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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

ALBANIA

DRAFT LAW ON THE LEGISLATIVE INITIATIVE OF THE CITIZENS
AND
EXPLANATORY REPORT

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Republic of Albania

Assembly

Draft law

No., date.....

ON THE LEGISLATIVE INITIATIVE OF THE CITIZENS OF THE REPUBLIC OF ALBANIA

In reliance on articles 78 and 81, point 1, of the Constitution, on the proposal of the members of the parliament,

**THE ASSEMBLY
OF THE REPUBLIC OF ALBANIA
DECIDED:**

CHAPTER I

GENERAL PROVISIONS

Article 1

Object and Purpose

1. This law regulates the procedures to be applied by the citizens of the Republic of Albania to exercise the legislative initiative as established by the Constitution of the Republic of Albania.
2. The legislative initiative of the citizens is performed by means of a written proposal and the supporting signatures of the citizens entitled to vote, it aims to expand their involvement in proposing the draft laws and participation in decision making processes. The detailed procedures to be followed in order to exercise this initiative comply with the Albanian legislation in force.

Article 2

Fundamental principles

1. Every Albanian citizen who is eligible to vote may take part in the initiative process and enjoys equal rights.
2. Everyone is entitled to participate in the process of proposing draft laws, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, wealth, economic and social status, sexual orientation, gender identity,

physical disability as provided by the Article 18 of the Constitution of the Republic of Albania and the legislation in force for protection against discrimination.

3. The civic legislative initiative procedures honour the human rights, especially the freedom of speech and media, the freedom of movement within the territory of the Republic of Albania, the right to freely organisation , and the right to information.

Article 3

Definitions

1. **“Citizen”** is every citizen of the Republic of Albania entitled to vote under article 45 of the Constitution of the Republic of Albania.
2. **“Legislative initiative of the citizens” (initiative)** is the draft law proposed from not less than 20.000 electors submitted to the Albanian Assembly for adoption or a request made to the Assembly to draft and adopt an act of law.
3. **“Representation/Representative Committee of the Initiative”**- the structures representing the supporters in all the activities before the Assembly of Albania, institutions and other citizens.
4. **“Registration of the citizens’ legislative initiative”** is the process of formal registration of the initiative with the Central Election Commission after submission of the request from the Representation/Representative Committee.
5. **“Group for collecting the signatures” (GCS)** is the responsible structure to collect the supporting signatures in public places and consists of two members, who are appointed by the initiative Representation/Representative Committee. The members of the GCS are Albanian citizens eligible to vote.
6. **“Memorandum of Cooperation”** is the preliminary agreement among organisations of the civil society; between them and the citizens supporting the respective initiative, which sets forth the rules of commencement, coordination and the general progress of the initiative process until the submission of the proposal to the Albanian Assembly.
7. **“Public places for collecting the signatures”** are meant the public spaces which have a number and address where the supporting signatures are collected.
8. **“Forms for collecting the signatures”** are the model form used to collect the signatures of the supporters of the initiative, approved by the Central Elections Commission under the provisions of this law.
9. **“Assisted electors”** are the supporters of the initiative, who due to physical disability are assisted by the other citizens to express their will in favour of the initiative.
10. **“Verification of the signatures”** is the verification process of the signatures’ forms, the electronic signatures and the data of the supporters of the initiative, which is performed by the Central Election Commission in accordance with the provisions of this law.

11. **“Time limits”** is the time calculated as working day within which the foreseen procedures are performed.

CHAPTER II

LEGISLATIVE INITIATIVE OF THE CITIZENS

Article 4

1. Every Albanian citizen entitled to vote may participate in the process of proposing laws at the Albanian Assembly.
2. In any case, the legislative initiative shall be signed by not less than 20.000 Albanian citizens entitled to vote, following the procedures set forth by this law.

