



AMERICAN JOURNAL OF INTERDISCIPLINARY RESEARCH AND INNOVATION (AJIRI)

ISSN: 2833-2237 (ONLINE)

VOLUME 1 ISSUE 3 (2022)



PUBLISHED BY: E-PALLI, DELAWARE, USA

Reflection on Albanian Legislation Related to the Resolution of Electoral Disputes and Its Approximate with International Practices and Standards

Andon Kume^{1*}

Article Information

Received: October 24, 2022

Accepted: November 10, 2022

Published: November 18, 2022

Keywords

Legislation, Electoral Dispute, Albanian, International Standards

ABSTRACT

Issues related to the Resolution of Electoral Disputes in the Albanian legislation began to be addressed only after the change of the government system, in the early 90s. The Constitution of the Republic of Albania, approved on November 28, 1998, created the necessary legislative basis for dealing with these issues in accordance with international legal standards. According to the Albanian legislation the Electoral Administration Zone Commissions and the Central Election Commission are responsibly the administrative review of complaints and appeals. The Electoral College as an ad hoc electoral court-has the responsibility to judge the electoral appeals. The Albanian legal framework related to the Resolution of Electoral Disputes is developed having as their main objective the respect of the standards that condition equality in the right to appeal, transparency and increased effectiveness in the administration and adjudication of complaints and appeals. International observers have evaluated positively the efforts and results achieved in the legislative process for the drafting of the legal framework for the administrative review and trial of electoral complaints and appeals in Albania. The developments in the Albanian electoral legislation for the Resolution of Electoral Disputes are guided by the recommendations given by the international observers of the OSCE/ODIHR and the standards set by the Venice Commission. The changes in the Albanian legislation for the Resolution of Electoral Disputes have as their main objective the respect of the standards that condition equality in the right to appeal, transparency and increased effectiveness in the administration and adjudication of complaints and appeals.

INTRODUCTION

The core of a democratic society is that each individual citizen can be involved in governance. Meanwhile, strong and independent justice sector protects fundamental rights, democratic principles and the rule of law (Ellena *et al.*, 2015). The essential condition for achieving this is the implementation of free and democratic elections. Elections should ensure free and equal reflection of people's will in formation of authorities. Kadagidze and Tskhakaia (2019) emphasize that: "Elections are a necessary requirement of democracy while at the same time there are certain risks and threats associated with the election process, which may hinder formation of effective democracy in the state. Under such circumstances, prevention of electoral disputes as well as transparent, timely and effective resolution of disputes that may arise, based on the principle of legality, is important (Kadagidze and Tskhakaia, 2019).

Equal opportunities for appeal and adjudication of electoral disputes for any interested party, political party, electoral subject and candidate are among the important conditions that must be guaranteed by electoral legislation (Kamali and Porshikhali 2019).

The opportunity to make a complaint or appeal is an important safeguard of election integrity. Some candidates and parties may refuse to accept defeat, and make unsubstantiated charges of fraud or tampering. Other candidates may have valid grounds and plausible evidence to justify a complaint. Election integrity requires that the election management body and the justice system

be willing to effectively address complaints without undue delay (Robert and Michael, 2011).

The appeals process and the adjudication of complaints are essential parts of a free and fair election (Ellena *et al.* 2015). The concept of electoral justice goes beyond simply enforcing the legal framework; it is also a factor in the overall design and conduct of all electoral processes, and influences the actions of the stakeholders within them (Kadagidze, N., & Tskhakaia, S. 2019). The legal system should ensure that the complaints system is transparent, understandable and free of unnecessary obstacles, particularly high cost. (OSCE/ODIHR, Denis Petit, 2000; Council of Europe 2020).

Transparency also needs to respect the need for confidentiality during investigation and internal decision making but to the extent possible the reporting on general progress is encouraged and most importantly the final adjudication should be fully public (IFES report, 2011). The judicial resolution of electoral disputes has become a fundamental feature of any electoral democracy, not only for those countries undergoing democratic transition and consolidation, but also for those countries whose democracies can be seen as both advanced and mature (Sharma, 2016).

