



International Foundation
for Electoral Systems

Elections in Albania

2021 Parliamentary Elections

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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Frequently Asked Questions

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When is Election Day?

The Republic of Albania will hold elections for its Parliament on Sunday, April 25, 2021. Voting will take place from 7:00 a.m. to 7:00 p.m.¹ in 5,199 polling stations, or voting centers,² which will be staffed by 36,393 poll workers.³ Voters in detention or social welfare facilities will be able to vote in 20 special voting centers.⁴ Albanian law stipulates that all voters eligible to vote in these centers must have resided in their respective locations for at least three days, with a minimum of 15 eligible voters necessary to create such a voting center.⁵

Although the 2020 amendments to the Electoral Code of Albania⁶ are meant to improve out-of-country voting (OCV) practices, a delay in feedback and approval of the Central Election Commission's draft act for OCV rules and procedures⁷ will prohibit OCV during this election.

What is at stake in these elections?

The 2021 parliamentary elections are critical for Albania's European future due to the country's recent accession agreement with the European Union. A European Parliament report in 2021 noted that the elections will be essential for the consolidation and renewal of the country's democratic procedures and structures and for achieving a higher level of political stability.⁸ The elections will be held under the 2020 amendments to the Electoral Code, most notably the introduction of electronic voter identification and the pilot of electronic voting and counting in one voting center. The 2020 amendments also introduced new provisions for security in voting centers and a gender quota of 30 percent for candidate lists, and they provide for greater transparency of election financing and the use of public funds for election campaigns.

The political environment in Albania has been tense for a prolonged period, with the ruling Socialist Party (SP) and main opposition Democratic Party (DP) at the forefront of politics in the country. Deep polarization in the previously elected Parliament culminated in the departure of opposition members in February 2019 due to claims of voter fraud and vote buying in the 2017 elections and high-level corruption in the government. The introduction of electoral reform in 2020 was designed to build trust between parties and improve perceptions of electoral integrity. However, the April 25 elections will highlight divisions, as the SP and DP continue to debate the 2020 electoral reform and other questions,

¹ Electoral Code of Albania, Article 11.

² Central Election Commission of Albania. http://kqz.gov.al/CEC_STRUKTURA/struktura.htm

³ Each of the 5,199 voting centers is required to have seven members.

⁴ Central Election Commission Decision, December 5, 2020. <http://kqz.gov.al/wp-content/uploads/2020/12/UDHEZI2.pdf>

⁵ Electoral Code of Albania, Article 62(2).

⁶ The Electoral Code of Albania is stipulated in Law No. 10019 dated December 29, 2008, as amended most recently by laws No. 101/2020 and No. 118/2020.

⁷ The Central Election Commission (CEC) set up a working group to assess the possibility of voting from abroad. The CEC drafted a matrix of seven acts, three to be approved by the Regulatory Commission and four by the State Election Commissioner, as well as a calendar of deadlines that must be respected for out-of-country voters. The draft act was sent for consultation by representatives of political parties, the Albanian diaspora and the media. The CEC is waiting for their feedback, but it will not arrive in time to meet deadlines.

⁸ Report on the 2019–2020 Commission Reports on Albania, European Parliament, March 10, 2021.

including high levels of emigration, government corruption, unemployment and political interference with the media.

What is the electoral system?

The Parliament of Albania is a unicameral legislative body with 140 seats.⁹ Its members are elected once every four years through a regional proportional system in 12 constituencies, the boundaries of which coincide with the administrative division of municipalities as outlined in the Constitution. The national threshold to receive a distribution of mandates is 1 percent, a decrease from 3 percent in the last elections, as a result of the 2020 reform process.¹⁰ Criteria and rules for implementation of the proportional electoral system, determination of electoral zones within constituencies and the number of seats to be obtained in each electoral zone is set in the Electoral Code of Albania.

The amendments to the Electoral Code in October 2020 introduced a preferential voting system featuring candidate lists. However, despite the fact that voters now have preferential voting rights, candidates are elected based on a formula that includes consideration of a gender quota that affects the order of those candidates in their parties' lists according to the preferential votes collected.¹¹

Who is eligible to run as a candidate and how many candidates are there?

