacement of each vacancy in the list of the subject, in the zone where the violation has been identified, with the next candidates in the list belonging to the least represented gender until the gender quota is reached.

The above provisions point to two separate legal standards on gender equality. For parliamentary elections, the quota is set at 30%, whilst for local elections, the quota is set at 50%. It should be noted that these quotas apply only in relation to participation in the elections through a political competition, but they do not necessarily imply a real guarantee for the

presence of a certain percentage of women elected in decision-making bodies. This makes the application of quotas on the candidates' list a formality. Also, the sanctions applied in case these quotas were not upheld have been often modest, and the political parties have chosen to rather pay the fines rather than to comply with the quota. This has been detrimental to the attainment of real gender equality, even more so as the code does not enable for an effective translation of such an important principle into a tangible reality. It is, therefore, necessary to enable more rules and sanctions for the principle of gender equality to become truly effective.

A recent initiative from a group of MPs who presented to the Parliament an initiative aimed at applying the 50% gender quota to the multi-name candidates' lists is a welcomed step in the right directions. There is consensus among the members of parliament that regardless of the obligation stipulated by the Code to introduce a 30% quota on the number of MPs elected in every region, the political parties took advantage from the fact that the candidates' lists are closed and placed their women candidates at the bottom of the list, with minimum chances to be elected.

## **A.6 ANALYSIS OF THE LAW ON POLITICAL PARTIES FROM THE GENDER PERSPECTIVE**

Law No. 8580, 17.2.2000 amended by Law No 10374 dated 10.2.2011, Law No. 17/2014, date 20.2.2014 and Law No. 25/2014, date 25.9.2014 "On Political Parties" regulates the organization and functioning of political parties, their organizational principles,

their establishment and registration in the court, their entitlements for state funds, and the financial reporting requirements. All parties are obliged by law to provide financial reports to the CEC. Although this law covers a number of detailed issues on party financing by laying out the main principles that regulate the establishment of a political entity under the law, it still lacks clarity and substance over the content of political gender equality. The law in force is not yet harmonized with the other laws which regulate this area.

To this end, it is necessary that this law be amendment quickly in order to bring it conformity with the spirit and the letter of the corresponding pieces of the Albanian legal framework on gender equality, by establishing gender equality as a precondition at the very foundation of political parties, which should sanction it as a fundamental rule in their statutes. Sharing norms and principles of gender representation in the governing structures of political parties constitutes a step that is more solid and sustainable than the periodic electoral rules in terms of regulating an equal gender representation. Internal quotas and proportional representation create a new political culture within the parties; they widen the opportunities to adopt new approaches to gender issues, oblige parties to be more competitive in relation to voters of both sexes, create safeguards expressed through political programs that are legally anchored, and ultimately increase the quality of political representation for both sexes.

# ANNEX B

## B.1 WOMEN'S PARTICIPATION IN POLITICAL PARTIES IN CROATIA AND SLOVENIA

The need for more women in political institutions has both normative and practical dimensions. At the normative level, the discussion focuses on the gender gap in the field of political decision-making. It can be maintained that the increased possibilities for women to become part of the political systems have practical implications in the realms of policy-making and decision-making<sup>62</sup>. Many countries have promoted women in politics by imposing gender quotas on the lists of elected candidates in public positions. Regardless of the debatable nature of the gender quotas, research has shown that their inclusion in a country's legislation effectively contributes to an added access of women in decision-making positions in their political parties.

The efforts of the women right's movement in Croatia to increase the women's political leverage are visible in the first decade that followed the dissolution of Yugoslavia. The regime change brought about important developments in terms of systems and opportunities to campaign and to advocate for women's rights. This positive development was

reflected in a 70% increase in the level of participation of women in the parliament of Croatia. This considerable advancement was achieved prior to the adoption of gender quotas in the year 2008. Since that year, the percentage of women represented in the Croatian parliament has remained unchanged.<sup>63</sup> Regardless of the low percentage of women elected in the 2015 parliamentary elections, it should be noted that the percentage of women running as candidates in these elections dramatically increased from 24% to 41%. In Croatia, women account for approximately 32% of the members of the political parties.<sup>64</sup>

The Croatian Gender Equality Act (approved in 2008) obliges all registered political parties to approve a four-year' action plan on the equal representation of women and men in politics. These action plans should lay out the methods to be used to achieve this goal, with regard to party structures, candidates' lists for the parliamentary elections, and local government units.<sup>65</sup> Article 12 of this Act stipulates that the least represented sex shall have a level of representation not inferior to 40% in political and public functions, by thus extending the field of application of the law beyond the pure political representation. Article 12

