



Albania's Political Integrity: From Decommunization To Decriminalization (1990-2015)

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Abstract: This study examines the evolution of vetting reforms in Albania between 1990 and 2015, focusing on efforts to strengthen political integrity through decommunization and decriminalization measures. It draws upon literature on transitional justice and political reform in post-communist Europe. The research employs qualitative analysis of legislative texts, political narratives, and institutional reform efforts. Findings indicate that early decommunization aimed at purging political influence from the communist era, while subsequent decriminalization addressed broader ethical concerns and criminal infiltration in politics. The study provides insights for policymakers and scholars interested in democratic consolidation and anti-corruption strategies. By linking distinct reform phases across historical contexts, this paper offers a unique case study of Albania's evolving political integrity framework.

Keywords: vetting reforms; decommunization; decriminalization; political integrity; Albania

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1. Introduction

The Albanian system in both political and legal contexts have been shaped by its heritage of the communist past and also by the thirty-five years context of being in transitional democracy, after the fall of communism. Albania has gone from a severe totalitarian communist regime to a currently hybrid democracy (Freedom House, 2025), therefore not being able to fulfill a total functional democracy. In this context Albania has made several efforts to build a clean political and electoral system and exclude from the system illegal malpractices and criminal influences. These efforts of the cleansing process in politics and ensuring political and electoral integrity, began from the fall of communism in 1990 and still continue these days. It culminates in 2015 with the approval of the Decriminalization Law, which explores both legal and political features in combating illegal and criminal misconducts. This phase represents a significant step toward cleansing politics and ensuring political integrity, as one of the critters for democratic regime (Norris, 2014). Many studies and mostly international literature have analyzed efforts to combat criminality, corruption and malpractice (Garnett & Zavadskaya, 2019; Bërdufi & Krasniqi, 2025; Butt, 2023), vote buying (Transparency International, 2020) and some international reports such as OSCE/ODIHR (Elections in Albania reports), Freedom House (Nations in Transit reports) have discussed what is practically implemented and what are the necessary reforms to clean politics, emphasizing the importance of the vetting process, disconnection from the communist past individuals and cleaning public institutions. It should be noted the importance of this article in the contribution to the literature regarding decriminalization and political cleansing, especially for Albania, since only few studies have been academically undertaken in this context. Hence, this field of study requires continues in-depth future analyses in general for the reforms applied and specifically focused analyses on specific aspects of the process of integrity and decriminalization law.

The authors have highlighted through the paper a rich contextual background and critical analyses focusing on these main segments: introducing and analyzing the first part of vetting reforms in Albania called as decommunization process (1996-1998), implemented right after the fall of the community system. The focus was on cleaning the political sphere from political individuals related to the former communist system. Next, by the corruption development to the political and electoral system, as also interferences and involvement of individuals with criminal record, or involved to crimes, addressed issues is the law and politics focused on combating and removal of this individuals from the system. The process is now called

decriminalization from 2015. As part of the Western Balkan similar history and trajectory in removing criminality and corruption from politics and public institution, apart from the domestic influences into the legal and political practices, the paper also discusses the international influences on vetting process and presents comparative international insights, such as Italian case, Kosovo and Bosnia, North Macedonia, and former Yugoslavia. Therefore, the Albanian legislation and practices regarding the development of the vetting process, political integrity and development of decommunization, is shaped by both domestic and international determinates.

2. Literature Review

After the fall of communism in Albania, as the political trends of the Southern Europe and the Western Balkans, began a long transitional process. Part of this process are legal and institutional mechanisms were reforms and decriminalization in addressing the legacy of the communists past and the construction of reliable public institutions and democratic politics. In these steps, a series actions were undertaken, including judicial reform. (EURALIS, 2020, p. 3). Among ex-communist countries, despite their similarities, the studies find differences in time, purpose, and duration in terms of results and consolidation of democratic institutions, since the measures taken in justice process have variances between them (Polizzi, 2022; Horne, 2017). Moreover, the literature takes into consideration importance of the historic dimension in consolidating democracy. The communist past constitutes an active factor in shaping the transition in general, both politically and judicially (Abdurramani, 2015). Factors related to this are mostly elements related to the political culture of the past, such as the centralization of power from the political elite, the institutional and legal inheritance and the will of the political actors in the policy development. A discussed aspect that obstructs the fully successful implementation in the Albanian case, is the fact that the measures taken from the political position and leadership on their political interest when they find it convenient, therefore using these mechanisms of justice as a political tool against the opposition and to strengthen their political power (Austin & Ellison, 2008).

