ELECTORAL ADMINISTRATION IN ALBANIA AND KOSOVO: A COMPARATIVE ANALYSIS OF THE LEGAL FRAMEWORK, INSTITUTIONAL INDEPENDENCE, AND DEMOCRATIC GOVERNANCE

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Abstract

The administration of elections constitutes one of the fundamental institutional guarantees of democratic governance and the rule of law. Independent, impartial, and professional electoral management bodies play a decisive role in ensuring electoral integrity, protecting political rights, and strengthening public confidence in democratic institutions. This paper provides a comparative legal analysis of the legislative frameworks governing electoral administration in the Republic of Albania and the Republic of Kosovo. The study examines the constitutional and legal status of electoral management bodies, institutional organization, appointment procedures, distribution of competences, and guarantees of institutional independence, while evaluating their compliance with international electoral standards developed by the Venice Commission, OSCE/ODIHR, and International IDEA.
The research applies a qualitative comparative legal methodology based on doctrinal analysis of constitutional provisions, electoral legislation, international legal instruments, and relevant academic literature. The comparative assessment demonstrates that Albania and Kosovo have adopted different institutional models reflecting their distinct constitutional development and democratic transition. Albania's post-2020 electoral reform emphasizes institutional specialization and professional administration through the separation of executive, regulatory, and adjudicative functions, whereas Kosovo relies upon a constitutionally entrenched Central Election Commission characterized by greater institutional continuity and political inclusiveness.
The study concludes that neither model is inherently superior. Rather, effective electoral administration depends upon the interaction between legal guarantees, professional competence, institutional accountability, operational autonomy, financial independence, and public trust. The paper identifies common institutional challenges and highlights opportunities for mutual learning between the two jurisdictions. It further proposes recommendations aimed at strengthening electoral governance, promoting democratic accountability, and enhancing compliance with international standards. The findings contribute to the broader scholarship on comparative electoral law and provide practical guidance for future electoral reforms in Albania, Kosovo, and other emerging democracies.

Keywords: *Electoral administration; electoral management bodies; comparative analysis; Albania; Kosovo.*

Introduction

Election administration constitutes one of the fundamental pillars of constitutional democracy and the rule of law, as it ensures the effective exercise of citizens' rights to vote and to stand for election through free, fair, and periodic electoral processes. The integrity of elections depends not only on the existence of a comprehensive legal framework but also on the capacity of electoral management bodies to implement electoral legislation in an independent, impartial, transparent, and professional manner. Consequently, electoral administration is widely recognized as a key institutional mechanism for safeguarding democratic legitimacy and strengthening public confidence in electoral processes.
In contemporary democratic systems, election administration is no longer perceived merely as a technical function of public administration but as a constitutional function that directly influences the realization of the principles of popular sovereignty, political pluralism, and the rule of law. The institutional design of electoral management bodies, their legal status, appointment procedures, institutional independence, and accountability have therefore become central issues in constitutional and electoral law scholarship, as well as in the international

standards developed by the Venice Commission, the Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR), and the International Institute for Democracy and Electoral Assistance (International IDEA).

The Republic of Albania and the Republic of Kosovo provide two comparable yet institutionally distinct models of electoral administration. Both countries have established independent electoral management bodies operating outside the ordinary executive administration; however, they have adopted different constitutional and legislative approaches regarding the legal status of their Central Election Commissions, institutional organization, appointment procedures, and distribution of competences. In Kosovo, the Central Election Commission (CEC) is established as an independent constitutional institution under Article 139 of the Constitution of the Republic of Kosovo, enjoying constitutional guarantees of autonomy and permanence. In contrast, Albania, particularly following the 2020 electoral reform, has reorganized its electoral administration through a functional division of responsibilities among the State Election Commissioner, the Regulatory Commission, and the Complaints and Sanctions Commission, with the objective of enhancing professionalism, institutional accountability, and administrative efficiency.

Although both systems pursue the common objective of ensuring democratic elections in accordance with international standards, their institutional development reflects different constitutional traditions, political contexts, and reform trajectories. Kosovo has prioritized constitutional guarantees and political inclusiveness in the composition of its electoral administration, whereas Albania has sought to strengthen professionalization by separating executive, regulatory, and quasi-judicial functions within the electoral management framework. These differing approaches provide an important basis for comparative legal analysis regarding the effectiveness of institutional safeguards designed to preserve electoral integrity and public trust.

