



Kingdom of the Netherlands

UNDERSTANDING THE SIGNIFICANCE OF THE DIASPORA'S VOTE IN ALBANIA

Policy document



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DIASPORA'S VOTE IN ALBANIA**

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Revised the document

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Executive Summary

Albania is considered one of the countries with high emigration flows in relation to the resident population. Referring to the phenomenon of brain drain; institutional priorities and research papers are mainly focused on the value of the professional capacities of the diaspora in the context of circular migration or its impact through remittances on the economic development of the country. Meanwhile, the long-term importance of the so-called social or political remittances of emigrants as a drivers of democratizing developments in Albanian society and the revitalization of the political system through direct or indirect participation in decision-making has been addressed little or not at all.

Current approaches have produced strategies based on the premise that the engagement and inclusion of the diaspora is necessarily realized only with its physical return or the generation of attractive mechanisms to regain social capital. Meanwhile, the significantly better relationship with the actuality in the country and the visibility of the Albanian diaspora during the pandemic situation, are a clear indicator that the geographical proximity and the lack of physical presence do not constitute an obstacle for the involvement of the Albanian diaspora in political developments and its influence on the opinion public.

This comprehensive paper delves into the critical issue of diaspora voting rights, particularly within the context of Albania's European Union (EU) accession aspirations. The Albanian diaspora, dispersed across diverse international settings, presents varying levels of engagement with their homeland's political landscape. This policy paper provides valuable insights into the multifaceted discourse surrounding diaspora voting rights, underscoring the importance of a balanced approach that upholds democratic principles and meaningful participation for all citizens. Albania's journey towards European integration hinges on implementing out-of-country voting and actively involving the Albanian Diaspora in the nation's political processes.

The paper concludes with concrete recommendations to policy-making actors, civil society, and the international factor in Albania to improve their relationship with the diaspora as an interest group and take into consideration its evidence-based expertise in the development of sustainable policies.

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I. INTRODUCTION

After the fall of the communist system, emigration constituted a ubiquitous reality for all strata of Albanian society. However, during the last decade, the significant increase of this phenomenon beyond the usual pattern, especially the exodus of well-educated young people (Lavrič, 2020:24), skilled labor force, and professionals from critical sectors, has now turned into a concerning occurrence with long-term consequences for Albania's economic development perspective.

Conversely, amidst the challenges posed by the pandemic circumstances, the expertise of the Albanian diaspora has illuminated the untapped and unrecognised potential of its intellectual and valuable human capital through its active engagement and public interventions. Demonstrating a keen awareness and connection to political developments in Albania, coupled with their resolute stance on the issue of diaspora voting, indicate **a growing aspiration and desire to participate and assert an even more active and prominent role in the political landscape of their country of origin**. This forthright involvement marks the beginning of a new historical cycle in the relations between the diaspora and the homeland.

These two developments have sparked public discourse about the role of the "out-of-country vote" (OCV) as well as the evolving role of Albanian Diaspora, which is increasingly perceived as a civic force, interest group, and a prospective catalyst for change, notably due to their acclimatisation with the democratic values and standards in the countries where they reside.

One noteworthy development was the emergence of the "*Diaspora for a Free Albania*" movement¹, which by addressing an issue that had traditionally been overlooked by non-governmental and civil society organizations in Albania, such as the *Diaspora Voting* topic, took a groundbreaking approach by taking legal action against the Assembly in the Constitutional Court. In December 2022, a historic verdict was delivered as the Constitutional court (2022) found that the parliament had contravened the constitution by excluding Albanians residing abroad from voting in the 2021 parliamentary elections. The court asserted that it is incumbent upon Parliament to bridge this legal void, ensuring the realization of this right within a one-year timeframe. Moreover, the court stipulated that the diaspora must be allowed to participate in future parliamentary elections from abroad, heralding a noteworthy progression in Albanian civic participation. Also, for the first time, the court acknowledged the contribution of an Albanian civil society organization, whose members primarily reside abroad and are not physically present in Albania, recognizing its significant role in raising awareness and advocating for the diaspora's voting rights and thus paving the way for the

¹ In Albanian known as "Diaspora për Shqipërinë e Lirë" (DPSHL)

consideration of the diaspora as a social entity, which can contribute to addressing many challenges, such as that of Albania's path towards the EU.

In this setting, a century after the constitution of the first Albanian Parliament in 1921, refusing to grant Albanian citizens permanently residing abroad the right to vote represents a regressive measure. This is especially pertinent when considering that almost half of the voters on the final voters' list are located abroad, raising concerns about the legitimacy of the representatives elected in such circumstances. Meanwhile, neighbouring, and regional countries have harnessed the power of the OCV voting, incorporating the diaspora into their political processes, and benefiting from their democratic engagement.

The political awakening of the Albanian Diaspora, notably its recent focus on policy dialogues, transparency, and accountability, highlights the fact that scientific data was, until recently, quite elementary. Research efforts to assess the dynamics of the diaspora in the transformation and democratization of former communist countries are sporadic and focused on specific case studies (IOM, 2021, Anghel & Roman, 2021, Koinova, 2009). Meanwhile, the analysis of the diaspora's impact on policy development or its involvement in political decision-making processes in Albania has not been the subject of any research study. Despite formally acknowledging the role of diaspora communities in the "*Stockholm Programme*" (European Council, 2010:29) or in the "*Action plan on Integration and Inclusion*" (European Commission, 2020:4), the European Commission (COM) and the European Parliament (EP), within the context of their annual report frameworks, have not been vocal regarding the implementation of the OCV issue and have yet to involve the Albanian diaspora as a crucial stakeholder in a society profoundly affected by emigration. Furthermore, they have not recognized its potential as a vector of political change in the country of origin or as a politically unbiased provider of evidence-based expertise. Consequently, scientific papers and reports on this matter are notably absent.

This policy paper represents the attempt to explore the importance of the OCV voting, probing into a myriad of perspectives in the public discourse that both affirm and contest this constitutional right. This document focuses on the analysis of models for voting and representation from abroad in both EU member states and neighbouring countries, emphasizing the critical nature of this fundamental right for the country's democratic future. It also highlights the technical and political process until recently and the role of Diaspora engagement advocating to catapult this matter into prominence. Beyond contributing to a scholarly discourse on the importance of this subject, this paper seeks to enlighten civil society stakeholders, decision-making actors, and the international community regarding the importance of not only talking about the Diaspora but also engaging in discourse and consultations with the diaspora and its experts across diverse fields to enhance the development of a democratic landscape and improve the political culture in Albania.

II. NOTIONS

The term "*diaspora*" is a concept that frequently generates discussions and is often used in an almost inflationary way. Similar characteristics surface, and the use of the compound word "interest group", "out-of-country vote", or the concept of "remittances," which due to different synonyms and disciplines where they are used, refer to different meanings. To understand how these terms are related to each other, it is necessary to define them.

Diaspora

Beyond the classic definition, researcher Dumont (2020) defines Diaspora as "*a community of individuals living together on the same territory and having in common the conviction or belief of belonging, themselves or their families, to another territory with which they maintain regular relations.*" The Council of Europe distinguishes here between the Diaspora's cultural and political approaches. The former is engaged in strengthening the cultural rights of its community, while its political approach emphasizes the rights and obligations of this community (Doc. 13648, 2014). In its publications until the year 2020, the Institute of Statistics in Albania (INSTAT) defines the Diaspora as including '*any person born in Albania who currently resides outside its borders*' (INSTAT, 2020:6) It further distinguishes between the '*new Diaspora*' and the '*old Diaspora*,' categorizing '*new Diaspora*' as '*emigrants who have left Albania after the 1990s, aligning with the substantial migration wave following the collapse of communism*' (Ibid).