According to the Constitution of Albania, every citizen who has reached the age of 18, even on Election Day, has the right to stand for election, with the exception of those declared unfit by a final court decision or those serving a prison sentence.¹²

For the elections on April 25, 2021, political parties and independent candidates were required to register with the Central Election Commission (CEC) as electoral subjects no later than 70 days before Election Day¹³ (February 14) and coalitions no later than 60 days before Election Day¹⁴ (February 24). Candidate lists were submitted to the CEC no later than 50 days before Election Day¹⁵ (March 5). All candidate lists must comply with a 30 percent gender quota, as laid out in the 2020 amendments. Lists

⁹ Constitution of Albania, Article 64.

¹⁰ Electoral Code of Albania, Article 162, as amended by Law 118/2020.

¹¹ Article 21 of Law 118/2020 (amendment to Electoral Code of Albania). The national quotient is set at 10,000 votes (based on the number of total valid votes in the 2017 elections divided by 140 deputies). The quotient in each electoral zone is calculated based on the number of votes each electoral subject will receive divided by the mandates won by that electoral subject. The list of candidates is compiled by the head of each political party. A candidate who is not on the secured list can disrupt the order of this list if he or she receives more votes than the quotient of that party but, in any case, no more than 10,000 votes. The distribution of mandates is based on the order of candidates in the list submitted by each electoral subject. For example, in an electoral zone with five mandates, if a political party wins three mandates, and its quotient is 9,000 votes, then the candidate listed fourth can disrupt the list if she or he won more than 9,000 votes and the third-listed candidate won fewer than 9,000 votes. However, if the third-listed candidate is female and the gender quota must be met, she remains at the original rank. In this case, the fourth-listed candidate will replace the second-listed candidate under the conditions noted above.

¹² Constitution of Albania, Article 45.

¹³ Electoral Code of Albania, Articles 64 and 69.

¹⁴ Electoral Code of Albania, Article 65.

¹⁵ Electoral Code of Albania, Article 67.

are required to obtain 5,000 citizen signatures if the registering party is not currently represented in the parliament, and 7,000 signatures if the electoral coalition is not in Parliament.¹⁶ This applies to all members of the coalition but does not apply when participating parties hold a number of seats that is fewer than the number of parties in the coalition.¹⁷ Independent candidates must collect signatures equal to at least 1 percent of the voters in a given constituency, but no more than 3,000.¹⁸

The CEC has registered 1,841 candidates for deputies in the Albanian Parliament, of whom all but five are represented on the 12 registered candidate lists submitted by political parties or coalitions. The remaining five are independent candidates.¹⁹

Who is eligible to vote, and how many registered voters are there?

According to the Constitution of Albania, every Albanian citizen who has reached the age of 18, even on Election Day, has the right to vote, with the exception of those declared unfit by a final court decision or who are serving a prison sentence.²⁰ There are 3,588,869 registered voters for the 2021 parliamentary elections²¹ (50.5 percent male and 49.5 percent female), including 107,024 first-time voters.²²

The voter list for each constituency is compiled based on the National Civil Status Register (NCSR), a passive registration system. The General Directorate of Civil Status instructed local civil status offices to extract the voter list from the register no later than five days after the announcement of the upcoming Election Day (by September 11, 2020). Voter lists were required to be completed no later than 15 days from the announcement of Election Day²³ (September 21). Within 60 days of the compilation of the voter list (by November 20), the mayor of each municipality issued a written notice for voters to review the relevant voter lists and designated voting centers.²⁴ Voters were able to submit complaints to the NCSR in their constituencies no later than 60 days before Election Day (February 24, 2021.)²⁵ The final lists were sent to Electoral Administration Zone Commissions no later than 35 days prior to the elections (March 21) and posted in each voting center. No changes can be made to voter lists within 40 days of Election Day (for the upcoming election, March 16).

What is the legal framework for conducting the elections?

The legal framework for conducting elections is stipulated by the Constitution of Albania, Electoral Code of Albania (dated December 29, 2008) and the amendments adopted in 2020. Several sublaws derive

¹⁶ Electoral Code of Albania, Article 68.

¹⁷ *Ibid.*

¹⁸ Electoral Code of Albania, Article 69.