Article 5

Types of initiative

1. The Albanian citizens eligible to vote are entitled to the right of legislative initiative by means of:
 - a) Drafting and presenting the law to the Albanian Assembly;
 - b) Submitting to the Albanian Assembly a detailed request to draft a legal act on a specified issue.
2. If the citizens' initiative takes the form of draft legal act presented to the Assembly, it is drafted in compliance with the Constitution, the rules set forth in the Assembly Rules of Procedure and the legal standards on drafting the legal acts.
3. If the initiative does not comply with the provisions of point 2 of this article, the Assembly is entitled to reject it. The rejection of the initiative by the Assembly shall always be explained.
4. If the citizens' initiative is a request made to the Assembly to act and draft a law on a certain issue, it is then taken into consideration based on the procedure set forth by the Assembly Rules of Procedure.
5. If the request is admitted, the Commission drafts the law in cooperation with the representatives of the initiative, and if the case may be, submit it for adoption within 6 months from the day of admission of the request. In case of rejection, the decision of the Laws Commission shall include the reasons for rejecting the request.
6. The rejected initiative could be resubmitted for adoption by the Assembly within 6 months from the day of rejection.

Article 6

Representation/representative committee

1. The selection terms and functioning of the Representation/Representative Committee of the legislative initiative are detailed in the memorandum of cooperation.
2. If the legislative initiative is initiated by individuals, then they shall select a Representation of the initiative.
3. When the initiative is commenced by the civil society organisations, it is represented by the Representative Committee, whereby each of the organisations is entitled to appoint a representative.
4. The civil society organisation initiating the case shall be registered as provided by the Albanian legislation.
5. When the initiative is started by the individuals in cooperation with the civil society organisations, the Representative Committee represents the initiative, which consists of one to three members selected by the group of the individuals and one representative from each of the civil society organisations involved.
6. The Representation/Representative Committee is responsible for the commencement and the progress of the whole processes of the legislative initiative of the citizens, for the coordination and communication with the responsible institutions and respects the rights of the citizens to information. It represents the interests of the initiators in relation to the third parties.
7. The Representation/Representative Committee, on behalf of the initiators, presents before the Assembly the draft law or the request for the Assembly to act on a law. It may withdraw the draft law from the Assembly until the voting in principle in a plenary session.
8. The Representation/ Representative Committee is registered in the Central Election Commission (hereafter referred to as CEC) by a request containing the date, list of the civil society organisations and the citizens adhering to it, the general data of the members of the Representation or Representative Committee and the object of the initiative. As attachment to the request are also submitted a notarised copy of the identification documents of the Representation/ Representative Committee, a copy of the draft law or the request presented to the Assembly to act upon, a copy of the memorandum of cooperation and notarised copy of the Legal Status of each civil society organisation participating in this initiative. The submission of the set of requested documents for registration in the CEC is the responsibility of the Representation/Representative Committee.
9. The Central Elections Commission registers the Representation/Representative Committee not later than 30 working days from the submission of the request, because it examines only if the filed documentation is complete. The CEC decision is taken by a simple majority of its members. The CEC publishes in its website the decision to register the Representation/Representative Committee along with members' list, the object of the initiative, the memorandum of cooperation and the other relevant documents foreseen by

point 8 of this article. If the CEC is not able to reach a decision for registration within the set deadline, the initiative is considered registered and this fact is then published in its website and other means of information.

10. If the CEC rejects the registration of the Representation/Representative Committee, the latter fulfils the requirements included in the decision and resubmits a revised version not later than 3 months from the date of rejection. The examination of the revised request is carried out within the deadlines provided by this law. When the CEC decides to reject the request for the registration of the Representation/Representative Committee, the latter is entitled to appeal against this decision at the Administrative Court of Appeal. In all cases, the CEC decisions shall have an explanation attached to it.
11. Representation/Representative Committee of the initiative informs the public on the objectives of the initiative registered in CEC, on the public and civic activities performed for such purpose, the rules of functioning and organisation of the representatives of the initiative and its supporters as well as any other necessary information for the public. The communication with the public is made via the Albanian Public Television which provides free broadcasting time of 5-10 minutes a day, between 18.00-22.00, for a period of 30 days from the registration of the initiative in the CEC. The communication and information of the public is also carried out through the official website of the initiative and any other audio-visual or written means of communication, including other access tools to information.
12. The Representation/Representative Committee publishes on its official website the lists of the groups engaged in collecting the signatures, the designated places where the signatures will be collected and the model form, endorsed by the CEC, to be used for collection of the signatures in accordance with article 11 of this law.