Against this background, this paper aims to conduct a comparative analysis of the legal framework governing election administration in Albania and Kosovo. The study focuses on the legal status of electoral management bodies, institutional independence, organizational structures, appointment procedures, distribution of competences, and compliance with international electoral standards. Particular attention is devoted to identifying both the common characteristics and the structural differences between the two systems, as well as assessing how these differences influence the transparency, impartiality, efficiency, and credibility of electoral administration.

The research is guided by several interrelated questions. First, how do the constitutional and legal frameworks regulating electoral administration differ between Albania and Kosovo? Second, to what extent do the respective institutional models comply with internationally recognized principles of electoral management? Third, what lessons can each country draw from the other's experience in strengthening institutional independence and improving electoral governance? Addressing these questions contributes not only to the academic understanding of comparative electoral law but also to ongoing debates concerning electoral reform and democratic consolidation in Southeast Europe.

Methodologically, the study adopts a qualitative comparative legal approach based on doctrinal analysis of constitutional provisions, electoral legislation, and secondary legal sources in both jurisdictions. The research further examines international legal instruments and soft-law standards, including the *Code of Good Practice in Electoral Matters* of the Venice Commission, the recommendations and election observation reports issued by OSCE/ODIHR, and the *Electoral Management Design* guidelines published by International IDEA. These sources provide the normative framework through which the Albanian and Kosovar electoral management systems are evaluated and compared.

The significance of this study extends beyond the comparison of two neighboring legal systems. Both Albania and Kosovo continue to pursue reforms aimed at strengthening democratic governance and aligning their institutions with European democratic standards. Consequently, identifying good practices, institutional weaknesses, and transferable experiences contributes to broader discussions concerning electoral integrity, democratic accountability, and the modernization of electoral administration within the Western Balkans.
The paper is structured into several sections. Following this introduction, the literature review examines the theoretical foundations of electoral administration and the principal international models of electoral management. The subsequent sections analyze the legal framework governing election administration in Albania and Kosovo, respectively. A comparative analysis then identifies the principal similarities and differences between the two systems, evaluates their compliance with international standards, and explores opportunities for mutual institutional learning. Finally, the paper presents its conclusions and offers recommendations aimed at strengthening the legal and institutional framework of electoral administration in both countries.

2. Literature Review

2.1. Theoretical Perspectives on Electoral Administration

Electoral administration has emerged as a distinct field of constitutional, administrative, and comparative public law due to its fundamental role in ensuring democratic governance and the legitimacy of representative institutions. While early studies primarily examined electoral systems and voting procedures, contemporary scholarship increasingly emphasizes the institutional architecture responsible for organizing, supervising, and safeguarding electoral processes. Electoral management bodies (EMBs) are now recognized not merely as technical administrative agencies but as constitutional institutions whose independence and effectiveness directly affect the quality of democracy (Norris, 2015).
The theoretical foundation of electoral administration is closely linked to the principles of constitutionalism and the rule of law. Democratic legitimacy requires that elections be conducted according to predetermined legal rules, implemented by impartial institutions capable of guaranteeing equality of political competition and protecting electoral rights. Consequently, electoral administration constitutes an institutional guarantee for the effective realization of universal suffrage and political participation, both of which are protected by international human rights instruments, including Article 25 of the International Covenant on Civil and Political Rights (ICCPR) and Article 3 of Protocol No. 1 to the European Convention on Human Rights (ECHR).
According to Elklit and Reynolds (2002), electoral integrity depends upon the interaction of three essential components: an adequate legal framework, competent electoral management institutions, and public confidence in the fairness of the electoral process. Electoral administration therefore represents the operational dimension through which electoral legislation is translated into democratic practice. Without an impartial and professionally managed administration, even well-designed electoral laws may fail to guarantee free and fair elections.
Contemporary legal scholarship further argues that electoral management should be viewed as an autonomous branch of public administration characterized by heightened constitutional safeguards. Birch (2011) maintains that the legitimacy of democratic institutions depends not only upon electoral outcomes but also upon citizens' confidence that electoral procedures have been administered impartially and transparently. Consequently, institutional trust has become an essential criterion in evaluating electoral governance.