Out-of-country voting (OCV)

Out-of-country voting (OCV), which is also referred to as 'absentee vote', or 'voting from abroad' or external voting, is defined by IDEA as: "*procedures which enable some or all electors of a country who are temporarily or permanently outside the country to exercise their voting rights from outside the national territory*" (International IDEA 2007:8)

Interest Group

Schlozman and Tierney (1986) define an interest group as "*organized interests encompassing all institutions or organizations with or without official membership, which have specific political objectives and wish to influence the outcomes of the political process.*" Meanwhile, Thomas and Hrebenar (1991) offer a broader definition, which includes "*any community of individuals or organizations, organized or not, that strive to influence public policy.*" Both definitions include a wide range of interests, in which the diaspora can be part, as a distinct entity with all its diversity.

Social Remittances

According to Levitt (1998:927), social remittances "*are the ideas, behaviors, identities, and social capital that flow from receiving- to sending-countries communities*". This encompasses the role of diasporic communities in political transformation and their presence in the political life of their countries of origin. In the political sphere, they are noted for their ideas about democratization and political standards, forms of social cooperation and political participation, and the political engagement of the diaspora based on past international experiences, overall revitalizing the political system through direct or indirect participation in elections.

SOCIOECONOMIC DYNAMICS OF THE ALBANIAN DIASPORA

To emphasize the importance of the diaspora's voting influence and its potential to reshape the political arena, it is essential to evaluate the ratio of the population Albanian living abroad compared to those residing in Albania. This analysis should consider the patterns seen during the substantial emigration of the past decade, as well as the continual and steady increase in the remittances that this community regularly sends back to their home country. Specific statistical data reveal that given the current emigration rates, the diaspora's enfranchisement and active engagement in policy-making processes is not just beneficial, but indispensable. Fostering the OCV, as means to involve a wide range of citizens is the first step towards bringing the gap between the homeland and aligning it more closely with the domestic political developments.

Considering that population censuses in Albania are not conducted regularly, INSTAT employs an indirect method, deriving the overall number of Albanians living abroad based on a comparison of two population groups: the resident population and that within the civil register. According to this method and calculation, as of January 2020, the number of Albanian residents abroad stands at 1.68 million, or 37% of the total Albanian population, or 58.5% when compared to the domestic population within Albania (INSTAT, 2020:3).

With the ongoing census underway during the drafting of this paper and referring to the dynamics of mass emigration, the percentage of resident Albanians abroad is expected to surpass the 2020 figure, solidifying Albania's position as the top-ranking country in terms of citizens born in the country who now live abroad. This demographic shift underscores the diaspora's growing influence (Forbes, 2022).

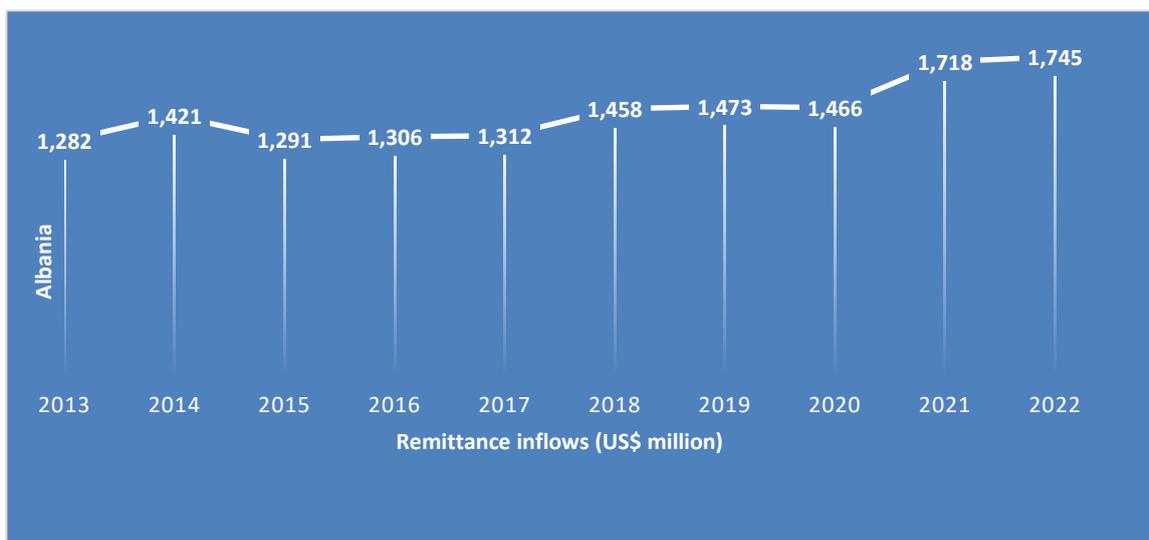
Another aspect directly related to the dynamics of emigration growth, quite present and discussed in the public opinion, which also constitutes the main trend of studies regarding the relations between the Diaspora and the country of origin, is the topic of *Remittances*, which

are a characteristic of the economic development in Albania since the '90s. However, it remains a challenge to find reliable information regarding this topic, as the data and figures for the country vary depending on the source and institution. This work refers to statistics published by the World Bank concerning all remittance inflows to Albania as the country of origin.

The chart presented below indicates a steady rise in remittances over the past ten years, now accounting for approximately 9.9% of the current GDP. The economic contributions sent by diaspora citizens have surged significantly, totalling approximately 1.8 billion USD in 2020, what has surpassed foreign direct investment and has become a crucial source of external income for the low- and middle-income population (World Bank, 2023; Barjaba, 2022:3).

This increase persists despite significant challenges such as the 2019 earthquake or the financial upheaval brought on by the 2020 pandemic. While there's a common notion that the longer migrants reside in a new country, the more their propensity to send money back home diminishes, or their ties to their native land weaken (World Bank, 2006:99), this hasn't been the case for Albania.

Figure 1: Remittance inflows in Albania



Source: Own chart based on World Bank, 2023

In fact, there's no tangible evidence of a decrease in remittances in nominal terms, suggesting no weakening of ties with their homeland. On the contrary, as emigrants' incomes increase, there is a corresponding rise in remittances, a trend bolstered by the steady surge in emigration rates from Albania. The rise in remittances over the past decade, despite various challenges, has made the diaspora's financial contributions one of the main pillars of the Albanian economy. These contributions go beyond monetary value; they positively impact various aspects of life in Albania, from poverty reduction and education enhancement to

healthcare, boosting consumption, and alleviating the strain of inflation during economic crisis, and providing crucial financing and investment in real estate (Katseli et al, 2006:9). The diaspora's ties to their homeland remain strong, as evidenced by the consistent flow of remittances.

Remittances, in addition to supporting family welfare, empower citizens living abroad to engage actively in homeland politics, especially when residing in democratic host countries, which provide emigrants with opportunities for political engagement that extend beyond their host nation's borders. Multicultural policies in Western nations nurture ties to cultural origins, fostering the sense of belonging and engagement. Furthermore, the Albanian diaspora plays a central role in transmitting social remittances back to Albania, encompassing a wide range of ideas, skills, and enriching influences. These immaterial but invaluable spill-over effects contribute to the social and political development of the homeland. Recognizing and utilizing the diaspora's political influence is vital for the nation's advancement (Ciornei & Østergaard-Nielsen, 2020:3).

The continuous flow of both economic and social remittances underscores the enduring connection between the diaspora and their homeland, further emphasizing the indispensable role of the Albanian diaspora in shaping the country's future. The diaspora's multifaceted role shapes both socio-economic and political landscapes, underscoring its indispensable role in Albania's future. As we move forward, acknowledging and leveraging the potential of the diaspora vote in the political landscape will be key to advancing the nation's present and future trajectory.

IV. OUT-OF-COUNTRY VOTING CONTROVERSY

The Albanian diaspora is an amorph and multifaceted entity, shaped by the diverse political and social landscapes of the countries in which it resides. While mirroring the dynamics of Albanian society, it also exhibits a range of attitudes towards the homeland, from close engagement to periodic disinterest. In terms of political engagement, the diaspora is divided between those who are active and those who are passive. Particularly those who have left Albania in the last decade, are viewed as critical or sceptical mass towards the current government. Unlike the migratory waves of the early 1990s, they are perceived as having made a distinct choice voting with “*their feet*” by leaving Albania. As a result, both the diaspora and Albanian citizens hold varying opinions on the implementation of diaspora voting in parliamentary elections. The question of whether Albanians residing outside the country should be allowed to vote in national elections is not simply a matter of law or procedure. Rather, it is a question that delves into the very nature of citizenship, representation, and democracy itself.