62 Llubani, Megi & Arqimandriti, Mirela, Albanian Women Participation in Politics and Decision-Making, Discussion Paper. November 2015. [http://www.swedenabroad.com/ImageVaultFiles/id\\_38954/cf\\_347/Women\\_in\\_Politics.PDF](http://www.swedenabroad.com/ImageVaultFiles/id_38954/cf_347/Women_in_Politics.PDF)

63 Sirocic, Zorica, Formulation, Adoption and Implementation of Gender Quotas in Croatia, 2014, Online: <https://ecpr.eu/Filestore/PaperProposal/c225c7bd-7b0e-42b7-81fa-1dd2c6d6dd51.pdf>

64 The Dubrovnik Times, Gender Equality an issue in Croatia, August 2016, Online: <http://www.thedubrovniktimes.com/news/croatia/item/920-gender-equality-an-issue-in-croatia-parliament>

65 Article 15, Gender Equality Law

also provides that this level of representation shall be achieved “through a gradual increase of the participation of the least represented sex not later than the conduct of the third periodical elections upon the entry into force of the present Act”. Croatia is a new EU member. Nonetheless, in some respects, it has achieved the average levels of women representation of the European Union.

Slovenia applies similar legal provisions on gender equality in the political life. The gender quota for the candidates’ lists for has advanced gradually from 30 to 40%. Even though by the year 2008 the number of women MPs in the Parliament of Slovenia was relatively low (13.3%), women representation almost doubled in the 2011 elections by reaching 32.2%. The Slovenian Women’s Lobby was one of the main contributors to this achievement. A study made by this organization concluded that “the success of female and male candidates depends a great deal on how selective her or his constituency is”. The publication of this study prior to the elections contributed to increase the awareness on women candidates on choosing the right electoral district to compete so as to improve their chances to succeed.

As a result, the Slovenian parties presented candidates’ lists with a women share of 41.7% that resulted in 32.2% of women elected in the 2011 elections. This percentage increased to 34.4% during the same parliamentary mandate owing to internal party dynamics inside the parliament.

Slovenia has almost achieved its gender equality goals as stipulated in the Electoral Act of its National Assembly, setting the deadline for the full implementation of the quota in the second periodical

elections in the row after the quota has legally come into force.<sup>66</sup> The gender quota has positively influenced the quality and quantity of women’s political representation. In the period 2004 – 2014 the percentage of women in politics at the central and local level has doubled. Some of the elements that have contributed to the success of the gender quota include the terms used to define quota – for example “equitable gender representation” instead of “women’s representation”; another element is related to the considerable impact of the sanctions applied to the political parties in the case they did not fulfil the legal quotas in the three levels of the country’s government.<sup>67</sup>