2.2. Models of Electoral Management Bodies

Comparative legal scholarship identifies three principal models of electoral management: the governmental model, the independent model, and the mixed model. These models differ primarily according to the institutional relationship between electoral administration and the executive branch of government.

The governmental model entrusts election administration to ordinary public administration, typically ministries of the interior or local government authorities. This model is common in long-established democracies where the civil service enjoys a high degree of political neutrality and institutional credibility. Countries such as Germany, Sweden, Switzerland, and the United Kingdom have traditionally relied upon governmental administration while maintaining public confidence through strong legal safeguards and administrative professionalism (Wall et al., 2006).

The independent model establishes a constitutionally or legally autonomous electoral management body that operates separately from the executive branch. Such institutions possess independent legal authority over electoral planning, implementation, supervision, and certification of election results. This model has become particularly prevalent in transitional democracies, where distrust toward governmental institutions has encouraged the creation of politically neutral electoral authorities. International IDEA considers the independent model especially suitable for societies experiencing democratic transition or political polarization because it minimizes the perception of governmental interference in elections (Wall et al., 2006).

The mixed model combines elements of both approaches by distributing electoral responsibilities between government agencies and independent supervisory institutions. Under this arrangement, routine administrative functions may remain within the executive administration, while regulatory oversight, dispute resolution, or certification responsibilities are assigned to an independent commission. Countries adopting mixed arrangements seek to combine administrative efficiency with institutional independence.

The comparative literature consistently concludes that no single institutional model is universally superior. Instead, institutional effectiveness depends upon the interaction between legal guarantees, political culture, administrative professionalism, and public trust (Norris, 2015; Wall et al., 2006).

2.3. Institutional Independence as the Core Principle of Electoral Administration

Institutional independence represents the central principle underlying contemporary electoral governance. The concept extends beyond formal legal autonomy and encompasses functional, organizational, financial, and personal independence of electoral management bodies.

The Venice Commission (2002), in its *Code of Good Practice in Electoral Matters*, identifies independence and impartiality as indispensable conditions for democratic elections. According to the Commission, electoral management bodies must operate free from political pressure and possess sufficient authority to administer elections according to law rather than partisan interests.

Similarly, OSCE/ODIHR has consistently emphasized that public confidence in elections depends not only upon legal compliance but also upon the perceived neutrality of electoral institutions. Election observation reports throughout Europe have repeatedly stressed the importance of transparent appointment procedures, stable institutional mandates, professional staff, and clearly defined legal competences (OSCE/ODIHR, 2021).

International IDEA further expands this concept by distinguishing between formal independence and effective independence. Formal independence refers to constitutional or

statutory guarantees protecting the institution, whereas effective independence concerns the institution's practical ability to perform its duties without political interference. According to International IDEA, institutional autonomy, professional capacity, and public accountability constitute the three essential pillars of effective electoral administration (Wall et al., 2006).
These theoretical distinctions are particularly relevant for Albania and Kosovo. While Kosovo provides constitutional protection to its Central Election Commission, Albania guarantees institutional independence primarily through ordinary legislation following the comprehensive electoral reforms adopted in 2020. Consequently, comparative analysis requires evaluating not only the formal legal status of electoral institutions but also their operational autonomy in practice.

2.4. Electoral Administration in Comparative Legal Scholarship

Comparative constitutional scholarship increasingly recognizes electoral management bodies as constitutional guarantors rather than ordinary administrative agencies. Mozaffar and Schedler (2002) argue that EMBs function as institutions of democratic accountability whose principal responsibility is to ensure that electoral competition occurs under conditions of legality, equality, transparency, and impartiality.
Pippa Norris (2014, 2015) introduces the concept of *electoral integrity*, emphasizing that credible elections require high standards throughout the entire electoral cycle, including voter registration, candidate nomination, campaign regulation, voting procedures, vote counting, dispute resolution, and certification of results. Electoral management bodies therefore exercise responsibilities extending well beyond election day itself.
Recent scholarship also highlights the relationship between electoral administration and democratic consolidation. In transitional democracies, electoral institutions often perform confidence-building functions that extend beyond their legal mandate. Their institutional credibility contributes to political stability, peaceful transfer of power, and public acceptance of electoral outcomes. Consequently, the institutional design of EMBs has become a significant area of comparative constitutional research.