Diaspora voting rights are fundamentally supported by the notion that voting is an inherent constitutional right for every citizen, regardless of where they reside, which is not merely a privilege granted based on geographic presence but is an intrinsic to the constitutional identity of every citizen (IDEA, 2007:75p). The challenge arises in delineating issues only affecting domestic policy from those with broader implications for all citizens. National elections, for instance, don't just govern territories; they shape policies and norms on the macro level that affect every citizen's constitutional right, transcending physical borders. It's not about the extent to which an individual is affected by or subject to the government's reach, but rather the undeniable right to participate in the political process that governs one's citizenship status (Szulecki, et al, 2021:998; Nyblade et al., 2022:3p).

In the context of the ongoing discourse on the constitutional rights of citizens living abroad, consider a scenario where the government is contemplating a law on either terminating the voting rights of expatriates or revoking the citizenship of those who have lived abroad for an extended period. Similarly, take the instance where the Albanian parliament is considering the cessation of state-provided services or pensions to citizens not residing within its borders. In both examples, the consequences of such decisions underscore the undeniable fact that expatriate citizens remain under the jurisdiction of their home country's laws and decisions (Owen, 2010:60f).

The fundamental flaw in the argument against OCV rights is the assumption that only those physically residing within the state's territorial boundaries are subject to its collective decisions and authority. However, the physical location of Albanians living abroad doesn't negate their subjection to the decisions made by their country of origin regarding the rights,

responsibilities, and privileges that constitute their legal status as citizens. Their residency abroad doesn't equate to immunity from the laws of their homeland; rather, it reaffirms that they are certainly still within the reach of its legal authority. Although certain laws are inherently linked to and enforced based on one's presence within the country's territorial confines, the overarching constitutional rights and duties of a citizen transcend these geographical limitations. Therefore, the narrative reaffirms the constitutional mandate that the voice of every citizen, including expatriates, is fundamental in the collective decisions that shape the essence of their citizenship and national identity (Ibid).

Albanians abroad maintain significant ties to their homeland, which underline a shared fate between the diaspora and their home country. Expatriates from emerging democracies often undergo a significant political awakening that spurs their engagement in their homeland's politics, particularly when living in nations with well-established democratic structures and strong connections to their resident communities (Ciornei & Østergaard-Nielsen, 2020:3). They embrace democratic values, advocate for transparency, equality, accountability, and even challenge discrimination and economic disparities in their home countries. Emphasizing equality, the diaspora's right to vote reaffirms their sense of belonging and provides a tangible way to influence political decisions, ensuring inclusivity and an equal voice in the nation's future.

However, opposition to OCV often hinges on the premise that long-term emigrants may become detached from the current socio-political realities of their home countries. Critics argue that such individuals, not exposed from the direct consequences of domestic political decisions, might exercise uninformed or misaligned electoral choices. This detachment is further complicated by the physical impracticality of representing diaspora interests in national parliaments and the potential weakening of resident citizens' electoral influence. The controversy amplifies in nations like Albania with substantial emigrant populations, where there are concerns that diaspora votes could decisively 'swing' electoral outcomes.

This potential disproportionate influence fuels fears among domestic constituents, often manifesting in resistance to OCV rights or resentments towards the diaspora's political interventions. Such dynamics breed divisive narratives, where high diaspora voter turnout may be criticized as excessive interference, and low turnout misconstrued as apathy. Additionally, practical, and administrative challenges associated with OCV cannot be overlooked. Traditional concerns over voter fraud and vote manipulation over the years in Albania, and low turnout further exacerbate scepticism about the cost-effectiveness and overall viability of such endeavours (Cirlig, 2023:2; Ciornei & Østergaard-Nielsen, 2020:23).

The Council of Europe (CoE) acknowledged these complexities, advocating for a more realistic, nuanced approach to OCV. They dismiss exaggerated fears of assumed electoral 'invasions' by the diaspora, calling for policies that recognize universal suffrage as a civil right

transcending geographic boundary. However, they also caution that the decision to implement OCV should involve comprehensive stakeholder deliberations, mindful of potential legal challenges (CoE, 1999:11).

In conclusion, the debate over the Albanian diaspora's voting rights is multifaceted, straddling the realms of constitutional and human rights, economic contributions, political equity, and practical feasibility. While the diaspora's right to participate in their home country's political processes aligns with democratic principles and acknowledges their ongoing ties and contributions, reservations persist regarding their sustained connection to domestic issues and the potential for disproportionate electoral influence. Moving forward, any discourse on OCV must balance these diverse perspectives, ensuring inclusive, transparent, and equitable participation for all stakeholders in the democratic process, while considering it as a form of belonging to the polity.

V. VOTE WITHOUT BORDERS: EU AND THE WB6

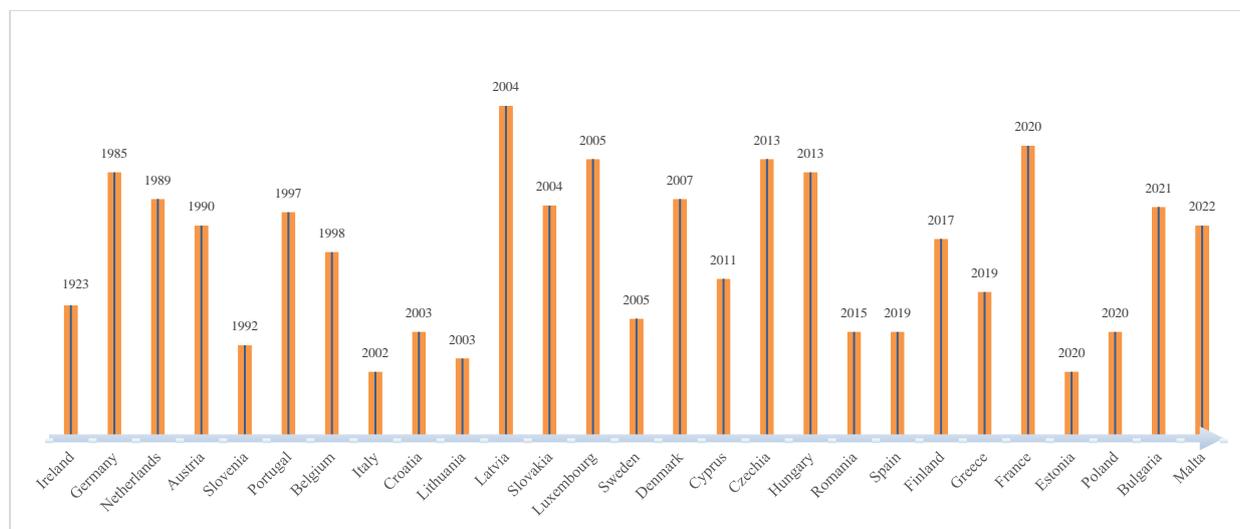
The IDEA report (2021) highlights that the global trend is undeniably advancing towards the realization of the out-of-country vote, as more nations are recognizing the importance of including their citizens abroad in the electoral process. This chapter will provide a geographical overview and an analysis of these voting rights and the voting methods accessible to diasporas, focusing particularly on European Union member states and the Western Balkans Six (WB6) countries.

The OCV across the European Union

Out-of-country voting remains a focal point in the political landscape of numerous nations, facilitating diaspora populations in participating in their homeland's electoral processes. The timeline below illustrates the evolution of OCV adoption across European democracies from 1923 to 2022. Beginning with Ireland's early introduction in 1923, there was a noticeable hiatus until Germany and the Netherlands adopted the practice in the mid-to-late 1980s. The onset of the 21st century which correlated with the growing migration and the enlargement of the European Union four freedoms marked a significant uptick in the adoption rate, with countries like Italy, Croatia, Lithuania, and later Spain, Finland, and Romania embracing OCV.

