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Electoral Integrity Index

Albanian Parliamentary Election
April, 25, 2021

Tirana, June, 2021



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Methodical guide
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Abstract

Conducting of free, fair and democratic elections and the implementation of European Electoral heritage principles and the commitments of OSCE, are the necessary conditions for the development of democracy. But everywhere, especially in countries that are in the process of building the culture and behavior of a democratic society, the realization of such elections is one of the most complex challenges and one of the most difficult to be managed successfully.

Elections are part of the few political and social processes that take place in democratic societies, in which participate and have responsibilities and obligations almost all: citizens as voters, politic parties, civil society organizations, various institutions belonging to the central and local legislative power, executive and judicial power.

The guiding rules and principles of democracy require that civil society needs to be engaged in the electoral process, in all its components and stages of development. The participation of civil society in the preparation of the legal framework for the elections and the commitment to monitor and observe the electoral process, from the day of the election decree date until the announcement of the final result, is an obligation that must be fulfilled by any society that is declared to be developed on the basis of the principles of a democratic society.

In Albania, civil society has been engaged in monitoring of elections immediately after the changes in the governing system and with the institutionalization of political pluralism in the early 1990s. Over the years, this commitment has been accompanied by efforts for the professional training and organizational development of local observers. The results of these efforts have been finalized with the judgments and evaluations given in the final reports for the observed elections.

The assessment of the Perception Electoral Integrity Index (PEI), for the first time in Albania was conducted by IDM, on the 2015 elections, for local government bodies. This marked the beginning of the processes for qualitative development in the contribution given by the civil society to the electoral processes in Albania.

The Electoral Integrity Index is a quantitative indicator that serves to judge the level of fulfillment of widely accepted democratic standards in an electoral process. The evaluations of perceptions on measuring the fulfillment of these standards in different phases and for different procedures of the electoral process are considered and used in order to evaluate this index. The index is an average of the values of these perceptions for the quality of the legislative process and its product, for the implementation of the electoral legislation by all participants in the elections, starting from the citizens, politic parties, the electoral administration, public institutions at central and local level and all other law enforcement institutions who have duties in an electoral process.

The Methodology drafted by Pippa, N. et al... (2019) was used for the evaluation of the Electoral Integrity Index (PEI) for the elections of the Albanian Parliament, April 26, 2021, For this purpose,

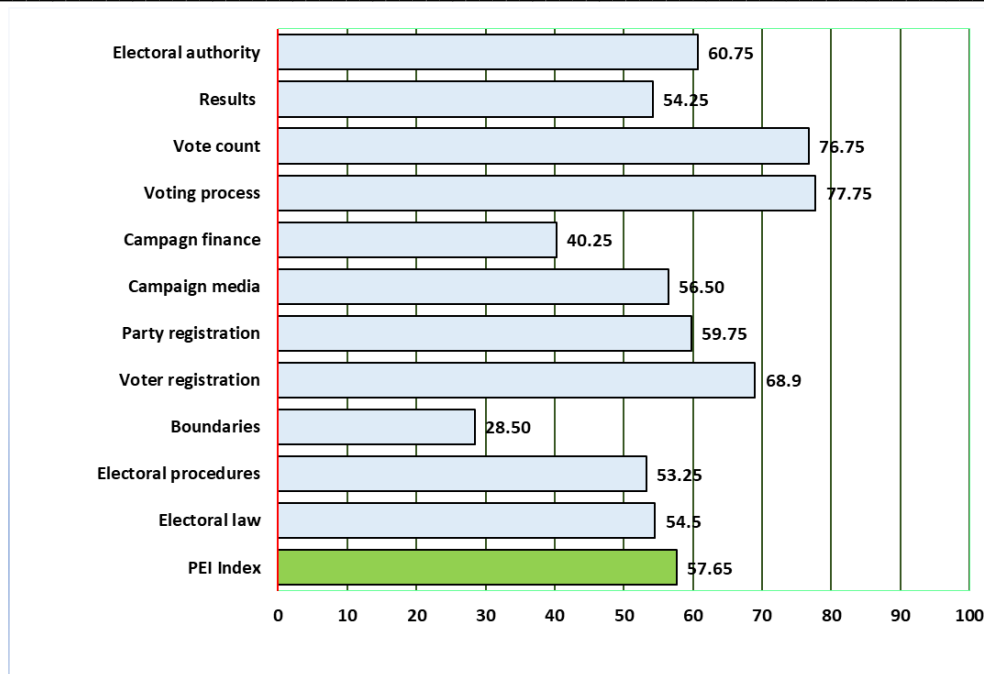


Fig. no. 1 Election Integrity Index - Elections for the Assembly of Albania, April 25, 2021

AIESD engaged a team of 10 specialists trained in legal and political sciences, who collected data that reflected perceptions on issues and the development of different stages of the electoral process.

For the quantitative assessment of these perceptions, were also used, the data communicated by observers and non-profit organizations that observed these elections as well.

The Election Integrity Index was evaluated using the average values of perceptions for 11 indicators. These average values were calculated using the rating for 147 items, each of which, based on the corresponding perception, was given a value from 1 (strongly disagree) to 5 (strongly agree). The average value calculated for each indicator was standardized, converted to value in the interval 0-100 points. Based on the standardized average value, the election integrity is rated: very low (≤ 40 scores), low ($40^+ - 50$ scores), moderate ($45^+ - 60$ scores), high ($60^+ - 70$ scores) and very high ($\geq 70^+$ scores)

For the Albanian Parliamentary Elections of April 25, 2021, the assessment for the Integrity of Elections (PEI) and for each of the indicators to be considered, is given in Fig. no. 1.

Referring to the data presented in Fig. no. 1, it can be stated that:

The Parliamentary elections of April 25, 2021, was a process, which in its entirety is evaluated at the "Moderate" level. Compared to the Assembly elections held in 2017, for which Pippa, N. et al. have rated PEI = 53.2 points, the Index has improved to about 8.3 percentage points.

Despite this, the elections in Albania continue to be assessed as process that fails to pass the level of moderate elections. Referring to the Methodology of Pippa, N. et al (2014), such a fact shows that:

Albania continues to be a country which faces challenges and unresolved problems in the process of developing a democratic society.

A significant contribution in the estimated increase (8.3 percentage points) for the election integrity index, is given by the indicators that reflect voting process on election day and the counting process, too. Both of these phases of the electoral process are perceived to have taken place in accordance with the requirements of the law and in general, they have met the requirements related to the standards that democratic elections must meet for the voting and counting process.

The indicators "Division of districts", "Financing of the election campaign" and "Complaints", are evaluated to have the greatest negative effect on the integrity of the elections.

Perceptions of the negative effect generated on the integrity of the elections by the division into country districts, is a consequence of the fact that this division discriminates small parties and new political parties. This division is perceived as a factor with a negative effect on the vote power. Together with the national threshold, they are perceived as legal conditions that, in a special way, place in unequal competitive positions, small parties and independent candidates, compared to large parties, SP and DP.

The average value of the component indicators of the financing of the election campaign was 2.49 scores (37.25 points), classifying it at the level of "very low". Meanwhile, the average value of indicators reflecting the election campaign is 2.88 scores (47.00 points), classifying the election campaign at a "low" level. Among the items with the strongest negative effects, which are perceived to have affected the low values of this indicator, are listed as following:

- Lack of will of political parties to implement the requirements of the Electoral Code regarding campaign financing.
- Frequency of the phenomenon of vote buying and selling.
- Use of personal data for the purpose of elective competition.
- Use for election campaign purposes of public assets, public financial funds and public activities. In particular, the use by SP, contrary to the requirements of the law, its letter or spirit, of all the opportunities that this party have as a majority party, at central and local level.
- Insufficient level of realization of the expectations from the monitoring, in real time, of the expenses of the political parties during and for the election campaign.
- Reaction of law enforcement institutions, State Police, Prosecution and SPAK in preventing and punishing violations of the electoral law.

The administration of complaints from KAS and the adjudication of lawsuits was perceived as an indicator with a negative effect on the integrity of elections. The complainants assessed, in all cases, that KAS decisionmaking was influenced by the political interest of the socialist party. According to them, the trial by the Electoral College of their lawsuits for KAS decisions was done under political pressure.

According to Norris, P. et al.2014, for the evaluation of the indicator "Complaints" was considered the attitude of electoral subjects towards the election result, also. The losing political parties, DP and SMI, were declared against the result, arguing the high level of use by SP of public positions and the opportunities given by being the ruling party, vote buying and great intimidation of voters.

Consequently, the contribution of this item to the value of the indicator "Complaints", as a component of the Election Integrity Index is negative.

Electoral legislation is considered as an indicator that, compared to the elections of 2013 and 2017, has not made progress. It continues to be classified at the "moderate" level. Although significant changes and improvements were made to the Electoral Code, adopted on the basis of the June 5 Agreement, this indicator is assessed at this low level, due to the fact that changes to the Constitution and subsequent changes to the Electoral Code were made, without the consensus of the opposite parties.

The election administration is evaluated as an indicator with a positive effect on the integrity of the elections. This indicator is classified as "High". The main effect for this perception is related to the positive perception of the work of the State Commissioner and the high level of transparency in the work of CEC.

The list of voters and the registration of electoral subjects are two indicators for which the average values of perceptions are classified at the "High" level.

The perception of the role of the media and the level of its implementation of the requirements of the Electoral Code, classified this indicator at the level of "Moderate". Compared to the previous parliamentary elections, it is perceived an increase of about 16.9 percentage points for this indicator, positioning it from the level "Low" to the level "Moderate".

I. Introduction

Elections are one of the most important moments in the exercise of fundamental human rights, civil and political rights. Consequently, their monitoring and observation is necessary to be organized and realized, considering it as a right, duty and as realization of the responsibilities of the civil society, in support and protection of these rights.

An electoral process is democratic only if:

- is realized as a fair competition,
- takes place in an environment characterized by reliability, transparency and accountability,
- manages to provide equal competition conditions to all subjects involved in it,
- citizens are informed, without distinction, about their rights and duties as voters, about the rules they must respect in the voting process and about the alternatives, programmes and candidate competition,
- legal framework and its implementation enable the respect and fulfillment of the right to free expression, free media, freedom of association, freedom to form political parties, political cooperation, free movement, respect for the principles of the rule of law, equal right to run for public office, non-discrimination and equal rights for all citizens.