On broader and international context, in ex-communist countries, the role of transitional justice measures, vetting and lustration, is emphasized in ensuring integrity and restoring public trust in institutions (UNDP, 2006, p. 7; UN, 2006). As Horne mention “vetting and lustration have been used in a variety of post-conflict

and post-authoritarian contexts, including targeted security sector reforms in Liberia and Bosnia, broader public employee assessment programs in Greece and El Salvador, and personnel reforms coupled with truth-telling in the Czech Republic and Poland” (Horne, 2017, p. 424). Thus, in the transition from authoritarianism or conflict to democracy, reforming of the public institution (UN, 2006, p. 3) and personnel (Commission on Human Rights, 2005, principle 36) are an important aspect for countries in transition, although in some cases “did not have the effective implementation” (Reka, 2020, p. 139). In addition, Albania is one of the countries that is part of the Western Balkans region, a region in which in terms of vetting and decriminalization, there are some specific legal restrictions on the election of candidates, mainly related to war crimes in Yugoslavia (Bosnia) (Official Gazette of BiH, 2013, article 1.6) or with the International Criminal Tribunal (Kosovo) (Official Gazette of the Republic of Kosovo, 2008, article 29). In the case of Bosnia, the penalization also includes the supporting political entity (party or coalition), not registering it in the elections if it has any such person convicted or in proceedings, from their leadership structures. The practices of Bosnia and Kosovo are the result of the vetting processes after the armed conflicts of the 90s in the former Yugoslavia and are mainly restrictions imposed by international factors, which have led to the transition phases of each country. The impact of the restrictions has been and remains significant, in Bosnia most nationalist politicians were shunned from active politics through restrictive legal provisions that had them be sent for trial at the International Court of Justice in the Hague, however nationalist parties survived and subsequent new leaders followed the same rhetoric. In Kosovo, recently, in November 2020, several high-ranking officials were arrested and sent to the International Court of Justice, including the President, the former speaker of the Assembly and the leader of the parliamentary opposition. The process continues, but the impact of this act so far is only the change of the leading elite of the country. The OSCE has justified such measures as “precondition for creating the necessary political conditions for free, fair, and democratic elections (International Crisis Group, 1996)”.

In conclusion, studies have shown that in the countries facing a fragile transition, and often experienced politicization of the process by the political elite (Elbasani & Lipinski, 2013), the political cleaning process was slow and often manipulated, unlike countries where experience has shown a clear transition and democratic elite. Nevertheless, as Kalemaj says “overall, adopting transitional justice measures early on and efficiently has resulted in faster democratic consolidation” (Kalemaj, 2022, p. 99). Despite the divergences and familiarities to other former communist countries with transitional democracies, the Albanian approach remains of fundamental

importance in the discourse of decommunization and decriminalization in the context of political integrity.

3. Theoretical Framework

This article analyses Albania as a unique case focused on key theories concepts of democratization, rule of law and political integrity, by inspecting it in both legal and political framework. The topic is closely linked with vetting theories, democratic governance, human rights and rule of law. The political integrity of appointed and elected individuals constitutes one of the foundations for democratic and legal governance, ensuring accountability and transparency of public institutions and the elimination of individuals with criminal or strong connections from the government system, and preventing them from running for important positions such as deputies, heads of public offices, etc. Legal measures are taken in order to strengthen the vetting of the system. The protection of the rights of citizens involved in the process, ensuring that all citizens participate in the elections and balancing between the measure of punishment and the measure of prohibition from running in elections, ensures the proportionality in the legal aspect of the political and democratic rights of individuals, the drafting and implementation of laws for the cleansing of public institutions and political representatives of Albanian citizens is more clearly understood.