The recent years, especially the 2020s, saw a continuation of this trend with nations such as Estonia, Poland, Bulgaria, and Malta recognizing the importance of diaspora participation in elections. The timeline underscores the growing emphasis on inclusivity in the electoral processes of European nations, adapting to the realities of global mobility and transnational ties.

Figure 2: Introduction of voting from abroad in European democracies



Source: Own chart from IDEA 2023 Database Comparison

Out-of-country voting remains a focal point in the political landscape of numerous nations, facilitating diaspora populations in participating in their homeland's electoral processes. The map below presents a compelling overview of out-of-country voting (OCV) policies across Europe. A vast majority of European nations, painted in green, have acknowledged the importance of enabling their diaspora to partake in domestic elections, reflecting a democratic ideal of universal representation. Yet, strikingly, Albania and Montenegro, both coloured in red, are exceptions to this trend.

As candidate countries vying for European Union membership, their lack of OCV provisions casts them in an unfavourable light. In essence, while most of Europe is progressing towards inclusive electoral processes, the absence of OCV in Albania and Montenegro stands out, especially given their ambitions to join the EU. Their current stance on this pivotal democratic practice might necessitate reconsideration to resonate with prevailing European values more closely.

Figure 3: Out of Country vote in Europe



Source: Own map based on the IDEA 2023 Database Comparison

Upon examining the voting methods adopted by various EU member states and the election types allowing for OCV, as detailed below, we discern key trends that shed light on the adoption of OCV practices within the European Union. *Figure 4* offers a comprehensive view

of the voting methods employed by different EU member states to facilitate Out-of-Country Voting (OCV) and the specific election types for which OCV is permitted. Through meticulous examination, several essential patterns emerge regarding the embrace of OCV across the European Union.

The four central voting methods shown are *Personal, Postal, Proxy, and E-Voting*. The predominant modes of electoral participation within the European Union (EU) encompass in-person and postal voting, with 19 member countries employing the latter method.

- Personal Voting - suggests elections are being conducted on polling stations in the diplomatic or consular representations of the respective countries abroad - emerges as the most universally adopted method, with almost every EU country represented in the table permitting this type of voting.
- Postal Voting, preferred for its flexibility especially for distant diaspora populations, is another method prominently represented among the EU countries.
- While Proxy Voting, where one individual votes on behalf of another, sees acceptance in several EU nations, it's worth noting its comparatively lesser adoption.
- E-Voting, a testament to technological advancements, is only represented by Estonia as of 2020, indicating potential hesitations in other EU nations regarding electronic systems or the readiness to adopt such a method. Several member states extend the privilege to their constituents of selecting from various voting modalities.

Notably, compulsory voting is mandated in four member states, namely Belgium, Bulgaria, Greece, and Luxembourg, albeit Greece's obligation excludes diaspora voters in the context of European elections (Cirliq, 2023:3p).

Diving into the election types, we notice five categories: *Presidential, Legislative, Referendums, EU Parliament* elections, and *Other* for OCV elections foreseen in different levels like senate or the sub-national level. A significant majority, specifically 23 out of 27 EU countries, permit their citizens to vote from abroad in European Parliament elections.

Yet, a distinctive feature from the table is Malta's exceptional approach. Beyond merely permitting OCV, Malta takes the additional measure of subsidizing flight expenses for its citizens living abroad, facilitating their return to participate in person in elections. This gesture underscores Malta's profound dedication to guaranteeing the electoral involvement of all qualified citizens, regardless of their geographic whereabouts. Legislative elections, reflecting the weight of legislative processes in democratic structures, enjoy near-universal adoption of OCV across the presented EU member states.

Figure 4: Voting from abroad across the EU. Methods and Types

| Country | Year | Voting method | | | | Election Type | | | | |
|-------------|------|---|--------|-------|----------|---------------|-------------|-------------|---------------|-----------------|
| | | Personal | Postal | Proxy | E-Voting | Presidential | Legislative | Referendums | EU Parliament | Other |
| Austria | 1990 | | x | | | x | x | x | x | |
| Belgium | 1998 | x | x | x | | | x | | x | |
| Bulgaria | 2021 | x | | | x | x | x | | x | |
| Croatia | 2003 | x | | | | x | x | | x | |
| Cyprus | 2011 | x | | | | x | x | | x | |
| Czechia | 2013 | x | | | | x | x | | | |
| Denmark | 2007 | x | | | | | x | | x | |
| Estonia | 2020 | x | x | | x | | x | | x | |
| Finland | 2017 | x | x | | | x | x | | x | |
| France | 2020 | x | | x | x | x | x | x | x | Seats in Senate |
| Germany | 1985 | | x | | | | x | | x | |
| Greece | 2019 | x | | | | | x | | x | |
| Hungary | 2013 | x | x | | | | x | x | x | |
| Ireland | 1923 | | x | | | x | x | x | | Sub-national |
| Italy | 2002 | | x | | | | x | x | x | Seats in Senate |
| Latvia | 2004 | x | x | | | | x | x | x | |
| Lithuania | 2003 | x | x | | x | x | x | x | x | |
| Luxembourg | 2005 | | x | | | | x | x | x | Sub-national |
| Malta | 2022 | Malta covers flight cost for voters abroad to vote in the country | | | | | | | | |
| Netherlands | 1989 | | x | x | | | x | | x | |
| Poland | 2020 | x | x | | | x | x | | x | The Senate |
| Portugal | 1997 | x | x | | | x | x | x | x | |
| Romania | 2015 | x | x | | | x | x | x | x | |
| Slovakia | 2004 | | x | | | | x | x | | Sub-national |
| Slovenia | 1992 | x | x | | | x | x | x | x | |
| Spain | 2019 | x | x | | | | x | x | x | Sub-national |
| Sweden | 2005 | x | x | x | | | x | x | x | Sub-national |

Source: Own chat based on IDEA 2023 Database Comparison

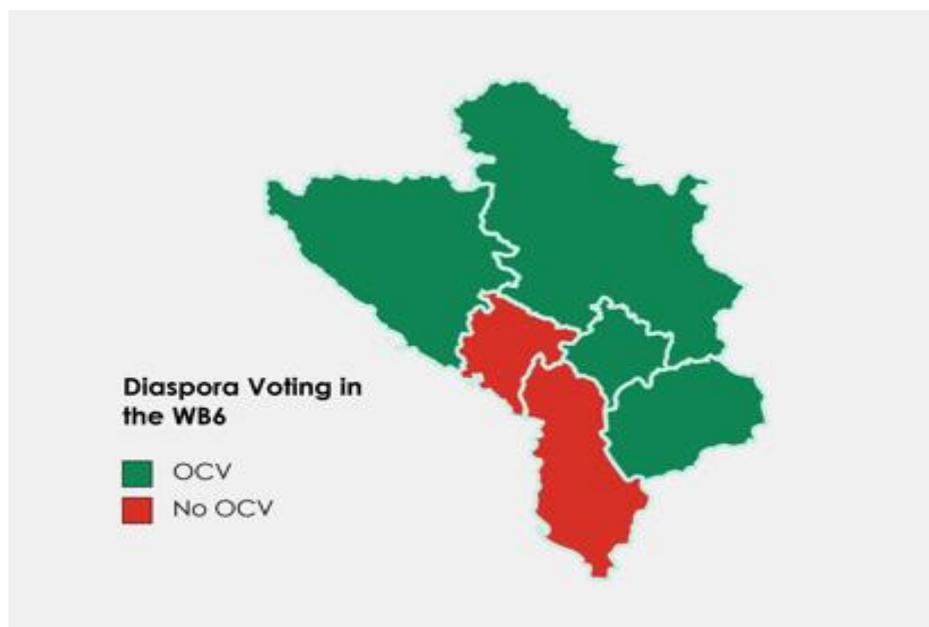
The same broad embrace is seen for Presidential elections, given the consequential nature of such elections in deciding the leadership of a nation. Referendums, crucial in shaping key national decisions, also see many countries allowing their overseas citizens to participate. Lastly, under the "Other" category, we find diverse elections like sub-national or Senate elections, tailored to individual state structures and governance models.

