



PILLAR I
ALBANIAN LEGISLATION

The Importance of Regulation and Enforcement for Political Party Financial Transparency in Albania

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I. ABSTRACT

Political parties are considered the cornerstone of democracy, helping to ensure that there is an informed and engaged citizenry. Public and private funding is essential for political parties to survive, compete fairly, and perform their democratic functions, both during and between election campaigns. However, the involvement of money in political party systems and campaigns also poses serious risks of corruption and undue influence¹. Transparency is vital in order to mitigate such risks.

Political party finance refers to the role of money in politics, which encompasses a wide range of activities and roles.² This means the internal financial practices of political parties –fundraising, spending, reporting, and campaign money.³ Political finance issues are often twofold: arising from errors by both the legislator and the regulator. This paper will identify the issues associated with political party financial transparency in Albania and incite further discussion around this underdeveloped topic. To this end we will analyze the development of political finance regulation in Albania focusing on the loopholes and discrepancies between law and practice, and then discuss, generally, what experts have identified as the most common challenges for political finance legislation and implementation.

KEY WORDS: political financing, transparency, oversight authority, effective implementation, law and practice.

¹Recently, Mother Jones a left aligned US investigative magazine published a lengthy investigation about a mysterious Russian-linked firm that hired a former Trump campaign aide named Nick Muzin to work in the US to help the Democratic Party of Albania during the country's 2017 parliamentary elections <https://www.motherjones.com/politics/2018/03/how-a-russian-linked-shell-company-hired-an-ex-trump-aide-to-boost-albanias-right-wing-party-in-dc/>.

²"Training In Detection and Training In Detection and Enforcement (TIDE) Political Finance Oversight Handbook," International Foundation for Electoral Systems (2013) at https://www.ifes.org/sites/default/files/tide_political_finance_oversight_handbook_1.pdf.

³ *Ibid*



ABBREVIATIONS:

CEC	Central Electoral Commission
CoE	Council of Europe
DP	Democratic Party
EC	Electoral Code
GRECO	Groups of States against Corruption
PPL	Political Party Law
SP	Socialist Party

II. HISTORY AND DEVELOPMENT OF REGULATING POLITICAL PARTY FINANCE IN ALBANIA

The first provision regulating party financing in Albania was introduced in the 1998 Constitution. The Constitution guarantees, “The financial sources of parties as well as their expenses are always made public”.⁴ Later on, the Political Party Law (PPL), adopted in 2000, contains a number of articles regulating the “financial and materials means” of political parties.⁵ Despite containing various shortcomings until amended in 2011, the PPL was the main source of regulation of political parties in Albania.⁶ In 2003, campaign finance regulation was first introduced with the newly adopted Electoral Code. The 2003 Electoral Code contains one article⁷ that regulates the financing of political parties during the electoral campaign. Despite the aim of the article, as pointed out in the Venice Commission’s Opinion, the regulation was cosmetic and failed to tackle crucial issues such as campaign expenses and financial disclosure, public funding of independent candidates, and it failed to establish a deadline for the distribution of public campaign funds to political parties.⁸

In 2008, the Albanian government adopted a new Electoral Code (EC) in an attempt to enhance the legal framework for elections and alleviate the abuses of corruption that occurred under the old electoral system. The 2008 EC introduced a chapter intending to regulate the financing of the electoral subjects during the election campaign.⁹ However, despite the significant changes made with the new EC, which also brought attention to the importance of campaign finance, theoretical and practical insights indicate that the new EC was unsuccessful in regulating the finances practices of political parties in Albania. In a 2010 assessment of the law, a Council of Europe (CoE) expert concluded that the legal framework regarding party financing in Albania contains serious gaps related to contributions to political parties, because neither the EC nor the PPL

⁴Article 9/3 of the Constitution of the Republic of Albania, approved by referendum on 22 November 1998, amended.

⁵ Article 16-24 of the Law no. 8580 “On political parties” (PPL) dated 17.02.2000

⁶ See the amendments made in 2011, Law No.10 374, dated 10.2.2011 “On some amendments on the Law No. 8580, dated 17.2.2000 "On political parties".

⁷ Article 145 of Law No.9087, date 19.06.2003 "The Electoral Code of the Republic of Albania".