Article 7

Notification of the assembly to start the procedures

1. After registration at Central Election Commission, the Representation/Representative Committee of the initiative submits to the Albanian Assembly the notification to start the procedures and the decision of the CEC registering the initiative, an explanatory report on the initiative and its objective, the draft law to be adopted by the Assembly, or the issue to be presented to the Assembly for further action.
2. The Representation/Representative Committee is handed a written confirmation by the Protocol on the date and time of the registration of the request, the explanatory note and other documents set forth by this law.
3. Within 48 hours, the Representation/Representative Committee delivers at the Central Election Commission a copy of the confirmation of registration of the initiative with the Assembly. The written confirmation is widely published in the written and audio-visual media and other information means accessible by the citizens.

Article 8

Financing

1. The expenses incurred for the preparation of the forms and the collections of signatures are covered by the Representation/Representative Committee. The organisers define in advance, in the memorandum of cooperation, how the expenses will be covered and shared.
2. The sources of financing and the amount used for the purpose of the initiative will be made public periodically in the website of the initiative and a summary of them is published not later than the day when the initiative is deposited for adoption at the Assembly of Albania.

CHAPTER III

THE COLLECTION OF THE SIGNATURES AND THE SUBMISSION OF THE INITIATIVE

Article 9

Designation and approval of the public places for collecting the signatures

1. The collection of the signatures to initiate a civic legislative initiative is done in public places, which are designated by decision of the mayor of the respective local government unit.
2. The mayor approves the number of the public places to be used for collection of the signatures by the rule “one public place for not more than 5000 electors”.
3. The request to designate the public places is submitted to the mayor by the Central Election Commission. In case the CEC does not exercise this right within 30 working days from the submission of the request of the Representation/Representative Committee, the latter is entitled to submit such a request to the mayor.
4. The mayor, not later than 20 working days from the submission of the request foreseen by point 3 of this article, approves by a decision the public places where the signatures will be collected. The mayor designates the public places which are adequate and accessible for the signatories and enable a smooth process.
5. If the mayor does not take a decision within the time limits set in point 3 above, then the places are designated by the Representation/Representative Committee.
6. The locations of the places for collecting the signatures are made public by the Representation/Representative Committee via a notification in the official website and the outside areas of each local government unit.

Article 10

Groups for collecting the signatures

1. The collection of the supporting signatures is carried out by the groups in public places as defined by this law.
2. The groups for collecting the signatures consist of at least two members, who are appointed by the Representation or the Representative Committee, as specified by the memorandum of cooperation agreed for such purpose.

Article 11

The forms for collecting the signatures

1. The Representation/Representative Committee, within 10 days from the confirmation of the Assembly, shall file a written request to the CEC for defining the model form for collecting the signatures.
2. The Central Election Commission, within 15 days from the request made, approves by a decision the model form and publishes it in the official website of the CEC in a downloadable format.
3. The model form contains on one side the information on the initiative to be proposed to the Assembly for adoption, its objective, a summarised explanation and the data on the Representation/Representative Committee. On the other side the form includes:
 - a) Order number;
 - b) Name and surname of the electors supporting the initiative
 - c) Place and date of birth
 - d) Number of id card or passport
 - e) Column for the signature
 - f) Name and surname of the members of the GCS involved in the process of collecting the signatures and the space for them to sign.
4. The Representation/Representative Committee receives the forms not later than 15 days prior to the start of the signature process.
5. The members of the GCS ensure that the citizens sign once and only after they have filled in the required data in point 3.
6. If an elector due to his/her disabilities cannot sign, a member of his/her family assisting her/him sign the form at his/her presence, as per the latter instructions. In such a case, the GCS keeps a special record which is signed off by them and submitted at the CEC together with the forms.