In addition, this analysis extends to another perspective of the concept of comparative analysis, comparing it with countries with similar former communist (former authoritarian) law and the interference of individuals with a criminal past or malpractice in the functioning of the government and the obstruction of the full implementation of functional democracy. The development of Albanian law is also seen from the perspective of the EU integration criterion, where European Commission reports often cite the importance of vetting and anti-corruption reforms and judicial independence as a requirement for strong democratic institutions. These political vetting requirements must also be in line with European democratic standards. In this context the paper cites and discusses key international legal documents, such as: The Venice Commission's Opinions (e.g., Opinion No. 807/2015) on exclusion of offenders and ECtHR cases (e.g., Scoppola v. Italy) that provide jurisprudential context for political vetting.

4. Methodology

The article, examines the evolution of Albania's political vetting reforms in its legal and political context till the introduction and implementation of the Decriminalization Law (Republic of Albania, Law No. 138/2015). This investigation is crucial in understanding the actual cleansing of the system and background. The research methodology employs both legal and political analyses. The focus is on Albania as a case study of cleaning the politics and governmental institutions, by analyzing the impact and connection of the laws and reforms initiated in the post-communist period until the Decriminalization Law adoption. Furthermore, a comparative method, combining both legal and political features presenting the international insights as association to similar processes in other countries, is drawn to emphasize its influence, similarities and differences in affecting the process of decriminalization in Albania. In order to analyze the process in complexity, the authors also combine thematic historic analyses of law incentives.

The data employs primary and secondary sources, in analyzing the issue in this article are official documents (Official Gazette of BiH, Gazette of the Republic of Kosovo, etc.), data and analyses from official institutions (International Criminal Tribunal, International Crisis Group, Constitutional Court, Council of Europe, European Commission, Institute for Political Studies), International Legal Documents such as The Venice Commission's Opinions, ECtHR cases (Scoppola v. Italy), by providing jurisprudential context for political vetting of Albania and further more consolidation the argument for a aligning domestic reforms with international standards. Furthermore, expert analyses and reports are added to the arguments, in order to deepen the domestic and international analyses.

This methodological line allows the authors to conduct a detailed and inclusive evaluation of the effectiveness and application of the Albanian vetting reforms in the period from Decommunization to Decriminalization Law in 2015, in removing individuals linked to communist past and also eliminating from politics individuals, with a focus on the political integrity development in the time period 1996-2015.

5. Results and Discussion

5.1. International Legal and Regulatory Frameworks and Albania's Political Vetting Comparative Insights

Referring to the practices of other countries in political vetting and decriminalization, the Albanian case remains unique, despite sharing similarities with several international laws and approaches. A key example is the Italian "Severino Law" which targets organized crime, including the mafia. This law prevents individuals with serious criminal convictions, such as participation in organized crime, mafia involvement, terrorism, kidnapping, and corruption within public administration, from running for office in the two chambers of parliament and the European Parliament. The law not only prohibits candidacy but also incorporates the concept of terminating a mandate if a person is found to have an incompatible criminal record. Furthermore, it limits the right to vote or be appointed to public positions for individuals convicted by a final court decision who have permanently lost their right to hold public office (Decree 223/1967).

In the practices of other countries, referred to in the discussion of legislation on decriminalization in Albania (Krasniqi, 2018, p. 18), there are preventive and restrictive measures that allow or prevent the candidacy for public and political positions. For example, the Venice Commission in its opinions refers to the practices in Estonia and Armenia, where an individual forfeits the right to vote and run for office if he/she has been sentenced to imprisonment for specific crimes; in Lithuania, a person who has not served the sentence given by the court, does not have the right to stand for election; in Turkey, the persons sentenced to more than one year and for serious offenses are not eligible to run for office; in Kyrgyzstan, persons in pre-trial or who have previously committed crimes, cannot run in elections; in Moldova, persons sentenced to imprisonment or that have been sentenced by a court decision or have active criminal records do not have the right to run in elections; in North Macedonia, persons sentenced for more than 6 months or who are serving a sentence for serious crimes, do not have the right to run in elections; in Greece, some criminal offenses are also sufficient cause for the ban on running in elections, in Ireland there are restrictions for individuals sentenced to more than 4 years in prison, etc. In addition to them, there is an almost universal principle for European democratic constitutions and practices, according to which, the individual can be penalized with candidacy restrictions only in specific cases and for punishments related to the specific time when he is running, - while the Albanian legislation of 2015 remains unique in the European continent due to the extensive time span, the involvement of

a high number of criminal offenses and the forfeiting of the right to vote and of running in election.