⁸ See further: Joint Recommendations on the Electoral Law and the Electoral Administration in Albania, Venice Commission, and OSCE/ODIHR (2004) <<http://aceproject.org/ero-en/regions/europe/AL/Albania%20-%20Joint%20recommndation%20OSCE%20-%20COE.pdf>>

⁹ See further Chapter Seven of the Electoral Code of the Republic of Albania.



clearly defines what constitutes a donation to a political party or an electoral candidate, and furthermore, the laws do not contain any provisions on assessing and reporting in-kind donations.¹⁰ Based on the recommendations of OSCE/ODIHR and Groups of States against Corruption (GRECO) and in order to better regulate the political party finance, both PPL and EC have been amended.¹¹

The current legal framework allows political parties to derive material and financial support from the membership quotas, public (direct and indirect) funds and private funds.¹² The direct public funding includes the annual fund from state budget decided by the Assembly and advanced funds given by the state budget for political parties registered as electoral subjects during the campaign. Indirect public funding comprise state subsidies including cash and in-kind donation in the form of premises (headquarters) for their central and local offices, free time for election advertising on public television, and, with the 2017 changes made on the PPL, also free advertising time in private media¹³. The private funds which constitute the backbone of party financial sources include financial donations from individuals and legal persons (this type of donations cannot exceed 1 million ALL), in kind donations in the same amount, services, sponsorships, income generated by the electoral subject itself and loans taken by political parties in accordance with the law. The law prohibits the foreign donations, donations from companies that receive public funds or significant public contracts exceeding 10 million ALL during two-year proceeding elections and also the prohibition of anonymous donations.¹⁴ When it comes to disclosing and reporting political parties obliged to submit campaign and annual financial reports to the CEC together with the disclosed name of the donors whose contribution exceeds 100,000 ALL.¹⁵ Finally, annual and campaign incomes and expenditures of political parties are always audited by certified accounting experts selected and appointed by CEC to audit the funds received and spent by the party during the year and during the campaign.¹⁶

However, despite that the legal framework on political party financing has been improved significantly in the last few years, transparency remains the main challenge concerning the control of the party financing in Albania. Because transparency is belittled by discrepancies of what the law asserts and what the real practice is, coupled with serious loopholes and uncertainties in the current law.

¹⁰ Quentin Reed, Technical Paper: Opinion on the Albanian Legal and Institutional Framework for Regulating the Financing of Political Parties and Electoral Campaign, ECD/06/2010 < <https://rm.coe.int/16806ec91f>>

¹¹The part in PPL regarding the financing of political parties was amended in 2011 and 2017, the EC was amended in 2012.

¹²Article 17 and 22 of PPL; Article 87/1 of the Electoral Code.

¹³Law no. 90/2017, Article 1 < <https://www.parlament.al/wp-content/uploads/2017/05/ligj-nr-902c-dt-22-5-2017-Financimi-i-partive.pdf>>.

¹⁴Article 21 of PPL.

¹⁵Article 23 of PPL; Article 91 of the Electoral Code.

¹⁶Article 23/2 of PPL; Article 91 of the Electoral Code.



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III. DISCREPANCIES: LAW AND PRACTICE & LOOPHOLES

The integrity of elections relies on equal opportunities and equality of arms between political parties at different stages of the election process based on fair and transparent procedures. In order to guide states to assuring principles of integrity several international organizations as CoE have adopted recommendations and guidelines. In 2008 GRECO conducted an evaluation report¹⁷ regarding the transparency of party funding in Albania. The GRECO evaluation team concluded that neither the Albanian legislation nor the practice in Albania satisfies the standard of openness and transparency required by the CoE.¹⁸ Based on the evaluation conducted, GRECO presented a list of seven recommendations for implementation to bring the Albanian law and practice in line with international transparency standards. However, how the change unfolds reveals the complexity embedded in the issues and discrepancies between law and practice.

Albanian authorities took a proactive role based on the recommendations undertaking the necessary legislative changes to meet the GRECO's recommendation. As a result, in the 2011 Compliance Report¹⁹ GRECO team concluded that Albania has satisfactorily implemented six recommendations and one partially implemented recommendation; whereas, in the 2013 Compliance Report, GRECO concluded that Albania satisfactorily implemented all of the recommendations in respect to political party finance. Consequently, one might think that after 2013 and after the GRECO's recommendations were adopted the situation of transparency in political funding must have been improved. Unfortunately, this was not exactly the case. The adoption of the GRECO recommendations did not bring the desired results for two important reasons. First, because there are discrepancies between what the law demands and what is actually applied in practice. It is outside the scope of this paper to discuss the differences between law and practice in detail, however a few short examples are given to provide some insight.