2.5. Research Gap and Contribution of the Present Study

Despite the growing international literature on electoral governance, relatively limited comparative legal research has examined the institutional development of electoral administration in Albania and Kosovo from the perspective of constitutional and administrative law. Existing studies generally focus on electoral reforms, election observation reports, or political developments, while comparatively fewer contributions analyze the legal status, institutional organization, independence, and functional competences of electoral management bodies within a unified comparative framework.
Furthermore, Albania's comprehensive electoral reform of 2020 fundamentally transformed the organizational structure of the Central Election Commission, whereas Kosovo has maintained a constitutionally established electoral management model. These institutional developments create an important opportunity for comparative legal analysis regarding the strengths and limitations of each approach.
Accordingly, this study seeks to fill this gap by providing a systematic comparative examination of the Albanian and Kosovar legal frameworks governing electoral administration. By integrating constitutional analysis, comparative public law, and international electoral standards, the research aims to identify institutional similarities and differences, evaluate compliance with internationally recognized principles of electoral

governance, and formulate recommendations that may contribute to future electoral reforms in both jurisdictions.

3. Analysis of the Albanian and Kosovo Electoral Legislation

3.1. The Legal Framework Governing Electoral Administration in Albania

The legal regulation of electoral administration in the Republic of Albania is primarily established by the Constitution of the Republic of Albania and the Electoral Code (Law No. 10019, dated 29 December 2008, as amended). While the Constitution guarantees the fundamental political rights of citizens, including the right to vote and to stand for election, the detailed institutional organization of electoral administration is regulated through the Electoral Code.

One of the most significant developments in Albanian electoral legislation was the comprehensive electoral reform adopted in 2020. This reform substantially transformed the institutional architecture of the Central Election Commission (CEC), replacing the previous collegial model with a more functionally differentiated institutional structure. Instead of concentrating all electoral powers within a single collegiate body, the amended Electoral Code established four principal institutions operating within the Central Election Commission: the State Election Commissioner, the Deputy State Election Commissioner, the Regulatory Commission, and the Complaints and Sanctions Commission (CSC).

The State Election Commissioner serves as the chief executive authority responsible for organizing and administering elections. The Commissioner exercises extensive administrative powers, including voter registration, management of electoral materials, accreditation of election observers, administration of election technology, and certification of electoral procedures. The creation of this office reflects the legislator's intention to improve efficiency, professional accountability, and administrative responsibility through the concentration of executive functions in a single officeholder.

However, recognizing the potential risks associated with the concentration of executive authority, the Albanian legislator introduced institutional checks and balances by establishing two collegial bodies. The Regulatory Commission exercises normative powers by adopting secondary legislation necessary for implementing the Electoral Code, while the Complaints and Sanctions Commission functions as a quasi-judicial body responsible for resolving electoral disputes and imposing administrative sanctions for violations of electoral law. This institutional separation reflects the modern principle of functional differentiation, whereby executive, regulatory, and adjudicative functions are entrusted to separate bodies operating within the same institutional framework.

From a comparative constitutional perspective, the Albanian model represents a transition from a politically balanced electoral commission toward a more professional and administratively specialized electoral management body. The reform aimed to reduce the direct influence of political parties on day-to-day electoral administration while maintaining institutional oversight through collegial decision-making in regulatory and dispute-resolution matters.

Nevertheless, despite these institutional innovations, the legal status of the Albanian CEC continues to differ from constitutional electoral management bodies found in several European jurisdictions. Unlike Kosovo, the independence of the Albanian electoral administration is guaranteed primarily through ordinary legislation rather than constitutional entrenchment. Consequently, the institutional structure remains more susceptible to legislative amendments adopted by parliamentary majorities, thereby raising important questions concerning long-term institutional stability.

3.2. The Legal Framework Governing Electoral Administration in Kosovo

The legal framework regulating electoral administration in the Republic of Kosovo is characterized by a stronger constitutional foundation. Article 139 of the Constitution of the Republic of Kosovo establishes the Central Election Commission (CEC) as a permanent and independent constitutional institution responsible for preparing, supervising, directing, and administering elections and referenda throughout the country.