Election observation by civic groups, as independent political observers, is an important process with significant effects on the electoral process. Through it, the citizens manage to judge themselves and the progress of the entire electoral process, the level of respect for the law by the electoral administration, contestants, political parties and other institutions that the law assigns to them in the context of elections. The observer citizen is a positive pressure factor for the implementation of the law and the observance of the procedures by the election administration and for the citizens themselves in the voting process.

The participation of citizens in the election observation process, as independent observers, serves to increase accountability and transparency in the electoral process, to increase the credibility as well. This participation is an important concretization of the application of the universal principles for democratic elections provided by the Universal Declaration of Human Rights, Article 21, according to which:

- Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- Everyone has the equal right to access public services in his country.
- The will of the people is the basis of state power, this will must be expressed in periodic and free elections, which must be by universal and equal suffrage, as well as by secret ballot or according to the relevant free voting procedure. Each electoral process begins with the decree of the election date by the President of the Republic and ends with the announcement of the final election result by the Central Election Commission. As a rule, the electoral process is preceded by a legislative phase which implements the necessary changes in the Electoral Code, in order that the electoral legal

framework create the best possible conditions for the conduct of elections in accordance with generally accepted democratic standards.

The electoral process takes place in three main phases: before election day, election day and after voting day. Part of this process is the administration and judgement of the complaints and the declaration of the final result. In each phase, the process must take place in accordance with and implementation of the procedures provided in the election law and the instructions of the Central Election Commission. In summary, these procedures can be listed as following:

Before election day

- The sub-legal framework (CEC instructions) is prepared and approved, in accordance with which the entire election process must take place in all its various phases.
- The establishment CEAZ
- Registration of the Electoral subjects and candidates
- Preparation of the voters` list
- The electoral campaign
- The distribution of the election materials to the VCC

During election day

- Polling stations open before 7.00 am
- Voting takes place until the time provided in the Electoral Code
- The voting is closed, the election materials and ballot boxes are administered and sent to the counting stations

After polling day

- Ballot papers are evaluated and counted, the result is published for each electoral unit.
- Complaints to the CEC and the Electoral College are reviewed
- The final result of the elections is announced

To evaluate the electoral process regarding the level of fulfillment of the standards for elections to be considered free, fair and democratic, OSCE participating States have agreed to use as a reference the assessments given in the final election report prepared from OSCE / ODIHR International Observer Mission. Meanwhile, in addition to these assessments and together with them, OSCE / ODIHR recommends that the assessments and considerations provided by the civil society, by independent domestic observers, are to be considered. The OSCE / ODIHR considers the election observation by domestic observers as an important factor and a qualitative indicator of the level of development of democratic culture in society. Therefore, support for capacity building in civic communities, to monitor and observe the electoral process, at all stages, is one of the OSCE / ODIHR permanent commitments.

In Albania, the engagement of civil society in monitoring and observing the elections began as a process that was accompanied with the change in the system of government and the institutionalization of political pluralism, in the early `90s. Over the years, the engagements of the Albanian civil

society to monitor and observe the electoral process has had an integral part of their efforts, the professional training and capacity building of local observers. The results of these efforts have been finalized with the judgments and evaluations given in the final reports prepared by the domestic observers.

For the first time, the assessment for the elections, for the level of fulfillment of the standards, using for this purpose the Electoral Integrity Index (PEI), was carried out by IDM, for the elections for the local government bodies, 2015. The evaluation of this index, was a qualitatively contribution of Albanian society. It was the beginning of the process of qualitative changes in the contribution of civil society to the electoral process in Albania. This experience, the first of its kind, attracted the interest of local researchers and served as an incentive to explore ways and means of using PEI, as a significant quantitative indicator for the evaluation of electoral processes in Albania.

The Index that assesses the Perception of Election Integrity (PEI) for the parliamentary elections held in Albania in 2013 and 2017, was evaluated by Norris, P. et al., in the framework of the Electoral Integrity Project (2019), in which the 337 elections, hold in 166 countries around the world were analyzed. The value of this index for Albania has resulted 54 points and 53 points respectively for the elections held in 2013 and those held in 2017.

According to these values, for both of these elections, Albania is classified in the group of countries that have held elections that, in their entirety, are classified at the level of "Moderate", positioned in the lower range of the values that belong to this level (50- 59).

With the support of the Swiss Embassy, AIESD engaged and conducted the evaluation of the Electoral Integrity Index, for the parliamentary elections that took place on April 25, 2021.

II. Election integrity index (PEI)

In order to conduct elections with integrity, it is necessary for the country to draft a legal and institutional framework that will encourage and support the development of free, fair and democratic elections. Elections with integrity are achieved only when the implementation of legislation and the conduct of all actors involved in the electoral process, political parties, electoral administration, law enforcement institutions and even voters is characterized by their willingness and commitment to conduct elections based on democratic standards, European electoral heritage, OSCE commitments and good electoral practices. Among the main guiding principles that help in conducting elections with integrity can be listed:

• *Respect for the principles of electoral democracy, among which are part:*

- (i) all citizens have equal rights to participate in elections as voters and / or candidates;
- (ii) all citizens should have an equal right to vote;
- (iii) the secrecy of the vote must be ensured for all;
- (iv) voters should have equal access to election information and the campaign;
- (v) election administration should be conducted in a fair and non-partisan manner
- (vi) elections must be held regularly at specified intervals;

(vii) the election results must be decided by the votes cast freely by the citizens.

Elections are free when citizens, communities and / or their groups in political parties are provided with freedom of speech, assembly, association, free movement and the absence of fear and pressure.

Fair elections can be realized only when:

- (i) electoral process is transparent,
- (ii) legislation, regulations and various electoral rules are equal for all,
- (iii) everyone has equal opportunities to participate in the process, as a voter, administrator, observer or candidate,
- (iv) the election process is administered by an independent and impartial commission,
- (v) the voter is not intimidated,
- (vi) the procedures are applied equally for all,
- (vii) the rules and restrictions provided by the legal and sub-legal framework are respected,
- (viii) the announced result is a real reflection of the will of the voters expressed by voting,
- (ix) the result is accepted.

• *Ethical behavior*

Election integrity depends on the ethical conduct of election administrators, election officials, candidates, parties, and all participants in the electoral process. This means that all participants should behave in a way that promotes a free and fair process that discourages those that violates the law and endangers the integrity of the process.

• *Professionalism, accuracy and correctness in law enforcement*

This requires, in the first place, that the election administration must be professionally prepared, correct and with integrity in decision making. Behaviors with political overtones or that create the perception that they favor certain candidates or subjects in the electoral race, significantly damage the integrity of the electoral process.

• *Professional commitments of institutions*

The implementation of the requirements of the law by institutions that have duties within the electoral process and the observance of legal obligations and conditions for the institutions defined in the electoral law are important factors for elections integrity.

• *Supervision and implementation*

The legislation provides the establishment and functioning of institutions responsible for the supervision and implementation of electoral laws by the election administration. Continuous monitoring of the process through the activation of internal and external mechanisms help to detect problems in the system and identify responsible groups or individuals. The continuous and increasingly effective activation of this oversight process is an important priority for fighting corruption during the electoral process, for bringing those responsible to justice and realizing a sense of trust in the system.

• *Transparency and accountability*

Transparency makes the institutional structures and actions / decisions they make, widely accessible

and better understood. Participants in an election will usually have more confidence if they have access to detailed procedural information and can understand how the election process works. Transparency, along with public observation, usually provides additional incentives for election administrators and election officials to act in accordance with the rules and to be prepared to be held accountable for their actions.

III. Methodology

The Evaluation of Perceptions of Election Integrity was carried out by applying, in the main lines, the rules described by the Methodology developed by Norris, P. et al., (2014). According to this Methodology, the evaluation of the Index for the Perception of Election Integrity is performed using the quantitative evaluation of perceptions for 49 indicators, grouped in 11 categories which reflect the entire election cycle (Fig. No.1).

Norris, P. et al (2014) emphasize that the values of 49 items are quantitative assessments of the perceptions done by the experts who are committed to this purpose. Each of the items is formulated in the form of an assertion to which the attitude with positive growth should be expressed, ranging from the lowest value (1) to the highest (5). For the evaluation of the General Index of Perceptions of Election Integrity (PEI), the values of the indicators (average of the values of all the constituent items of the respective indicator) are standardized in values from 1 to 100 points.

Standardized values are ranked in five intervals (Table no. 1)

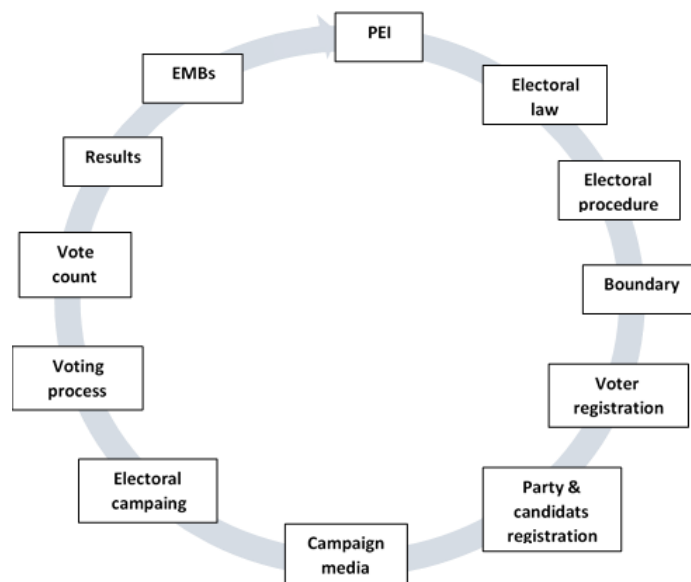


Fig. no. 1 PEI Electoral Process

Source: Electoral Integrity Project. 2014. The expert survey of Perceptions of Electoral Integrity, Release 2.5 (PEI-2.5).