LITERATURE REVIEW

The institutions responsible for settling complaints and hearing appeals differ according to each country's electoral and judicial system. They can be grouped into several models, among which the most frequent are:

¹ Faculty of Political Science and Law, Aleksander Moisiu University, Durrës, Albania

* Corresponding author's e-mail: andon.kume@gmail.com

(i) Judicial Court Model, also known as the English model. This model, provides ordinary judges of the Judicial Branch with the power to resolve electoral disputes. The model is based on the independence of the judiciary. As in England, this is the system prevailing in Canada where the ordinary jurisdiction is in charge of resolving electoral disputes. The electoral authority of the judiciary is combined with the functions of Elections Canada in organizing the elections and the corresponding Commissioner of Canada Elections.

(ii) Constitutional Courts Model or so-called Austrian model. The model is characterized by the existence of a constitutional tribunal empowered to solve judicial appeals in a definitive way. Sometimes, the Austrian system is combined with appeal systems either political or judicial, which sort out appeals *ex ante*. The Austrian model empowers a Constitutional Court to sort out electoral disputes. Both France in 1958 and Spain in 1978 empowered the Constitutional Council and the Constitutional Court to solve all the disputes derived from parliamentary elections in a definitive way. Besides, France empowered the Constitutional Council to solve appeals derived from presidential elections in a combined system which authorizes administrative courts to solve electoral disputes in a preliminary way. Germany provides a clear example of organization in which a political system and a judicial one are combined to solve electoral disputes. In Germany the Constitutional Court can review the parliamentary validation made on elections. It is also worth mentioning that many Central and Eastern European countries, such as Romania, have empowered Constitutional Courts to sort out electoral disputes.

(iii) Alternative Dispute Resolution (ADR) basically refers, "to any method that parties to a dispute might use to reach an agreement, short of formal adjudication through the courts" (Kovick, and Young, 2011). Alternative models for the resolution of electoral disputes have been successfully implemented in Cambodia, Bosnia and South Africa. In the early 90s, the political and economic system of Albania changed. The elections of 1991 and the elections of March 1992 changed the system of government from a dictatorship of the proletariat to a democratic system based on the free initiative and the free market, private property and the rule of law. This conditioned the commitment of the Albanian society for the construction of a new legislative framework, part of which is also the electoral legislation.

The drafting of legislation for Complaints and Appeals and the Resolution of Electoral Disputes should aim at meeting the standards of the Venice Commission in the Code of Good Practice for Electoral Matters and referring to international experiences such as Opinion no 957/2019 *Amicus Curia* for the European Court of Human Rights, in the case of *Mugemangongo v. Belgium* (Venice report, 2019). The purpose of this study is the analysis of the electoral legislation in Albania, drafted after the adoption of the Constitution, on November 28, 1998, relevant to the resolution of Electoral Disputes.

The analysis of the compliance of this legislation with the requirements and international standards that address issues of the right to appeal, administration and the judicial resolution of electoral disputes is the objective of this study.

Legislative Background

Article 1 of the Albanian Constitution stipulates that the system of government in Albania is based on free, equal, general and periodic elections. For the implementation of this constitutional provision, a whole legal corpus has been built, the main part of which is the Electoral Code. Referring to international documents and legislative experiences of countries with developed democracies, Albanian legislators have paid special attention, in the Electoral Code, in addressing issues related to complaints and Resolution of Electoral Disputes. The treatment of these issues is based on the constitutional provisions, which define as a constitutional principle the equality of all before the law.

In the Republic of Albania, legal power is exercised at three levels: the High Court, the courts of appeal and the courts of first instance, which are established by law. Article 135 of the Constitution stipulates that the Parliament may establish by law other courts for special areas but, in no case, extraordinary courts. The establishment of the Electoral College is also based on this constitutional provision, whose function is the judicial resolution of appeals against CEC decisions. The Electoral Code provides for the establishment of the Electoral College as a court for electoral issues.

The Constitution defines the Constitutional Court as an instance, which is outside the system of ordinary jurisdiction and which, among other things, examines judicially:

(i) Issues related to the eligibility and incompatibilities in the exercise of the functions of the

President of the Republic, of the deputies, of the functionaries of the bodies provided in the Constitution, as well as with the verification of their election.

(ii) The final adjudication of the complaints of individuals against any act of public authority or judicial decision infringing the fundamental rights and freedoms guaranteed by the Constitution, after all effective remedies for the protection of these rights have been exhausted, unless otherwise provided in the Constitution. Article 134 of the Constitution provides that the Constitutional Court is set in motion at the request of political parties, organizations or individuals.