Regarding Law 138/2015, the Venice Commission has approved Opinion 807/2015 regarding the possibility of excluding convicted persons from parliament. The basic reference in the provisions made in the law have been the Preliminary Report of the Venice Commission (Venice Commission, 2015d) jurisprudence of the European Court of Human Rights including the cases *Hirst v. United Kingdom No.2*, *Scoppola v. Italy* and *Labita v. Italy*, as well as Decree 253/2012 known as the “Severino Law.” According to the opinion of the Venice Commission (European Commission for democracy through law, 2015) it is not unusual for a state to provide for the restriction of the right to be elected because of a criminal conviction for a serious crime and that in a democracy it must be guaranteed that persons considered by the majority of voters to be unfit to decide on their interests, remain outside legislative or government decision-making. The commission found (Venice Commission, 2015b) also that there is a general public interest in avoiding the active role in politics of incriminated persons, because the choice of the voters if such candidates are offered to them can be biased, especially if the voters ignore the fact that the person has been convicted and yield to the pressure of these individuals, especially if they have been convicted of corruption or organized crime charges. Voters are unable not to elect these individuals in the case of closed electoral lists. Consequently, the limitation of the right to be elected for convicted persons should be provided by law, in accordance with the Constitution. In this case, the principle of proportionality must be respected, taking into consideration the seriousness of the criminal offense, its nature and the duration of the sentence, because the restriction cannot, as a rule, last for life. This aligns with Butt concept of natural justice, and assertion of procedurals fairness in vetting processes (Butt, 2024). However, the Commission emphasized that “not having the right to be elected is a limitation of the right to free elections, so it must be based on clear norms of law, pursue a legitimate goal and respect the principle of proportionality. It is in the general public interest to avoid an active role of offenders in political decision-making” (Venice Commission, 2015a).

5.2. Decommunization Laws in Albania (1996 – 1998)

In the case of Albania, “decommunization” was first experimented with, special restrictive laws for candidates who held high leadership positions in the former communist system (1945-1990) and former members or collaborators of its violent secret police (the so-called State Security). The 1996 law “On the control of the

image of officials and other persons related to the defense of the democratic state” was based on approximate practices in some former communist countries of Central and Eastern Europe. The main restrictive provisions were also approved by the Constitutional Court (Constitutional Court, 1996). A special state commission was commissioned to carry out the verifications, and each candidate, before being allowed to register for the election, had to be provided with a certificate from this commission. Over 200 candidates were disqualified from the May 1996 parliamentary elections, including some of the top leaders of the largest opposition party, the Socialist Party (Krasniqi, 2010, p. 92), because of leadership positions in the former communist system or cooperative records with the former secret police of that regime. About 60 candidates appealed the decisions to the Supreme Court, but only 9 of them were awarded the right to run (Krasniqi, 2010, p. 92). The initiative received criticism from the Council of Europe, which stated that the collective exclusion was unacceptable and that, unlike other countries, it also prohibits people from running for MPs (Council of Europe, 1996). The ODIHR/OSCE report on the elections, addressed substantial criticism on the verification process and its credibility, however, despite the criticism, the experiment paid off and the disqualified candidates failed to run in the new legislature. After the political crisis of 1997 and the political rotation, the SP now in power, first used the law to dismiss the president of the Constitutional Court and then, during 1998, they abrogated the law.