For the evaluation of the PEI Index for the elections for the Parliament of Albania, April 25, 2021, based on the above Methodology, AIESD activated 10 specialists, with training in legal and political sciences. Considering the features, characteristics and problems that have accompanied the electoral process in Albania, among which can be listed:

- (i) problems related to the process of drafting legislation,
- (ii) registration of candidates and their legal obligation for selfdeclaration in the implementation of the law on purity of image (decriminalization law),
- (iii) campaign and its financing,
- (iv) gender representation,
- (v) administration of the electoral process, for the evaluation of PEI index, in accordance with Pippa, N .. et al, was collected data and perceptions for 11 indicators. For each of these indicators a list of items was compiled. The number of which is given in Tab. No. 2.

PEI index

≤ 40 scores	Very low
40 ⁺ - 50 scores	Low
50 ⁺ - 60 scores	Moderate
60 ⁺ - 70 scores	Hight
$\geq 70^+$ scores	Very hight

Table no. 2 Indicators and number of items

Phases	Indicator	Number
Pre election day	Legislation	12
	Electoral procedure	15
	Boundary	5
	Voter registration	7
	Parties & candidates registration	17
Campagn	Media and campagn	18
	Electoral campagn	17
Election day	Voting process	17
Post election day	Counting	12
	Result	8
	Electoral body	19

Unlike Norris, P. et al. the number of items is significantly higher, 147 vs 49. These changes were made in order for the quantitative assessment of perceptions to be based on information, which reflects in as much details as possible, the stages of the electoral process that are observed, procedures and the level of their implementation in each of these phases, referring to the specifics and features that have characterized the electoral processes in Albania. The detailing and formulation of the items was done taking into consideration what was done considering the methodology used by the independent Albanian domestic oservers, for the observation of the electoral processes. In the formulation of the items it was considered, the way in which the questions were formulated in the Questionnaires used by these observers. In this way, it was possible that for the evaluation of the PEI Index to use the information and data that have been published in the interim and final reports of independent Albanian domestic observers.

IV. Evaluation of the indicators

1. Legislation

Electoral law should enjoy the widest possible support from stakeholders in the process, political parties, candidates and voters. It must therefore be the product of an overall legislative process. According to Venice Commission Code of Good Practice in Electoral Matters, changes to the Electoral Code must be made, at least, six months prior to election day.

As a rule, in Albania the amendments to the Electoral Code have been implemented as a bipartisan process, which has not respected the recommendation given in the Code of Good Practice in Electoral Matters, for the time when they should be done. Often these differences have been the result of bipartisan agreement reached on the eve of the start of the electoral process.

To judge and evaluate the legislative process that took place for the parliamentary elections, April 25, 2021 and its product, the Electoral Code, AIESD organized the observation of this process immediately after the establishment of the Parliamentary Commission for the electoral reform by the Albanian Parliament, with decision no. 102/2017. Results of data processing for perceptions and evaluation of this legislative process are given in table no. 3.

The electoral reform for the preparation of the legal framework for parliamentary elections, April 25, 2021, took place as a process where disagreements between the parties, the majority and the opposition prevailed. International pressure turned out to be the main driving factor in this whole process. Its result was the adoption of Law no. 101/2020, dated 23.7.2020 "On the changes in the Electoral Code of the Republic of Albania", part of the June 5, 2020, agreement reached in the Political Council, between the majority and the united extra-parliamentary opposition. Approval of the constitutional amendments and the amendments to the Electoral Code, law no. 118/2020, dated 5.10.2020, by the majority together with the parliamentary opposition, without the consent of the united non-parliamentary opposition, was an action that opposed, in essence, the demand and the standard to carry out consensual electoral reforms.

Amendments to the Electoral Code created a more supportive legislative framework for conducting an electoral process in line with and implementing standards for democratic elections and OSCE commitments. The inclusion in the Electoral Code of provisions governing the use of information technology for biometric identification of voters, provisions that address the requirement to increase transparency and monitoring of election campaign expenditures, not to use public assets in function of the election campaign, to increase pressure on the election administration to implement the law and legal procedures, changes to a more effective functioning of the electoral justice system and the implementation of the principle of gender equality, are among the legislative achievements that support this assessment.

Despite statements made by political parties to reflect the recommendations of OSCE / ODIHR International Observer Mission, the amended Electoral Code failed to fully meet the expectations. In particular, the principle according to which the election administration should be built was not changed. The recommendation to build an administration not based on the principle of political representation was not reflected in the changes made to the Electoral Code.

Table no. 3 Evaluation for the indicator "Legislation - Electoral Code"

Indicator		Evaluation 1 to 5	
PRE ELECTION DAY	1. Legislation - Electoral Code		
	1.1 Electoral reform was consensual	2.2	3.17 (54.25)
	1.2 The amendments to the Electoral Code reflected OSCE / ODIHR recommendations	3.0	
	1.3 The Electoral Code meets international standards and adequately ensures respect for fundamental human rights	3.7	
	1.4 The Electoral Code created real opportunities for voting from outside the country	3.1	
	1.5 The Electoral Code is clear and cannot be misinterpreted	3.8	
	1.6 The Electoral Code provides sufficient guarantees for the observance of civil and political rights	4.3	
	1.7 The Electoral Code does not discriminate against small parties	2.0	
	1.8 The Electoral Code does not discriminate against independent candidates	2.0	
	1.9 The Electoral Code does not favor the ruling party or parties	1.8	
	1.10 The Electoral Code does not discriminate against national minorities	3.2	
	1.11 The Electoral Code supports gender equality	4.8	
	1.12 The CEC instructions reflect the requirements of the Electoral Code	4.1	

The Electoral Code included, for the first time, provisions for voting from outside the country. Despite this, the Electoral Code addresses this issue only in main lines and as an opportunity for the elections of April 26, 2021. It instructs the CEC to design and implement all the necessary bylaws and build the infrastructure that will serve for external voting.

By not addressing the problem of changes in the electoral system and in complete lack of will of the main parties, SP, DP and SMI to reduce the number of electoral units, an opportunity that was created after the constitutional amendment, resulting in the removal of the constitutional provision according to which electoral units should correspond to one of the territorial-administrative divisions of the country, the legal framework for April 25, 2021 elections discriminated small and new parties. It significantly favored the big parties.

The establishment in the Constitution of the national electoral threshold, which in the Electoral Code was set at 1 percent, is a condition that is not harmonized with the regional proportional system. This legal change favors the big parties. It is a very tight condition for small parties and not at all supportive for new political parties. The national threshold applied even for independent candidates, running in one electoral unit, is in conflict and significantly penalizes the principle of competition on equal terms between electoral subjects.

In conclusion, based on the above data, it can be stated that **the indicator that reflects the process of preparation of the legal framework and the qualities of the reformed Electoral Code, in accordance with which the elections for the Albanian Parliament took place on April 25, 2021, is**

estimated as a "Moderate" level. Compared to the assessment for this indicator for the elections held in May 2015, the value is about 13.2% lower. Given that, in fact, the new Electoral Code, as demonstrated above, in some important aspects of it was significantly improved compared to the Code according to which the 2015 elections took place, the above difference is due to the fact that the legislative process is significantly deviated from the quality of being a consensual process.

2. Implementation of electoral procedures

In accordance with the legal changes, tCEC was formatted as an institution with a monocratic body, State Commissioner and two collegial structures. This change affected its effective and more transparent functioning. Despite this, it should be noted that the election of members composing this Commission, regulated by transitional provisions in the Electoral Code, was based on the same principle - the political representation. The effect of not changing this principle has contributed to the creation of the perception that the CEC decision-making could be affected by the political selection of its members.

Table no. 4 Evaluation of the indicator "Implementation of Electoral Procedures"

Indicator		Evaluation 1 to 5	
PRE ELECTION DAY	2. Electoral Procedures		
	2.1 State Commissioner made decisions in accordance with the Electoral Code	4.0	3.13 (53.25)
	2.2 The Regulatory Commission made decisions in accordance with the Electoral Code	3.2	
	2.3 KAS made decisions in accordance with the Electoral Code	2.8	
	2.4 Electoral College made decisions in accordance the Electoral Code	3.1	
	2.5 CEAZ applied the Electoral Code	4.5	
	2.6 VCC applied the Electoral Code	3.9	
	2.7 Order forces respected the Electoral Code	4.0	
	2.8 The voters were regularly informed of the voting procedures	3.3	
	2.9 The voters were informed for their voting center	1.0	
	2.10 Voters were informed for the right to preferential vote	2.8	
	2.11 The voters were informed of the consequences of the violation of the Electoral Code and vote`s buying	2.9	
	2.12 The national minority voters were informed in their mother tongue	2.0	
	2.13 Elections were developed in accordance with the law	3.4	
	2.14 Electoral subjects respected the law	2.7	
2.15 Political parties did not exert pressure on commissioners	3.4		

The State Commissioner, pursuant to the requirements of the Electoral Code, in general showed professionalism and high level of transparency. With his initiative for the first time in our country, an effective cooperation between this institution and civil society organizations that was engaged in monitoring and observing electoral processes and the protection of human rights was established. Preliminary consultation with these organizations, for the acts that were reviewed and approved by

the State Commissioner in preparing the electoral process, was a practice, which created a new working culture in this institution and in its cooperation with others.

During the work for the preparation of various acts needed for the administration of the electoral process, the Commissioner paid attention in taking opinion and consultation with political parties. Despite its values, this action was not always justifiable. The negative effects of this behavior were particularly displayed in the decision of the Commissioner for drafting the ballot. A lot of time was spent consulting political parties for this issue. Consequently, CEC had a little time available to inform the voters of how they should administer their vote for their subjects and candidates. The consequence was a very large number of invalid votes.

Although the Commissioner has ordered in October 2020, the establishment of a working group for voting of citizens from outside the territory of the country, the external voting failed to be realized. The justification that political parties did not engage and did not have the will to support the external voting it is not enough. The Commissioner should had prepared all the necessary bylaws necessary and should had requested the regulatory commission to review and approve them.

The Commissioner's decision to determine the number of candidates on the list of candidates prepared by the electoral subjects had negative consequence and was an incorrect implementation of the Electoral Code.

The preparatory work and administration for the implementation of such technology, including the drafting of sub-legal framework, was a direct responsibility of the Deputy Commissioner. Although there was a number of voting centers, about 200 VCs or about 3.8%, where this technology could not be used, in general, it was accomplished in accordance with the law and at the level of expectations.