The Constitution regulates the issue related to the principle of impartiality for judges. Article 130 states that "Being a judge of the Constitutional Court does not agree with any other political, state activity, as well as with professional activities that are exercised against payment, with the exception of those of teaching, academic and scientific, according to law." Meanwhile, for the judge of the High Court, article 136 stipulates that in this task can be elected citizens from the ranks of judges with at least 13 years of

experience in practicing the profession. One fifth of the judges in this court are selected from prominent lawyers with not less than 15 years of experience as lawyers, professors or law lecturers, senior lawyers in public administration or other areas of law. Candidates selected from the ranks of lawyers must have scientific degrees in law. For judges of courts of appeal and courts of first instance, the Constitution (Article 136/a) provides that in this capacity may be appointed by the High Judicial Council, judges who complete the School of Magistrates and who successfully pass the process of preliminary verification of their property and image, according to the law. The reform of the judicial system, which began with the amendments to the Constitution of Albania, made by law no. 76/2016, dated 22.07.2016, brought effects to the electoral court, as well. Such effects should be taken into account by lawmakers in decision-making processes for the Resolution of Electoral Disputes. The Constitutional legal framework above is an effective base for drafting legislation for the Resolution of Electoral Disputes, in accordance with the standards and principles set forth in international documents¹² and the OSCE commitments.

European Commission for Democracy through Law (Venice Commission) on Effective System of Appeal

The Code of Good Practice in Electoral Matters compiled by the Venice Commission (venice report, 2002), addresses issues related to the Resolution of Electoral Disputes in both institutional and procedural terms. This document states that the appeal body in electoral matters should be either an electoral commission or a court. Where the appeal body is a higher electoral commission, it must be able *ex officio* to rectify or set aside decisions taken by lower electoral commissions. The appeal body must have authority in particular over such matters as the right to vote, including electoral registers and eligibility, the validity of candidatures, proper observance of election campaign rules, the outcome of the elections and to annul elections where irregularities may have affected the outcome.

The code states that all candidates and all voters registered in the constituency concerned must be entitled to appeal. The procedure must be simple and devoid of formalism, in particular concerning the admissibility of appeals. The appeal procedure and, in particular, the powers and responsibilities of the various bodies should be clearly regulated by law, so as to avoid conflicts of jurisdiction (whether positive or negative). The problems related to election dispute resolution and the way these issues are handled in the legislation of different countries are elaborated in detail in Opinion no. 913/2018 of Venice commission¹⁴.

Albanian Legislation for The Resolution of Electoral Disputes

In the Albanian legislation, the resolution of electoral disputes is treated for the first time in law no. 7556, dated 4.2.1992. Such issue was treated only in two provisions,

article 49 and article 50. These provisions stipulated that the Central Election Commission (CEC) had the right and duty to administratively review appeals against the decisions of the (CEAZ). According to article 50, the decisions of the Central Election Commission could be appealed to the Supreme Court. The decisions of the Supreme Court were final, binding for enforcement without the right of appeal. Both of these bodies, CEC and Supreme Court, had to reviewed and make a decision on the complaint within 3 days¹⁵. With law no. 8055, dated 1.2.1996, with the amendment made to article 50, the Constitutional Court was charged to adjudicate appeals against CEC decisions.

The provisionos 140-144 of the Electoral Code approved by law no. 8609, dated 8.5.2000, dealt with the resolution of electoral disputes. According to these provisions, the decisions of the Polling Station Commission can be appealed within two days from their announcement to the (CEAZ) or, as the case may be, to the Local Government Electoral Commission (LGEC), which decide on the appeal within two days. The decision of the (CEAZ) or (LGEC) can be appealed within two days from its announcement in the district court of the location of the headquarters of the commission, which decides within three days. The decision of the district court can be appealed within three days to the appellate court, which decides within 5 days. The decision of the appellate court is final.

Decisions of the CEAZ or LGEC, with the exception of decisions related to appeals made to these commissions, can be appealed within two days of their announcement to the CEC, which decides on the appeal within two days. The Code stipulates that CEC decisions regarding the final results of parliamentary elections and referendums, as well as their invalidity, can be appealed to the Constitutional Court, while decisions regarding the final results of local elections and their invalidity are appealed to the Supreme Court. Other decisions of the CEC can be appealed to the Court of Appeals of Tirana.

The Electoral Code has also defined the right of the voter who is not registered in the voter lists to appeal to the district court. The analysis of the provisions of the Electoral Code approved by law no. 8609, dated 8.5.2000 highlights the fact that for the resolution of electoral disputes the Albanian legislation has given priority to their review by judicial body.