Article 12

Special procedures

1. If an Albanian citizen entitled to vote, due to health reasons, is not able to reach the place where the signatures are collected, GCS, upon his/her or assisting person written request, takes the signature where the citizen is located. The request shall be made to GCS not later than 24 hours prior to the expiry of the deadline for collecting the signatures. The requests are attached to the forms and are submitted to CEC.
2. The collection of the signatures of the Albanian citizens entitled to vote who are under custody for security reasons, because are considered suspicious, have been charged with a criminal offence or are being criminally tried, it is done following the procedure laid down in paragraph 1 of this article at the custody institution, upon written request made by these persons to the Representation/Representative Committee through the administration of the respective custodial institution.
3. The electors, who are residing outside the Albanian territory when the signatures are being collected, may sign the forms at the embassy, other diplomatic missions or consulate. The place and the time are set by the head of the representative office and are duly made public in order to ensure full access to such information for the Albanian citizens.
4. In order to facilitate the process of collecting the signatures of the special categories of persons mentioned above, the Central Election Commission and the Representation/Representative Committee have the responsibility to cooperate with other state institutions.

Article 13

Online collection of the signatures

The electronic collection of the signatures is performed in accordance with the legislation on electronic signature, electronic document, the electronic identification and the reliable services.

Article 14

Time limits for collection of signatures

1. The CEC, within 15 days from the submission of the request of the Representation/Representative Committee on the model form, sets the time limits during which the signature collection process is performed in the places designated by the mayor of the respective local unit or by the Representation/Representative Committee itself,
2. In all cases the time dedicated to collection of signatures is 60 consecutive days and is interrupted for three days in case it overlaps with general elections, local elections, national or local referendum.

3. The forms are submitted to the CEC by the Representation/Representative Committee of the initiative not later than two days after their collection, attaching the written requests of the electors who could not sign at the public places, the special records kept by GCS on cases of the persons with disabilities who needed assistance and the electronic signatures collected as provided by the legislation in force.

Article 15

Verification of the signatures

1. The Central Election Commission verifies the signatures of the supporters as foreseen by the article 71/3 of the Election Code on the verification of the signatures of the electors and the legislation on the electronic signature, within 30 days from their submission and takes one of the following decisions:
 - a) Register the civic legislative initiative
 - b) Set the time limits to complete or correct the inaccuracies
 - c) Reject the registration of the initiative if it is found that it does not meet the form or the required number of 20.000 electors as supporters of the initiative
2. The CEC is entitled to ask for additional information from the central and local government bodies and it can also receive advice from experts.
3. If during verification inconsistencies are found in the forms of supporting signatures, the CEC notifies the Representation/Representative Committee to revise, improve and correct them within a deadline of 15 days.
4. After the resubmission of the revised forms, within two days, the CEC re-verifies them and if found accurate, it informs the Representation/Representative Committee of the initiative and publishes them on its website.
5. The decision of the CEC shall always be explained.
6. The Representation/Representative Committee is entitled to appeal against any decision of the CEC on the verification of the forms of supporting signatures or rejection of the registration of the initiative. The appeal is filed with the Administrative Court of Appeal.

Article 16

Deposition of the citizens' legislative initiative at the Albanian Assembly

1. The complete draft law or, if the case may be, the request to draft a law, together with the documentation which describe and analyse the aim that this initiative is seeking to achieve and the decision of the CEC to register the initiative are deposited at the Albanian Assembly by the Representation/Representative Committee in compliance with the procedures laid down by the Rules of Procedure of the Albanian Assembly.

2. The Conference of the Committee Chairs is the structure which shall decide to include in the work programme of the Assembly the proposed draft law or, if the case may be, the request for the Assembly to act and draft a law on a specific issue.
3. The Representation/Representative Committee of the initiative and the experts engaged by it, are entitled to represent the electors in all the procedures followed by the Assembly on the discussion, drafting/revision and adoption of the initiative as provided for by the Constitution of the Republic of Albania and the Rules of Procedure of the Assembly.

Article 17

Appeal against the CEC decision

1. The Representation/Representative Committee is entitled to file an appeal with the Electoral College against the CEC decision to reject the registration of the signature forms supporting the initiative, within the time limits and procedures established by the Electoral Code.
2. The appeals are examined in accordance with the provisions of this law and the legislation in force.