Unlike the Albanian model, where the institutional organization derives principally from statutory legislation, Kosovo provides constitutional recognition to the electoral administration. This constitutional status significantly strengthens institutional autonomy by protecting the existence and essential competences of the CEC against ordinary legislative changes.

The constitutional framework is complemented by the Law on General Elections and the Law on Local Elections, which regulate the operational aspects of electoral administration, voter registration, candidate nomination, electoral dispute procedures, campaign regulation, vote counting, and certification of election results.

The composition of Kosovo's Central Election Commission reflects the country's constitutional commitment to political inclusiveness and multi-ethnic representation. The Chairperson of the CEC is appointed by the President of the Republic following a proposal by the Supreme Court, while the remaining members are nominated by parliamentary political entities according to constitutional principles of proportional representation and community inclusion.

This appointment model reflects Kosovo's post-conflict constitutional architecture, where political representation within independent institutions has traditionally been regarded as an important confidence-building mechanism. By ensuring the participation of major parliamentary parties and minority communities, the constitutional framework seeks to strengthen public acceptance of electoral outcomes.

However, comparative legal scholarship has identified an inherent institutional tension within this model. While broad political representation enhances institutional legitimacy, it may simultaneously increase the perception that CEC members represent partisan interests rather than exercising independent constitutional functions. Consequently, maintaining institutional neutrality requires robust ethical standards, transparent decision-making procedures, and a highly professional permanent administration capable of ensuring continuity beyond political representation.

3.3. Comparative Assessment of the Albanian and Kosovo Legal Frameworks

Although Albania and Kosovo both recognize electoral administration as an independent public function, they have adopted distinct legal approaches reflecting different constitutional traditions and democratic experiences.

The first major difference concerns the legal basis of institutional independence. Kosovo constitutionally guarantees the existence and autonomy of the Central Election Commission, whereas Albania regulates the organization and functioning of the CEC primarily through the Electoral Code. From a constitutional law perspective, constitutional entrenchment generally provides stronger institutional protection against political intervention because constitutional amendments require significantly more demanding legislative procedures than ordinary statutory amendments.

A second distinction concerns institutional organization. Albania has adopted a functionally differentiated model characterized by a separation between executive administration, regulatory authority, and electoral dispute resolution. Kosovo, by contrast, continues to operate

through a more traditional collegial commission responsible for exercising a broad range of electoral functions collectively.
Third, the appointment mechanisms differ substantially. Albania has sought to reduce direct political participation in operational electoral management by emphasizing professional appointments and institutional accountability. Kosovo maintains a model in which parliamentary political representation remains an integral component of the Central Election Commission's composition, reflecting the constitutional objective of promoting political inclusiveness and inter-community confidence.
These institutional choices illustrate two different conceptions of electoral legitimacy. The Albanian reform prioritizes professional independence and administrative specialization, whereas the Kosovo model places greater emphasis on political inclusiveness and constitutional guarantees.

3.4. Compliance with International Electoral Standards

Both Albania and Kosovo have progressively aligned their electoral legislation with internationally recognized democratic standards, particularly those developed by the Venice Commission, OSCE/ODIHR, and International IDEA.
The Albanian electoral reform of 2020 demonstrates substantial compliance with the Venice Commission's recommendations regarding institutional professionalization, transparency, and separation of powers within electoral management. The establishment of distinct regulatory and adjudicative bodies strengthens internal accountability while reducing the concentration of authority.
Similarly, Kosovo's constitutional recognition of the Central Election Commission reflects international recommendations encouraging institutional permanence and legal certainty. Constitutional protection enhances institutional continuity and safeguards electoral administration against short-term political fluctuations.
Nevertheless, both legal systems continue to face common challenges identified in international election observation reports. These include ensuring the perception of institutional impartiality, strengthening public confidence, improving transparency in appointment procedures, reducing political influence over decision-making processes, and further professionalizing electoral administration.
International practice increasingly demonstrates that formal legal independence alone is insufficient to guarantee electoral integrity. Effective independence requires adequate financial resources, qualified professional staff, operational autonomy, transparent procedures, judicial oversight, and a political culture that respects the institutional neutrality of electoral management bodies.
Accordingly, both Albania and Kosovo have made significant progress in harmonizing their electoral legislation with international democratic standards. However, the effectiveness of these legal frameworks ultimately depends upon their practical implementation and the consistent application of the principles of impartiality, professionalism, transparency, accountability, and the rule of law throughout the entire electoral cycle.

