



Tiranë, 8 January 2014

Project: Preparatory activities for the implementation of the OSFA program of constitutional reform

Report

In relation to the OSFA program constitutional reform, Moving Culture has executed a screening of Albanian Press in order to gather all the information published from July 2008 to December 2013 relative to the topics on the constitutional reform.

The amendment made to the Constitution in 2008 undermines the system of mutual checks and balances which stood in its foundation. With this as a starting point, OSFA started to implement a program for reforming the Constitution by addressing the weaknesses that were noted during the 15 years of its adoption. OSFA has committed that by 2014 to have conducted a thorough assessment of those aspects and parts of the Constitution that need to be amended to ensure the functionality and integrity of the constitutional document.

As a preparatory of this ambitious project is the Moving Culture research in order to clarify the most discussed topics in the press relative to the constitutional reform.

All articles published on the Albanian press from July 2008 to December 2013 (in total 1,368,625) are reviewed and there have been selected 6,019 articles relative the Albanian Constitution for an exhaustive study. Out of these articles, 941 contain details on various aspects relative to changes on the Albanian Constitution. The rest result of generic mentions without breakthrough in the argument.

In a separate CD-ROM are stored in chorological fashion all the 941 articles that highlight various aspect to changes on the Albanian Constitution.

| Months | Relevant Articles on the constitutional reform found from 2008 to 2013 | | | | | |
|-----------|--|------|------|------|------|------|
| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| January | - | 0 | 5 | 4 | 11 | 0 |
| February | - | 2 | 4 | 7 | 9 | 0 |
| March | - | 2 | 0 | 3 | 31 | 9 |
| April | - | 0 | 5 | 1 | 8 | 5 |
| May | - | 1 | 1 | 4 | 19 | 3 |
| June | - | 1 | 11 | 9 | 21 | 0 |
| July | 4 | 1 | 0 | 32 | 243 | 0 |
| August | 10 | 3 | 5 | 29 | 111 | 2 |
| September | 10 | 2 | 0 | 24 | 89 | 3 |
| October | 24 | 5 | 4 | 48 | 16 | 14 |
| November | 12 | 0 | 6 | 14 | 19 | 6 |
| December | 4 | 2 | 2 | 7 | 8 | 6 |

The numbers of Relevant Articles on the constitutional reform found by months of publication from 2008 to 2013 in the Albanian press.

Furthermore, in the selection process the topics argued in those articles are retrieved and counted in order to clarify the frequency over time. In total 21 topics are identified.

The theme of “Immunity” has been the most talked throughout all five and a half years, and in addition it’s the most talked topic for each year, resulting in 608 hits in total and occupying 53.9% of all topics discussed. The second most discussed topics are the 2008 changes in constitution for the election of the President of Albania with 166 hit or equivalently 14.7% of all topics. The following discussed topics are “the selection of the members of the Constitutional Court, Supreme Court, and General Prosecutor” with 8.7%, “The Electoral System” with 6.3%. The remaining 16.4% is compromised of the topics “The election of the President by the people”, “The General Prosecutor Mandate”, “Changes in the Criminal Code”, and “The Motion of Trust and Distrust of the Prime Minister”.

| Topics | Topics Found per Year | | | | | | Total |
|--|-----------------------|------|------|------|------|------|-------|
| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | |
| The constitutional changes of 2008 / Ndryshimet e kushtetutes te vitit 2008 | 14 | 6 | 10 | 77 | 50 | 9 | 166 |
| The election of the President / Zgjedhja e Presidentit te Republikes | 0 | 0 | 5 | 13 | 4 | 9 | 31 |
| Vote of confidence – no-confidence/ Mocioni I besimit dhe mosbesimit te Kryeministrit | 18 | 2 | 3 | 4 | 1 | 3 | 31 |
| Changes in The Electoral System / Ndryshime ne sistemin zgjedhor | 19 | 8 | 2 | 25 | 9 | 9 | 72 |
| Voting age limit / E drejta e votes - Moshja minimale | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| Changes in the number of members of KQZ / Ndryshimi I nr te anetareve te KQZ | 2 | 0 | 0 | 3 | 0 | 1 | 6 |
| Participation of European citizens in local election, the right of property / Pjesmarrje e shtetaseve evropiane ne zgjedhjet lokale dhe e drejta e pronesisë | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| Immunity / Imuniteti | 25 | 6 | 19 | 77 | 464 | 17 | 608 |
| The creation of the Supreme Court / Krijimi i gjykates supreme | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| The selection of the members of the Constitutional Court, Supreme Court, and The General Prosecutor / Zgjedhja e anetareve te gjykates se larte, kushtetuese, dhe prokurorit te pergjithshem | 0 | 0 | 3 | 20 | 76 | 0 | 99 |
| Election of the General Prosecutor / Zgjedhja e kryeprokurorit te pergjithshem | 0 | 0 | 1 | 2 | 0 | 0 | 3 |
| The Mandate of the General Presecutor / Mandati i prokurorit te pergjithshem | 6 | 1 | 0 | 0 | 37 | 1 | 45 |
| Increase of competencies for the Head Prosecution / Shtimi i kompetencave te Kryeprokurit | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Criminal Code / Kodi penal | 0 | 0 | 0 | 0 | 4 | 5 | 9 |
| Limitation of public debt / Kufizim i borxhit publik | 0 | 0 | 0 | 0 | 5 | 0 | 5 |
| The Constitutional Court / Gjykata Kushtetuese | 0 | 0 | 0 | 1 | 0 | 2 | 3 |
| Albanian citizenship / Shtetesia shqiptare | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Electoral Code / Kodi zgjedhor | 6 | 0 | 4 | 27 | 1 | 0 | 38 |
| Family Code / Kodi i familjes | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Public Order / Forcat e rendit | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Open meetings in the assembly / Mbledhje te hapura ne kuvend | 0 | 1 | 0 | 0 | 0 | 0 | 1 |

The numbers of Relevant Articles on the constitutional reform found from 2008 to 2013 in the Albanian press the topics discussed in those articles.

Immunity is the most discussed with 608 articles and 76% of those are published in 2012. The second topic is the election of the President followed by selection of the members of the Constitutional Court, Supreme Court, and The General Prosecutor.

Moving Culture has identified also the authors of these articles. The authors that have written more about the Constitution are Suela Topi, Rozeta Rapushi ,Eglantina Alliaj etc. The detail findings about frequency, topics and authors are in an Excel file CD-ROM attached to this report.

Chairman

Ardian Mullahi