The State Commissioner has reviewed and took decisions for all cases of denunciations for the violations of the provisions of the Electoral Code and the Guidance of the Regulatory Commission regarding the use of public assets and activities of public institutions during the electoral campaign.

Despite this the State Commissioner failed to use, effectively, the mechanisms offered by the law to prevent the use of assets and public activities in view of the election campaign.

The Commissioner failed to carry out the expectation for real-time monitoring of the expenses that political entities and their candidates used for campaign activities.

Upon approval of candidate lists, the State Commissioner, immediately began the process of verifying their self-declarations (law for decriminalization).

The State Commissioner planned and conducted voter education campaign, including voters who vote for the first time and vulnerable layers. The arguments of this campaign were the phenomenon of vote buying, penalties that causes the violation of the Electoral Code, voting procedures, biometric identification of voters, etc. Despite this, the effects of this campaign were not achieved in accordance with the objectives. In particular, the use of preferential vote was not well administered by the voters, increasing the number of void votes. Training of technicians that should use electronic devices was not always effective.

In cooperation with AMA, the State Commissioner monitored the implementation of the Electoral Code for media in the electoral campaign. Meanwhile it should be noted that the fulfillment of this duty by the State Commissioner did not overcome the formal law enforcement limit. For the voters belonging to national minorities, no action plan for their mother tongue was applied. In the majority of cases, CEC developed the awareness and information on these voters, in their mother tongue, only online.

The Commissioner in cooperation with the local government bodies did not always succeed in securing voting centers easily accessible to disability voters. For blind voters, no possibilities were created to vote with special ballots (Braille Stationery).

Public information in real time, for participation in voting is an unrealized task by the State Commissioner.

The information published regarding the progressive results in the process of assessing and counting the vote was carried out following the procedures.

The Regulatory Commission, as the competent body for the adoption of normative acts and the establishment of rules for the elections, adopted 34 decisions for which voted at least 4 members. Part of the decisions of the Regulatory Commission were the materials that were used to vocational training of commissioners and voting number groups.

There were decisions that the Regulatory Commission did not reach the quorum needed for approval, such as the draft decision "On the approval of the contents of the ballot papers" for which the Commission declared its incompetence.

The Regulatory Commission did not consider any act related to the possibility of voting from outside the territory of the country.

The Appeals and Sanctions Committee reviewed all complaints made during the pre-election period and after the elections, a total of 24 appeals filed by electoral subjects, political parties, coalition or different NGOs. KAS reviewed and took decisions for all complaints made by electoral subjects for announcing the invalidity and repeller to the election. During their administrative screening, KAS did not accept the appellant's request to receive information from other institutions. In general, decisions were taken with a simple majority of members of this Commission. KAS only administered electoral materials. KAS stance on complainants' requests were evaluated by opposite parties as a political decision-making, promoted and requested by the Socialist Party.

The Electoral College of the Court of Appeal, before the election, reviewed three complaints on KAS decision and after the election day this institution reviewed a total of 9 complaints. The Electoral College judged the claim of electoral subjects, made prior to the election day, in a professional way. The process of reviewing the complaints from the Electoral College was performed in accordance with the time limits.

The decisions of the Electoral College for the appeal for the invalidity of the election result were not accepted by the opposition parties. They declared the continuation of the attempts to adjudicate these

lawsuits to the Constitutional Court or even in the International Court of Strasbourg.

CEAZ administered the process of preparing the elections, the election day, the numbering of votes and the outcome tabulation, in general, in respect of the Electoral Code. In cooperation with local government bodies, CEAZs developed the distribution map of voting and counting centers. CEAZs were engaged in the preparation of voting centers and their adaptation to voters with disabilities, the decisions for establishing the commissions of the polling stations, the work on awareness and information of voters, the commissioners and members of counting groups training and all other tasks defined by CEC instructions.

The replacement of CEAZ members, VCCs, GNVs negatively affected the normal development of their training process. Consequently, members of these commissions had limited knowledge of the provisions of the new Electoral Code. Particularly this was in the case of VCC members.

Political affiliation of members of CEAZs, VCCs and GNVs in some cases negatively affected the administration of the electoral process. Particularly during the voting process and during tabulation of the results this phenomenon was more present.

The standardized average value of **the indicator that reflects the implementation of electoral procedures from the electoral administration and their effects, 54.5 points, shows that in April 25, 2021 Parliamentary elections, this Indicator of the Election Integrity Index is estimated at the "moderate" level.**

Compared to the Parliamentary elections held in 2013 and 2017 (PIPPA, N. et al., 2019), the value of this indicator is lower, respectively about 16.1% and 14.8% respectively.

3. Boundary

Code of Good Practices on Electoral Issues emphasizes that the boundaries of electoral zones and their geographic location in the territory is important for the quality of the election. They can affect the outcome of the election and consequently in the political processes and institutions that emerge from them. In general, governing majority is inclined to build the distribution map in the territory of electoral units, according to their electoral interest, bypassing the voter interest, in particular by increasing their possibilities to be represented and not respecting the principle for Power and Proportional Equality of Votes.

Referring to the results of the Parliamentary elections developed after the change of the electoral system, in regional proportional system, with 12 electoral units, corresponding to the twelve Albanian districts, the request for a new system change have been articulated more and more. Part of this request was the reduction of the number of districts and borders changing.

Constitutional amendments created the possibility for treating this issue. Main political parties, SP, DP and SMI did not engage in its solution. Elections for the Parliament, April 25, 2021, took place in 12 electoral units, without any change in their borders.

The perceptions for five items (Table No. 5) were used to evaluate the effect of the allocation of electoral zones in the Election Integrity Index.

Perceptions of the effect of the number of districts and their boundaries on the integrity of the elections, highlight the fact that the division into 12 districts and setting up the national threshold, although the electoral system is proportional regional, have negative impact in the integrity of the election. Such a division discriminates against small parties and new political parties. This division is perceived as a factor with a negative effect on the vote power. The national threshold is considered as a legal condition that, in particular, puts in completely unequal racing positions, small parties and independent candidates, as opposed to big parties, SP and DP.

Table no. 5 Evaluation for the indicator "Division of districts-Boundary"

Indicator		Evaluation	
3. Division of constituencies -Boundary		1 to 5	
PRE - ELECTION DAY	3.1 The division of districts does not discriminate political parties	3.1	2.14 (28.50)
	3.2 Small parties and new parties are not discriminated against by the division of districts	2.0	
	3.3 The division of districts does not affect the power of the vote	3.3	
	3.4 The national threshold does not discriminate small parties and independent candidates	1.3	
	3.5 The national threshold does not discriminate independent candidates	1	

The average converted value of this indicator (28.5 points) classifies it as "very low", identifying it as a factor with a significant negative effect on the perception of the integrity of the elections.

4. Voter registration

Every Albanian citizen, who has reached the age of 18 even on election day, has the right to vote. Although the restriction of the right to vote for persons declared by a court decision as incapable of acting has been removed from the article of the Electoral Code on the criteria for inclusion of voters in the voter lists, it continues to remain in other articles (of the Code) and in the Constitution. The Electoral Code stipulates that citizen serving a prison sentence for committing certain criminal offenses may not vote.

With the changes that were made in the Electoral Code with the law no. 101/2020, dated 23.7.2020, for the first time in Albania, the possibility for voting from abroad was foreseen. The Code instructs CEC to prepare all the sub-legal framework necessary for the implementation of this voting method. The voter can vote in this way only if he is registered in the list of voters who will vote from outside the country.

Local government bodies, civil status offices, are responsible for compiling the voter list. The voter registration system is passive. Voters over the age of 100 are automatically removed from the voter list and must confirm their details to be re-entered on the list. Voter lists are based on the electronic

Table no. 6 Evaluation for the indicator "Voters list"

Indicator		Evaluation 1 to 5	
PRE - ELECTION DAY	4. Voter list		
	4.1 The legal framework for voter registration enables the compilation of an accurate list	4.8	3.76 (68.93)
	4.2 The voter list is public and easily accessible	4.8	
	4.3 Correction of errors and inaccuracies in the list is fully possible by citizens	4.7	
	4.4 The legal framework for registration in the voter list with a court decision is clear and easy to use by citizens	3.9	
	4.5 Changes to the polling station did not cause voter concern	2.1	
	4.6 Local government bodies notified voters of the polling station	1.2	
	4.7 Political parties had full access to the process of compiling the voter list	4.8	

database of the National Registry of Civil Status, which is maintained by the General Directorate of Civil Status (DPGJC) at the Ministry of Interior.

The legislation provides for the participation of voters in the process of correcting the preliminary list.

Starting from October 3, 2020, the Civil Registry Offices published monthly voter list extracts for public review. The Code obliges the local government bodies to notify, in writing, door to door, the voters about the number of the polling center and their number in the list of voters of this center.

CEC overviewed the process of compiling the voter list. Political parties have the right to monitor the process of compiling the voter list. This is done through auditors, appointed by CEC, who are proposed by political parties.

Registration in the voter list is a necessary condition to exercise the right to vote.

The data collected for the items listed in Table no. 6 were used to evaluate the perceptions regarding the effect of the voter list on the election integrity index (PEI).

Based on these perceptions, it can be stated that, in general, the voter list, as one of the important factors for the integrity of elections in Albania, is estimated to have generated positive effects. **This indicator is evaluated at the "high" level.** This is due to the fact that currently, in Albania for the compilation of the voter list is used a legislation completed with the standards of international documents and with the legislation of EU countries.

The process for compiling the voter list is open to citizen participation and transparent. The procedures for correcting the voter list are simple and understandable.

Despite this, the quality of the process for compiling the voter list is negatively affected by the lack of commitment of local government bodies to notify voters about the polling station and changes

made to the number of polling stations, for a considerable number of voters, without preliminary informing.

The quality of the voter list was reflected in a small number of voters who showed up at the polling station and failed to vote because they did not have their name on the voter list of the respective center. It is important to note, however, that in such cases, using the possibilities given by the information technology for the biometric identification of voters, the polling station commission, in many cases, showed these voters the number of polling stations where they should go to vote.

5. Parties & candidats registration

In accordance with the deadline set in the Electoral Code, the State Commissioner has registered the political parties that submitted the request to run in the elections of April 25, 2021. The Commissioner also registered the requests submitted by groups of voters and provide to them the documentation required for independent candidate registration. The registration of electoral subjects was carried out in accordance with the requirements of the Electoral Code.

