



## The Right to Vote, Open Lists, Diaspora Voting, and Election Influence

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### Abstract

*This paper addresses the challenges and perspectives of open lists in elections and diaspora voting in Albania, examining important legal aspects and comparing practices with European Union countries. In order to strengthen the democratic process and ensure fair and comprehensive representation, the study analyzes the existing legal mechanisms in Albania, with a focus on the inclusion of the diaspora and the development of the electoral system in the Albanian context. Through an in-depth comparative analysis, this research work aims to identify both the strengths and the specific challenges facing contemporary Albania, offering concrete recommendations for possible reforms to improve the standards of political representation and democratize the electoral process. Taking into account the experience of the European Union countries in these areas, this study analyzes and proposes a new approach that can help bring Albanian electoral policies closer to those of the EU countries, thus contributing to the progress towards the required standards for European integration. The focus also includes analysis of the legal challenges encountered in the implementation of reforms for open lists and diaspora voting, aiming to enable Albanian citizens, including those abroad, to play a greater role in decision-making and political representation. In accordance with Albania's commitments towards integration into the European Union, this thesis highlights the importance of sustainable policies, the promotion of active participation of citizens for a comprehensive democratic development and the general improvement of the political system (Mirela Bogdani & John Loughlin, 2007). Quantitative and qualitative methods involve the collection and analysis of data to identify issues within systems.*

**Keywords:** Open Lists Electoral System, Diaspora Voting, Electoral Reform in Albania

### 1. Introduction

Albania's integration into the European Union (EU) represents one of the country's most significant national goals, reflecting its commitment to democratic consolidation, political stability, and economic progress. This process, however, presents numerous challenges that require in-depth analysis and reform in key areas. Among these challenges, the development of an inclusive and democratic electoral system, along with the effective engagement of the Albanian diaspora, holds critical importance. The focus on open lists in elections and diaspora voting underscores the need for Albania to adopt innovative approaches in strengthening its democratic processes and political representation. By examining existing legal frameworks and comparing them with EU member states' best practices, this study aims to identify gaps and propose actionable reforms. The ultimate goal is to align Albania's policies with European standards, ensuring a more comprehensive and participatory electoral system that upholds the principles of fairness and representation. This research explores the specific challenges of implementing electoral reforms, particularly in the context of open lists and diaspora voting. It highlights how these reforms can empower Albanian citizens, including those living abroad, to play an active role in the country's political decision-making. Furthermore, the study discusses

the broader implications of these changes for Albania's EU integration process, emphasizing the importance of sustainable policies and citizen participation for democratic development.

This paper addresses the following central research question: to what extent do open electoral lists and diaspora voting contribute to strengthening democratic representation and institutional legitimacy in Albania in comparison with selected European Union countries (Norris, 2004; Katz, 1980)?

The main objectives of the study are:

- to examine the legal framework governing open electoral lists and external voting in Albania;
- to analyze their impact on political accountability and citizen (Carey & Shugart, 1995);
- to compare the Albanian approach with selected EU member states (International IDEA, 2007);
- to evaluate whether these reforms advance Albania's alignment with European democratic standards (Venice Commission, 2018).

### 1.1 Contribution of the study

This study contributes to the existing literature in three ways. First, while previous scholarship has examined external voting and electoral systems separately (Bauböck, 2007; Collyer, 2014), this paper analyzes the interaction between open electoral lists and diaspora voting as complementary mechanisms affecting democratic representation. Second, the research provides a focused case study on Albania, a country characterized by high emigration rates but limited institutional experience with external voting (Lafleur, 2013). Third, the study combines legal analysis with a comparative European perspective, highlighting how institutional readiness and administrative capacity influence the effectiveness of electoral reforms (International IDEA, 2007; Venice Commission, 2018). In this way, the paper extends prior theoretical discussions by connecting electoral law, migration, and democratic legitimacy within a single analytical framework.

## 2. Electoral Systems, Open Lists and Democratic Representation: Theoretical Framework

Electoral systems play a fundamental role in shaping democratic representation and political accountability in modern democracies. Among the most significant reforms discussed in comparative political science are open electoral lists and mechanisms enabling external voting. Among the most pressing challenges are the adoption of open lists and the inclusion of diaspora voting, both of which have the potential to transform Albania's political landscape and align it more closely with EU standards (Bogdani & Loughlin, 2007). Open lists represent a shift toward greater voter autonomy, allowing individuals to prioritize candidates within party lists rather than accepting predetermined rankings. This system, implemented in several EU member states such as Croatia, enhances accountability by fostering competition among candidates and ensuring that those elected have a direct mandate from the electorate. Albania's initial steps toward open lists reflect a recognition of their potential to reduce party centralization and promote more equitable representation (European Parliament, 2023). However, the process of transitioning to such a system is fraught with legal and operational challenges, such as voter education, ballot design, and the restructuring of party dynamics, all of which require significant institutional support and oversight.