CHAPTER IV

THE RESPONSIBLE INSTITUTIONS TO IMPLEMENT THE LAW AND THE SANCTIONS

Article 18

The responsible institutions to implement the law

The responsible institutions for implementing the law are the Assembly of Albania, Central Election Commission, the Representation/Representative Committee and the local government bodies. In cases when special voting procedures are applied, other institutions are responsible as well as the respective Ministry on Foreign Affairs, consulates, diplomatic representation offices of the Albanian State and the Albanian Public Radio television. In order to ensure a full implementation of the law, the above mentioned structures may cooperate with other state bodies, governmental agencies, audio-visual media and other civil society organisations.

Article 19

Sanctions

1. The violation of the provisions of this law by persons charged with duties, according to this law, when it does not constitute a criminal offence, is punishable by a fine ALL 50.000 up to 100.000.

2. Fines up to 50.000 ALL are imposed for violation of the procedures applied for registration of the initiative and the collection of the signatures, under this law.
3. Fines up to 100.000 ALL are imposed for violation of the principles provided by this law. The persons charged by this law to collect the signatures, shall be subject to criminal liability under article 186 of the Criminal Code when they include false data.
4. The Central Elections Commission examines the administrative infractions. The decisions of the CEC may be appealed at the Administrative Court of Appeal.

Article 20

Entrance into force

This law enters into force 15 days after the publication in the Official Bulletin.

EXPLANATORY REPORT

ON THE DRAFT LAW “LEGISLATIVE INITIATIVE OF THE CITIZENS OF THE REPUBLIC OF ALBANIA”

I. The objective and the purpose of the draft law

The constitution of the Republic of Albania established the right of 20.000 electors to propose a law with a view for its adoption by the Parliament. The respective citizens engaged in issues of concern for our society feel the need to get organised and involved in the public decision-making process by exercising the legislative initiative. The development stages of the country constantly need such initiatives. However, such a civic engagement is not practically feasible because due to the lack of the legal mechanisms regulating the legislative initiatives of the citizens. Since the adoption of the Constitution, there have been undertaken some legislative initiatives by the citizens, but only one of them was successful. With the support of the Parliament as well, it was adopted the Law “On measures against violence in family relations” (Law no. 9669, dated 18.12.2006). These experiences clearly demonstrated the need to establish an adequate legal framework in order to regulate the undertaking and exercise of such initiative. This mechanism is also indispensable to increase the participation rights of the citizens in governing the country, and the continuous technological developments. Currently, in the European democracies, the right of participation is being closely related to the parliamentary right and is required the enhancement of the legal provisions to guarantee such rights. Therefore, the encouragement of legislative initiative of the citizens, as part of the constitutional institutions of direct democracy, is now an essential requirement.

The direct legislative initiative is also enshrined by the European legal order. The Treaty on European Union, amended by the Treaty of Lisbon (2009) stipulates: “Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties”. It is clear that the direct initiative of the European citizens represents a new dimension of the EU democracy itself. In 2009 it was drafted the Green Paper (COM (2009) 622), which provides the procedures and conditions required for such citizens’ initiatives.

In this framework, the Centre for Legal Civic Initiatives, supported by the Open Society Foundation for Albania and in cooperation with other civil society organisations, universities, citizens engaged in the public issues as well as professional experts, drafted the law “On the legislative initiative of the citizens of the Republic of Albania”. The draft law establishes a real opportunity for the citizens to submit for adoption by the Parliament completed draft laws or undertake initiatives to request to the Parliament to consider issues/laws, by its own initiative.

The proposed draft law aims to regulate in detail the respective process and procedures required for legislative initiatives of 20.000 electors, starting with the registration of the initiative, the functioning and its representation from civil society organisations or engaged citizens, setting up the Groups for Collecting the Signatures, the collection of the signatures, their verification by CEC until their submission in the Assembly of Albania.