The Electoral Code has reconsidered the possibility of running in a coalition, treating this possibility in accordance with the requirements of the amended Constitution. The registration of coalitions was carried out in accordance with the provisions given in the Electoral Code.

Every voter with the right to vote has the right to register as a candidate, except those who are currently serving a prison sentence or have previously been convicted of specific criminal offenses. The Constitution defines the categories of officials whose activity is incompatible with the right to run. These requirements of the law were respected by political parties and the CEC.

Political parties, coalitions and citizens' groups have submitted to the State Commissioner the lists of candidates for each of the 12 constituencies. In these lists only party leaders could be registered in more than one list. This legal right was used by SP and SMI, whose respective chairmen were registered, each in two constituencies. The State Commissioner, interpreting the requirement of the Electoral Code for the number of candidates in the multi-name list and respecting the gender quota, returned the submitted lists for review. Even in the corrected list, the subject PD-LN presented a number of candidates more than the number that was set by the State Commissioner. The State Commissioner partially accepted the list of candidates of the PD-LN subject, registering only the candidates listed in the list, up to the number he had previously decided and declared, for the respective constituency. The decision of the State Commissioner was appealed to KAS, which assessed it as illegal. The decision of KAS was appealed to the Electoral College. The Electoral College has approved the decision of the Election Commissioner and has setting an upper limit regarding the number of candidates in list.

Before the legal deadline, CEC registered 12 lists of candidates, submitted by 12 electoral subjects and 5 independent candidates in 5 districts.

The political parties carried out the process for compiling the lists of candidates, promoting it as an

Table no. 7 Evaluation for the indicator "Registration of electoral subjects"

Indicator		Evaluation 1 to 5	
PRE - ELECTION DAY	5. Registration of electoral subjects		
	5.1 The law does not contain discriminatory provisions for the registration of new parties and independent candidates	3.5	3.39 (59.75)
	5.2 Parties and candidates complied with the deadlines for registration as electoral subjects and for the registration of candidate lists.	5.0	
	5.3 Political parties complied with the requirements of the Code for the number of candidates in constituencies.	3.5	
	5.4 CEC and the Electoral College implemented the requirement of the Electoral Code for the number of candidates in the multi-name list	2.5	
	5.5 The list of candidates is not only a product of the decision-making of the party leadership	2.4	
	5.6 Political parties have taken care to represent young people and marginalized communities in the list of candidates	2.3	
	5.7 Ethnic and national minorities had equal opportunities to compete	3.7	
	5.8 Citizens residing outside the country have a real opportunity to run as a candidate	3.1	
	5.9 Immigrant citizens are represented in the lists of candidates of political parties	1.6	
	5.10 Electoral legislation creates favorable conditions for women to participate in elections as candidates and process administrators	4.9	
	5.11 Political parties respected the demand for gender quotas	4.4	
	5.12 The State Commissioner implemented the requirements of the law on gender equality in the candidate lists	5.0	
	5.13 Political parties took into account the law on decriminalization during the process of compiling the list of candidates	4.3	
	5.14 CEC implemented the requirements of the law on the purity of the figure of candidates	4.6	
	5.15 Citizens are informed about the process of compiling the list of candidates by political parties	2.2	
	5.16 The contents of the ballot paper were agreed upon by the political parties	2.4	
5.17 The content of the ballot paper does not complicate voting by preferred ballot	2.3		

open process, with the participation of the entire party membership. Despite this, essentially the final list of candidates was the product of the decision making of the leadership of the respective party.

There were political parties that took extra care to include young people as candidates. However, this attitude towards young people has not yet managed to become an important and integral part of the culture of political parties. While representation on the candidate lists of marginalized communities was insensitive.

Albanian legislation provides for full political, civil and social rights for persons belonging to national minorities, in line with OSCE commitments. Although the legislation does not have discriminatory restrictions on the candidacy of persons belonging to national minorities, only a few parties reported having candidates belonging to these minorities.

Candidates from the Roma and Egyptian minorities, as the minorities with the largest number of citizens, were not registered. There was generally no direct discrimination against national minorities in connection with the electoral process. Voters residing outside the country can run as independents or be nominated by political parties. Despite this for the elections of April 25, 2021, only in very rare cases, there were candidates from the communities of immigrant citizens.

Electoral legislation has effectively addressed the problem of women and girls competition. Political parties and the CEC rigorously implemented this legislation.

The requirement of the law for the purity of the figure generally was respected by political parties. CEC, immediately after the registration of the candidate lists, started the process of verifying the candidates' self-declarations. In-depth verification was required for some of them.

Referring to the provisions of the Electoral Code in which the preferential vote is treated and the conditions that the ballot paper must meet in relation to this vote, the problem of drafting, content and organization of information on the ballot paper became the subject of discussion with great political burden. The final decision on the ballot was not the result of agreement between the parties, the majority and the opposition. In the absence of the necessary time to inform voters about the manner of voting on the ballot paper, voters found it difficult to administer the preferential vote. The effect of this is the large number of invalid votes, about 5% of all ballots cast at the ballot box, at the national level.

Perception of the indicator "Registration of electoral subjects", the value of which was calculated as the sum of perceptions of factors related to how the law treats the right to run and perceptions regarding the level of implementation of legal obligations by political entities and election administration, **is assessed at the "moderate-high" level**. In this way, this indicator is classified among the indicators with a significant positive effect on the index of integrity of the elections that took place on April 25, 2021. Compared to the value that this indicator had in the 2013 and 2017 elections, (N. Pippa, et. al., 2019) turns out to have an increase of about 28.1% and 23.0% respectively.

6. Media and electoral campaigns

The media environment in Albania is diverse. There are currently operating a significant number of private operators, with national and local coverage. Albanian Public Television (RTSH) is a public

media which covers the entire territory of the country. RTSH also operates with local units in different regions of the country.

In addition to audiovisual and print media, in the Albanian media environment, more and more, social media and portals are gaining ground.

It is the duty of the State Commissioner to monitor the implementation of the requirements set out in the Electoral Code regarding the media and media coverage of the election campaign. To perform this task, the Commissioner cooperates with the Media Monitoring Authority (AMA). AMA consists of seven members appointed by Parliament for a 5-year term, with the right to be re-elected only once. Currently, there are three vacancies in this institution, while the mandate of the chairman and one member have ended.

The perceptions for the items given in Table no.8 were used in order to evaluate the indicator that reflects the role of the media in the election campaign and the implementation of the legislation by the audiovisual operators during the election campaign.

Referring to the values for these items, it turns out that even during this election campaign the role of the media and the services they have provided, especially for private operators, to a considerable extent, have been influenced by the interests of their owners. Political parties used at maximum the opportunities offered by the Electoral Code in order to be the ones who prepared the chronicles of the newscasts. Not infrequently, journalists were not allowed to follow the activities of electoral subjects and often they faced pressure and intimidation.

Although the Electoral Code deals in detail with the use of television airtime and the exercise of the right of electoral subjects to purchase television airtime for political advertisements, AMA monitoring results show that these requirements of the law were often not respected by media operators and election subjects. This phenomenon was especially frequent in local audiovisual media.

In general, State Commissioner enforced the requirements of the law on the allocation of television time and, based on AMA reports, decided on punitive measures for violators of legal provisions.

AMA monitored about 30 audiovisual operators. Paying attention to the measurement of television time, the order of appearance of political entities in news editions, gender ratio, quality of performance in relation to meeting the professional and legal requirements set out in the law on media, generally, AMA has fulfilled the task in accordance with the requirements of the law.

The lack of organization and development of forums with candidates and between electoral subjects in the electronic media with national and local coverage, is evaluated as an unfulfilled standard in the election campaign.

The State Commissioner failed to organize and develop the monitoring of the print media. Out of his focus was also the monitoring of portals or the organization of work for the collection of information that could be used to assess the role of social media in the election campaign. Despite this, the accumulated perceptions about the role of social media, its impact on the electorate and the extent of its

Table no. 8 Evaluation for the indicator "Media and election campaign"

Indicator		Evaluation 1 to 5	
ELECTORAL CAMPAIGN	6. Media and election campaigns		
	6.1 Public Radio and Television implemented the requirements of the Electoral Code regarding the broadcasting time of the activities of electoral subjects	3.9	3.26 (56.50)
	6.2 Public Radio and Television covered the election campaign through news or informative programs in accordance with the principles set out in the Electoral Code	3.7	
	6.3 Private radios and televisions covered the election campaign only during the news edition and special sections.	3.5	
	6.4 Political parties had access to audiovisual media in accordance with the standards and the Electoral Code	3.2	
	6.5 The media realistically covered the messages of electoral subjects and candidates	3.6	
	6.5 News reporters were allowed to freely follow election campaign activities	2.6	
	6.6 News reporters covered the election campaign without pressure	2.9	
	6.7 The CEC and MAA monitored the media in accordance with the requirements of the Electoral Code, in a transparent and impartial manner	4.3	
	6.8 Audiovisual media avoided campaigning and negative messages	3.2	
	6.9 Private media complied with the requirements of the Electoral Code for the transmission of electoral advertisements of political parties	3.4	
	6.10 Local media had the same access to national media in covering the election campaign	3.1	
	6.11 Candidates of political or independent parties had sufficient access to the media to introduce themselves to the electorate and to disclose their ideas and program.	2.6	
	6.12 Social media did not affect voters	3.1	
	6.13 Social media was not misused	3.6	
6.14 Electoral debates were used to present governance programs	2.2		
6.15 Informing the public about the candidates / parties was sufficient, objective and balanced	3.1		

campaign, at the level of "Moderate".

The average value of perceptions for the indicator "Media and electoral campaign", ranks this indicator in the group of indicators that belong to the "moderate" level.

Comparing its value (56.5 points) with the values published by N. Pippa, et. al., (2019) for the parliamentary elections held in 2013 (47.0 points) and 2017 (48.0 points) it can be stated that the behavior

and use of audiovisual media during the election campaign for the assembly elections on April 25, 2021, has marked a positive progress in respecting the law and standards

7. Financing and election campaign

Perception values for 17 items were used to assess the indicator "Financing and electoral campaign" (Table no. 9).