In summary, the data indicates the European Union's robust dedication to fostering democratic participation through OCV. While the methods and election types exhibit variation, the overarching narrative leans towards inclusivity. This commitment ensures that every citizen, no matter their location, contributes to their home country's electoral processes. However, specific disparities, especially in OCV for European Parliament elections, suggest there is room for further alignment and uniformity in practices across the EU. As the Union progresses, we might witness an evolution in its OCV policies and practices.

The OCV in the WB6 countries

To shed light on Albania's delicate position regarding its accomplishment of the Diaspora Vote, both in comparison to the European Union and the Western Balkans, it is crucial to understand the broader context of the region. Rooted in intricate historical contexts, the WB6 underwent significant socio-political transformations. The six countries are profoundly affected by increasing emigration patterns and maintain significant diaspora communities abroad. As these emigrants establish deeper roots in their host countries and gain educational and cultural insights, they reveal an increasing aspiration to connect with their native lands.

Figure 5: Implementation of OCV in WB6



Source: Own map based on the IDEA 2023 Database Comparison

The map above illustrates diaspora voting rights in the WB6 countries. It becomes evident that most of these nations have embraced the concept of Out-of-Country Voting (OCV) as highlighted by the green coloration, signalling their recognition of the importance of involving their diaspora communities in electoral processes.

On the other hand, in an environment where diaspora engagement is increasingly acknowledged, two countries Albania and Montenegro, coloured in red, indicating the absence of OCV provisions, emerge as isolated islands within the region, refraining from extending voting rights to their citizens abroad. This distinction emphasizes the growing need for a comparative analysis and potential re-evaluation of their stance on diaspora voting, especially given the significance of their respective diaspora communities in global contexts. In this context, a comprehensive examination of the voting modalities adopted in the countries of the region and the progress of such policies is indispensable.

Figure No. 6 provides a summary of the voting type and already known voting methods for the six Western Balkan countries. Notwithstanding the significant emigration it has witnessed over recent decades - like its regional counterparts - it appears that Albania has yet to demonstrate the required political rationale to complete the legal gap regarding the out-of-country voting. Such an omission becomes particularly salient when evaluated in the context of its neighbours' practices. This lack of initiative raises concerns, especially when compared against its neighbouring countries. The absence of full legal provisions to facilitate the diaspora vote suggests a possible oversight in ensuring that this constitutional right is fully realized for all its citizens, irrespective of their residence.

Figure 6: Voting from abroad across the WB6. Methods and Types

| Country | Election type | Voting method | First year |
|----------------------|---|-------------------------------|------------|
| Albania | No external voting | No external voting | N.A. |
| Kosovo | Legislative | Personal at embassies, postal | 2010 |
| North Macedonia | Presidential, Legislative | Diplomatic-consular offices | 2009 |
| Serbia | Presidential, Legislative, Referendums | Diplomatic-consular offices | 2021 |
| Bosnia & Herzegovina | Presidential, Legislative, sub-national | Personal at embassies, postal | 1996 |
| Montenegro | No external voting | No external voting | N.A. |

Source: Own chart based on the IDEA 2023 Database Comparison

Bosnia & Herzegovina, reeling from the aftermath of the ethnic war and massive displacements, was quick to address the democratic representation of its citizens abroad. As early as 1996, they instituted diaspora voting for a range of elections, including presidential, legislative, and those on the municipal level. The chosen methods, personal voting at embassies and postal voting, underpin a commitment to reestablishing ties with their emigrant community post-conflict. Similarly, post-independence Kosova promptly

acknowledged its diaspora's importance, permitting them to partake in legislative elections. The decision to allow such voting post, came in the wake of its declaration of independence, marking a symbolic gesture towards those displaced during its tumultuous past. In July 2023, the Kosovan government passed the new law on general elections in the Republic of Kosova (Law Nr. 08/L-228), which enables its diaspora citizens to vote in person in the corresponding diplomatic and consular offices worldwide.

North Macedonia and Serbia, too, have integrated their diasporas into the democratic process. Starting in 2009 for North Macedonia and 2021 for Serbia, external voting has been facilitated for several election types via diplomatic-consular offices.

While countries like Bosnia & Herzegovina and Kosova have shown a proactive approach in engaging their diasporas, especially considering historical challenges, Albania's hesitation stands in stark contrast. The evolving strategies of the Western Balkans in relation to diaspora voting not only indicate their relationship with emigrants but also hint at broader socio-political dynamics at play. The diaspora, growing in political consciousness, will undoubtedly influence these dynamics, underscoring the importance of inclusive electoral policies.

The challenge of representation

Usually, when the headline is about the Diaspora vote, alongside it emerges the issue of Diaspora representation, particularly when the statistics of residents outside the country of origin and the ongoing trend of emigration are undeniable facts. Lately, within the public sphere, besides the vocal Albanian activists advocating for the concept of voting and representation, political and decision-making figures (A2CNN, 2023) have frequently expressed their support not just for the right to vote, but also highlighting the Diaspora's potential to bring about meaningful political change in the nation, emphasizing its quality and capacity.

In fact, the Constitution of the Republic of Albania, in Chapter III, Article 45, stipulates that *"Every citizen who has reached the age of eighteen, even on the day of elections, has the right to vote and to be elected."* The Constitution is clear in its wording, and legally does not exclude the right of diaspora citizens residing permanently outside the territory of the Republic of Albania to vote or be elected at any time.

However, de facto, the situation is more complex. In the literature there are several considered approaches in which voters from outside the homeland can choose their representatives.

The most common method amongst the EU member states - as shown in Figure 7 - and neighbouring countries in the region, as recently in Kosova, and the simplest for the electoral monitoring bodies, since the logistical arrangements are straightforward, obviating the need to determine either the place of origin or current residence, is voting for the administrative area/district according to the last place of residence of the emigrated citizen. This model avoids the possibility of direct candidacy from the Diaspora but offers the political spectrum and existing parties the opportunity to bring political figures with a diaspora background closer to them, thus expanding the political offering and voter base, and improving the coverage of political issues (Lappin, 2016:887p).

Figure 7: The level of OCV representation in the EU & WB6 countries

| Country | Representation | |
|----------------|---------------------|---------------------|
| | Dedicated Districts | Existing Disctricts |
| Austria | | ● |
| Belgium | | ● |
| Bulgaria | | ● |
| Croatia | ● | |
| Cyprus | | ● |
| Czechia | | ● |
| Denmark | | ● |
| Estonia | | ● |
| Finland | | ● |
| France | ● | |
| Germany | | ● |
| Greece | | ● |
| Hungary | ● | |
| Ireland | | ● |
| Italy | ● | |
| Latvia | ● | |
| Lithuania | | ● |
| Luxembourg | | ● |
| Malta | | ● |
| Netherlands | | ● |
| Poland | ● | |
| Portugal | ● | |
| Romania | ● | |
| Slovakia | | ● |
| Slovenia | | ● |
| Spain | | ● |
| Sweden | | ● |
| Kosova | | ● |
| N. Macedonia | ● | |
| Bosnia & Herz. | | ● |
| Serbia | | ● |

Source: Own chart based on Lappin (2016) & IDEA 2023 Database Comparison

It's worth noting that one alternative used by several EU member states, such as Croatia, North Macedonia, Romania, or Hungary, as shown in Figure 7, is the creation of a hypothetical or "extraterritorial" electoral zone, referred to publicly as "Zone 13," based on the current administrative system in Albania. Representation for citizens outside the country using this model is made possible by a flexible number of deputies in parliament, depending on the average votes received from the Diaspora. While ensuring that Diaspora participation in

elections is not overlooked, it aims to maintain a balanced representation in the national political spectrum.