¹⁹ The Central Election Commission certified the number of candidates after reviewing the submitted lists in compliance with the law. The completed submitted lists can be found at <http://kqz.gov.al/wp-content/uploads/2021/03/Regjistri-parti-koalicion-e-2021.pdf>

²⁰ Constitution of Albania, Article 45.

²¹ Central Election Commission of Albania. http://kqz.gov.al/CEC_STRUKTURA/struktura.htm

²² Ministry of the Interior. <https://mb.gov.al/2021/03/17/publikohet-lista-perfundimtare-e-zgjedhesve-per-zgjedhjet-per-kuvendin-e-shqiperise-25-prill-2021/>

²³ Electoral Code of Albania, Article 51.

²⁴ Electoral Code of Albania, Article 52.

²⁵ Electoral Code of Albania, Articles 54 and 55.

from this framework, including numerous decisions and orders issued by the Central Election Commission in its role as the national election management body.

What are the campaign timeline and the expenditure and donation limits?

The campaign officially begins 30 days before Election Day, in this case, on March 26, 2021.²⁶

The 2020 electoral reforms amended expenditure and donation limits. Electoral candidates may receive funds for their campaigns from the state budget, membership dues, donations from individuals and registered legal entities in Albania,²⁷ which also includes Albania citizens residing outside the country,²⁸ or via loans and credits.²⁹ The expenditure limit for any campaign cannot exceed three times the amount that the same campaign receives from the state.³⁰

The donation limit for any individual or legal entity given to an electoral subject, including its candidates, is ALL 1,000,000 (USD 9,680) or its equivalent in goods or services.³¹ Exceptions apply when individuals or legal entities making contributions received public contracts or concessions in the last three years valued in excess of ALL 1,000,000 or have been partners in such contracts, when in debt to public institutions or the state budget or when the donor engages in media activity. In addition, natural persons or legal entities donating any amount to any electoral subject are exempted from public contracts, public-private partnership contracts or any other funds with a total value exceeding ALL 1,000,000 for a period of three years after the elections. Every electoral subject or candidate must make public any donation over ALL 50,000 (USD 470) from any natural and legal person.

What is the election management body? What are its powers?

The Central Election Commission (CEC) is the body responsible for the organization and administration of elections and referendums. The CEC directs and supervises the activity of the election administration and monitors the activity of electoral subjects, state bodies and institutions and the media in relation to the elections. It also resolves administrative requests or complaints related to the electoral process.³² The governing bodies of the CEC are the State Election Commissioner, Regulatory Commission and Appeals and Sanctions Commission.³³

The State Election Commissioner exercises executive powers, directs the CEC's administration and represents the CEC in relations with third parties. The commissioner is elected to a seven-year term by at least three-fifths of members of Parliament. The Regulatory Commission approves normative acts and

²⁶ Electoral Code of Albania, Article 77.

²⁷ The Electoral Code describes these donations as "gifts."

²⁸ Electoral Code of Albania, Article 92(1).

²⁹ Electoral Code of Albania, Articles 86-88.

³⁰ Electoral Code of Albania, Article 92(2).

³¹ Electoral Code of Albania, Article 92(1).

³² Electoral Code of Albania, Article 12, as amended by Articles 7 and 4 of the June 2020 reforms, respectively.

³³ *Ibid.*

the establishment of rules and procedures for elections. The Complaints and Sanctions Commission reviews administrative complaints and imposes sanctions for violations of electoral law.³⁴

In addition to the CEC, there are two groups of lower-level election management bodies — the Electoral Administration Zone Commissions (CEAZs) and Voting Center Commissions (VCCs). CEAZs are established for each Electoral Administration Zone (EAZ) no later than 90 days prior to an election (in this case, December 25, 2020).³⁵ Each of the 92 CEAZs is led by seven members proposed by electoral subjects and selected by the CEC.³⁶ CEAZs are responsible for the administration of elections in their respective EAZs, including preparing and approving the aggregate results of the EAZ at designated Ballot Counting Centers (BCCs).³⁷ VCCs are responsible for the administration of elections at all voting centers. They are led by seven members selected by the CEAZ.³⁸

BCCs are established in accordance with the CEAZ jurisdictions and are designated by the CEC no later than 40 days before Election Day (March 15, 2021).³⁹ No later than five days before Election Day, CEAZs invite electoral subjects and VCCs to inspect the BCCs.

