

Electoral justice in Kosovo

(Implementation of the electoral law)

Xhavit Shala¹

xhavitshala@gmail.com

This paper will deal with electoral justice in Kosovo with special focus on Kosovo in a special focus will be realization of the right to vote in the appeals process; sanctions and penalties of electoral fraud during the electoral process in local and national elections.

The goal of this research is finding answers in questions like: What is the election justice? What legal sanctions are foreseen for every electoral crime? What are the actions that natural or legal person can undertake when claiming that their electoral rights have been violated? Which institution is competent to provide electoral justice? What are the ways to restore electoral justice?

This research will deal with: analysis of the legal framework that guarantees a fair election process, relation of the competent institutions in order to establish fair election process, dealing with cases of fraud in the election and complaint process with the Election Complaints and Appeals Panel and penalties from prosecution and courts for electoral crimes during the election process in local and national elections.

Achieving a political consensus for a legal and institutional reform in Kosovo would reduce (prevent) the possibilities for abuse during the electoral process. Increased confidence and building institutional capacities to ensure justice every time when allegedly the right for vote has been violated represents security for citizens and guarantee for institutional stability. Security in the implementation of the right to vote and the correct reading of the will of the people will have impact on their participation in elections and fulfilment of internationally accepted standards for democratic elections and electoral processes in Kosovo.

Keywords: *election justice, the right to vote, electoral offense, the appellate process.*

¹ Mr.Sc, Xhavit Shala, PhD (c.) European University of Tirana, Tirana.