Diaspora voting is another critical dimension of Albania's electoral reform agenda, reflecting the need for inclusivity in a country where a significant portion of the population resides abroad. With over a million Albanians living outside the country, their political participation is essential for comprehensive representation and democratic legitimacy. In 2024, Albania introduced legal provisions enabling its diaspora to vote by mail, a practice inspired by countries like Italy and Germany that have long facilitated external voting (Norris, 2017). While this reform is a step forward, it also introduces logistical complexities, such as ensuring the timely delivery and return of ballots, preventing fraud, and establishing trust in the process. The Central Election Commission has acknowledged these challenges, emphasizing the need for clear procedural guidelines and robust infrastructure. Beyond these two focal areas, Albania faces broader electoral challenges that impact its EU integration aspirations. The legal framework governing elections requires harmonization with EU norms, particularly in areas like campaign financing, media regulation, and voter rights. Comparative analyses with EU member states highlight gaps in Albania's current system, underscoring the need for targeted reforms. For example, the integration of technology in voting processes, as seen in Estonia's pioneering use of e-voting, offers valuable lessons for Albania's modernization efforts.

These reforms are not merely technical adjustments but carry profound implications for Albania's democratic trajectory and its EU accession bid. By adopting best practices from EU member states and addressing systemic weaknesses, Albania can enhance the credibility of its electoral processes, foster public trust in its institutions, and demonstrate its commitment to the core values of the European Union. This alignment is not only a prerequisite for EU membership but also a catalyst for broader political, social, and economic development, enabling Albania to position itself as a stable and reliable partner in the European community.

### 3. Research Approach

This study employs a comprehensive research approach, integrating both quantitative and qualitative methodologies to analyze Albania's electoral reforms—specifically the implementation of open lists and diaspora voting—and their alignment with European Union (EU) standards. This mixed-methods strategy facilitates a thorough examination of the multifaceted nature of electoral reforms and their implications for Albania's democratic processes and EU integration aspirations.

Quantitative analysis forms the foundation of this research, focusing on statistical data related to voter turnout, electoral participation rates, and demographic information. Data sources include official records from Albania's Central Election Commission and reports from international organizations such as the Organization for Security and Co-operation in Europe (OSCE). For instance, the OSCE's final report on Albania's 2021 parliamentary elections provides detailed statistics on voter participation and the effectiveness of electoral processes (OSCE, 2021). This quantitative data enables the identification of trends and patterns, offering insights into the current state of electoral engagement in Albania. Complementing the quantitative analysis, qualitative methods provide depth and context to the numerical data. This involves conducting semi-structured interviews with key stakeholders, including policymakers, electoral officials, representatives of civil society organizations, and members of the Albanian diaspora. These interviews aim to capture diverse perspectives on the challenges and opportunities associated with implementing open list systems and facilitating diaspora voting. Additionally, content analysis of legal documents, parliamentary records, and media reports is conducted to understand the legislative and political discourse surrounding electoral reforms.

A comparative analysis is integral to this research, examining electoral practices in selected EU member states such as Croatia, Italy, and Estonia. These countries have implemented open list systems and have established mechanisms for diaspora voting, providing valuable case studies. By analyzing their experiences, the study identifies best practices and lessons applicable to the Albanian context. For instance, Estonia's implementation of e-voting systems offers insights into leveraging technology to facilitate diaspora participation. The analytical framework is structured around key criteria: transparency, inclusivity, legal compliance, and alignment with EU democratic standards. Transparency is assessed by evaluating the openness of electoral processes and the accessibility of information to the public. Inclusivity examines the extent to which various demographic groups, including minorities and the diaspora, are represented and can participate effectively. Legal compliance involves analyzing Albania's adherence to its constitutional provisions and international obligations, particularly those outlined by the EU. Alignment with EU standards is evaluated by referencing documents such as the Copenhagen Criteria and the European Commission's annual reports on Albania's progress toward accession (European Commission, 2022). By employing this integrated research approach, the study provides a holistic understanding of Albania's electoral reforms. It not only assesses the current state of these reforms but also offers actionable recommendations to enhance democratic processes and facilitate Albania's EU integration. This methodology ensures that the analysis is comprehensive, contextually grounded, and aligned with international best practices.

The study follows a mixed-method approach combining legal analysis, comparative research, and empirical survey data.