How is the election management body protecting the elections and voters from COVID-19?

The Central Election Commission (CEC) has taken measures that ensure each Voting Center Commission, Electoral Administration Zone Commission and Ballot Counting Center is provided with a COVID-19 protective equipment box equipped with sanitizer, disinfectants, masks and gloves in accordance with regulations set out by the Institute of Public Health.⁴⁰ For the protection of voters, the voting centers will be equipped with disinfectant, sanitizer and spare masks in case voters do not bring masks with them. They will be instructed to maintain a distance of 1.5 meters from others while on voting center premises. The Organization for Security and Co-operation in Europe has issued Electoral Administration Zone Commissions and Ballot Counting Centers protective equipment, sanitary materials and public awareness posters on COVID-19 protection.⁴¹

³⁴ *Ibid.*

³⁵ Electoral Code of Albania, Article 27.

³⁶ Electoral Code of Albania, Article 29. The procedure to select members of the Electoral Administration Zone Commission (CEAZ) are as follows: 1) two members are proposed by the main party of the parliamentary majority, two by the main party of the parliamentary opposition, one by the second party of the majority and one by the second party of the opposition. If political balance is not reached in accordance with this arrangement, the group in question shall be compensated with the candidacies of the main party until a political balance between the majority and opposition is reached; 2) in half of the CEAZs, the seventh member shall be proposed by the largest party of the parliamentary majority, while in the other half this member shall be proposed by the largest party of the opposition, based on certain criteria.

³⁷ Electoral Code of Albania, Articles 28-35.

³⁸ Electoral Code of Albania, Articles 36-43.

³⁹ Electoral Code of Albania, Article 94.

⁴⁰ While no guideline or order was issued regarding COVID-19 mitigation measures, the Central Election Commission issued a decision on the organization and administration of Electoral Administration Zone Commissions, which included COVID-19 protocols. http://kqz.gov.al/wp-content/uploads/2021/03/Vendim_Nr.008_210304_Per-miratimin-e-udhezuesit-per-organizimin-dhe-administrimin-e-procesit-zgjedhor-ne-Zonen-e-Administrimit-Zgjedhor.pdf

⁴¹ State Election Commissioner Ilirjan Celibashi

What is the election management body doing to strengthen its technology and procedures to resist vulnerabilities and counter foreign interference?

The Central Election Commission (CEC) has adopted decisions and is preparing by-laws with well-defined procedures for receiving, submitting and controlling electoral information on electronic devices to protect their integrity, as well as for processing and controlling election data and information for each device respectively.⁴² Information technology devices and equipment are set to offline mode so they cannot be accessed or controlled by anyone outside the network. The only persons who will have access to the equipment and information processing are employees appointed by the CEC and specialists from the contracting operator, Smartmatic. As the system will be in an offline mode, the CEC staff responsible for it will remain onsite to ensure integrity.

To address concerns about disinformation, the CEC, State Election Commissioner, People's Advocate and civil society representatives organized a stakeholder discussion focused on hate speech, misinformation and the election campaign's Code of Conduct. The State Election Commissioner also called on electoral subjects to show restraint and prudence during the campaign and in disseminating electoral messages.⁴³

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The Constitution of Albania and laws deriving from it protect the rights of citizens, including women, persons with disabilities and other marginalized groups. The third chapter of the Constitution addresses political rights and freedoms. These rights include active and passive voting rights (the right to vote and stand for election). Article 3 of the Electoral Code provides for the right to vote for every eligible Albanian citizen regardless of race, ethnicity, gender, language, political conviction, religion, physical ability or economic status.⁴⁴ The Central Election Commission (CEC) provides voter information in languages common among ethnic minorities and develops materials for other marginalized groups, such as persons with disabilities.

New amendments to Article 2 of the Electoral Code make stipulations for the “under-represented gender,” which is the gender that traditionally has the fewest members in the Assembly or in local councils at the national level, to comprise at least 30 percent of members of Parliament. This quota also extends to all levels of the election administration. However, no quota or separate threshold is stipulated for national minorities.

⁴² Interlocutor interview with the Central Election Commission.