The applicable implementation of this model in Croatia and, more recently, in North Macedonia demonstrates the potential to address the challenges of voting in countries with regional proportional systems. Such an approach and model simplify electoral administration and offer a degree of predictability regarding the number of seats in Parliament, avoiding a fundamental political shift and the fear that foreign votes could decisively influence national results. However, it creates confusion in identifying voters and their electoral interests within an abstract zone. Just as fellow citizens within the country vote for those who represent their interests, the Diaspora also wants to vote for the area where they were previously registered and where a part of their family resides.

Taking into consideration the dispersion of the diaspora worldwide, another approach applied in countries such as Italy, Portugal, Moldova, or France depends on the diaspora population figures and its geographical spread in specific regions. In this model, each region is guaranteed one or more representatives in the parliament to justify their assured presence. In each of the regions, the voting ballot, in addition to the comprehensive list of candidates from official parties, includes a list of candidates from the diaspora within the respective regions. In practical terms, this model presents challenges and complexities. Its implementation requires several agreements with the respective countries where the diaspora resides to enable electoral campaigns in foreign lands. Moreover, determining the correct and fair electoral regions and allocated seats in the parliament poses a significant challenge. Such a model entails a fundamental overhaul not only of the Electoral Code but also the adjustment of several other laws that are tangent to this process.

The areas specified in the Italian system are usually designated for diaspora communities in places like Argentina, the United States, Europe, or respectively for Albanians and Croats. Although such a system is supported and promoted by political parties that fear a change in the political status quo, it creates a dichotomy between citizens within and outside the country and contradicts the principles of civic equality. Because compatriots living abroad have the right to be recognized as full-fledged members and share the same concerns, are affected by the same policies and decisions at the national level and have common interests with local citizens regarding the future of the state. This model also reduces the significance and weight of the Diaspora vote compared to its population numbers.

A similar model to the one mentioned above, which generates electoral conflict within the selected administrative zone, is the idea of centralizing and internal representation within an electoral region like that of Tirana, where the votes of all Albanians in the Diaspora would randomly be attributed to Tirana, as the administrative zone with the most mandates. Such an idea may reduce the logistics and the counting practice but bears the risk of creating an

artificial conflict between the contingent of local voters in the affected electoral zone and those in the Diaspora, creating an imbalance in that electoral zone, but it also undermines the legitimacy and weight of the Diaspora vote. This model, which circulated in mid-2020, was briefly introduced to the public and supported by the co-chair of the electoral reform commission in the so-called Political Council, Mr. Gjikhuri (JavaNews, 2020), faced opposition from various political parties in the electoral reform commission as well as public opposition from the "Diaspora for Free Albania," which categorically rejects the model of reducing the Diaspora vote to a special district or special seats in parliament.

VI. THE ROLE OF THE DIASPORA VOTE FOR DEMOCRACY AND EU ACCESSION

The implementation of the Diaspora vote and the inclusion of the Albanian Diaspora in the political processes holds significant potential for Albania, a nation grappling with the ramifications of substantial emigration. The diaspora, representing approximately 37% of the global Albanian population or roughly 60% of those residing within the country's borders, is a demographic that cannot be overlooked in the context of Albania's aspirations for European Union (EU) accession.

The essence of a robust democracy, particularly in the context of a nation like Albania with its significant diaspora, rests on the inclusive participation of all citizens in the electoral process. This commitment to inclusivity not only strengthens the foundations of democracy by ensuring that the collective voice shapes governance but also preserves the fundamental constitutional rights of every person to participate in their nation's governance, either through direct engagement or by electing their representatives freely.

Contextualizing the perspectives of the Diaspora through OCV and supporting this process goes beyond the general policy trends of promoting diaspora engagement and can have a constructive impact in multiple ways, aiding in the advancement of a more inclusive political, social, and economic development that aligns with the prerequisites for EU integration. Over the past two decades, diasporas have emerged as influential agents in the diffusion of democratic ideals within their countries of origin. Their proactive role has been especially pronounced in the establishment and cultivation of civil society in several Central and Eastern European states, making substantial contributions to the complex process of EU Integration (Mardari, 2017:218; CESS, 2022:11)).

Noteworthy examples include Latvia, Lithuania, and Georgia, where members of returning diasporas actively engaged in the political leadership of their respective nations. This exposure to democratic values has effectively transformed them into keen advocates for democracy and human rights. Additionally, their active participation in the political and social life of their home communities has spurred efforts to combat discrimination and address socioeconomic disparities. Granting diaspora citizens, the right to vote and stand as candidates is of paramount importance in ensuring their full democratic participation (Council of Europe, 2014:7)

Below, we will present arguments that delve into the potential advantages of out-of-country voting in the Albanian context with regard to Accession into the EU:

Promoting European Values and Integration

The Albanian diaspora residing across various EU countries is exposed to European values and institutional norms. Leveraging the potential of the OCV, these individuals can act as conduits for the Europeanization process, potentially aiding in the alignment of Albania's legal, institutional, and social frameworks with EU standards. This viewpoint finds support in the work of Levitt (1998) or Grabowska et al. (2017), who have extensively explored the diasporas' role in transferring normative structures, including ideas and values, fostering community engagement, participating in political and civic groups, and promoting social capital, all of which are pertinent aspects and values in the context of EU integration.

Enhanced Democratic Legitimacy and Representation

The concept of a more inclusive democracy is well-documented in political science literature. Norris (2015) suggests that the legitimacy of a democratic government results partly from its representative character. By implementing the Diaspora vote, Albania would broaden the political engagement to a substantial segment of its population, thereby supporting the inclusivity, credibility, and legitimation of its elected institutions. This inclusive approach aligns with the Copenhagen criteria and the new Enlargement methodology, which require stability of institutions “guaranteeing democracy, rule of law and human rights” (Stanicek, 2020:2).

Policy Alignment and Accountability

The diaspora's involvement in the electoral and generally in the political process may encourage political parties and candidates to devise policies that are more attuned to the broader concerns of the Albanian populace, both domestic and abroad. According to Lafleur (2013), the extension of political rights to emigrants helps countries of origin to maintain their ties with their diaspora, potentially leading to more accountable governmental practices. In the context of EU accession, where stringent reforms and anti-corruption measures are requisite, increased accountability fostered by OCV could prove instrumental. An illustrative instance can be observed in the actions taken by the Diaspora movement in February 2021, where they formally addressed the European Court of Auditors. This engagement sought to articulate their apprehensions regarding the purported misappropriation and mishandling of both European Union funds and those earmarked for Albania in the aftermath of the 2019 earthquake. This appeal mirrors a consistent pattern of requests for increased transparency, evident in subsequent efforts to obtain information and foster transparency on matters such as the Durres Port Tender, the incinerator projects in Tirana, and numerous other subjects. These initiatives have been formally communicated through written correspondence by the Diaspora movement (Taylor, 2021).

Economic Development through Diaspora Engagement

Scholars like Gelb, Kalantaryan, McMahon & Perez-Fernandez (2021) underscore the importance of diasporas as sources of remittances, investment, and economic development.

The EU emphasizes the importance of a functioning market economy and a robust overall economic performance in bolstering the credibility and predictability of accession negotiations. In this context, by fostering the political inclusion through OCV, Albania could further tap into the economic benefits of its diaspora. According to the EU Commission 2022 Report for Albania, remittances played a key role in narrowing the current account deficit in Albania. During 2016-2020, a combination of rising service exports and remittances helped reduce the deficit from an average of 10.9% of GDP to 7.7%. Following the widening of the deficit in 2020 due to the pandemic, remittances rebounded and helped to reduce the deficit by 1 percentage point to 7.7% in 2021 (COM, 2022:53).

Strengthening Civil Society

Engaging the diaspora in home country politics can lead to a more vibrant civil society. According to the work of Koinova (2018), diasporas can influence political mobilization, democratization processes, and transformation in their country of origin. For Albania, the active participation of citizens abroad could stimulate a more dynamic civil society, crucial for EU accession, as the EU values a strong, independent civil sector as a cornerstone of democratic governance. The introduction of the Diaspora Vote holds the potential to reshape the political landscape and bring about lasting societal benefits. The participation of the Diaspora as an integral part of civil society, along with the active engagement of citizens residing abroad, contributes significantly to addressing the issue of Diaspora Voting and other critical aspects of democratic governance. This involvement is particularly valuable in enhancing transparency, accountability, and effectiveness in governance. Moreover, it fosters knowledge exchange among fellow countrymen and encourages their constructive engagement, not only in highlighting challenges but also in devising solutions. These efforts are instrumental in helping Albania meet the necessary criteria for EU integration.