4. Comparative Analysis: Similarities and Differences between Albania and Kosovo

4.1. Comparative Overview of the Legal and Institutional Frameworks

The comparative analysis of the Albanian and Kosovo legal frameworks governing electoral administration demonstrates that both countries have pursued the same constitutional objective—ensuring free, fair, transparent, and democratic elections—but have adopted

different institutional and legislative approaches to achieve this objective. These differences are largely explained by the distinct constitutional development, political history, and democratic transition experienced by each country.

Both Albania and Kosovo recognize electoral administration as an independent public function that must operate separately from the executive branch and in accordance with the principles of legality, impartiality, transparency, professionalism, and accountability. In both jurisdictions, the Central Election Commission (CEC) serves as the highest electoral management body responsible for organizing, supervising, and administering elections at the national level. Furthermore, both legal systems have gradually incorporated international electoral standards developed by the Venice Commission, OSCE/ODIHR, and International IDEA into their domestic legislation.

Despite these common objectives, the institutional design of electoral administration differs considerably. Albania has adopted a legally regulated institutional model characterized by the separation of executive, regulatory, and quasi-judicial functions, whereas Kosovo has retained a constitutionally established collegial commission that performs most electoral functions within a unified institutional structure.

4.2. Constitutional and Legal Status of the Electoral Management Bodies

One of the most significant distinctions concerns the constitutional position of the electoral management bodies.

In Kosovo, the Central Election Commission derives its authority directly from Article 139 of the Constitution. Consequently, the institution enjoys constitutional protection, and any modification of its legal status requires constitutional amendment procedures. This constitutional entrenchment enhances institutional continuity and provides stronger guarantees against political interference or frequent legislative restructuring.

By contrast, the Albanian Central Election Commission is established and regulated primarily by the Electoral Code. Although the institution enjoys legal independence and functional autonomy, its institutional organization remains dependent upon ordinary legislation adopted by Parliament. As a result, future parliamentary majorities possess greater flexibility to amend the institutional structure through ordinary legislative procedures.

From the perspective of comparative constitutional law, constitutional recognition generally provides stronger institutional safeguards than statutory regulation alone. Nevertheless, constitutional status does not automatically guarantee operational independence. Effective institutional autonomy ultimately depends upon political culture, respect for legal norms, transparent appointment procedures, and the practical implementation of constitutional guarantees.

4.3. Institutional Organization and Distribution of Competences

The two countries also differ substantially regarding institutional organization.

Following the electoral reform of 2020, Albania introduced a functionally differentiated institutional model. Executive authority is exercised by the State Election Commissioner, regulatory authority by the Regulatory Commission, while electoral disputes and administrative sanctions fall within the competence of the Complaints and Sanctions Commission. This separation of functions reflects contemporary principles of good governance by reducing excessive concentration of authority and strengthening institutional accountability.

Kosovo, in contrast, maintains a more traditional collegial model in which the Central Election Commission collectively exercises administrative, regulatory, and supervisory responsibilities.

While operational activities are supported by the CEC Secretariat, strategic decision-making remains concentrated within the Commission itself.
Both approaches present institutional advantages. Albania's model promotes administrative specialization, efficiency, and clearer allocation of responsibilities. Kosovo's unified institutional structure facilitates coordinated decision-making and institutional continuity but requires effective internal mechanisms to avoid excessive politicization of collective decisions.

4.4. Appointment Procedures and Institutional Independence

Appointment procedures represent another important area of divergence.
The Albanian electoral reform sought to reduce direct political influence over electoral administration by strengthening professional criteria in selecting senior electoral officials. Although Parliament continues to play a central role in appointing members of the electoral institutions, the reform emphasizes professional competence, institutional responsibility, and transparent appointment procedures rather than direct political representation.
Kosovo follows a different constitutional philosophy. Members of the Central Election Commission are appointed through procedures reflecting parliamentary representation and political inclusiveness, while the Chairperson is appointed by the President following nomination by the Supreme Court. This arrangement seeks to balance constitutional independence with political legitimacy and representation of Kosovo's multi-ethnic society.
Each model reflects a different understanding of democratic legitimacy. Albania emphasizes professional neutrality and institutional independence, whereas Kosovo places greater importance on political inclusiveness and confidence-building among political actors. Neither model is inherently superior; rather, each responds to the specific historical and constitutional circumstances of the respective country.