5.3. From Decommunization to Decriminalization Law in Albania (2015)

The decommunization campaign was closed and in the years 2011-2014 it was replaced by another political campaign, that of decriminalization. The concern about the quality of the representative system was evident. If in decommunization the moral criteria and personal records were the main elements of judgment, in decriminalization the elements of judgment are the criminal records of candidates for political and public positions. What had happened in Albania in the years 2011-2014 that the public discourse was dominated by the need for a new political vetting related to the integrity and criminalization of politics? In the vision of the elections and the parliament, the Constitution of 1998 was based on the then electoral system, mixed system, 100 areas in the majority and 40 in the proportional. The application of tactical schemes, according to which large parties aimed for direct mandates, creating fictitious alliances with small satellite parties for the delegation of proportional votes to them, led to the fragmentation of parties in parliament: from 4-

5 parties during the years 1992-1998 to 12-13 political parties in the years 2001-2007. After the political and social crisis of 2017¹ the first signs of political ambition of “tough” individuals appeared, involved in various informal and criminal activities. In 2005, some of them took advantage of electoral tactical schemes to secure seats in parliament, which led to incidents and a decline in public confidence in parliament and politics as a whole. (Krasniqi, 2006, p. 244). Fragmentation in parliament and the decline in the quality of representation, prompted the two major parties, the ruling Democratic Party (PD) and the opposition Socialist Party (SP) to jointly amend the Constitution in April 2008, switching to a proportional electoral system with closed lists. The main argument for the change was related to the promise of solid majorities, political stability and the return of political elites to parliament through the removal of accidental individuals including those with criminal records. In fact, 15 years later, none of these expectations were fulfilled, although in the subsequent elections the number of relevant parliamentary parties fell by 80%, to only 2-4 parties, a ratio that continues to be repeated in every election since 2009 and until the most recent one in 2021, as well as the “tough” candidates were initially eliminated.

In the parliamentary elections of 2009, the Democratic Party (PD), the main force of the conservative right in Albania, won the second parliamentary mandate through the benefits created by the mixed electoral system, 100 mandates in the majority and 40 in the proportional. The Socialist Party (SP) in the opposition, although it received about 10 thousand more votes in the national proportional voting, due to the system, it lost with at least 4 parliamentary mandates less than the DP, thus remaining in the opposition. According to the electoral tradition in Albania, the southern part of the country is a regular voter of the left, the northern part of the country is a historical supporter of the right, the party that ensures the support of the central part of the country, which includes the capital, Tirana, can ensure victory in the election. Some areas continue to vote for the same party for about two decades, so in order to win the parliamentary elections, the SP would have to try to win or minimize the loss in the bastion areas of the right, mainly in the northern part of the country. Between the theoretical possibility for reform, a new political approach and long-term investment in the constituency of these areas, the SP chose the “shortest path”, the appointment as candidates in these areas of some individuals, who due to personal wealth, family and criminal connections, informal influence in the area and the conflictual nature

¹ In March 1997, Albania was engulfed by violent unrests and the collapse of state institutions due to the bankruptcy of the pyramid firms of the “Ponzi” scheme, the right-wing government resigned and a technical government led the country until early elections in June 1997, in which the left took power.

they possessed (Institute for Political Studies, 2020, p. 43), could influence the electorate through vote-trafficking, clientelist approach or pressure on voters. They were not members of the SP nor career politicians, they had no political identity or political training, but being enriched informally during the transitional period post '90s, they could not hide their ambition to exert political influence in their areas and to ensure parliamentary immunity from potential investigations. Through the parliamentary mandate, they mainly aimed to influence the allocation of public funds and investments, influence on clientelist appointments in the administration, influence on business competition and influence on local institutions and media.

This approach was first applied about 55 kilometers from Tirana in the municipality of Kavaja, a historically supportive city of the right wing. As a candidate for mayor in the local elections of 2011, the SP nominated an individual with strong informal ties and activities mainly run with criminal support, nevertheless with influence in the local community. As a result, the right-wing bastion city, where in the last elections (2007) PD had won with 84% of the votes, flipped and the SP candidate was elected mayor in 2011 with 53% of the votes and in 2015 with 63% of the votes. The same practice was applied in several municipalities in 2011 and 2015, as well as in the parliamentary elections of 2013. The most flagrant case was the proportional list of the SP in Lezha district, another right-wing support area. Of the 8 SP candidates in the proportional list in this area, the first two turned out to be individuals with criminal activities inside and outside the country. In order to gain mandates, they forced women candidates from the list to resign. By the end of the legislature, all the names on the list had left by resignation or due to decriminalization¹ and as a result, the last replacement mandate went to another party allied with the SP in this district.