II. The arguments on the priorities, issues faced and the expected impact

It is expected that the Draft Law on the Citizens' Legislative Initiative brings forward a novelty in the enforcement of the Constitution of Albania and the civic participation democracy, rendering it more effective and active, because it enables the civil society through its organisations, and the citizens engaged in civic issues to undertake legislative initiatives. They may collect the signatures of 20.000 (or more) electors residing in the territory of the Albania or abroad. The organisers may submit a complete draft legal act and request its adoption by the parliament or another option could therefore be that an initiative clearly requests the drafting and approval of a future law. An important and significant role in collecting the supporting signatures is expected to be played by the civil society and the engaged citizens in civic issues through the coordination among themselves and with the Central Election Commission, Albanian Assembly and/or other institutions that may be involved in this process (for example, the Commissioner for the Protection of Personal Data and the Right to Information).

The draft law encompasses the best European standards and practises, the principles of the European electoral heritage, reflecting the spirit and practise of the Regulation No. 211/2011 of the European Parliament and Council of 16 February 2011 on the citizens' initiative in EU, the standards set forth by the Code of Best Practise on Referendums (2007) adopted by Venice Commission as well as the models of such law of other countries as Italy, Austria, Lithuania, Kosovo, Portugal, Spain, Hungary, Poland and Slovenia.

It is expected that, initially the law increases the citizens' legislative initiative on issues of their interests or on issues of concern for the community, hence requiring legislative interventions and measures. The adoption and enforcement of this law will change not only the culture and the mind-set of civic participation, but it will also increase the awareness of the citizens to participate in public engagement. In longer terms, the quality of the initiatives will be improved, the civil society organisations will cooperate more and the human capacities to undertake such initiative will be further developed.

III. Legal compliance

The draft law is in full compliance with the Constitution of the Republic of Albania as well as with all the Albanian legislation in force. It also reflects the best European standards and practices and the principles of European electoral heritage.

The Constitution (1998), article 2/2 establishes the principle of the people sovereignty by defining "The people exercise sovereignty through their representatives or directly". Article 81 of the Constitution which regulates the legislative process, sets the foundation for direct democracy in the process of legislative initiative when providing that "the right to propose laws is exercised by the Council of Ministers, each member of the parliament, and 20 thousand electors". In this context, the draft law fulfils one of the essential constitutional provisions, the practical implementation with clear rules and procedures that guarantee the civic will for initiative.

IV. Approximation with *Acquis communautaire*

The law "On the Legislative Initiative of the Citizens of the Republic of Albania" was drafted in the spirit and practise of the Regulation No. 211/2011 of the European Parliament and Council of 16

February 2011 on the citizens' initiative in EU, and also by exploring and consulting other models of such law from other countries as Italy, Austria, Lithuania, Kosovo, Portugal, Spain, Hungary, Poland and Slovenia.

When drafting the law, other documents and materials adopted by the Venice Commission were consulted, especially the Code of Best Practise on Referendum (2007)- Chapter IV, which focuses on the process of collection and verification of the signatures, the latter though being one of the most important procedures, was not adequately set by the current legislation. Therefore the law establishes such a procedure that guarantees the citizens the due dignity and legitimates them as the subjects of the initiative, therefore not necessary to undergo a forensic expertise for verification.

V. Summary of the content of the draft law

The draft law "On the Legislative Initiative of the Citizens of the Republic of Albania" consists of four following chapters:

First chapter "General Provisions", include the purpose of the law, the fundamental principles applied to carry out the process of civic legislative initiatives and the definitions and terms used.

Second chapter "Civic Legislative Initiative" regulates the details of the processes and procedures to be used to carry out such initiatives. The provisions include the types of civic legislative initiatives, the categories of the citizens who may undertake such initiatives, the financing of the initiative by the Representation/ Representative Committee of the initiative, the functioning and registration of the Representation/ Representative Committee in the Central Elections Commission, the time limits to register the initiative and the role of CEC in this process, the role of the civil society organisations or the engaged citizens in the process of the initiative registration, including the full collection of the signatures and the provisions which regulate the notification of the Albanian Assembly on the initiative and its publication in the media and social networks.

