

STATEMENT *

The failure of the Electoral Reform Committee, an alarm bell for the upcoming elections and other reform processes necessary for the country

Yesterday marked six months since the start of the activity of the Ad Hoc Parliamentary Committee for the Electoral Reform¹. This Committee was established by the Assembly of Albania on February 10, 2022, its membership was completed 4 months later on June 9, 2022, and the first session for its constitution that took place on June 17 was also its last, de facto marking its conclusion² without even starting the activity.

Despite the declarations and commitments made during the only meeting held, from then until today there was no reaction from any of the members of the Committee or the political parties represented there, continuing to leave it in silence, and marking its political failure.

This failure of the work of this Committee, is not the first in the history of the operation of the Ad Hoc Committees established after the adoption of the Constitution, but in relation to the context found, and the immediate needs that are presented, the political commitments undertaken, the political behavior shown and the progress of the entire process, constitutes **an absurd moment, shallow and quite disturbing for the highest institution of the country**, the Assembly of Albania.

The Albanian state, at the Istanbul Summit of 1999, committed to "immediately implement the evaluations and recommendations of ODIHR for the elections"³.

The non-fulfillment of this obligation together with the failure to carry out the responsibilities assigned by the Constitution and the law in front of the citizens and the country, as well as not keeping political and institutional commitments to international and domestic stakeholders, charges the entire political class in the country with responsibility, **directly to the parliamentary political factor and, in particular the socialist majority, which is**

¹ [Decision No. 12/2022 date 10.02.2022](#) of the Assembly of Albania "For the establishment of the Ad Hoc Parliamentary Committee for the electoral reform".

² Until today, none of the obligations defined by the Assembly in the decision to establish it, as well as none of the commitments declared by the Co-Chairs of the Commission during its only meeting, have been addressed. For more see [the video recording of this meeting](#), as the minutes of the session have not yet been published on the official website of the Parliament of Albania.

[The regulation of the Assembly of the Republic of Albania](#), updated, in article 121/1 "Calculation of deadlines", point 4, determines that the periods outside the parliamentary session are not counted, except when the issue is included in the agenda of the extraordinary session. Since the second parliamentary session ended on July 29, 2022, the remaining 10 days according to the 6-month calendar period, is postponed to the third parliamentary session that begins on September 5, 2022. Meanwhile, according to [Decision no. 16, dated 4.7.2022 of the Conference of Speakers](#) "For the approval of the issues discussed at the meeting of the Conference of Speakers held on 4.7.2022", in addition to the approval of the work program of the Assembly until 29.07.2022, was also received the decision to extend the term of the activity of the Special Parliamentary Commission for Administrative-Territorial Reform, this Commission set up with the same political initiative, but with a 6-month duration and on the same day as the Special Parliamentary Commission for Electoral Reform. There was no official initiative to extend the deadline of the latter, not even as a public statement by any of the deputies or political parties.

³ "25. We re-confirm our obligation to conduct free and fair elections in accordance with OSCE commitments, in particular the 1990 Copenhagen Document. ..."

We agree to immediately follow ODIHR's assessments and recommendations on the elections. ...". [Istanbul document, "Charter for European security: III. Our Common Response", November 19, 1999](#), paragraph 25.

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allowing the unprecedented denaturing of the normal functioning of the country's Parliament⁴.

The main merit of the 2021 Parliamentary Elections, despite the serious problems that were noted, lies precisely in the fact of returning to the institutional bed of communication and political dialogue, after the prolonged political crisis of 2017-2020, which culminated in 2019 with the exit of the opposition from the parliament, its abandonment of the local elections of that year and all the other institutional and political impasses that preceded or followed it.

Before the current Legislature of the Assembly of Albania, major political and constitutional responsibilities are laid and expected to be developed, returning to normality the functioning of the state and our democratic system, properly functionalizing it, as well as encouraging, enlivening, and institutionalizing the necessary political dialogue to address the major challenges that faces the country and undertake meaningful and appropriate reforms.

Such an approach seems to be lacking, **as long as the Albanian MPs are reluctant to accept the power and play their role given by the Constitution of the Republic,** that they represent in the Parliament the delegated will of the sovereign and are there to protect and further develop only the interests of the citizens and the future of the country. **Blindly behaving and reacting according to and in function of the narrow interests of the political parties** that have nominated them for election, or of their leadership, it is neither constitutional, nor legal, neither democratic nor moral.

All the political crises produced by the political class, but also the crises and institutional deadlocks produced again by it, or even the deliberate failure to develop a real process in the reforms that need to be undertaken, weigh on the **Albanian citizens** and their future.