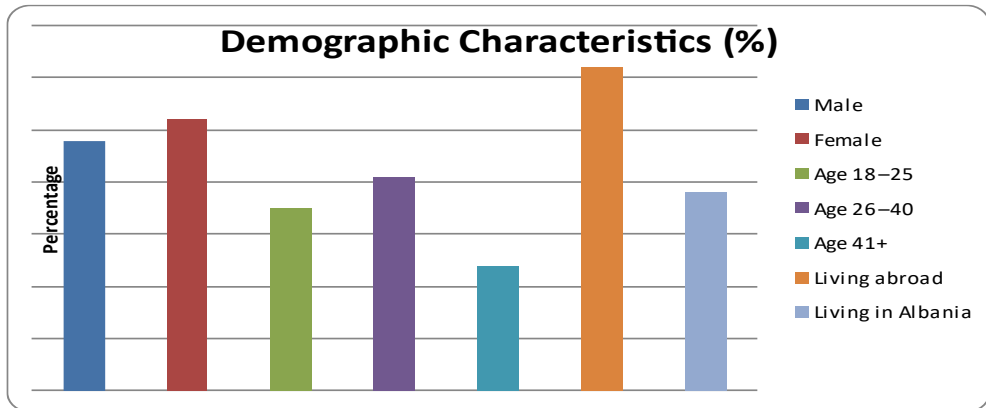
#### 3.1 Empirical findings

A total of 150 respondents participated in the survey. Of these, 78 were female and 72 were male, indicating a balanced gender distribution within the sample. Participants included Albanian citizens residing both in Albania and abroad, allowing the research to capture perspectives from resident voters as well as members of the Albanian diaspora. The questionnaire was distributed online and participation was voluntary and anonymous.

Regarding age structure, 53 respondents belonged to the 18–25 age group, 62 respondents to the 26–40 age group, and 35 respondents were over 41 years old. The predominance of young and middle-aged participants suggests a higher level of engagement with issues related to electoral reform among politically active population groups.

In terms of residency, 93 respondents reported living abroad, while 57 respondents were residing in Albania at the time of participation. The inclusion of a substantial diaspora sample strengthens the reliability of the findings, as the research specifically examines attitudes toward external voting rights and representation.

**Table 1.** Demographic characteristics of respondents (N=150)



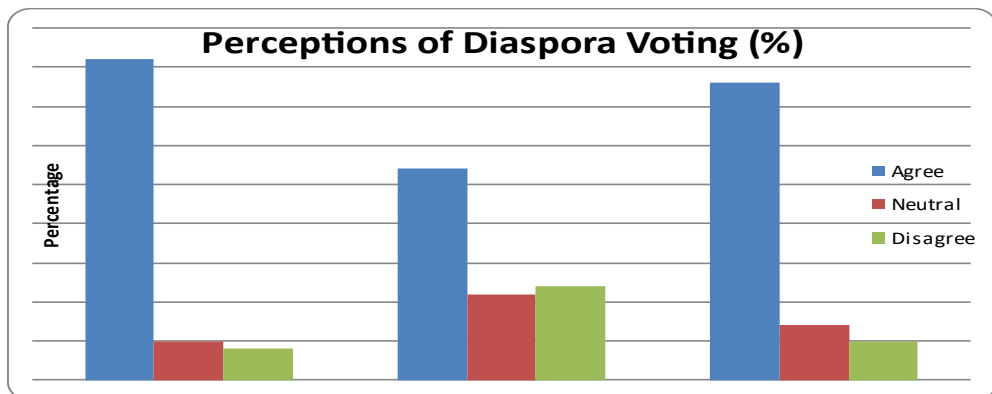
The collected responses were analyzed using descriptive statistical methods. The survey aimed to evaluate public perceptions regarding two main aspects of electoral reform: the participation of citizens living abroad in national elections and the introduction of open electoral lists. The following figures present the main empirical findings of the study.

Table 2 presents respondents' perceptions regarding diaspora voting and the reliability of external voting mechanisms. The results show that a clear majority of participants support the participation of Albanian citizens living abroad in national elections. Approximately 82% of respondents agreed that diaspora members should have the right to vote, while 10% remained neutral and only 8% disagreed. This finding indicates a broad consensus in favor of expanding political participation beyond territorial borders.

Regarding the reliability of voting by mail, opinions were more divided. Around 54% of respondents considered postal voting a reliable method, 22% expressed neutral opinions, and 24% indicated a lack of confidence. These results suggest that although the public generally supports diaspora voting, concerns remain about administrative procedures, ballot security, and the possibility of irregularities in the voting process.