There is indisputable evidence that the expenses made public by political parties, particularly, during campaign period, reflect only a fraction of what actually parties raise and spend. In the 2013 parliamentary campaigns, the two main political parties reported as expenses 187 million ALL²⁰ and 96.5 million ALL,²¹ respectively; however, there is a consensus among political actors that the actual spending during the 2013 campaign was considerably higher with numbers up to 20-30 million euros. Additionally, the use of independent certified financial auditor contracted by CEC has not proven to be effective in verifying political finance records.

¹⁷GRECO Evaluation Report on Albania on Transparency of Party Funding <<https://rm.coe.int/16806c1b6e>>.

¹⁸GRECO Report, page 17; Council of Europe, Guidelines and Report on the Financing of Political Parties <http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-INF%282001%29008-e>.

¹⁹ *Ibid* note 16, page 17.

²⁰Socialist Party of Albania 2013 Election Campaign Report <http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-per-kuvend/2013/rap_audit/PS.pdf>.

²¹Democratic Party of Albania 2013 Election Campaign Report <http://www.cec.org.al/Portals/0/Documents/CEC%202013/zgjedhje-per-kuvend/2013/rap_audit/PD.pdf>.



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Moreover, the auditor's role is not clear based on the current law and if one would pay attention to reports²² would come to the conclusion that the auditing performed by the financial auditors is superficial regarding donations and expenses made by the political party. Then the small political parties do not even submit party or campaign reports to the CEC as required by the law. Lastly, parties do not (want to) report the in-kind donations and the law does not provide sufficient information on their reporting. Failure to disclose in-kind donations affects directly the transparency because it has become a widespread practice in the country that during the campaign a large proportion of spending is made not by parties but by third parties (e.g. businesses or private individuals) on their behalf.²³

Secondly, the current legal framework contains marked loopholes regarding private contributions and reporting of political parties – especially, concerning the campaign for elections. The law is not clear whether and when political parties have to submit campaign reporting and it does not provide for the parties to report in a standardized format.²⁴ Consequently, the lack of standardized format complicates the oversight mission of the CEC, and even more importantly it is hard for journalists, civil society and ordinary citizens to understand the content of party reports because of their ad hoc format. Furthermore, neither the EC nor the PPL does not guarantee and require enough information for a transparent disclosure of private funding. The current threshold for parties needing to disclose their private donations received is currently 100.000 ALL, which is too high to promote sufficient transparency. Finally, the law contains loopholes when it comes to candidate and party branch oversight and reporting. For example, in the 2013 campaign party reports provided by the Socialist Party (SP), they have not reported anything about the donations and expenses made by the party's branches. Whereas, the Democratic Party (DP) has partially reported the financial doings of its branches.

A. *The Legislative Amendments Preceding the 2017 Parliamentary Elections*

Albania experienced changes to its political climate before 2017 Parliamentary election culminating with the refusal of DP to participate in the Election unless specific safeguarding were implemented. The political deadlock ended on 18 May with an obscure political agreement reached between the leaders of DP and SP which paved the way for participating of opposition in the elections, postponed elections by one week to 25 June, and allowed DP to appoint some 'technicians' in key governmental position. Furthermore, the agreement introduced amendments

²² CEC Reports on party financing <http://www.cec.org.al/sq-al/raportet-financiare>

²³The Prosecution does not investigate the declaration on illegal financing of political parties <https://www.reporter.al/prokuroria-nuk-i-hetoi-deklaratat-per-financimin-e-paligjshem-te-partive-politike/>

²⁴The Article 23 of PPL in an unclear way as we understand provides for four types of reports, the Annual Report, the Report of Auditing Experts, the Campaign Report and the CEC Report. So far over the years, CEC has managed only two of the four reports mentioned (required) by the law the Annual and Auditor's reports but political parties until now have not submitted campaign reports and we are not clear what the CEC report implies.



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to electoral legal framework adopted in an extraordinary session of Parliament²⁵ regulating campaign, campaign finance, media advertisement and electoral crimes.

