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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**OF THE COUNCIL OF EUROPE**  
**(VENICE COMMISSION)**

**ALBANIA**

**2024 AND 2025 AMENDMENTS TO THE ELECTORAL CODE**

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**I. Law No. 81/2024****ON SOME ADDITIONS AND AMENDMENTS TO LAW NO. 10 019, DATED  
29.12.2008, "THE ELECTORAL CODE OF THE REPUBLIC OF ALBANIA," AS  
AMENDED**

Pursuant to Articles 81, point 2, and 83, point 1 of the Constitution, and upon the proposal of a group of deputies,

THE PARLIAMENT  
OF THE REPUBLIC OF ALBANIA

DECIDED:

To make the following additions and amendments to Law No. 10 019, dated 29.12.2008, "The Electoral Code of the Republic of Albania," as amended:

**Article 1**

Article 24 is reformulated as follows:

"Article 24

**CEC competences on voting from out of the territory of the Republic of Albania**

1. The Central Election Commission (CEC) shall direct and supervise the process of preparing the conditions and implementing the measures that enable voting from outside the territory of the Republic of Albania for elections to the Assembly.
2. Any Albanian citizen with voting rights, who is outside the territory of the Republic of Albania on election date, has the right to vote from abroad.
3. Voting from outside the territory of the Republic of Albania shall be organized and administered by the CEC in all its components, after the Regulator approves all necessary sub-legal acts required for voting from abroad, according to this Code. Any Albanian state body and any other state or private entity involved in this process is obliged to comply with the rules provided for in this Code and the relevant implementing by laws approved by CEC.
4. The regulator must take a decision with at least 4 votes in favour to include out of country voting for the first time in the normal voting procedures. In subsequent elections, voting from abroad shall automatically become an integral part of the voting procedures.
5. Upon the Commissioner's proposal, the Regulator shall approve by normative act the detailed procedures for out of country voting within 90 days from the date this law enters into force."

**Article 2**

Article 25 is reformulated as follows:

"Article 25

**Out of Country Voter List**

1. Albanian citizen outside the territory of the Republic of Albania who wish to use their right to vote in the upcoming Assembly elections must register on the list of out of country voters as determined by this Code and its implementing by-laws.
2. The list of voters from outside the territory of the Republic of Albania shall be a unified list at the level of the electoral zone, featuring the names of Albanian citizens who have expressed their intent to vote from abroad and who are registered in the National Civil Registry of the relevant electoral zone.

3. The list of out-of-country voters shall be compiled and used anew for each election to the Assembly according to the criteria, procedures, and deadlines defined in this Code and the normative acts issued by the CEC in compliance with the Electoral Code, and shall be valid only for the elections for which they are compiled. In any case, the CEC and the General Directorate of Civil Registry shall retain the database of abroad voters used in each election.
4. The registration of abroad voters shall be conducted by the CEC. The process of compiling the list of out of country voters shall begin 120 days before the election date and shall conclude 60 days in the lead up to election day. The opening of registrations on the list of out of country voters shall be announced by the State Election Commissioner.
5. The voter who wishes to vote from outside the territory of the Republic of Albania, after the opening of the registration process by the CEC, shall apply individually for registration on the list of these voters. The CEC shall create, maintain, and update the electronic platform for registering the requests of voters who wish to vote from outside the territory of the Republic of Albania. To register on the list, the voter shall submit documents that indicate their stay outside the territory of the Republic of Albania. The detailed list of required documents to register for out of country voting shall be determined by decision of the Regulator.
6. The address of citizens voting from outside the territory of the Republic of Albania shall be evidenced by one of the documents submitted to the CEC according to point 5 of this article. CEC shall verify the identity information provided by citizens with the National Civil Registry, and if such information is found to match, the General Directorate of the Civil Registry shall enter the address of the abroad voter in a special rubric of the National Civil Registry.
7. The State Election Commissioner, 63 days before the election date, shall publish the preliminary list of voters from outside the territory of the Republic of Albania, so that voters can request registration or correction of inaccuracies in their registration within 48 hours from its publication. The State Election Commissioner, 60 days before the election date, shall approve and publish on the official website of the CEC the final list of voters from outside the territory of the Republic of Albania. Once the process is completed, the voter list may not be changed under any circumstances or any reason after the deadline specified in this point, except for cases provided for in point 8 of this article.
8. When a voter who submits a request for registration on the list of voters from outside the territory of the Republic of Albania finds that he/she is not registered on this list, or their registration contains inaccuracies, they have the right to submit a request to the First Instance Court of General Jurisdiction in Tirana up to 7 days before the election date. Requests made under this point, are exempt from court fees. The court shall review and decide on requests made under this point within 24 hours from the date of registration of the request, but no later than 5 days before the election date. The name and other data of the voter, who is added to the list of voters from outside the territory of the Republic of Albania, are attached to the court's decision.
9. Albanian citizens registered on the lists of out of country voters, following the completion of the registration procedure as per this article, shall be removed from the domestic voter list, which is published according to Article 56 of this Code.
10. In the case of general elections under Article 9, points 5, 6, 7, or 8 of this Code, the Regulator shall establish by normative act the time frames for the compilation of the out of country voter list and for the out-of-country voting, according to the same criteria and procedures applicable to regular elections.
11. Technical auditors, approved according to Article 61 of this Code, shall have the right to verify the actions performed by the Central Election Commission for the registration of citizens voting from outside the territory of the Republic of Albania. The specific duties and responsibilities of the technical auditors and their cooperation with the CEC and the General Directorate of Civil Registry shall be determined by a decision of the State Election Commissioner.