Furthermore, 76% of respondents believed that external voting would improve democratic representation and political equality, while 14% were neutral and 10% disagreed. The findings therefore indicate that citizens perceive diaspora participation as a mechanism capable of strengthening democratic legitimacy and increasing the inclusiveness of the electoral system.

**Table 2.** Public perception of diaspora voting (N=150)



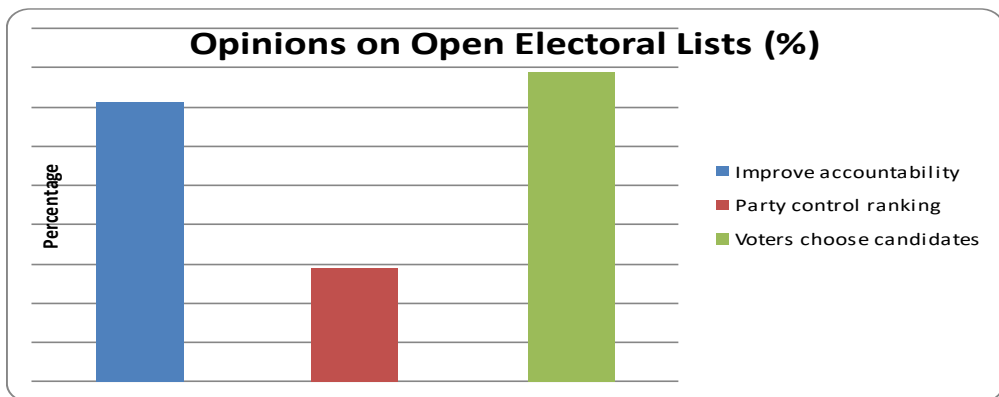
At the same time, the relatively lower trust in postal voting highlights the importance of clear procedures, institutional transparency, and effective oversight in the implementation of external voting mechanisms.

Table 3 presents respondents' opinions regarding the introduction of open electoral lists and their potential impact on political representation. The findings demonstrate strong public support for greater voter influence in the candidate selection process. Approximately 71% of respondents agreed that open electoral lists improve political accountability, indicating that voters believe candidates should be directly answerable to citizens rather than primarily to party leadership.

When asked whether political parties should maintain control over candidate ranking, only 29% of respondents supported this option. This suggests a preference among participants for reducing party centralization and increasing voter choice within the electoral system.

Furthermore, 79% of respondents supported the possibility for voters to directly select individual candidates from party lists. These results indicate that citizens perceive open lists as a mechanism capable of strengthening the relationship between voters and representatives and of improving transparency in elections.

**Table 3.** Opinions on open electoral lists (N=150)



Overall, the survey findings suggest that the introduction of open electoral lists is widely viewed as a reform that could enhance democratic representation and public trust in political institutions.

### 3.2 Discussion of Findings

The empirical findings provide important insights into public attitudes toward electoral reform in Albania. The results demonstrate consistent support for expanding political participation through diaspora voting and for strengthening voter influence through open electoral lists. Respondents largely perceive both reforms as mechanisms capable of improving accountability, transparency, and the representative character of democratic institutions.

At the same time, the survey reveals a distinction between support for reform in principle and trust in its implementation. While most participants favor external voting, a lower level of confidence in postal voting procedures indicates concerns related to administrative reliability and electoral integrity. This suggests that legal reform alone is insufficient; effective institutional capacity and transparent procedures are necessary to ensure public trust.

The findings also confirm that citizens expect a stronger relationship between voters and elected representatives. Support for open lists reflects a preference for personalized political accountability and reduced party control over candidate selection. Consequently, electoral reform is not perceived merely as a technical adjustment but as a broader mechanism for improving democratic governance.

These empirical results complement the legal and comparative analysis presented in this study, demonstrating that the proposed reforms are not only theoretically justified but also supported by public opinion.

More importantly, the findings suggest that public support alone is insufficient to ensure successful implementation; the effectiveness of these reforms will depend on institutional capacity, administrative transparency, and the credibility of electoral management bodies.