The amendments to the electoral legal framework limited expenses for the election campaign, banned the use of propaganda materials in a distance larger than 5m from electoral office, prohibited paid advertisement in broadcasting media, introduced for the first time real-time campaign monitoring²⁶, increased sanctions for existing electoral offences, and established new electoral crimes.²⁷ The situation during election revealed that the newly introduced legislation increased transparency and accountability of campaign financing, reduced campaign costs²⁸ and obliged political parties for the first time to submit to CEC campaign finance report in a standardized template.²⁹

However, it is ironic that the new legislation created more accountability and transparency because of the manner in which it was adopted. The legislation was adopted and entered into force because of secret negotiations, a back room political deal, and violated fundamental principles of the rule of law and breached good international election law practices regarding the electoral law.³⁰ The amendments were adopted by Parliament in one day violating Article 83 of the Constitution prescribing the legislative procedures. Article 83 states: "*The Assembly may, at the request of the Council of Ministers or one-fifth of all the deputies, review and approve a draft law with an expedited procedure, but not sooner than one week from the beginning of the procedure of review*"³¹. Furthermore, the amendments were not adopted because of sound policy analysis, but instead lacked transparency and were adopted without the consultation of the various stakeholders.³² Yet again, in Albania the phenomena of 'legislation mending' in the service of short-term political goals prevailed threatening the legal certainty and consistency of legal framework on party financing. The amendments created obligation on the CEC to act extra-legally by postponing the election day, accepting the candidate list beyond the deadline and replacing the CEC chair. They exposed CEC under legal and practical challenges regarding the implementation of amendment and enactment of bylaws within a limited time. Moreover, the legislative amendments clearly disregarded the international and Council of Europe's established

²⁵ In the extraordinary session held on 22 May 2017, the Parliament adopted amendments made to the 'Law on Political Parties', 'Law on the Audio-visual Media' and Criminal Code'.

²⁶ Law no. 90, 22 May 2017 for some amendments to the Political Party Law; Law no. 91, 22 May 2017 for some amendments to the Law for Audio-visual Media.

²⁷ Law no. 89, 22 May 2017 for some amendments to the Criminal Law.

²⁸ OSCE/ODIHR Final Report on 25 June Parliamentary Elections (2017) 2.

²⁹ All the reports can be found on the CEC's webpage regarding Incomes and Expenses for the 2017 Parliamentary Elections <http://financial.cec.org.al/>

³⁰ OSCE/ODIHR Final Report on 25 June Parliamentary Elections (2017) 6.

³¹ Article 83/2 of the Constitution of the Republic of Albania, approved by referendum on 22 November 1998, amended.

³² OSCE/ODIHR Final Report on 25 June Parliamentary Elections (2017) 6.



good practice of making substantive changes in the electoral law no later than six months prior to elections.³³

Assessing the amendments on their merits apart from failing to address certain legal gaps - particularly when it comes to CEC powers discussed in the following chapter – they have created further uncertainties. First, amendments to the PPL banning paid advertisement in broadcasting media contradict EC. However, under the hierarchy of laws EC prevails over the normal law as is PPL a legal principle that during 2017 election created great confusion regarding CEC mandated to oversight expenses on campaign advertisement and political parties duty to accurately report campaign expenses. Second, the restriction of political parties to have no more than one office per neighbourhood³⁴ is at odds with the right to freedom of association and other electoral freedoms. Moreover, the term neighbourhood is not clear as an administrative term which during election month complicated the work of monitoring authorities.

IV. ISSUES STEMMING FROM THE LEGISLATURE

Turning now to issues of political finance regulation challenges more broadly, experts in the field have found that in order for the political finance legislation to be effective the legislature must have clear intentions when drafting. And the legislature must draft laws that are realistic to implement and that give the regulatory agency clear authority to carry out its responsibilities.³⁵

A. *Legislators Must Clarify Their Intentions*

Too often political finance regulations are drafted in reaction to crisis situations, and reforms are only initiated to curb a specific scandal instead of approaching reforms in a holistic manner considering the broader issues at play.³⁶ When legislation is not drafted as a response to a crisis, the legislators' intentions behind campaign finance regulations are rarely transparent.³⁷ Largely, politicians with competing worldviews, interests and aims draft a single piece of legislation. Consequently, legislators' original intentions often become blurred or diluted through the drafting process. Moreover, in governance systems where the judiciary is tasked with interpreting the law, regulations can often change in ways not directed or anticipated by the legislature.³⁸

³³ OHCHR, Protocol on Democracy and Good Governance (A/SP1/12/01) (2001), The Venice Commission Code of Good Practice refers to the fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, not being open to amendment less than one year before an election.