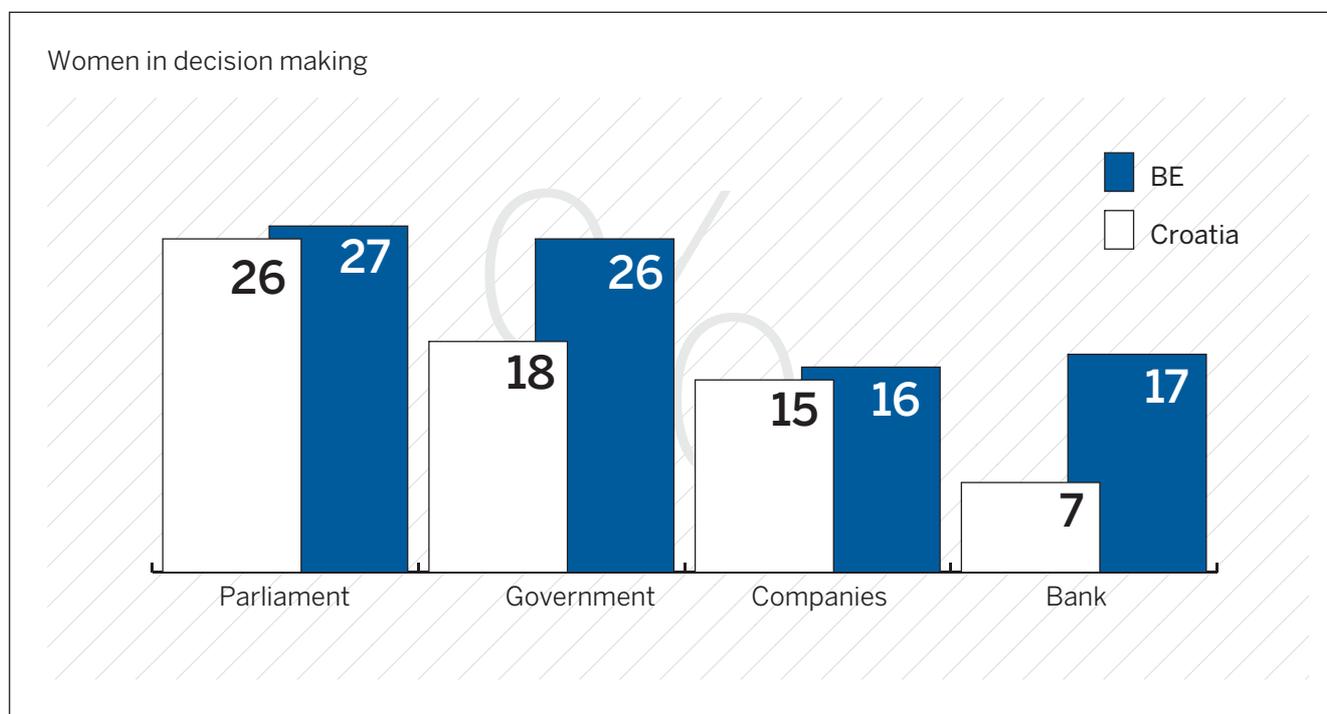
It should be noted, however, that the application of gender quota did not put an end to the gender gaps of Croatia and Slovenia. The formal gender equality mechanisms need to be supplemented with political resolve, awareness and external pressure so as to pave the way for equal opportunities for all. In Slovenia, the Women’s Lobby organized a highly successful campaign in the year 2010, with the slogan 50/50, aimed at “putting organized pressure on high-level party officials to increase women’s participation as candidates in the local elections<sup>68</sup>”.

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66 Ples, Tanja, Nahtigal, Klara & Ples, Angela, Women in Politics in Slovenia July 2013, Institute for Social Creativity, July 2013. Online: [http://www.millennia2015.org/files/files/Publications/ISC\\_women\\_politics\\_slovenia.pdf](http://www.millennia2015.org/files/files/Publications/ISC_women_politics_slovenia.pdf)

67 European Commission, Women in Political Decision-Making, Discussion Paper, June 2016. Online: [http://ec.europa.eu/justice/genderequality/files/exchange\\_of\\_good\\_practice\\_si\\_si\\_discussion\\_paper\\_si\\_2016\\_en.pdf](http://ec.europa.eu/justice/genderequality/files/exchange_of_good_practice_si_si_discussion_paper_si_2016_en.pdf)

68 Ples, Tanja, Nahtigal, Klara & Ples, Angela, Women in Politics in Slovenia July 2013, Institute for Social Creativity, July 2013. Online: [http://www.millennia2015.org/files/files/Publications/ISC\\_women\\_politics\\_slovenia.pdf](http://www.millennia2015.org/files/files/Publications/ISC_women_politics_slovenia.pdf)



Slovenia's Act on Equal Opportunities obliges the registered political parties to approve every fourth year an action plan that also stipulates their stand on the balanced gender representation. In line with this stand, the parties are obliged to lay out the measures and methods to be used to advance a fair and equal representation of women and men within the party structures, in the candidates' lists for local, parliamentary and presidential elections.

It should be however noted, that the application of gender quota is not sufficient, neither in Croatia nor in Slovenia. Quotas are effective only if there is a sufficient political will, awareness, external pressure aimed at attaining equal opportunities for both sexes. In one of these countries, a successful campaign was organized from the women lobby, with the name "50-50",

conceived as "an organized type of pressure applied on the parties' leadership during the electoral campaign, to increase women participation and to improve their chances to run as candidates in local elections".<sup>69</sup>

With regard to the functioning of the political parties, the Equal Opportunities Act provides that registered political parties have to approve every fourth year a plan that should include a clear position on the issue of balanced gender representation and should lay out the methods and measures for promoting it inside the party structures, in the lists of candidates, and in presidential elections.

<sup>69</sup> Ples, Tanja, Nahtigal, Klara & Ples, Angela, Women in Politics in Slovenia July 2013, Institute for Social Creativity, July 2013. On-line: [http://www.millennia2015.org/files/files/Publications/ISC\\_women\\_politics\\_slovenia.pdf](http://www.millennia2015.org/files/files/Publications/ISC_women_politics_slovenia.pdf)



# standards of representation in political parties