⁴³ See http://kqz.gov.al/wp-content/uploads/2021/01/210125_Celibashi_Gajda_rekomandime_te_perbashketa_per_fushaten_zgjedhore-1.pdf and <http://kqz.gov.al/2021/01/25/celibashi-gajda-partite-politike-dhe-kandidatet-te-mos-perdorin-gjuhe-urrejtjeje-dhe-diskriminuese-gjate-fushates-zgjedhore/>

⁴⁴ Electoral Code of Albania, Article 3.

Voters with disabilities are able to receive voting assistance on Election Day from a designated family member or another voter at the voting center.⁴⁵ Voting centers must ensure accessibility for persons with disabilities; where this is not possible, municipal mayors must appoint support personnel or provide equipment to enable accessibility. The Electoral Code also requires the CEC to provide special voting devices at voting centers with registered voters who are blind or have low vision, enabling them to cast their ballots independently.⁴⁶ The CEC also produced a short video for voters with disabilities.⁴⁷

Who can observe during Election Day? How can they get accreditation?

Article 6 of the Electoral Code gives any electoral subject registered with the Central Election Commission (CEC) the right to appoint one observer to the Voting Center Commission, Electoral Administration Zone Commission and Ballot Counting Center after the registration of the candidate or candidates for the relevant electoral zone, or after a candidate list is submitted.⁴⁸

On February 2, 2021, the State Election Commissioner approved guidelines to accredit observers from nongovernmental and foreign organizations, international organizations, representatives of foreign countries, the media and electoral subjects.⁴⁹ Any Albanian or foreign nongovernmental organization, other international organization, representatives of a foreign country or the media must submit to the CEC required documents and comply with CEC specifications. Albanian entities that seek to observe the elections must submit their requests and documentation no later than 15 days before Election Day (in this case, April 10). The CEC approves the requests of Albanian observers no later than five days after submission. Foreign entities must submit their applications and documentation no later than three days before Election Day (April 22). The CEC approves those requests within 24 hours of submission. The CEC authorizes long-term observers to observe the process from the moment of accreditation until the publication of the final election results. Short-term observers are authorized to observe the process from 72 hours before Election Day until vote counting is final.

The list of registered observers as of April 19, 2021, consists of 243 long-term observers, 1,764 short-term observers and 1,076 media observers.⁵⁰ Of the 58 registered organizations, three are foreign, including the Organization for Security and Co-operation in Europe/Office of Democratic Institutions and Human Rights mission.

Who is managing security on Election Day?

The State Police will manage physical security at all voting centers. To protect electronic system security, this election will employ the new Electronic Voter Identification System (EVIS) for the first time, and

⁴⁵ Electoral Code of Albania, Article 108.

⁴⁶ *Ibid.*

⁴⁷ The video is available at <https://www.youtube.com/watch?v=0eXCLovJxF0>

⁴⁸ Electoral Code of Albania, Article 6.

⁴⁹ Central Election Commission. <http://kqz.gov.al/wp-content/uploads/2021/02/Udhezim-2-data-210202-Per-akreditimin-e-Vezhguesve.pdf>

⁵⁰ Central Election Commission, Transparency Program. <http://kqz.gov.al/programi-i-transparences/?lang=en>; interlocutor interview with the Central Election Commission.

Personal Electronic Identification (PEI) devices will be provided at each voting center. The EVIS and PEI systems were procured from Smartmatic, an international election technology firm. Management of EVIS and PEIs is the responsibility of the Central Election Commission (CEC) deputy commissioner and a designated project manager. In addition, CEC staff oversee the security of e-voting processes at the Voting Centers and Ballot Counting Centers.⁵¹

Where are vote counting and tabulation held?

Vote counting and tabulation will be conducted at Electoral Administration Zone Commission (CEAZ) designated Ballot Counting Centers (BCCs). Once voting centers close, voting materials are transported by State Police to BCCs within CEAZ jurisdictions, which is monitored by observers. Counting at those BCCs is conducted in front of observers and security cameras.⁵² Each CEAZ will then certify the results and transmit its aggregate table of election results electronically to the Central Election Commission (CEC). The CEAZs submit additional documentation to the CEC.⁵³

During these elections, electronic voting and counting will be piloted at a voting center in Tirana. The CEC is drafting guidelines for the e-vote pilot project, and results for this CEAZ will be aggregated at that voting center.