The average value of this indicator is 2.65 scores (standardized value 41.25 points). Indicator "Financing and election campaign" was assessed at "low" level.

Pippa, N. et al (2019) for the elections held in 2013 and 2017, has evaluated this indicator at the same level.

Referring to the indicators that have been considered for the evaluation of this indicator, two groups can be distinguished:

- (i) indicators related to the financing of the election campaign *and*
- (ii) indicators that reflect the development of the campaign.

Campaign financing is a complex phenomenon. For its evaluation, different sources of funding should be considered and with them the use of public assets and the opportunities that the government has to influence the electorate through various economic mechanisms, are necessities to be considered. The financing of the election campaign is one of the factors with a great impact on the quality of the electoral process and on fulfilling the standards for equality in the electoral campaign. The average value of the component indicators of the financing of the election campaign was evaluated 2.49 scores (37.25 points), classifying this indicator at the level "very low". Meanwhile, the average value of indicators reflecting the election campaign is 2.88 scores (47.00 points), classifying the election campaign at "low" level.

As it can be seen, the quantitative analysis of perceptions about the financing and the election campaign, identifies these as problematic indicators for the electoral process of April 25, 2021.

Referring to the estimates for the various items, the action and interaction of which have as their effect the value of the indicator "Financing and election campaign", among the items that have the greatest negative effects, can be listed:

- Lack of willingness of political parties to implement the requirements of the Electoral Code regarding the financing of their election campaign with private funds, in particular the lack of transparency about the source of this funding and their use for vote buying.
 - Disproportionate opportunities between political parties to secure funding from private sources
 - The use for election campaign purposes of public assets, public financial funds and public activities. The SP, bypassing the legal conditions, their letter or spirit, used all the opportunities given to it by being a ruling party at the central and local level. In many cases the public activities carried out by public institutions were obvious activities that served the SP campaign. Public administration employees became active in the election campaigns conducted by their leaders. In many cases, leaders

of the SP candidate, ministers, together with their close staff, stayed throughout the election campaign in the constituencies where they ran.

Table no. 9 Evaluation for the indicator "Financing and election campaign"

Indicator		Evaluation 1 to 5	
ELECTORAL CAMPAIGN	9. Financing and election campaign		
	9.1 The rules for campaign financing are clear and complete	3.6	2.61 (40.25)
	9.2 The requirements of the Electoral Code for financing with private funds were implemented by political entities and candidates	2.8	
	9.3 Parties / candidates had proportional access to public funds	4.0	
	9.4 Parties / candidates had proportional access to private funds	2.8	
	9.5 Parties / candidates make transparent the sources of funding in accordance with the requirements of the Electoral Code	3.0	
	9.6 The parties complied with the Electoral Code on the use of public assets	1.5	
	9.7 The ruling party did not remove or hire employees for electoral purposes	1.3	
	9.8 CEC monitoring, in real time, of party expenditures for the election campaign was effective and increased the transparency of these expenditures	2.0	
	9.9 Reporting violations in the use of public funds reduced the frequency of this phenomenon	2.1	
	9.10 Amendments to the Electoral Code and the Criminal Code reduced the phenomenon of vote buying and selling	2.2	
	9.11 The Prosecution and SPAK reacted effectively to allegations of vote buying and / or violations of the election law	2.4	
	9.12 Political parties and candidates make transparent sources of funding with private funds	2.2	
	9.13 Political parties support the campaign in presenting their governing programs	3.8	
	9.14 Political parties did not conduct negative campaigns	2.9	
	9.15 Political parties do not use instruments and methods to intimidate voters	2.5	
	9.16 Political parties did not increase political tension during the election campaign	2.5	
9.17 Law enforcement institutions influenced the development of an election campaign without problems of order and to prevent intimidation of voters	2.7		

- CEC failed to meet the expectations related to the inclusion in the Electoral Code of the provisions that gives the right and duty to monitor, in real time, the expenditures of political parties during and for the election campaign.

- Law enforcement institutions, state police, prosecution and SPAK failed to effectively influence the prevention of violations of the electoral law.

The delayed reaction of the institutions, but also the insufficiency of the involvement of the society in the fight against the phenomenon of vote buying and selling and on the other hand, the intensive and structured engagement, with the involvement of individuals and private entities with economic power, in buying vote, affected the public perception of the high frequency of this phenomenon, resulting in a decline of confidence in the electoral process. During the election campaign there were statements by representatives of political forces and denunciations about the phenomenon of vote buying and intimidation of voters. The denunciations made to SPAK set in motion this institution, which informed the public about the denounced issues and its decisions regarding their further review. Despite this, the slow response of the prosecution and the SPAK, justified by procedural obligations, did not serve to prevent violations of the electoral law, failing to meet the expectations provided by changes in legislation on the role and behavior of these institutions in electoral processes.

Political parties conducted an atypical election campaign. They did not devote enough space in presenting their governing programs. They focused on conveying messages that were mainly related to the effects of the earthquake and the pandemic, affecting the electorate only emotionally. The negative tones of the campaign reduced the interest of the voters and affected their bad perception regarding the electoral campaign.

Political parties did not only contribute but on the contrary, influenced the incitement and increase of political tension during the campaign. The search for and use of opportunities and instruments to put pressure on voters was a phenomenon that accompanied the election campaign.

Based on the observations and perceptions about the election campaign, its financing and the behavior of political parties and candidates during this campaign, in the main lines it can be stated that:

The campaign took place in the face of restrictions imposed as a result of the COVID-19 pandemic, which included restrictions on rallies and maintaining social distance, restrictions which were not respected in all cases and by all political parties, especially from DP. In its infancy, the campaign was characterized by a non-moderate tone used by political party leaders. Allegations of corruption and links to organized crime have replaced voter information on the governing programs of political parties. SP focused its message on successful efforts and its ability to cope with the pandemic situation, stressing that it was the only one that had the right capacities. The opposition conveyed the opposite message. The high concentration of both political parties in this issue has reduced the quality of the electoral campaign.

Consequently, the quantitative perception of the indicator "**Electoral campaign**" classifies it in the **group of indicators that are evaluated at "low" level.**

The President of the Republic repeatedly called on citizens, political entities, election administration and law enforcement institutions to engage in the conduct of free and democratic elections and the implementation of the law. His presence in the election campaign was assessed by SP as a violation

of the rights and duties of this institution. The President was accused of being part to opposition parties. This did not serve the political climate in which the election campaign took place. Consequently, the perception of this important phase of the electoral process does not support the claim for its development in accordance and implementation of the standards for democratic elections.

8. Election day

Based on the observations and perception of the voting day, for all its phases, the opening of the polling stations, the voting process, closing and the administration of the election materials until their

Table no. 10 Evaluation for the "E-day" indicator

Indicator		Evaluation 1 to 5	
ELECTION DAY	10. Voting process		
	10.1 The VC Commission implemented the requirements of the Electoral Code for the opening of the polling station	4.8	4.11 (77.75)
	10.2 The materials for informing the voters about the voting procedures and the preferential voting were posted in accordance with the Electoral Code and the instructions of CEAZ.	4.8	
	10.3 The polling station was adapted to enable voting for persons with disabilities	3.5	
	10.4 The voting process took place smoothly and without problems of order	3.7	
	10.5 Unauthorized persons did not interfere in the voting process at the polling station	3.8	
	10.6 The police enforced the requirements of the Electoral Code	4.4	
	10.7 The polling station commission followed the legal procedures for biometric identification of voters.	4.2	
	10.8 The polling station commission followed the legal procedures for secret ballot and family voting prohibition.	3.9	
	10.9 The polling station commission implemented the legal procedures for proxy voting for voters with disabilities.	2.8	
	10.10 Voters were not pressured to vote for a particular entity / candidate.	3.7	
	10.11 Voters knew the voting procedures.	3.3	
	10.12 Voters knew how to vote by preference.	2.9	
	10.13 Voters were allowed to vote by court order.	5.0	
	10.14 The polling station was closed in accordance with the law.	4.7	
	10.15 Only authorized persons stayed at the polling station.	4.6	
	10.16 Election materials were administered in accordance with the requirements of the Electoral Code.	4.9	
10.17 Boxes with election materials and ballot papers were sent to the polling station in accordance with the procedures.	4.9		

delivery to the polling stations, it can be stated that, at this stage, the electoral process was generally conducted in accordance with the requirements of the legislation and in fulfillment of the requirements for democratic elections. **The indicator that serves to assess the level of integrity of the**

electoral process at this stage is evaluated with 4.11 scores (77.75 points), at the level of "very high".

Comparing the value of this indicator with the values communicated by Pippa, N. et al, 2019, for the parliamentary elections 2013 and 2017, respectively 46 points and 45 points, it can be stated that at this stage of the electoral process significant progress has been made in fulfilling the standards of free and fair election.

Polling station commissions complied with the requirements of the Electoral Code and CEC instructions related to the procedures for opening of polling station. In each polling station were posted materials showing the voting procedure and lists of candidates of electoral subjects. Polling stations were conveniently located. Cases were observed where the polling station commission did not take measures to facilitate the mobility of voters with disabilities.

The voting process, throughout the day and in almost all polling stations monitored by the observers of the Independent Observer Network, took place smoothly, without problems and interruptions that could be caused by the intervention of unauthorized persons. Short interruptions in the voting process, as a result of the malfunction of the device for biometric voter identification, were reported in about 10 percent of polling stations observed.

The state police, generally complied with the requirements of the Electoral Code and the instruction of the Regulatory Commission for their presence in the vicinity of the polling station. There were no cases of their intervention to establish order at the polling station.

In general, the members of the commissions in the polling stations correctly implemented the Electoral Code and the instruction on the procedures that every voter had to follow to vote. Voters were not allowed to vote before their biometric identification was performed, fingerprints were taken and ink marks were placed on their fingers. Voting took place in the secret room. In general, polling station commissions respected the rule of proxy voting for voters with disabilities. In the centers where cameras were installed to record the work of the commission, no cases of their non-functioning were reported. Voters said they knew enough about the voting rules. Despite this, a number of them said they were unsure of how they would vote with preferential vote.

The closing of the voting process was generally smooth and in accordance with the requirements of the law. Following the announcement of the closure of the voting process, the polling station commissions implemented the procedures for the administration of election materials, in accordance with the law. The organization of the transport of the ballot boxes was carried out in accordance with the foreseen procedure.