4.5. Professionalism versus Political Representation

A central issue emerging from comparative analysis concerns the relationship between professional administration and political representation.
Prior to the 2020 electoral reform, Albania's electoral administration relied significantly upon political representation within the Central Election Commission. The reform fundamentally altered this philosophy by seeking to replace political balancing with institutional professionalism. The establishment of the State Election Commissioner represents a shift toward a professional model in which electoral decisions are expected to derive primarily from legal and administrative expertise rather than political negotiation.
Kosovo has retained greater political representation within its electoral administration. Given the country's constitutional structure and post-conflict democratic development, political participation within the CEC has been regarded as an important mechanism for enhancing institutional legitimacy and ensuring confidence among political parties and minority communities.
However, comparative electoral governance literature demonstrates that political representation may simultaneously create risks of perceived partisanship. Consequently, both systems face the common challenge of ensuring that electoral officials exercise their constitutional responsibilities independently of political interests, irrespective of the procedures through which they are appointed.

4.6. Compliance with International Electoral Standards

Both Albania and Kosovo have undertaken substantial legislative reforms aimed at harmonizing domestic electoral legislation with internationally recognized democratic standards.

The Albanian institutional reform closely reflects recommendations advanced by the Venice Commission and International IDEA concerning professionalization, functional separation, transparency, and institutional accountability. The establishment of specialized electoral bodies corresponds to international principles encouraging clear allocation of competences and effective internal oversight.

Kosovo demonstrates strong compliance with international recommendations concerning constitutional protection of electoral management bodies and institutional continuity. The constitutional status of the CEC provides significant guarantees of permanence and legal certainty, consistent with international standards emphasizing institutional stability.

Nevertheless, international election observation reports issued by OSCE/ODIHR continue to identify several common challenges affecting both countries. These include strengthening public confidence in institutional neutrality, increasing transparency of appointment procedures, enhancing administrative professionalism, reducing perceptions of political influence, and improving communication between electoral institutions and the public.

Accordingly, while both legal systems largely comply with the normative principles established by international organizations, continued institutional development remains necessary to strengthen practical implementation and public confidence.

4.7. Mutual Lessons for Electoral Reform

The comparative analysis reveals that both Albania and Kosovo possess institutional strengths from which the other jurisdiction may benefit.

Albania's experience demonstrates the advantages of separating executive, regulatory, and adjudicative functions within electoral administration. Functional specialization increases administrative efficiency, clarifies institutional responsibility, and strengthens internal checks and balances. Kosovo could consider introducing additional mechanisms of functional differentiation while preserving the constitutional position of its Central Election Commission.

Conversely, Kosovo's constitutional recognition of the CEC offers a higher level of institutional stability than the Albanian statutory model. Constitutional protection reduces institutional vulnerability to frequent legislative amendments and reinforces public confidence in the permanence and independence of electoral administration. Albania may therefore consider strengthening constitutional guarantees for the independence of its electoral management institutions as part of future constitutional or electoral reforms.

Both countries also share common reform priorities. These include strengthening merit-based recruitment of electoral officials, increasing financial and operational autonomy, improving institutional transparency, enhancing public communication strategies, expanding the professional capacity of permanent electoral staff, and ensuring consistent implementation of international electoral standards.

4.8. Comparative Findings

The comparative examination demonstrates that Albania and Kosovo have developed two distinct yet internationally compatible models of electoral administration.

The Albanian model is characterized by:

- Functional specialization.

- Institutional professionalism.
- Administrative accountability.
- Separation of regulatory and adjudicative competences.

The Kosovo model is characterized by:

- constitutional protection.
- institutional continuity;
- political inclusiveness.
- strong constitutional legitimacy.

Ultimately, the comparative analysis confirms that the effectiveness of electoral administration depends not solely upon constitutional or legislative design but upon the interaction between legal guarantees, institutional professionalism, democratic political culture, judicial oversight, and public confidence. While both countries have made substantial progress toward aligning their electoral systems with European and international standards, further reforms should focus on strengthening the practical independence, transparency, efficiency, and credibility of electoral management bodies throughout the entire electoral cycle.