#### **4. Implementation Challenges of Open Lists and Diaspora Voting in Albania**

The implementation of electoral reforms in Albania represents an important step for strengthening democratic governance and political accountability. These reforms are not just procedural adjustments but represent transformative changes with far-reaching implications for governance, representation, and public trust. The adoption of open lists and the facilitation of diaspora voting are at the forefront of these efforts, highlighting Albania's efforts to improve institutional transparency and democratic representation. Open lists empower voters to prioritize individual candidates, thus decentralizing party control and enhancing accountability. Despite this progress, challenges such as limited voter education and inconsistent application of the new system persist, underscoring the need for a more comprehensive strategy. Comparative analysis with EU member states reveals important lessons for Albania. For instance, Poland's successful integration of open lists showcases the potential for such systems to invigorate political competition and enhance voter choice. Similarly, Italy's robust framework for diaspora voting demonstrates how institutional support and technological solutions can mitigate logistical barriers and ensure inclusivity. However, Albania faces unique challenges that demand tailored solutions. The lack of technological infrastructure and limited administrative capacity hinder the seamless implementation of these practices, making clear the need for sustained investment and capacity-building. The legal and institutional landscape in Albania further complicates the reform process. Ambiguities in electoral laws and inadequate institutional oversight have created gaps that impede the effective implementation of open lists and diaspora voting. Political polarization exacerbates these issues, with debates over candidate ranking and vote distribution often delaying critical legislative advancements. Strengthening the autonomy and professionalism of Albania's electoral institutions is essential to overcoming these hurdles. In addition, the integration of digital solutions, such as secure e-voting systems, could address many of the logistical challenges associated with diaspora participation, drawing inspiration from successful implementations in Estonia and beyond.

The broader implications of these reforms extend well beyond Albania's borders, influencing the credibility of public institutions and citizens' trust in elections. Electoral transparency, inclusivity, and alignment with EU democratic values are pivotal benchmarks in the accession process. By addressing these areas, Albania can demonstrate its readiness to embrace the core principles of the Union, fostering greater political stability and public confidence. Moreover, these reforms can serve as a catalyst for broader governance improvements, embedding a culture of accountability and participatory democracy. The journey toward EU integration, therefore, is not just about meeting technical requirements but about reimagining Albania's political landscape to reflect the aspirations of citizens for transparent and accountable democratic governance (European Parliament, 2023).

#### **5. The Impact of Diaspora Voters on Elections in Albania**

The impact of diaspora voters on elections in Albania is an important and complex issue, as the Albanian diaspora plays a significant role in the country's political processes. Diaspora voters have the opportunity to participate in elections through embassies and consulates, but their participation has often been low due to various factors, including logistical difficulties and lack of proper information.

However, the diaspora has a substantial influence on domestic politics by supporting political parties with funds and influencing the formation of policies that can help Albania's development.

Another important aspect is the use of "Open Lists," which can improve the representation of the diaspora in parliament, ensuring that their interests are better reflected in political processes. The impact of diaspora voters is also evident in strengthening Albanian political parties, which seek support from the diaspora to win elections and create stable economic and social policies.

However, challenges remain for the diaspora, including the lack of opportunities for electronic voting and communication issues with voters abroad. To increase diaspora participation in elections, Albania could consider reforming the electoral system, making it easier to vote and improving information about elections. Furthermore, there is the possibility of creating special mechanisms to ensure fair representation of the diaspora in parliament, considering the importance of this group in the development and stability of the country.

According to international migration studies and institutional assessments, a substantial proportion of Albanian citizens reside abroad, mainly in Italy, Greece, Germany and the United Kingdom. Remittances represent an important component of the national economy and demonstrate the continuing socio-economic ties between migrants and their country of origin. However, participation of citizens abroad in electoral processes has historically remained limited due to administrative barriers, registration procedures and logistical constraints (OSCE, 2021; Venice Commission, 2020). Comparative experience shows that simplifying voter registration and introducing reliable remote voting mechanisms significantly increases electoral participation among diaspora communities.

## 6. Conclusions

The analysis demonstrates that open electoral lists and diaspora voting address two structural weaknesses of democratic representation in Albania: limited voter influence over candidate selection and exclusion of citizens residing abroad. Open lists strengthen vertical accountability by increasing candidate dependence on voter preferences, while diaspora voting promotes political equality by extending participation beyond territorial borders.

Comparative examination with EU member states indicates that the effectiveness of these reforms depends less on formal legal adoption and more on administrative capacity, transparency mechanisms and public trust. Countries that gradually implemented external voting supported by reliable registration systems achieved higher participation and stronger electoral legitimacy.

Therefore, Albania's democratic consolidation requires not only legislative reform but also institutional preparedness, voter education and secure technological infrastructure. Combining legal modernization with administrative reform may enhance public confidence and support alignment with European democratic standards.

Overall, the study concludes that the combined introduction of open electoral lists and diaspora voting has the potential to significantly strengthen democratic representation in Albania. These reforms increase voter influence, expand political inclusion, and may contribute to improving electoral legitimacy, provided that they are accompanied by effective institutional implementation and public trust in electoral administration.

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