

STATEMENT *

After the conclusion of the legal text of the Electoral Reform, time to pay attention to the institutional condition in the country

After the common political will has been materialized in the legal text of amendments to the Electoral Code, in fulfillment of the June 5 Political Agreement, and after this legal text has been submitted two days ago the Parliamentary Committee for Legal Affairs, KRIIK, after being engaged in monitoring for more than 16 months publishes today, besides this Statement, also the [Report “Legal and institutional behavior of institutions and other stakeholders involved in the 30 June 2019 electoral process”](#).

This Document comes in the spirit of a post-electoral audit of the procedural and institutional behavior, which KRIIK has advocated for as an important instrument in guaranteeing electoral integrity.

After following the political and institutional situation that preceded, accompanied and brought forth the June 30 process, in KRIIK’s perceptive, this experience of elections, *de facto* without contestants, was followed as a experimental experience in analyzing the legal and institutional capacity to hold elections with integrity, to the extent it was made possible.

The June 30 experience marked one of the lowest precedents of electoral experience of the country and, at the same time, *was the conclusion of the whole problematic to date in the democratic project* of the country.

Because the process was held in absence of the electoral result, the only challenge remained the procedural progress. Thus, KRIIK observed beyond the typical methodology of election observation, the whole so called procedural “red tape” of the process.

In conclusion of the whole and referring to the findings of the Report, this experience defined that **every circumstance of the legal and institutional reality is submissive to the will of the political establishment.**

This experience testified **throughout the whole state mechanism, an institutional and law enforcement behavior in function of the bipartisan dynamics.**

It is assessed that June 30, 2019 undid the whole investment of domestic and foreign stakeholders, political and civil, for a legal and institutional reality that can undertake legal and with integrity processes.

The political agreement of June 5, 2020 was an achievement, but not in relation to the expectations from a 30 years’ old democracy.

It is a positive step in the context of continuous political crises and risk of failure of major reforms but must in no way stop here.

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Through this Document, KRIIK, with its experience of election and reformation monitoring, uses this moment of first success for political agreement, **to bring into the attention of the responsible stakeholders a problematic as important, the institutional situation in the country.**

In KRIIK's consideration, this **situation of the legal and institutional capabilities is a direct responsibility of the whole political establishment and** burdens the lives of Albanian citizens.

As such, there is a need to extend this **political agreement for a major and integral reformation of the mechanism**, as a challenge apart, beyond the next elections.

This reform can in no way be thought as shallow and short-sighted, but there is a need for a long-term, well-thought, and radical process.

In KRIIK's expertise, **this reform must undertake radical measures** starting with an indispensable transparency of institutions, to the re-dimensioning of the electoral administration.

The re-dimensioning process must not only bring forth the establishment of a non-political administration, but up to a reality in which **the burden of proof in electoral justice is passed on the administration itself.**

The election official or the state official involved in electoral matters, as representative or employee of the relevant institutions, **must become the guarantor and take responsibility to ensure integrity** of electoral processes.

As a conclusion, it is brought into attention that, in function of the amendments that are expected to be adopted, very soon the members of the CEC in the three new structures will be nominated.

KRIIK urges **all political and decision-making stakeholders**, to keep in mind the continuously criticizable behavior of the members of the CEC bodies, and even the experience to date of law enforcement and institutional integrity brought to the attention of the public opinion also through this 16 months Monitoring Report, so that **an equal process of selection and filtration, with rigorous evaluation criteria vis-a-vis professional and personal integrity in relation to laws and institutions is built.**

Tirana, 3 July 2020!

**** This Statement is published in Albanian and in English.
The Albanian version is the only official document.***

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