These and other similar cases in some electoral zones were accompanied by critical reports in the media, that such individuals have been appointed and promoted to the management levels of the public administration, the state police and other public bodies. Several violent incidents in the parliament, with these MPs as protagonists, created the favorable and stimulating environment for the opposition to undertake preventive legal initiatives. In December 2015, the Parliament of Albania adopted Law 138/2015 "On guaranteeing the integrity of persons who are elected, nominated or exercise public functions," known also as the "Decriminalization law." The essence of the law was the removal from political and public positions of individuals

¹ Of the 8 names on the list, four resigned, two MPs left due to decriminalization, candidate and one other resigned prior to decriminalization.

with criminal records who have committed or attempted to commit criminal offenses (Krasniqi, 2018, p. 17). Articulated in this form and with such seriousness, the law found political and public support, as well as initiated an intense phase of denunciations and political debate, during which a number of other cases were discovered and denounced at the central and local levels, especially in the domain of action of specific profit-yielding bodies (police, customs, tax authorities, cadastres, etc.), as well as in representative political institutions. Within the first 12 months more than 200 officials, including several MPs, local councilors and mayors, lost their positions.

Law 138/2015 lists about 48 articles of the Criminal Code, the penalty for which is an obstacle to run in elections or being appointed to political and public positions. They are related to serious crimes, the commission of criminal offenses in the domain of corruption or in the domain of elections, etc. Refusal to fill out the decriminalization form or incorrect completion of possible criminal evidence data, automatically constitute reason of termination of mandate or inaptitude to run in elections.

Law 138/2015 extends the penalty not only to individuals who desire to be elected or appointed to political and public positions, but also to voters with the right to vote. Specifically, according to the law, the persons who have been sentenced by a final decision, inside or outside the territory of the Republic of Albania, do not have the right to vote and elect by direct vote the candidates for MPs in the Assembly or in the local government bodies, for committing one of the crimes provided for in 48 provisions of the Criminal Code, for serious crimes, crimes of corruption or electoral crimes. The restrictions are also applied to individuals against who has been imposed personal security measures and/or an international search warrant has been issued by a foreign judicial authority, for committing or attempting to commit one of the criminal offenses provided for in the law, or to persons who have been deported from the territory of a foreign country on the basis of suspicion of committing one of the criminal offenses provided for in the law. In this case, the Constitutional Court considered the complaint coming from the civil society, for the repeal as unconstitutional of the Articles of the law 138/2015 related to the restriction of the voting right for convicts, cited in the articles of the de-criminalization law. In 2017, the Constitutional Court dismissed the complaint (Constitutional Court, 2017) and the case is already under review at the European Court of Human Rights in Strasbourg. However, in 2012, the ECtHR assessed that the restrictions placed on the complainant's right to vote, did not "impede the free expression of the people in

the election of the legislature,” upholding in this way the “integrity and effectiveness of an electoral procedure aimed at identifying the will of the people through general voting. Therefore, in this aspect, the ECtHR has decided that there was no violation of Article 3 of Protocol No. 1 (ECtHR, 2012)” and it was proportionate to the specific case in accordance to the serenity of the violation (*Scoppola v. Italy* (no. 3), 2012)¹.

In addition, according to Law 138/2015, Article 5, every official must fill out the decriminalization form as soon as they run for a political or public office, including candidates for MPs or in local elections. Candidates’ declarations are submitted to the CEC (Central Election Commission), a body that performs preliminary verifications of statements and procedures. If the CEC has indications that lead into an in-depth investigation, the process passes on to the special unit set up in the General Prosecutor’s Office, which has access to all state institutions and through the Ministry of Justice, communicates about possible investigations or verifications in other states. Any official resulting in proven legal circumstances incompatible with the standards of the Decriminalization Law, is dismissed from office, regardless of position, from the President of the Republic to a local councilor or administration official. In case of refusal for high officials, at the request of 1/5 of the MPs of the Assembly, the case goes to the Constitutional Court, which decides on the conclusion of the expiration or invalidity of the mandate, or the dismissal of the public functionary.