9. Evaluation, vote count and tabulation of the results

The evaluation for the development of this phase of the electoral process is based on the information received from the observers of the Network of Independent Observers as well as the information gathered by the specialists engaged by AIESD, for the evaluation of perceptions, in order to evaluate the election integrity index.

Referring to the estimates for the average points for each of the items that have been taken into account for this indicator (Table no.11), it can be stated that:

Table no. 11 Evaluation for the indicator "Evaluation, counting of votes"

	Indicator	Evaluation 1 to 5
POST ELECTION	11. Evaluation and counting of votes	
	11.1 CEAZ complied with the requirements of the law for the delivery of ballot boxes and ballot papers	4.7
	11.2 The delivery of materials and ballot boxes took place smoothly and smoothly	4.1
	11.3 Observers had the opportunity to observe the handover process of ballot boxes and ballot papers	3.5
	11.4 The ballot counting team complied with the requirements of the law on ballot evaluation and counting	3.9
	11.5 Observers had access to the ballot counting process as provided in the Electoral Code and CEC instruction	3.4
	11.6 CEAZ complied with the requirements of the law on the evaluation and counting of votes	4.3
	11.7 The process of counting and evaluation of votes by GNV was carried out in accordance with the prescribed procedure	4.7
	11.8 The process of counting and evaluating the votes for the subjects and the preferential votes for the candidates took place normally and without incidents	3.8
	11.9 Observers of electoral subjects and candidates had the opportunity to monitor and observe, according to the law, the evaluation and counting of votes	3.5
	11.10 The tabulation of results was carried out in accordance with the law	4.0
	11.11 CEAZ transmitted, in real time and according to the instruction of the CEC, the tables of results to CEC	4.3
	11.12 The media was present during the entire process of evaluation and counting of votes	4.6
		4.07 (76.75)

- The receipt of ballot boxes and election's materials by CEAZs were conducted in accordance with the legal procedures. Their delivery took place smoothly and transparently.
- The administration of election materials, with the prescribed evaluation and counting of votes, was a carried out procedure and without problems with significant effects on its performance.
- Observers had access to the ballot counting process as provided in the Electoral Code and CEC instruction.
- The tabulation of results for electoral subjects was performed within the time specified in CEC instruction.
- There were no objections and non-acceptance of the table of results by the commissioners or by the observers of the electoral subjects.
- The State Police implemented the requirements of the law during the vote counting process.

- The interference of the representatives of different electoral subjects in the process of counting the votes only in a few cases created problems, interruption of the process or disturbance of order at polling stations.
- The presence of candidates and representatives of electoral subjects, which is provided by the Electoral Code in order to create conditions for more transparency in the vote counting process, in some cases negatively affected the normal course.
- Informing the public on line, in real time, about the results of the counting of votes in each polling station, through the support technique installed in CEC premises, influenced the increase of transparency in this phase of the process.
- The process of ballot counting and tabulating the results for the electoral subjects was completed in all CEAZs. Only in few small cases, CEAZs has approved the relevant decisions, without the qualified majority of votes.
- The number of invalid ballots was relatively large, about 5% of all ballots, nationwide. This fact generated objections and statements of political forces and candidates for mismanagement of votes in the process of their evaluation and counting, for which they stated that they would submit complaints to the Complaints and Sanctions Commission.

The indicator "Evaluation, counting of votes and tabulation of results" is evaluated with 4.07 scores (76.75 points) at the level of "very high".

Pippa, N. et al. (2019) for this indicator communicate the average values of 76 points and 67 points respectively for the elections held in 2013 and 2017. The evaluation for this indicator for the elections of April 25, 2021, shows that at this stage of the electoral process a positive experience has been reached. The problems faced by the administration of ballot papers and materials by the ballot counting teams and the CEAZs, during the evaluation, counting and tabulation of the results, did not manage to bring significant effects, which would cause violations of law and procedures, affecting positively the quality and integrity of the entire electoral process.

10. Complaints about the result

The items presented in Table no.12 were used for the evaluation of the indicator that reflects the process of administration of appeals by KAS and the adjudication of lawsuits made against the decisions of KAS in the Judicial Panel. **The average value for this indicator is 3.17 scores (54.25 points). The indicator is classified as "Moderate".** Compared this level with that published by Pippa, N. et. al (2019) for the assembly elections 2013 (78 points) and the assembly elections 2017 (71 points), it results that, based on perceptions, for this important phase of the electoral process, in the elections of April 25, 2021 no progress has been made.

The administration of appeals by KAS and the adjudication of lawsuits by the Electoral Judicial College took place as a process that was challenged by the appellants. The complainants stated that the decision-making of the KAS and the Judicial College was influenced by the majority party.

Referring to the items that have been considered for the evaluation of this indicator, it should be noted that among them there are important items for which perceptions are not enthusiastic. Thus e.g. acceptance of the result by political parties and certain electoral subjects is evaluated at a low level of 2.2 scores (30.0 points). KAS decision-making is perceived to have been influenced by the interests of the political parties that have supported the candidacies of the members of this commission, 2.6 scores (40.25 points) level "very low"; decisions on sanctions failed to generate the expected effect, perception of these decisions is low, 2.5 scores (37.5 points).

Table no. 12 Evaluation for the indicator "Complaints and Judgments"

	Indicator	Evaluation 1 to 5
POST ELECTION	12. Pre-election complaints / trials	
	12.1 Pre-election complaints were made in accordance with the Electoral Code	4.2
	12.2 KAS administered pre-election complaints in accordance with the requirements of the Electoral Code	3.1
	12.3 The Judicial Collegue adjudicated the lawsuits against the CSC decisions on pre-election appeals, objectively	3.3
	13. Complaints / judgments about the result	
	13.1 The parties accepted the result	2.2
	13.2 Candidates accepted the result	3.3
	13.3 The complaints procedures for the result were made in accordance with the requirements of the Electoral Code	4.5
	13.4 KAS reviewed complaints about the result in accordance with the law	2.6
	13.5 The Judicial Colleg considered appeals against KAS decisions appeals against the result objectively	3.0
	13.6 The election result did not cause serious incidents, disturbances or violent protests	4.2
	13.7 Sanctions for violations of the Electoral Code were implemented in accordance with the law and had positive effects on the acceptance of the election result	2.5
	13.8 The election of its members based on political selection had no effect on the decision-making of KAS	2.0
	3.17 (54.25)	

These items, if we refer to their effect on the integrity of the complaints process and the elections as a whole, are obviously important.

Meanwhile, if we refer to the methodology used for the evaluation of indicators, according to this methodology, in terms of calculation all these indicators are considered equivalent, although, in fact, their effect on the integrity of the process is significantly different. Consequently, the interpretation of the average value of this indicator must be done carefully.

11. Electoral authorities

The role of electoral authorities, CEC, CEAZ, VCC and BCT in the preparation and administration of the electoral process is very important. The integrity of the whole process, the level of respect and

Table no. 13 Evaluation for the indicator "Electoral authorities"

	Indicator	Evaluation 1 to 5	
POST ELECTION DAY	14. Election authorities		
	14.1 The reformatted CEC has taken decisions according to party lines	3.6	3.43 60.75)
	14.2 The work of CEC was transparent	5.0	
	14.3 Election commissions have been independent of party preference in their decision-making	3.4	
	14.4 CEAZs have been transparent in their decision-making	4.8	
	14.5 Decisions in election commissions have been consensual	3.6	
	14.6 CEC conducted an intensive training process for commissioners	3.1	
	14.7 CEC implemented, according to the requirements of the law, the obligation to monitor, in real time, the expenses for the election campaign	2.8	
	14.8 According to the requirements of the law, CEC implemented the obligation to prevent the use of public assets for election campaigns	2.5	
	14.9 CEC has conducted an effective campaign for informing and educating voters	4.5	
	14.10 Voters are informed and advised on preferential voting	2.9	
	14.11 For first time voters are informed and aware for the procedure of registration in the voter list and for voting	3.1	
	14.12 Emigrant voters are informed about the changes made in the Electoral Code	2.0	
	14.13 CEC conducted a campaign to inform and raise awareness of voters of national minorities in their mother tongue	2.0	
	14.14 CEC committed itself to voting for immigrants	1.0	
	14.15 CEC was fully committed to the use of information technology	5.0	
	14.16 The commissions have been cooperating with the media	4.2	
	14.17 Political parties did not put pressure on commissioners	3.1	
	14.18 The election commissions administered the election process well	4.5	
11.19 There was an effective cooperation and coordination between commissioners and local authorities	4.0		

fulfillment of standards in elections, to a considerable extent, depends on the work done by these authorities in law enforcement.

To judge and evaluate the effect of the work of the electoral authorities on the integrity of the elections, the perceptions for the different items are presented in Table no. 13. The selection of these items was made considering the factors that can a-priori be accepted as the factors that influence the work of the electoral authorities. These factors were selected based to experiences in previous elections regarding to features and the characteristics of the conduct of the administration, in general and the electoral administration in particular, in our country. Among these, it was taken attention to



include factors that serve to identify and evaluate the effect of political parties on the work of the electoral authorities, transparency in decision-making, professionalism, level of implementation of legal obligations for information and voter education, inter-institutional cooperation, etc.

The perception of non-positive effect that the election of commission members on the basis of political party proposals continues to be prevalent. Consensual decision-making has not yet managed to be dominant in commissions of all levels, while the level of transparency in this decision-making is maximally perceived.

CEC failed to carry out the training process of commissioners and technicians responsible for using the information technology. This institution failed to meet the legal obligations related to the prevention of the use of assets and public activities for election campaign purposes and to monitor, in real time, campaign expenditures.

CEC failed to conduct an effective information campaign on preferential voting, did not inform, did not sensitize and failed to fully and as required by law, voters of national minorities in their mother tongue. The work that CEC had to do for the voting of citizens from outside the country is also a failure. Meanwhile, perceptions of the work and commitment of CEC in the use of information technology in the elections are enthusiastic. Such are the perceptions of the cooperation of electoral authorities with the media and local authorities, also. In general, the work of electoral authorities in administering the electoral process is perceived as an achievement that should be welcomed. The rating for it is 4.5 scores (87.5 points), the level is "very high".