The amendments made to the Electoral Code by law no 9087 dated 19 June 2003, law 9341, dated 10.01.2005 and law no. 74/2012, dated 19.7.2012 devote a special place to issues related to the resolution of electoral disputes. Issues related to complaints and appeals are dealt with in detail. The procedural character of these provisions is emphasized. The Code provides for the administrative review of the electoral appeal and complaints as a task of the election commissions, the CEC and the CEAZ. Their decisions are appealable. For the judicial review of the electoral appeal, the Code provides the establishment of a special court–The Electoral College of the Court of

Appeals of Tirana.

This Electoral College shall consist of eight judges selected by a lottery conducted by the High Council of Justice. The Electoral Code elaborates the requirements for the composition of the Electoral College of the Court of Appeals of Tirana, the terms of office and the summoning of the Electoral College, criteria for exclusion of judges from the lottery, invalidity of secondment and immunity of the judges of the Electoral College. For the review of appeals the Electoral College must apply the procedures provided in the articles “Registration of the Appeal” and “Procedure for Reviewing the Appeal”. The code provides the Rights of the parties in the hearing and the time period for review of an appeal by the Electoral College. The decision of the Electoral College is final. No appeal or recourse against it can be made. Electoral Dispute Resolution (EDR) and Electoral Justice (EJ) needs utmost attention to ensure free, fair and credible elections to safeguard the rights of the people and give legitimacy to the overall electoral processes.

Considering that Electoral Dispute Resolution (EDR) and Electoral Justice (EJ) are important in ensuring free, fair and credible elections to protect human rights and give legitimacy to the overall process electoral (Elena *et al* 2010) from one side and the legislative process developed in Albania on this issue, on the other hand, can be asserted that the legislative body in Albania has made efforts to find solutions as effective as possible, well adapted to the characteristics of the Albanian society and aligned with the best international standards and experiences. Despite this, the practices of implementing the legislative solutions fixed in the Electoral Code have highlighted the need for intervention and their continuous improvement.

DISCUSSION

Evaluations and Recommendations Osce/Odihr Election Observation Missions

The OSCE/ODIHR International Observer Missions final reports on the elections held in the period 2013-2021, have provided assessments and recommendations for the electoral complaints system in Albania (OSCE report, 2021). OSCE/ODIHR International observers underline the need for legislative intervention to increase transparency and political independence for bodies responsible for Electoral Dispute Resolution.

The reconsideration of deadlines for filing and reviewing complaints is repeatedly emphasized in their final reports. Implementation of the Recommendations of the OSCE/ODIHR Election Observation Missions requests that Albanian legislative body should be engage with a view to: Elimination of the gaps and ambiguities from the legal framework. The amendments of the Electoral Code should aim to be better regulated the rights of electoral subjects for appeals, deadlines for the adjudication of complaints, and the jurisdiction of voter list and campaign-related complaints

The Constitutional Court should refrain from unduly refusing its jurisdiction to review Electoral College

decisions and parliament's decisions for violation of constitutional due process guarantees; expedited deadlines for filing and adjudication of election-related complaints in the Constitutional Court should be provided in the law. -All electoral complaints, including those investigated by the prosecutor offices, are to be completed in a timely manner so as to guarantee an effective remedy. Both the CEC and the Electoral College should ensure consistency in their decisions to provide for legal certainty.

Given the effects of the ongoing “vetting process”, the Final report for local election, 2019, OSCE/ODIHR Election Observation Mission emphases that all courts that have a competency in elections should be fully operational during the electoral periods. The independence and the impartiality of the Central Election Commission and the judiciary should be ensured.

Current Developments in the Albanian Legislation

The electoral reform carried out in the period January-June 2020 paid special attention to the regulation of the legal framework that deals with issues of Complaints, Appeals and Resolution of Electoral Disputes. Solutions were aimed to guarantee a transparent and independent trial process, real opportunities for appeal and their review, appropriate deadlines, normal functioning of all courts that have a competence in elections.

Law no 101/2020, dated 23.07.2020 provides for the Complaints and Sanctions Commission (CSC), as a collegial body in the composition of the CEC, to review administrative complaints. In accordance with Article 21, the CSC has the power to decide on the invalidation of elections in one or more polling stations, in one or more constituencies or throughout the country, as well as on the partial or complete rerun of elections; to review and resolve in an administrative way the complaints against the acts of the Commissioner, the complaints of the electoral subjects against the decisions of the CEAZs. CSC decisions can be appealed to the Electoral College. The amendments made by law no 101/2020 have significantly improved the procedures to be applied for appeals and their administrative and judicial review. The current law also provides for appeals from third parties such as domestic or foreign NGOs (article 124/1).