³⁴ Article 2/2 Instruction for the use of propaganda materials and places for posting them during the election campaign.

³⁵ Magnus Ohman, How to Study the Impact of Political Finance Regulations. International Foundation for Electoral Systems, (2013): http://magnusohman.net/files/6914/0588/7373/IPSA_World_Congress_2014_RC20_Magnus_Ohman.pdf

³⁶ *Ibid* note 24

³⁷ *Ibid* note 24

³⁸ Sample, John. Excerpt from the The Fallacy of Campaign Finance Reform. The University of Chicago Press. (2006).

B. Legislatures must delegate sufficient oversight powers to regulator

The last common legislation issue for political party finance oversight is that usually the legislature does not give the regulating agency enough power to sufficiently carryout or enforce the imposed regulation. This may be because the legislatures are creating laws that they are then bound to follow, and that will have a direct effect on their re-election odds.³⁹ As John Samples writes in his book, *The Fallacy of Campaign Finance Reform*, “[c]ampaign finance laws are like a game in which one participant writes the rules and employ the referees (the regulatory agency).”⁴⁰ But in some instances it may just be because legislators do not have the expertise or experience to understand the practical effect of their legislation, and the logistics of how an effective oversight system should work.

The Albanian legislative framework could provide greater clarity about the CEC’s powers and responsibilities as the regulator of political finance. Thus, it is perhaps not surprising that the CEC has narrowly defined its regulatory role. Various stakeholders noted – and CEC representatives confirmed – that CEC oversight is limited to auditing the financial reports that independent candidates and parties submit. Moreover, over the years regress has been made when it comes to the powers of the CEC to investigate the ill funding of political parties. The 2008 EC gives power to the CEC to can carry out verifications of the report’s data, ability to question different persons and subjects, examine documents related to the issue, as well as to obtain information from the banks or third persons.⁴¹ However, all these powers have been removed from CEC with the amendments introduced in 2012 restricting CEC’s power to undertake any initiative regarding investigating ill funding of audited political party. Auditing is a primary, but by no means a comprehensive, tool for effective oversight.⁴² Other important tools regulators should have include the power to provide guidance and advice to help prevent wrongdoing; the power to obtain information to fulfil its proactive monitoring and investigative roles; as well appropriate sanctioning powers to address instances of non-compliance in ‘an effective, proportionate and dissuasive’ manner.⁴³

V. CHALLENGES TO IMPLEMENTATION OF PARTY FINANCE REGULATION

Even the best political finance legislation will fail without effective implementation.⁴⁴ The role of the regulatory body is crucial. The challenges that usually arise from the side of the regulator are: [A] regulators interpreting their own mandate insufficiently, and a [B] lack of independence from the legislature, or political players.

³⁹ *Ibid* note 27.

⁴⁰ *Ibid*, 12.

⁴¹ Article 91/3 of the 2008 EC, <http://www.refworld.org/pdfid/4c1f93e32.pdf>.

⁴² Klein, Lisa. “The Next Stage in Regulation Money in Politics: Implementation of Legislation,” pg. 2 (2015).

⁴³ National Democratic Institute, Albania Party Finance Assessment Report (2017).

⁴⁴ *Ibid* note 30.

A. Regulators: Shying away from interpreting their full mandate

Turning to the first challenge, it is a common theme that regulatory bodies do not have adequate power. Lisa Klein, Political Regulation expert, explains that “[a]n oversight body needs appropriate power to provide guidance and advice to help prevent wrong doing; power to obtain information to fulfil its monitoring and investigative roles; and appropriate sanctioning powers to address instances of non-compliance.”⁴⁵ Besides when the legislature neglects to provide the regulator with authority, the regulator may have legislative authority but for whatever reason – generally due to a lack of capacity – refrains from embracing its full powers.