Within the European Union, European citizens enjoy the fundamental right to participate in local and European elections, as well as the opportunity to run as candidates in their country of residence, maintaining parity with nationals. For a country aspiring to join the European family, it is crucial to envision and approve a legal framework that would enable such opportunities for EU citizens. However, in this context, the formulation of a legal framework for EU-expats without yet realizing the right to vote for Albanians residing outside Albania would be paradoxical.

Ultimately, OCV represents more than a mechanism of political inclusivity for Albania; it is a multifaceted tool that, when effectively implemented, can contribute considerably to the nation's EU accession journey. By acknowledging and integrating the voice of its diaspora, Albania stands to gain not only enhanced democratic legitimacy but also an array of socio-economic benefits and an accelerated alignment with EU standards and values. The strategic engagement with its emigrant population through OCV could, therefore, be a pivotal step in Albania's European integration aspirations.

VII. DO YOU HEAR ME NOW? HOW DID THE MATTER OF DIASPORA VOTING REACH THE CONSTITUTIONAL COURT?

Since its establishment on May 17, 2020, the "Diaspora for Free Albania" movement, born abroad as a citizen initiative, has made the issue of the Diaspora Vote its primary cause. Today, the movement is officially registered as an international non-profit civil association, with members in 24 countries worldwide. It operates based on principles, a mission, and a vision, and has adopted internal statutes and regulations, as well as a code of ethics. The movement is organized into working groups and has held two general assemblies since its founding, with the latest leadership elected on September 16 of this year.

One week after its founding, on May 24, 2020, the co-founders of this movement addressed the leaders of major political parties and representatives of the "Political Council" or the Working group on electoral reform with the request to realize the Constitutional right of the Diaspora vote and include this issue in the meeting agenda, seeking further information. This initial letter to political actors received no response. Following public statements by Mr. Damian Gjikhuri (EWB, 2020) regarding the legal resolution of the vote of Albanian emigrants with permanent residence abroad and an agreement within the Political Council to assign this task to the Central Election Commission, the "Diaspora for Free Albania" movement once again addressed the Political Council, also bringing to the attention of all actors the lack of transparency regarding discussions within the Political Council on electoral reform. Numerous questions arose concerning the agreement, the handling of the Diaspora Vote, and the role of the CEC as the technical authority for the modalities of this matter.

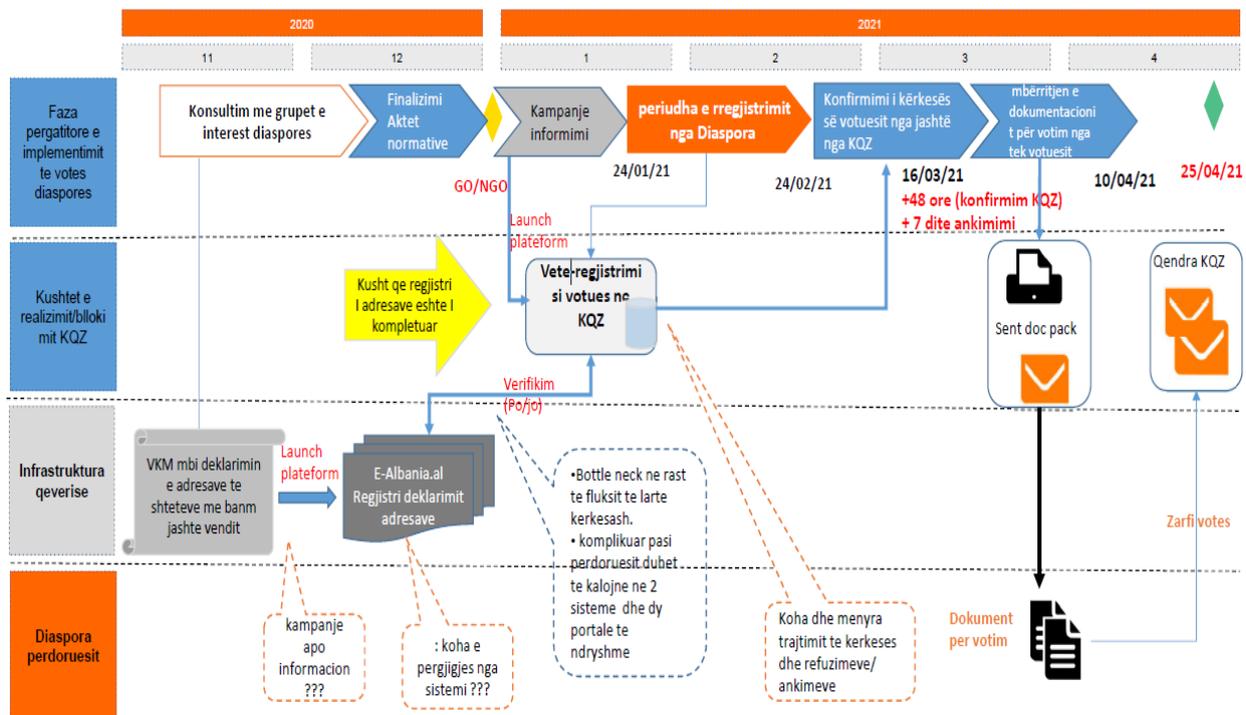
On June 22, 2020, the Prime Minister met with representatives of the Coordinating Council of the Diaspora, an entity established by the former Ministry of Diaspora, and declared emphatically, "within a few weeks, we will have the entire mechanism ready. The system we are working on will be very simple, it will be open source," (Kryeministria, 2020) inviting the Coordinating Council of the Diaspora to be monitors of the process.

On July 23, 2020, following an agreement within the Political Council, changes to Articles 20, 24, 25, and 46 of the Electoral Code of the Republic of Albania were approved in Parliament. From this date onwards, the responsibility for the implementation of the Diaspora Vote shifted to the Central Election Commission. The movement held meetings with the Central Election Commission and representatives of political parties, expressing its willingness to contribute expertise to the technical working group of the Central Election Commission. The Central Election Commission was constituted in October 2020.

Between October 2020 to January 2021, "Diaspora for Free Albania", along with the Germin association, representatives of the Coordinating Council of the Diaspora, and the Albanian

Lawyers' Association in Canada, participated in all meetings held by the technical working group of the Central Election Commission, discussions with experts, technical and legal debates, political discussions, and representatives of third parties.

Figure 8: Brainstorming timeline of involved Diaspora Interest Groups in the technical table

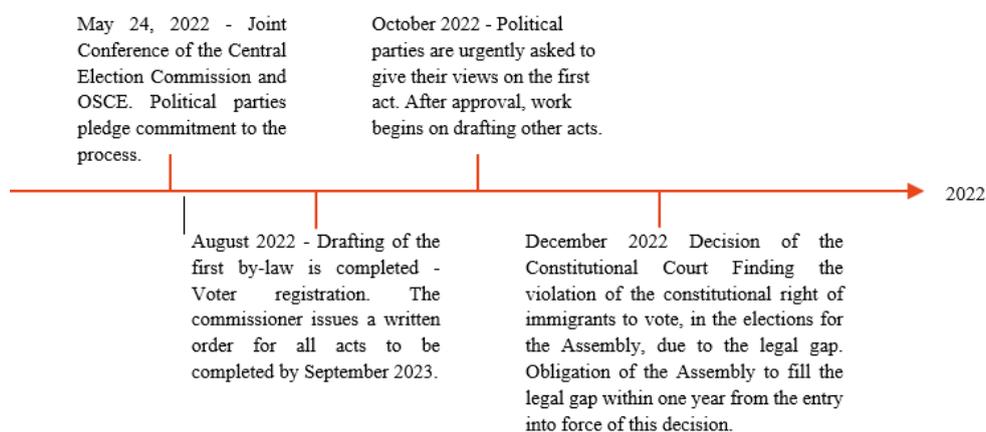


Source: Own model created within the technical working group in the CEC (Central Election Committee).