When will official results be announced?

The Electoral Code does not set a deadline for announcing results. However, each Electoral Administration Zone Commission (CEAZ) must send the aggregate table of election results to the Central Election Commission (CEC) no later than 10:00 p.m. the day after Election Day,⁵⁴ and the CEC must approve the aggregate tables no later than 48 hours after receipt of all aggregate tables from CEAZs.⁵⁵ The process will follow a two-step approach: votes for political parties are counted and a quotient is calculated so then votes for candidates are counted. The CEC estimates that it will take 48 hours from Election Day to publish the voting results for parties and coalitions, and then six to seven days to publish the list of candidate mandates.⁵⁶

In past parliamentary elections, announcement of official results has taken several weeks. For example, the June 25, 2017, elections were certified on July 26, and the June 23, 2013, elections were certified on August 6. This was mostly due to complaints filed to the CEC and the time required for adjudication.

How will election disputes be adjudicated?

Election disputes are covered in the Electoral Code. According to Part X, “Administrative Appeals of Election Commissions Decisions” (Articles 124–144) and Part XI, “Judicial Appeals of CEC Decisions and Invalidity of Elections” (Articles 145-159), electoral subjects and candidates have the legal right to

⁵¹ Interlocutor interview with the Central Election Commission.

⁵² Electoral Code of Albania, Articles 114, 115 and 121.

⁵³ Electoral Code of Albania, Article 122.

⁵⁴ *Ibid.*

⁵⁵ Electoral Code of Albania, Article 123.

⁵⁶ Interlocutor interview with the Central Election Commission.

appeal the official counts of the Electoral Administration Zone Commission, Ballot Counting Centers and Central Election Commission (CEC) and any other violations of their rights stipulated in the Electoral Code and its sublegal acts.⁵⁷ Complaints are filed first with the CEC, which must make a decision within 10 days of receipt regarding the table of election results and within two days for all other complaints.⁵⁸ Complainants can appeal CEC decisions to the Judicial Electoral College,⁵⁹ but the subsequent decision is final and cannot be appealed.⁶⁰

⁵⁷ Articles 124-150 of the Electoral Code of Albania provide procedures for complaints and appeals related to any irregularities or violations during the election period.

⁵⁸ Electoral Code of Albania, Article 143.

⁵⁹ Electoral Code of Albania, Article 145. The Judicial Electoral College sits in the Court of Appeals in Tirana and is the judicial body designated to handle election dispute appeals in the second instance.

⁶⁰ An appeal cannot be filed with the Constitutional Court which, by its decision of May 7, 2013, recused itself from examining electoral issues, waiving the obligation to ensure due process and constitutional rights.

Resources

- [Constitution of Albania](#)
- [Electoral Code of Albania](#)
- [Electoral Code Amendment 101/2020](#)
- [Electoral Code Amendment 118/2020](#)
- [Central Election Commission](#)
- [Organization for Security and Co-operation in Europe Needs Assessment Mission Report, Parliamentary Election in Albania, April 25, 2021](#)

About IFES in Albania

The International Foundation for Electoral Systems' (IFES) support to democratic development in Albania dates back to 1991, following the country's first post-Communist election. Under IFES' Regional Europe program, Albanian authorities participate in a number of activities designed to improve election administration and integrity. This includes building capacity in cybersecurity and elections and participation in a regional body designed to address key challenges to information integrity in the electoral process. IFES also provides assistance to Albanian oversight bodies to support anti-corruption efforts related to political finance oversight and election dispute resolution.

As part of a new project being implemented under the Consortium for Elections and Political Process Strengthening and the Center for International Private Enterprise, IFES is supporting the establishment of the United States-Albania Transparency Academy as a viable, independent body to assist the efforts of the government of Albania in counteracting corruption. This program aims to strengthen transparency and the rule of law nationwide and to rebuild Albanian citizens' confidence in their democracy. The academy will serve as a convening place for the public and private sectors, including youth and civil society, to exchange information and ideas on how to build governmental accountability, transparency and responsiveness to citizens.

Disclosure

These FAQs reflect decisions made by the Central Election Commission as of April 20, 2021, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

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