Also, all the electoral processes, through which the political governing power is legitimized, and especially the last three, **have damaged and continue to burden only the citizens, their constitutional rights, and freedoms,** despite the propaganda, commitments and promises made on their behalf and in their interest.

Through a Public Statement, published on June 11, 2022, the Coalition for Reforms, Integration, and Consolidated Institutions (KRIIK) raised concern, precisely for the lack of this **serious and true commitment in addressing the key issues to ensure the integrity of the vote and of the electoral process.** In fact, in this document⁵, KRIIK also listed some concerns and provided recommendations that it deems need to be undertaken to minimize the issues observed previously and enable the improvement of standards for the upcoming local elections of spring 2023.

The intentional failure of the Committee seems to be in continuity of the tendency to **undo the aspirations of the Political Agreement of June 5, 2020,** avoid public and institutional discussion of the serious issues that affect the free vote and the integrity of the elections, as well as **maintaining the status quo in Albanian democracy,** therefore the same standards and expectations will be offered to Albanian citizens in the next local elections.

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⁴ "10. Emphasizes the need for the Assembly of Albania to increase its involvement in the European integration process by improving the implementation of its legislative, oversight and budgeting powers; urges the Assembly to make further progress in the electoral and territorial reforms and welcomes the establishment of the relevant parliamentary Committees. ..." . [Resolution of the European Parliament of May 19, 2022 on the 2021 Report of the European Commission for Albania. \(2021/2244\(INI\)\)](#), paragraph 10.

⁵ KRIIK, Public Stance, ["The MPs and the Assembly of Albania must fulfill their responsibilities for starting work and realizing a real Electoral Reform, based on the principles of transparency and inclusiveness"](#), published on June 11, 2022.

Not addressing a number of issues related to the problems observed by the implementation and legal practice followed in the past parliamentary elections, and the by-election of March 6, 2022, on the direction of the vote, campaign finance, abuse of state resources, campaign in the media, including social media, third-party campaigning, etc., in KRIIK's judgment, in the upcoming election process **it seems that it will again provide an electoral advantage to the ruling socialist majority.**

Failure to follow the promised principles and commitments expressed for the introduction of preferential voting for local council candidates, the progress so far of the Ad Hoc Parliamentary Committee for the Administrative-Territorial Reform, as well as the failure to clearly declare whether or not will be applied in the local elections of 2023 the new administrative division, if there will be one agreed, **constitutes a disturbing approach of the majority and the parliamentary opposition in continuing to consider the Local Government only as an appendage or electoral extension of the central government.**

KRIIK brings to the attention of the ruling majority and the Socialist Party the joint opinion of the Venice Commission and ODIHR that " Democracy governed by the rule of law is not only about the formal adherence to procedures allowing the majority to govern, but also about deliberation and a meaningful exchange of views between the majority and the opposition. The Venice Commission and ODIHR urge the Albanian political forces – both in and outside parliament – to ensure the normal democratic functioning of the institutions in the country, in the interest of the Albanian people.⁶"

In these particularly important moments for the future of the country and democracy, in relation to regional and international challenges, it is imperative that **Albanian politics shows a high vision and discretion, abandoning as soon as possible the conflictual politics of minor, personal interests. and the propaganda of the day**, giving the right space and encouraging the normal legal and democratic functioning of mechanisms, institutions and all actors and factors in society in function of a vibrant and functional democracy.

Political parties need to deeply reflect on their constitutional and significant role in society, to produce a coherent, visionary policy in the best interests of the citizens and the democratic future of the country.

Only the development of such a policy based on democratic principles, standards and laws will enable facing the country's major challenges in the construction of the rule of law and the uncompromising fight against rampant corruption and organized crime.

KRIIK calls on the parliamentary political parties, in particular the political leadership of the majority and the Prime Minister to exercise and develop their political and institutional responsibilities to operationalize democracy in the country, undertake and make continuous efforts to develop and ensure a meaningful political dialogue, politically agreed visionary approaches and then concretize them in open reform processes in the Parliament, where meaningful and comprehensive participation of citizens and other actors with expertise is ensured.

Tirana, on 11.08.2022!

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

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⁶ Paragraph 34 of Opinion No. 1006/2020, CDL-AD (2020)036. Joint opinion "On changes to the constitution on 30 July 2020 and to the Electoral Code on 5 October 2020", dated 11.12.2020, European Commission for Democracy through Law (Venice Commission) and the OSCE Office for Democratic and Humanitarian Institutions Rights (OSCE/ODIHR).