In January 2021, the movement noted in an official communication between the Central Election Commission and the General Directorate of Civil Status that over 750,000 Albanians residing outside Albania had expired identification documents during the election period. It formally requested the Council of Ministers to adopt transitional measures due to the pandemic situation and enable Albanians to vote. This request was taken into consideration. In February 2021, the drafting of legislative acts stalled. The Central Election Commission's request for input from the Regulator and Political Parties regarding the initial draft for the registration of voters abroad went unanswered.

On March 31, 2021, the "Diaspora for Free Albania" movement officially declared the failure of the Diaspora Vote process and called for the resignation of Mr. Majko. In May 2021, following parliamentary elections, the movement initiated a working group to file a lawsuit with the Constitutional Court, where consultations were held with legal experts within and outside the country. After eight months of work, in February 2022, the movement submitted a lawsuit to the Constitutional Court seeking a declaration of violation of the constitutional right to the Diaspora vote and the unconstitutionality of the Committee on Covid19's decision to impose mandatory quarantine on voters from Greece and North Macedonia.

Figure 9: Main events 2022



Source: Own chart based on main events

Following the Constitutional Court's decision and the subsequent parliamentary obligation to address the legal gap, the matter returned one more to the Parliament. A special parliamentary commission tasked with electoral reform convened twice and merely extended the deadline without taking concrete action. With no visible progress, the "Diaspora for Free Albania" movement, in collaboration with legal experts, drafted an initial proposal titled "Draft for Dialogue", aimed to bring necessary changes to the Electoral Code to ensure the realization of the constitutional right in question.

In mid-September, this draft was made public, and it was officially submitted to the Parliament on October 10, 2023, with copies provided to all parliamentary groups. During the opening of the new parliamentary session in September 2023, the Assembly's president, Mrs. Nikolla, highlighted the implementation of the Diaspora vote and the need to address the legal gap as the main agenda items. However, representatives from the major political parties, during the second national conference organized by the CEC and OSCE on this issue, expressed their misunderstanding of the Constitutional Court's decision and affirmed that the CEC had the authority to draft legislation. Disregarding the Constitutional Court's decision sets a dangerous precedent and disrupts the country's path towards becoming a strong legal state in pursuit of European integration, contrary to the expected trajectory.

RECOMMENDATIONS

Recommendations for Policymakers

Legislate Diaspora Voting Rights

Policymakers in Albania should prioritize the establishment of clear and inclusive legislation that grants voting rights to the Albanian Diaspora. This legislation should encompass practical mechanisms for out-of-country voting (OCV), incorporate integrity and security and ensure that every Albanian citizen, regardless of their geographic location, can participate in national elections. This step not only aligns with democratic principles but also demonstrates a commitment to inclusivity and equal citizenship.

Engage in Comprehensive Stakeholder Dialogues

Policymakers should actively engage in comprehensive dialogues with all relevant stakeholders, including representatives from the Albanian Diaspora, civil society organizations, and experts in electoral processes. These dialogues should aim to address concerns, gather input, and build consensus on the implementation of OCV. Involving a wide range of voices in the decision-making process will enhance transparency, build trust, and lead to more effective policies that serve the interests of all Albanian citizens.

Recommendations for Civil Society Actors:

Advocate for Diaspora Engagement

Civil society actors in Albania should continue to advocate for the active engagement of the Albanian Diaspora in the country's political processes. This advocacy should include efforts to raise awareness about the importance of OCV and its benefits for both the diaspora and Albania. Civil society organizations can play a crucial role in mobilizing public support and influencing policymakers to prioritize diaspora voting rights.

Provide Voter Education and Support

Civil society organizations should take the initiative to provide voter education and support services to members of the Albanian Diaspora. This includes disseminating information on voter registration processes, election timelines, and candidates' platforms. Offering assistance with voter registration and absentee ballot applications can empower diaspora members to exercise their voting rights effectively. Additionally, providing platforms for diaspora voices to be heard and shared can foster a sense of belonging and engagement.

Recommendations for the International Community and EU Institutions in Albania

Promote Inclusive Democratic Practices

The international community operating in Albania should actively promote and support inclusive democratic practices, including the implementation of OCV. They should use their influence and resources to encourage Albanian policymakers to prioritize diaspora voting rights as a fundamental component of democratic governance. This support can include technical assistance, capacity-building, and sharing best practices from other EU member states.

Monitor and Advocate for Progress

International organizations and EU institutions should monitor the progress of Albania in implementing diaspora voting rights and OCV. They should regularly assess the legal and administrative framework, ensuring that it aligns with international standards. In cases of delays or obstacles, they should advocate for swift and effective solutions, emphasizing the importance of these measures for Albania's EU accession aspirations. Monitoring and advocacy efforts should be conducted in collaboration with civil society and diaspora representatives to ensure a comprehensive approach.

By implementing these recommendations, policymakers, civil society actors, and the international community can collectively contribute to the successful implementation of diaspora voting rights and OCV in Albania, fostering greater inclusivity, democratic legitimacy, and engagement within the country and among its communities in the diaspora.

CONCLUSIONS

In summary, the Albanian diaspora, shaped by diverse international contexts, exhibits varying degrees of engagement with their homeland's politics. The question of granting diaspora voting rights in national elections transcends procedural concerns, delving into the core principles of citizenship and democracy. It is grounded in the belief that voting is a constitutional right inherent to every citizen, irrespective of geographic location. The argument against these rights often fails to recognize that expatriates remain subject to their home country's laws and decisions, even while abroad. Their influence extends beyond financial contributions, as they actively engage in democratic values and seek to impact their homeland's political landscape.

However, opposition to diaspora voting rights is driven by concerns about detachment and disproportionate influence, leading to divisive narratives. Practical challenges and administrative issues also complicate the matter. To navigate this complexity, a nuanced approach is essential, one that recognizes universal suffrage as a civil right transcending borders while involving comprehensive stakeholder deliberations and legal considerations.

The debate on diaspora voting rights must strike a balance between democratic principles, equity, and practical feasibility, ensuring inclusive participation in the democratic process and acknowledging diaspora's belonging to the nation. To sum up, the global shift towards out-of-country voting (OCV) is evident, recognizing the vital role it plays in engaging citizens residing abroad in the electoral process. Across the European Union (EU), the adoption of OCV has grown over the years, accommodating the expanding diaspora populations.

This development, reflecting the realities of a globally interconnected world, underscores the importance of inclusivity in electoral practices. In the Western Balkans Six (WB6) region, most countries have embraced OCV, but Albania's cautious approach contrasts with its neighbors' more proactive stance. This raises questions regarding the fulfillment of constitutional rights and the inclusivity of Albanian electoral procedures. The challenge of diaspora representation further complicates the matter, with different models in play across various nations, each with its own advantages and drawbacks. As the debate on the diaspora vote continues to evolve, it is crucial to find a balanced and fair approach that ensures the complete realization of democratic principles and meaningful participation for all citizens, regardless of their location.

Implementing out-of-country voting (OCV) and engaging the Albanian Diaspora in political processes is pivotal for Albania's EU accession aspirations. OCV promotes European values, enhances democratic legitimacy, aligns policies, boosts economic development, and strengthens civil society. It not only strengthens Albania's democracy but also accelerates its alignment with EU standards and values, making it a crucial step in the nation's path to

European integration.

The journey of the "Diaspora for Free Albania" movement has been one of resilience and commitment, marked by unwavering advocacy for the Diaspora Vote. From its grassroots beginnings to its official registration, the movement has consistently pressed for the constitutional right of the Albanian Diaspora to vote. With the recent submission of a legislative proposal to address the legal gap, the movement continues its tireless pursuit of ensuring that the Diaspora's voice is heard in Albanian elections, making a significant contribution to the country's democratic journey and European integration aspirations.

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