12. The Regulator, upon the proposal of the Commissioner, shall approve the necessary normative acts on the components of the out of country voter list, the documentation required for application, the manner and timelines for communicating with the National Civil Registry and any other potential data base, as well as other technical modalities and rules for making this list.
13. Within 60 days of this law's entry into force, the Commissioner and the Minister responsible for the Civil Registry shall determine, by joint act, the manner of cooperation between the CEC and the General Directorate of Civil Registry regarding the deregistration of citizens voting from outside the territory of the Republic of Albania from the domestic voter list.

### Article 3

Article 25/1 is added after Article 25 with the following content:

#### "Article 25/1

### **Voting from outside the territory of the Republic of Albania and the Electoral Result**

1. Out of country voting shall be considered open from the day the CEC launches procedures for sending the voting documents and the voting guidelines to the address of abroad voters. Out of country voting shall be concluded on election day, at such time as indicated by this Code for the closure of voting in the voting centers. Upon the closure of the out-of-country voting, the CEC shall not accept and include in the count any ballot papers arriving after the closing time, except for envelopes with ballots that have the entry stamp or any other notation indicating entry into the territory of the Republic of Albania as of closing time of the voting within the country, as per this Code.
2. The CEC shall send by postal service the ballots and any other electoral and informational materials to the declared residential address of the voter according to the out of country voter list. The ballot paper shall be the same, but for a distinct identifying element, compared to the ballot used within the territory of the Republic of Albania.
3. The completed and sealed ballots shall be sent to the official address of the CEC via postal service at the voter's expense. The CEC shall initially make efforts to select international postal service providers with experience and a good reputation in express mail services; this selection shall be conducted using the shortest possible procedures under the public procurement legislation.
4. Ballot papers sent by abroad voters and duly administered, shall be counted at the CEC premises. Upon arrival at the CEC, the out of country ballots shall be recorded in a special register and shall be sorted according to the electoral zone of the voter's last place of residence before leaving Albania. The process of counting shall start at the same time with the counting of the first box of ballots of the relevant electoral zone and, following their evaluation by the CEC administration, they shall be recorded in the results table of the respective electoral zone. Upon the proposal of the Commissioner, the Regulator shall determine, through sub-legal acts, the documentation, relevant completion procedures, and all other aspects related to the administration, observation of the counting process, counting, evaluation of the ballot, and tabulation of the electoral result according to this Code."

### Article 4

**Point 3 shall be added to Article 45 with the following content:**

- "3. The General Directorate of Civil Registry, in addition to the electoral components of voters according to point 1 of this article, shall also send to the CEC the photograph of each voter taken during the application for the electronic ID card or biometric passport. The institution responsible for producing and distributing biometric documents, upon

the request of the General Directorate of Civil Registry, shall send the most recent photo used for producing the biometric documents of each voter.”

#### Article 5

Article 67 is reformulated as follows:

#### “Article 67

##### **List of party candidates and candidates of political party coalitions**

1. A political party or electoral coalition, as defined in Article 65, that is registered with the CEC as an electoral entity for parliamentary elections, shall submit to the CEC, for each electoral zone, no later than 50 days before the election date, a list consisting of:
  - a) a fixed-order multi-name list of candidates; and
  - b) a multi-name list of candidates subject to preferential voting.
2. The names on the fixed-order multi-name list of candidates shall be arranged in numerical order, starting from number one. For coalitions, the party affiliation of each candidate shall be indicated next to their name. The total number of candidates on the fixed-order list must be equal to the number of mandates allocated to each electoral zone, divided by three. If such division does not result in a whole number of mandates, and the decimal fraction is equal to or greater than 0.5, the list shall be rounded up to the next whole number; if the decimal fraction is less than 0.5, the fixed-order multi name list shall be rounded down to the previous whole number.
3. The list of candidates subject to preferential voting must match the number of mandates allocated for each electoral zone. Candidates on this list are ordered alphabetically by surname.
4. A candidate for deputy who is registered on a fixed-order list in one electoral zone cannot be registered in another electoral zone, whether for another party or coalition, or as proposed by a group of voters.
5. A candidate for deputy who is on the fixed-order list of a political party or coalition cannot also appear on the list of candidates subject to preferential voting.
6. For parliamentary elections, one in every three candidates on the fixed-order list shall belong to the less represented gender, and one in every three candidates on the preferential voting list shall also belong to the less represented gender.
7. For local government elections, the candidate for mayor and the list of candidates for local councils shall be registered with the Commission of Election Administration Zone (CEAZ) covering the local government unit within the deadline specified herein. The CEAZ shall provide a copy of the list to the CEC within 48 hours. If the territory of the local government unit is not covered by a single CEAZ, the list of candidates for mayor and the list of candidates for local councils shall be submitted to the CEC.
8. A candidate for mayor or municipal council cannot be registered in another electoral zone, whether for another party or coalition, or as proposed by a group of voters.
9. In municipal council elections, one in every two consecutive candidates on the list of electoral subjects shall belong to the less represented gender.
10. If any of the conditions specified in this article regarding the composition of the candidate lists are not met, the CEC shall impose the sanctions laid forth in Article 175 of this Code.

#### Article 6

At the end of point 1 in Article 124, the following sentences shall be added: "An appeal against the decision of the State Elections Commissioner regarding the approval of the content of the ballot paper according to Article 98 of this Code may be filed with the Appeals and Sanctions Commission (ASC) within 24 hours of the pronouncement of the decision. The

Appeals and Sanctions Commission shall review and decide on the appeal within 48 hours of its submission.”

### **Article 7**

Article 152 shall be amended to include point 3 with the following content: “An appeal against the ASC decision regarding the content of the ballot paper, as per Article 124 of this Code, may be filed with the Electoral College within 48 hours of the decision's pronouncement. The Electoral College shall review and decide on the appeal within 3 days of its filing.”

### **Article 8**

Article 162, point 1, second sentence shall be revised as follows: “In parliamentary elections, political parties or coalitions that receive less than 1 percent of the valid votes nationwide are excluded from the allocation of mandates.”

### **Article 9**

Article 163 shall be revised as follows:

#### **“Article 163**

#### **Distribution of Mandates to Winning Candidates**

1. Immediately after the results are calculated in accordance with Article 162 of this Code, the CEC shall allocate mandates to the winning candidates of each electoral subject.
2. Candidates on the preferential voting list will be reordered based on the highest number of preferential votes each candidate received. In cases where the number of votes is equal, the ranking will be determined by lot. This reordering is done per Article 164 of this Code. If the reordering does not indicate that one in every three candidates from the beginning of the list belongs to the less represented gender, then the third candidate and every subsequent third candidate must belong to the less represented gender, based on the number of votes received. Based on this criterion, the final reordered list for preferential voting is then prepared and used for implementing Article 164 of this Code.
3. Mandates for winning candidates are initially allocated based on the order of candidates on the fixed-order list of the electoral subject. If the list is exhausted, the allocation continues with candidates from the reordered preferential voting list as described in point 2 of this article.
4. The calculation and distribution of mandates, as outlined in Article 162 and this article, are approved by a decision of the CEC. This decision is made separately for each electoral zone. An administrative appeal against the decision can be submitted to the ASC.

### **Article 10**

Article 183 is repealed.

### **Article 11**

This law shall come into force 15 days after its publication in the Official Gazette.

Approved on July 26, 2024.

**Promulgated by Decree No. 274, dated July 30, 2024, of the President of the Republic of Albania, Bajram Begaj.**

**II. Law No. 10/2025****ON SOME ADDITIONS AND AMENDMENTS TO LAW NO. 10 019, DATED  
29.12.2008, "ELECTORAL CODE OF THE REPUBLIC OF ALBANIA," AS  
AMENDED**

Based on Articles 81, points 1 and 2, and 83, point 1, of the Constitution, upon the proposal of a group of Members of Parliament,

THE ASSEMBLY  
OF THE REPUBLIC OF ALBANIA  
DECIDED  
as follows:

The following additions and changes shall be made to Law No. 10 019, dated 29.12.2008, "The Electoral Code of the Republic of Albania," as amended,

**Article 1**

In Article 25, point 8 shall be amended as follows:

"8. When a voter, who has requested to be included in the list of voters voting from outside the Republic of Albania, finds that they are either not registered or that their registration contains inaccuracies has the right to submit a request to the First Instance Court of General Jurisdiction in Tirana. This request must be filed no later than 30 days before the election date and may also be submitted *online* through an electronic platform approved by the High Judicial Council. Requests under this provision are exempt from court fees. The court will review and rule on the request via this platform within 48 hours of its registration. Any changes or additions to the voter list resulting from the court's decision must be accompanied by the court's official ruling."