The law provides for the possibility of appeals and detailed verification of data, including data on changes of generalities in different countries, as well as taking into consideration the models of the states governed by the rule of law, applying the criminal measures only of EU member states, the USA and Canada. The law provides for restrictions on exercising the mandate or running for office in proportion to the criminal offense, - for serious criminal offenses life-sentence, for lighter criminal offenses escalating periods of time from 2 to 20 years. The law also covers the concept of rehabilitation and recognizes the right of subjects penalized for irregular disclosure of assets, concealment of data or refusal to disclose, to run in subsequent local or parliamentary elections. On this basis, a MP lost his parliamentary mandate in 2017, but in 2021 he was under no restrictions and was therefore a candidate again in the next parliamentary elections.

¹ For further details consult the Information Note on the Court’s case-law 152 of May 2012 *Scoppola v. Italy* (no. 3), Article 3 of Protocol No. 1.

6. Policy Implications

Considering the European Union accession requirement, the drafting of the law on decriminalization and the cleansing of the Albanian administration from incriminated or powerful individuals, organized crime groups, and eliminating individuals associated with illegal activities from appointment and election to public positions, we conclude this article with a couple of policy implications:

Preserving democratic objectives and balancing the legal instruments. The goal is not to hamper the opposition in its activity and expression, not to exclude them from political and public life and to preserve the political rights of these individuals and other interest groups. It is also important to maintain the proportionality of the extent to the legal violations.

Maintaining the balance between the application of the decriminalization, the anti-corruption law, the electoral and political stability. This could be arranged mostly through transparency of independent third parties such as international institutions or civil society organizations in Albania.

Strengthening of the rule of law and the legal framework. The necessity of reinforcement of legal bodies that investigate and fight corruption and individuals linked to crime. Strengthening the law and reducing malpractices, therefore, with the importance of ensuring a strong and secure legal framework.

7. Conclusion

Albanian system, as part of the Western Balkan countries, has faced several challenges in guaranteeing the political and electoral integrity of candidates and public officials, starting from the fall of communists till the now days. The process of integrity vetting, in its design, has been influenced by both domestic and international factors. Since the fall of the communist regime, individuals linked to that political system were involved in politics. Vetting Legal reforms have consistently carried out in eliminating them from politics to ensure the integrity of a clean politics.

This procedure initiated in 1996 as the “decommunization” process, aiming to remove candidates linked to the communist past. Because of eliminating over 200 candidates by being disqualified from the 1996 parliamentary elections, it was considered successful process. However, it encountered criticism, and over time, due to the context challenges and problematics, the focus shifted towards other issues

such as corruption, criminal influences, election manipulation, “strongmen” influences and connection with organized crime. Therefore from 2011 to 2014, Albania, transitioned from the decommunization to decriminalization. The necessity of ensuring a clean politic, integrity for the political candidates and public officials, led Albania to design and implement in 2015 a unique Law called “Decriminalization Law.” Among other things, the Law forbids individuals with criminal record and those who are considered as “strongmen” from maintaining political and public offices. Despite its positive features, it was criticized for its scope harshness and restriction on voting right of individuals. Although the law does allow appeals of decisions, permit rehabilitation for candidates who has served their past sentences and the restrictions are based on the gravity of the crime.

The Decriminalization Law shares similarities with other international cases, such as “Severino Law,” in Italy, which inhibits from holding public offices, persons associated to the mafia and other serious crimes. Other similarities to this law are linked to Western Balkan Countries such as Serbia, North Macedonia, which implemented legal candidate restrictions focused mostly on war crimes. In conclusion, Albania’s decriminalization serves as and unique Law in Europe and what is more valuable is that the vetting mechanism and decriminalization process are fundamental for the country to establish a transparent, clean and accountable political and electoral system.

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