Article 138 also provides that “Every member has the right to request and the CEC is obliged to conduct the recount and/or the re-evaluation of certain votes within this procedure” during the examination of the election material on ongoing administrative investigation by the CEC. Referring to previous experiences, this is an important legal improvement for transparency in the process of administrative review of the complaint. The Electoral Code charges the Electoral College of the Tirana Court of Appeals with adjudicating appeals against CEC decisions. The establishment of this electoral court is done in accordance with the requirements and procedures set out in article 146, Law no 101/2020, dated 23.7.2020.

To guarantee independence in decision-making, Article 149 of the Electoral Code prohibits, the investigation

or disciplinary proceedings of a judge during the entire period when he/she also exercises the duty of a member of the Electoral College, removal from duty temporarily or permanently for disciplinary reasons, judicial organization or promotion, as well as the “insufficient” assessment regarding to professional skills of the judge and for ethic /commitment to the professional values of the judge. The recent changes made in the electoral legislation do not address issues related to the Constitutional Court. Such an approach was justified, by one hand, based on the fact that the Constitutional Court is currently in the process of re-establishment as a result of the effects of the “vetting process” and on the other hand because the formal procedures for reviewing cases by this Court are complex and the experience of involvement of this Court in electoral matters before 2003 has not been positive. Its review of electoral complaints and appeals overburdened this court in quantitative terms, undermining its effectiveness and reputation.

The actual Electoral Code provides for a comprehensive legal framework for the resolution of election disputes, with an elaborate administrative complaint procedure and due process guarantees. But the OSCE/ODIHR evaluate that the law does not clearly provide for handling complaints in lower-level commissions, which leaves ambiguity about which body is responsible for complaints on campaign violations or decisions taken by the VCCs. As a general rule, complaints can be lodged by the contestants whose legal interests are affected, within three days of their adoption. Meanwhile, it should be noted that the observers may only appeal their denial of accreditation, and voters are only eligible to lodge complaints concerning their inclusion in the voter list, contrary to good electoral practice.

CONCLUSIONS

Issues related to the Resolution of Electoral Disputes in the Albanian legislation began to be addressed only after the change of the government system, in the early 90s. The approval of the Constitution of the Republic of Albania, on November 28, 1998, also marks the beginning of the reform for the reflection in the Albanian electoral legislation of the requests related to the Resolution of Electoral Disputes in accordance with international legislative standards and experiences. For the Resolution of Electoral Disputes, the Albanian legislation provides for the administrative review of complaints and appeals by CEAZ and CEC and their judgment by the electoral court – the Electoral College. International observers have evaluated positively the efforts and results achieved in the legislative process for the drafting of the legal framework for the administrative review and trial of electoral complaints and appeals in Albania. The developments in the Albanian electoral legislation for the Resolution of Electoral Disputes are guided by the recommendations given by the international observers of the OSCE/ODIHR and the standards set by the Venice Commission. The changes in the Albanian legislation for

the Resolution of Electoral Disputes have as their main objective the respect of the standards that condition equality in the right to appeal, transparency and increased effectiveness in the administration and adjudication of complaints and appeals.