**Article 2**

The following changes shall be made to Article 25/1:

1. The title of Article 25/1 shall be amended as follows: "Procedure of Voting from Outside the Territory of the Republic of Albania".
2. Point 3 shall be amended as follows:

"3. Filled out and sealed ballots cast by voters outside the territory of the Republic of Albania shall be sent to the official address of the Central Election Commission via postal service. The costs of mailing and returning the ballot, as well as any other electoral and informational materials sent by the Central Election Commission to voters abroad, shall be covered by the CEC. Initially, the CEC shall seek to select international postal service providers with proven experience and a strong reputation in express mail services. The selection process shall be conducted through the shortest possible procedures permitted by public procurement legislation
3. Point 4 shall be repealed.

**Article 3**

After Article 25/1, Article 25/2 shall be added with the following content:



“Article 25/2

**Counting and evaluation of votes from outside the territory of the Republic of Albania  
and the electoral result**

1. Ballots sent by voters outside the territory of the Republic of Albania shall be registered upon arrival at the CEC in a special register and categorized according to the electoral zone of the voter's last residence before leaving Albania.
2. Ballots submitted by voters outside the Republic of Albania and administered by the CEC shall be counted, and evaluated at the designated counting centre for votes from abroad, as determined by the CEC.
3. The counting process shall begin at the same time as the counting of the first ballot box of the respective electoral zone.
4. The counting and evaluation of votes from outside the territory is administered by a commission composed of four members and a secretary, appointed by the State Election Commissioner. Two members are proposed by the largest parliamentary majority party, and the other two members are proposed by the largest parliamentary minority party. The secretary is appointed based on an open application process and must be a legal professional. The members and secretary must meet the conditions and criteria defined in Articles 30 and 31 of this Code. If the final list of voters from abroad exceeds 80,000, the State Election Commissioner may establish more than one commission for counting and evaluating votes from abroad, making sure the evaluation of votes of a particular region is conducted by the same commission.
5. For the counting and evaluation of votes, the State Election Commissioner shall appoint counting teams consisting of two members. One member is proposed by the largest parliamentary majority party, and the other by the largest parliamentary minority party.
6. The Regulatory Commission, upon the proposal of the Commissioner, shall determine by sub-legal act the documentation, the method of completing it, and all other aspects related to the administration, monitoring of the counting process, counting, vote evaluation, and tabulation of the electoral result as provided for by this article.”.

Article 4

In Article 64, point 1, the phrase “70 days” shall be replaced with “75 days”.

Article 5

In Article 65, point 1, the phrase “60 days” shall be replaced with “70 days”.

Article 6

In Article 67, point 1, in the first sentence, the phrase “50 days” shall be replaced with “60 days”.

Article 7

In Article 69, the following amendments shall be made:

1. In point 1, the phrase “50 days” shall be replaced with “60 days”.
2. In point 3, the phrase “70 days” shall be replaced with “75 days”.

Article 8

In Article 73, the following amendments shall be made:

1. In point 1, the phrase “45 days” shall be replaced with “55 days”.
2. In point 2, the phrase “42 days” shall be replaced with “52 days”.

#### Article 9

In Article 84, point 5, after the first sentence, a new sentence shall be added with the following content:

“The total broadcast time of political advertisements for candidates on the multi-name list, who are subject to preferential voting for each electoral subject, on each private radio and television station, must not exceed 140 minutes.”.

#### Article 10

In Article 92/2, the following additions and changes shall be made:

1. After point 3, point 3/1 shall added with the following content:

“3/1. Candidates of a political party or electoral coalition registered as an electoral subject have the right to self-finance their campaign up to an amount of 3 million ALL. The declaration of such self-financing shall be submitted by the candidate together with the financial report of the respective electoral subject, in accordance with Article 92/3 of this Code. The candidate shall make a declaration under this paragraph per the reporting templates approved by the Central Election Commission (CEC). The CEC shall approve the financial reporting templates for candidates of electoral subjects within 10 days of this law entering into force. Any violation of the provisions set out in this point by a candidate of an electoral subject shall be subject to the sanctions provided for in Article 173 of this Code.”

2. In point 4, the first sentence shall be amended as follows:

“4. The total expenditure incurred by an electoral subject, excluding its candidates, for the election campaign must not exceed five times the highest amount received by such electoral subject from the public funds earmarked for electoral purposes, as provided by Article 88 of this Code.”

#### Article 11

#### **Entry into Force**

This law shall enter into force immediately.

Approved on: February 17, 2025.

**Promulgated by Decree No. 43, dated February 20, 2025, by the President of the Republic of Albania, Bajram Begaj.**