Third Chapter, "Collection of the Signatures" explains in detail the process for collecting the signatures, the process of designation and approval of the Places for Collecting the Signatures/PCS based on the principle 1 public place for not more than 5000 electors, the membership and the functioning of the Groups for Collecting the Signatures/GCS. This chapters includes the modalities of the model Forms for Collecting the Signatures (model form), which are endorsed by the CEC and published in its website in a downloadable format.

A specific article is dedicated to the special procedures to be used by the Albanian citizens entitled to vote who due to health reasons or being under custody for security reasons are not able to go to the location on where the collection of signatures is taking place.

The draft law is innovative when providing that the electors who reside abroad may sign the respective supporting statement at the embassy, other diplomatic missions or consulate, and if the case may be, online. Hence the place and time for collecting the supporting signatures is decided by the Chairperson of the respective representative office so that the electors are duly informed on the method used to provide full access to the Albanian citizens.

This chapter also includes the modalities of the relation with CEC and its role in the preparation process of the Initiative. The process for submission of the forms of the supporting statements at the CEC and their verification is laid down here as well as the right of the CEC to verify the information of the supporting statement signatures. If the CEC will find any inconsistency or irregularity, the lists are returned to the Representation/Representative Committee for completion, improvement or correction. There are also envisaged the timelines for signatures to be collected, each phase of the process and the procedures and timelines for submission of the request of the popular legislative initiative to the Assembly of Albania. The process regulating the right of the organisers to appeal against the decisions of the state institutions is also found in this chapter.

Fourth Chapter “The responsible bodies for implementation of the law and sanctions”, envisages the procedures to be applied for the appeal of the Representation/Representative Committee of the initiative filed with the Electoral College against the CEC decision to reject the registration of the supporting statements of the signatures, whereas the violation of the legal provisions which are considered as administrative infractions are punishable by fine imposed by CEC.

VI. The institutions and bodies responsible to implement the law

The institutions responsible to implement the law are the following:

- **Central Elections Commission**, which registers the Initiative, endorses, distributes and checks the Forms of Supporting Signatures;
- **Local bodies**, which participate in the process of approval of the Places for Collecting the Signatures;
- **Albanian Assembly**, where the initiative or the request for the adoption of a future law is submitted, discussed and approved.
- **Electoral College**, where an appeal could be filed against the CEC decision to reject the registration of the forms of supporting signatures.
- **Administrative Court of Appeal**, before which an appeal is filed against the CEC decisions, and against administrative infractions of the provisions of this law.

VII. The persons and institutions that contributed to the drafting of this law

The draft law was initiated by the Centre for Legal Civic Initiatives (QNL) and other partner organisations in the frame of the project “The implementation and enforcement of legal civic initiatives, through legal improvements and increasing activism of civil society”, with the support of “Open Society for Albania” (SOROS) Foundation. QNL is strongly based on the experience gained by the Albanian civil society organisations to exercise the right for popular legislative initiative to draft and achieve the adoption of the Law “On measures against violence in family relations”. It believes that the adoption of this draft law will serve to increase the valuable popular legislative initiatives as well as to the strengthening of the application of direct democracy in Albania.

QNL finalised this draft law in cooperation with other partners as: the Department of Public Law of the Law Faculty, Tirana University and other law faculties of the Universities of Vlora,

Durres and Shkoder. Other important partners involved in such process are other NGOs which took similar initiatives: the Albanian Centre for Human Rights, Res Publica, the Albanian Centre for Population and Development, Community Centre "Today for the Future" (Durres), Woman to Woman Centre in Shkoder etc. A useful assistance was also provided by the institutions which will be implementing this law and their respective directors and state officials, especially members of the Albanian Assembly, members and experts of the CEC, representatives of the local bodies etc.

VIII. Financial implications

The implementation of this law does not imply costs for the State budget.

The costs incurred starting from the collection of the signatures and communication/registration of the initiative at the CEC until the submission of the proposal at the Albanian Assembly is covered by the Representation/Representative Committee. With regard to the necessary infrastructure, it will be used the existing proper infrastructure which will be made available by the respective institutions.

TaulantBalla(signature)

VasilikaHysi(signature)