In Albania, the legal framework outlines the CEC’s authority to monitor and supervise party finance through access to financial documents and accounts of parties and party-linked entities, as well as to raise awareness and conduct training programs. However, the narrow interpretation of the CEC’s mandate means the auditing of party and campaign finance reports is hardly meaningful.⁴⁶ It appears that the CEC often under-interprets its mandate because it lacks the man power, financial resources, and institutional knowledge needed to play a more active role. The National Democratic Institute (NDI) Albania team concluded in its 2017 Political Party Finance Assessment that “[t]he CEC is understaffed.” Only two CEC staff members are assigned to oversee political finance, and they often lack expertise in financial investigations and auditing.⁴⁷ Political parties are required to hire the auditors that review their annual and election disclosure reports. Given limited CEC capacity, oversight of both the independent audit processes is primarily limited to ensuring an audit meets only baseline legal standards.⁴⁸

In the 2017 Albanian Parliamentary elections, OSCE-ODIHR reported that the in taking steps to implement new legislation, “[T]he CEC did not take measures to clarify inconsistencies related to newly amended legislation and some of its decisions were not consistent or legally sound... [and] [t]he formation of lower-level election commissions was completed long after the legal deadlines due to late nomination by parties of the commissioners.”⁴⁹ The legislation enacted the month prior to the June 25, 2017 election was seemingly aimed at creating more real-time monitoring and reporting requirements, but the language and purpose was vague and virtually impossible to implement. The CEC worked to interpret and carry out the legislation to the best of its ability without adequate time or resources to do so in full measure.

B. Lack of Independent Regulators

The second main challenge regulators face in attempts to be effective is a lack independence from the legislature, or other political actors. It is imperative that the regulator be an independent body; so called “politization” of the regulatory agency undermines the entire purpose of its

⁴⁵ Klein, Lisa. “The Next Stage in Regulation Money in Politics: Implementation of Legislation,” pg. 3 (2015)

⁴⁶ *Ibid* note 29.

⁴⁷ *Ibid* note 29.

⁴⁸ *Ibid* note 29 .

⁴⁹ OSCE-ODIHR Statement of Preliminary Conclusion and Findings, Albania Parliamentary Elections 2017 <http://www.osce.org/odihr/elections/albania/325491?download=true>.



existence. The OSCE-ODIHR's Guidelines on Political Party Regulation outlines some internationally agreed upon standards of best practices for neutral and impartial regulators.⁵⁰ Notably, the importance of independence. Not only is it important that the regulatory agency be structurally independent from the legislature, but also independent in mindset and will.⁵¹ The regulatory body must be willing to put the voter's best interest above their own political desires or political pressure from the legislature. Other factors assessed when determining whether an oversight body is independent include, "composition and appointment process for members, and financial security."⁵² Many reports have shown that the composition of the CEC impedes independence. CEC members find it difficult to act contrary to the biddings of the political parties who appointed them. Adding to even further pressure, there are political party lawyers present in deliberations and the voting process. As a result, each party has real-time access to information on the positions taken by various members of the commission. This creates the potential for influencing decision-making.

NDI concluded in its assessment that the CEC will likely remain largely ineffective as an oversight body until it is institutionally independent from the legislature. An alternative option to Parties selecting CEC commissioners, as is the current practice, for strengthened oversight independence is to assign non-party members to oversee political finance. As noted in the NDI 2017 Party Finance Assessment Report, "[i]t would take the CEC a significant amount of time to develop a robust political finance oversight program with new operating procedures, hiring and training for staff, and new software and equipment." The assessment also recommended that in the short-term, three or four additional staff with relevant expertise could help the CEC to train political parties on the new disclosure template requirements and improve oversight of the auditing process. However, for the longer term, legislative improvements are needed to ensure that the powers and responsibilities of the CEC.⁵³

VI. CONCLUSIONS AND RECOMMENDATIONS

Regulating political finances is a hard task. There are many issues associated with political party financial transparency, and especially in the Albanian context. Although Albania has made changes and improvements to the law specifically around campaign finance regulation, in order for there to be effective change the CEC needs further autonomy and independence from the legislature.

The legislature may not be willing to give the CEC power that will then be used to check its own political parties and elections, but it is necessary for the successful implementation of political finance regulation.

⁵⁰OSCE-ODIHR (Venice Commission), Guidelines on Political Party Regulation (Oct. 2010) at [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2010\)024-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2010)024-e) .

⁵¹ *Ibid* note 31.

⁵² *Ibid* note 28

⁵³ *Ibid* note 29