V. Election Integrity Index for Parliamentary election - April 25, 2021

In the Methodology developed by Pippa, N. et, al (2014) for the assessment of perceptions of the election integrity index (PEI), the value of this index is calculated as the average of the values of the indicators, each of which reflects the phases and various aspects of the electoral process. As shown above, the value of each of the indicators is calculated as the average of the assessments that reflects the perception of different indicators, which reflects the factors that act or interact in the phase or for the development of the relevant aspect of the electoral process. Referring to these average values, given in the respective tables, corresponding to the indicators that have been considered for the evaluation of PEI 2021, in Fig. no. 1 is presented the graphic picture of the Election Integrity Index, for the elections for the Assembly that took place on April 25, 2021 in Albania.

The value of the election integrity index for the elections for the Albanian Parliament that took place on April 25, 2021, results 57.65 points. Based on this value of the index, the perception of these elections evaluate them at the "moderate" level.

Indicators that reflect the voting process on election day and the vote counting process have a significant positive contribution to the values of this index. Both of these phases of the electoral process are perceived to have taken place in accordance with the requirements of the law and, in general, they have met the requirements arising from the standards that must be met by democratic elections for the voting and counting process.

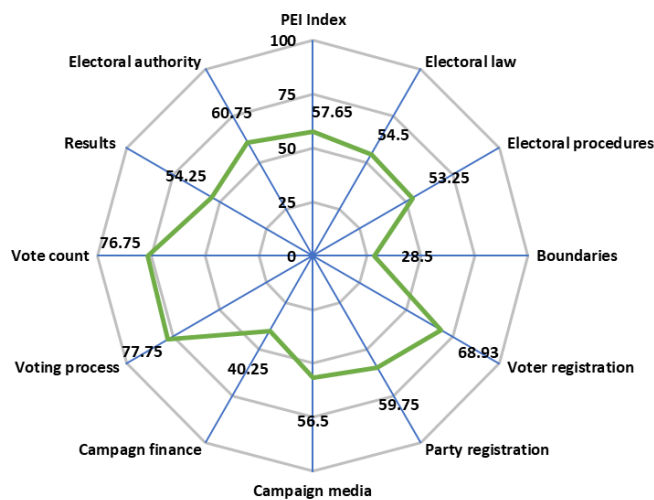


Figure no. 2 Election Integrity Index PEI 2021

Among the indicators with the greatest negative effect on the integrity of the elections are evaluated "Division of constituencies", "Financing of the election campaign", "Complaints".

- Perceptions of the negative effect generated on the integrity of the elections by the division into districts of the country, is a consequence of the fact that this division discriminated against small parties and new political parties. This division is perceived as a factor with a negative effect on the

power of the vote. The national threshold is considered as a legal condition that, in a special way, put in completely unequal positions, small parties and independent candidates, compared to the big parties, SP and DP.

- The average value of the component indicators of the financing of the election campaign was 2.49 scores (37.25 points), classifying it at the level of "very low". Meanwhile, the average value of the indicators that reflect the election campaign is 2.88 score (47.00 points), classifying the election campaign at a "low" level.

Among the indicators with the greatest negative effects on the election campaign, are perceived to be:

- i. Lack of will of political parties to implement the requirements of the Electoral Code regarding campaign financing. Frequency of vote buying and selling phenomenon.

- ii. Use of personal data for the purpose of elective competition.

- iii. Use for election campaign purposes of public assets, public financial funds and public activities. In particular, the use by the SP, contrary to the requirements of the law, their letter or spirit, of all the opportunities it gave to being a ruling party, at central and local level.

- iv. Insufficient level of realization of the expectations from the monitoring, in real time, of the expenses of the political parties during and for the election campaign.

- Reaction of law enforcement institutions, state police, prosecution and SPAK not in preventing violations of the election law.

- The administration of complaints and the adjudication of lawsuits is perceived as one of the indicators with a negative effect on the integrity of the elections, due to the fact that the complainants considered the decision-making of these institutions influenced by the political interest of the SP. This indicator is perceived with a low value because the losing political parties, DP and SMI, was declared against the result, arguing their declaration with the high level of use by the SP of public assets and the opportunities given by being the majority party at central and local government, buying vote and intimidation of voters.

- Electoral legislation is considered as an indicator that, compared to the elections of 2013 and 2017, has not made progress. It continues to be classified at the "moderate" level. Although significant changes and improvements were made to the Electoral Code, adopted on the basis of the June 5 Agreement, this indicator is assessed at this low level, due to the fact that changes to the Constitution and subsequent changes to the Electoral Code were made. without the consensus of the parties.

- The election administration is evaluated as an indicator with a positive effect on the integrity of the elections. This indicator is classified as "High". This positive perception is related to the perception of the work of the State Commissioner and the high level of transparency in the work of CEC.

- The voter list and the registration of electoral subjects are two indicators for which the average values of perceptions are classified at the "High" level.

- The perception of media role and the level of implementation of the requirements of the Electoral Code related to this role classified this indicator at the level of "Moderate".

VI. Comparative Overview-Election Integrity Index - PEI₂₀₁₇ vs PEI₂₀₂₁

Fig. no. 3 provides information that makes it possible to compare perceptions of the integrity of the elections and indicators used for its assessment, for the elections of the Albanian Assembly that took place in June, 2017 and April, 2021. Data for the elections held in June 2017 are taken from Norris, P. and Max Grömping, M. (2019)³

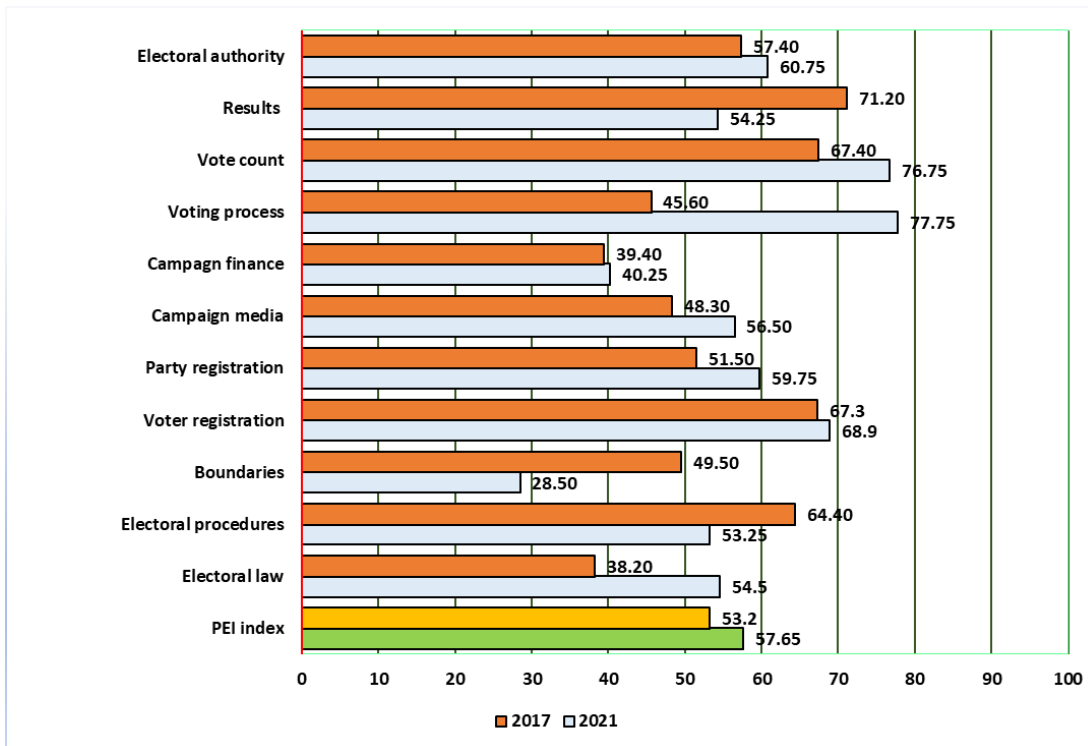


Figure no. 2 Assessment of perceptions for the constituent indicators of Election Integrity Index-Parliamentary Elections 2017, 2021

As it can be seen, compared to the Parliamentary elections held in June, 2017, the perception of the Integrity of the elections that took place in April, 2021 has increased in value by about 8.3 percentage points. A significant increase in the value of perceptions about the voting and counting process has brought a significant contribution to this increase. Compared to the parliamentary elections, 2017, for these two indicators the value of perceptions for the elections, 2021, increases respectively by about 70.5 percentage points and 14.9 percentage points.

The average value of perceptions for the indicator "electoral legislation" compared to the elections, 2017 has increased to 42.6 percentage points. This is a consequence of the work done in the framework of electoral reform, which made it possible to make changes in the electoral legislation and other laws that affect the electoral process, which significantly improved this legislation. Despite this, the indicator fails to pass the "Moderate" level, as a result of the changes that were made in it without the consent of the united opposition outside parliament.

The comparison of the average values of the indicators related to the complaints phase and the division of constituencies, estimated for the elections, 2017 and 2021, shows that for both of these

indicators the values of perceptions have decreased significantly, respectively by about 23.5 percentage points and 42.4 percentage points. Such a fact means that:

The reform and restructuring of CEC, from a collegial institution, to an institution with an autocratic component and two collegial bodies, did not bring any positive effect on the administration of complaints. On the contrary, the perceptions on the way KAS has administered the complaints made by the electoral subjects, evaluate as less effective the work of this commission, compared to the way it handled the complaints the CEC during the parliamentary elections, 2017. Given that in both 2017 and 2021 elections, the division of the country into constituencies was the same, the perception of the negative effect of this indicator on the integrity of the elections, is explained by the perceptions of negative synergy generated by this unchanged division in its interaction with the changes made to the Constitution and the Electoral Code, which changed the rule for pre-election coalitions and the setting of the national threshold. Although in the electoral reform special attention was paid to the problems of financing the election campaign, the value of perceptions for this indicator for the elections, 2021, compared to the corresponding values for the elections, 2017 have not changed. This fact shows that the changes and improvements that were made in the legal framework for financing election campaigns are not enough.

It is necessary to reconsider this issue in future changes that may be made to the Electoral Code, adding to them the amendments needed for the law "On the financing of political parties".