6. Conclusions

This study has examined the legal and institutional frameworks governing electoral administration in the Republic of Albania and the Republic of Kosovo through a comparative legal perspective. The analysis demonstrates that although both countries pursue the same democratic objective of ensuring free, fair, transparent, and credible elections, they have adopted different institutional models reflecting their respective constitutional traditions, political development, and historical experiences.

The comparative analysis confirms that both legal systems have undergone significant reforms aimed at strengthening the independence and professionalism of electoral management bodies while progressively harmonizing domestic legislation with international electoral standards established by the Venice Commission, OSCE/ODIHR, and International IDEA. Nevertheless, the institutional arrangements adopted by the two countries reveal different constitutional philosophies regarding the relationship between professional administration and political representation.

The Albanian model, particularly following the 2020 electoral reform, represents a clear movement toward institutional specialization through the separation of executive, regulatory, and adjudicative functions. This reform has strengthened administrative accountability and enhanced professional management. However, the study also demonstrates that the statutory nature of Albania's electoral administration provides a lower degree of institutional protection than constitutional recognition, making future institutional changes more dependent upon parliamentary majorities.

Conversely, Kosovo has developed a constitutionally entrenched electoral management system that provides stronger guarantees of institutional continuity and legal stability. The constitutional status of the Central Election Commission reinforces its independence and permanence while reflecting the broader constitutional architecture established following Kosovo's democratic transition. At the same time, the continued inclusion of political representatives within the composition of the Commission illustrates an institutional approach prioritizing political inclusiveness and confidence-building. Although this model contributes to institutional legitimacy, it also creates ongoing challenges concerning the perception of political neutrality.

The findings further indicate that institutional independence cannot be evaluated solely through formal constitutional or statutory guarantees. Effective electoral governance depends equally upon transparent appointment procedures, professional competence, operational autonomy,

adequate financial resources, judicial oversight, administrative accountability, and sustained public confidence. Consequently, legal independence and practical independence should be understood as complementary rather than alternative dimensions of democratic electoral governance.

The comparative study also demonstrates that neither institutional model should be regarded as universally superior. Albania's experience illustrates the benefits of professionalization and functional specialization, while Kosovo's constitutional framework highlights the importance of institutional permanence and legal certainty. Both systems therefore provide valuable lessons for future electoral reforms and for the broader development of democratic institutions in the Western Balkans.

Ultimately, the credibility of electoral administration depends not only upon legal design but also upon the consistent implementation of democratic principles, institutional ethics, and the rule of law. Continued legislative refinement, institutional capacity-building, and adherence to international electoral standards remain essential prerequisites for strengthening electoral integrity and democratic legitimacy in both Albania and Kosovo.

7. Recommendations

Based on the findings of this comparative legal study, the following recommendations are proposed:

- Strengthen institutional independence. Albania should consider reinforcing constitutional guarantees protecting the independence of its electoral management bodies, while Kosovo should continue strengthening mechanisms that safeguard institutional autonomy from political influence in practice.
- Enhance professionalization. Both countries should further develop merit-based recruitment systems, continuous professional training, and certification programs for permanent electoral staff in accordance with international best practices.
- Increase transparency of appointment procedures. Selection and appointment of senior electoral officials should be based upon objective criteria emphasizing professional competence, integrity, experience, and institutional independence.
- Improve financial autonomy. Stable and predictable financing mechanisms should be ensured in order to protect electoral management bodies from potential political or administrative pressure.
- Strengthen institutional accountability. Internal oversight mechanisms, judicial review, public reporting obligations, and transparent administrative procedures should continue to be developed in both jurisdictions.
- Promote technological modernization. Future electoral reforms should support the responsible use of digital technologies while ensuring cybersecurity, personal data protection, transparency, and equal access for all electoral participants.
- Expand regional cooperation. Electoral management bodies of Albania and Kosovo should strengthen bilateral cooperation through joint training programs, exchange of institutional experience, comparative research projects, and coordinated implementation of international electoral standards.
- Continue harmonization with European standards. Future legislative reforms should remain consistent with the recommendations of the Venice Commission, OSCE/ODIHR, International IDEA, and evolving European Union democratic standards concerning electoral governance.

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