REFERENCE

- Ellena, K., Shein, E., & Vickery, C., (2015). Electoral justice/election dispute resolution Judicial independence & integrity. <https://www.ifes.org/issues/electoral-justice-election-dispute-resolution>
- Kovick, D., Young, J.H., (2011). Alternate Dispute Resolution Mechanisms” *In International Foundation for Electoral Systems. Guidelines for Understanding, Adjudicating, and Resolving Disputes in Elections (GUARDE)*. Edited by Chad Vickery (United States of America: IFES, 2011), 229 https://www.ifes.org/sites/default/files/migrate/guarde_final_publication_0.pdf
- Kadagidze, N., & Tskhakaia, S., (2019). Research Analysis of Electoral Dispute Resolution. Project “*Reform of the Electoral Practice in Georgia*”. Council of Europe. <https://www.coe.int/en/web/electoral-assistance/-/presentation-of-a-research-on-election-dispute-resolution-in-georgia>
- Kamali, Y., & Porshikhali, S., (2019). A Theoretical Analysis of Resolution Mechanisms of the Post-Electoral Disputes; with a brief glance at Iran. *Research Letter of Political Science*, 14(3), 87-126. <https://www.sid.ir/en/Journal/ViewPaper.aspx?ID=795640>
- Robert Dahl and Michael Clegg (2011). Legal Frameworks for Effective Election Complaints Adjudication Systems. *In International Foundation for Electoral Systems, Guidelines for Understanding, Adjudicating, and Resolving Disputes in Elections (GUARDE)*. Edited by Chad Vickery. United States of America: IFES, 102
- Sharma, I., (2016). Report on Regional Workshop on 21-22 July, 2016 Kathmandu, Nepal. *Electoral Dispute Resolution and Electoral Justice*. <https://nepal.ec-undp-electoralassistance.org/wp-content/uploads/sites/16/2018/12/ec-undp-jtf-nepal-resources-publications-electoral-dispute-resolution-and-electoral-justice.pdf>

Special Notes

- ACE Election Integrity - ACE Electoral Knowledge Network. <https://aceproject.org/main/english/ei/ei.htm>
- Amicus curiae brief for the European court of human rights in the case of Mugemangango v. Belgium. Opinion No. 957 / 2019. [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2019\)021-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2019)021-e)
- Council of Europe “Electoral dispute resolution-Toolkit for strengthening electoral jurisprudence”, June 2020. <https://rm.coe.int/electoral-dispute-resolution/16809f0007>
- Constitution of the Republic of Albania,
1. All are equal before the law.

2. No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or ancestry.
 3. No one may be discriminated against for reasons mentioned in paragraph 2 whether reasonable and objective legal grounds do not exist.
- Council of Europe “Electoral dispute resolution-Toolkit for strengthening electoral jurisprudence”, June 2020. <https://rm.coe.int/electoral-dispute-resolution/16809f0007>
- Code of good practice in electoral matters. Guidelines and explanatory report. Opinion no. 190/2002 p.39-41. [https://www.venice.coe.int/webforms/documents/CDL-AD\(2002\)023rev.aspx](https://www.venice.coe.int/webforms/documents/CDL-AD(2002)023rev.aspx).
- European commission for democracy through law (Venice commission). Report on election dispute resolution. Opinion no. 913/2018. [https://www.te.gob.mx/Electoral Justice: -International IDEA. \(2010\). <https://www.idea.int/sites/default/files/publications/chapters/electoral-justice-handbook/electoral-justice-handbook-overview.pdf>](https://www.te.gob.mx/Electoral%20Justice%20-%20International%20IDEA%20(2010).pdf)
- IFES (2011) Guidelines for Understanding, Adjudicating and Resolving Disputes in Elections (GUARDE) https://www.ifes.org/sites/default/files/migrate/guarde_final_publication_0.pdf
- International Institute for Democracy and Electoral Assistance (2010) Electoral Justice: The International IDEA Handbook. p.2. <https://www.idea.int/sites/default/files/publications/electoral-justice-handbook.pdf>
- https://aceproject.org/ace-en/topics/lfb12/lfb12a/lfb12a02/mobile_browsing/onePag
- https://aceproject.org/ace-en/topics/lfb12/lfb12a/lfb12a04/mobile_browsing/onePag
- https://aceproject.org/ace-en/topics/lfb12/lfb12a/lfb12a05/mobile_browsing/onePag
- OSCE/ODIHR, Denis Petit (2000) Resolving Election Disputes in the OSCE area: Towards a Standard Election Dispute Monitoring System (Warsaw: ODIHR, 2000), 10-11. <https://www.osce.org/files/f/documents/b/b/17567.pdf>
- https://www.osce.org/vota_elections/media/files/991d5f13f5071d1.pdf
- Law No. 7556, dated 4.2.1992 “On the elections of the People’s Assembly of the Republic of Albania”
- Article 49
- The decisions of the district election commissions can be appealed to the Central Election Commission within 3 days of their announcement.
- The Central Election Commission examines the complaints and takes a relevant decision within 3 days.
- Article 50
- Against the decisions of the Central Election Commission, an appeal can be made to the Supreme Court within 3 days of their announcement.
- The Supreme Court examines the appeal and within 3 days gives a final decision, which it announces immediately.
- The decisions of the Supreme Court that are given on appeals about the results of the elections, are made known to the Mandates Commission of the new People’s Assembly.