



Office for Democratic Institutions and Human Rights

REPUBLIC OF ALBANIA

PARLIAMENTARY ELECTIONS 25 April 2021

ODIHR Limited Election Observation Mission
Final Report



Warsaw
26 July 2021

TABLE OF CONTENTS

| | | |
|--------------|--|-----------|
| I. | EXECUTIVE SUMMARY | 1 |
| II. | INTRODUCTION AND ACKNOWLEDGMENTS | 3 |
| III. | BACKGROUND AND POLITICAL CONTEXT | 4 |
| IV. | LEGAL FRAMEWORK..... | 5 |
| V. | ELECTORAL SYSTEM..... | 6 |
| VI. | ELECTION ADMINISTRATION..... | 7 |
| | A. THE CENTRAL ELECTION COMMISSION | 7 |
| | B. LOWER-LEVEL COMMISSIONS | 8 |
| | C. ELECTION TECHNOLOGIES | 9 |
| VII. | VOTER REGISTRATION..... | 11 |
| VIII. | CANDIDATE REGISTRATION | 12 |
| IX. | ELECTION CAMPAIGN..... | 14 |
| X. | CAMPAIGN FINANCE..... | 17 |
| XI. | MEDIA | 18 |
| | A. MEDIA ENVIRONMENT AND LEGAL FRAMEWORK | 18 |
| | B. MEDIA MONITORING FINDINGS..... | 20 |
| XII. | PARTICIPATION OF NATIONAL MINORITIES | 21 |
| XIII. | COMPLAINTS AND APPEALS | 22 |
| XIV. | ELECTION OBSERVATION..... | 24 |
| XV. | ELECTION DAY | 24 |
| XVI. | RECOMMENDATIONS | 26 |
| | A. PRIORITY RECOMMENDATIONS..... | 26 |
| | B. OTHER RECOMMENDATIONS..... | 27 |
| | ANNEX I: FINAL ELECTION RESULTS | 29 |
| | ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION | 30 |
| | ABOUT ODIHR | 34 |

REPUBLIC OF ALBANIA
PARLIAMENTARY ELECTIONS
25 April 2021

ODIHR Limited Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the government of the Republic of Albania and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed a Limited Election Observation Mission (LEOM) to observe the 25 April 2021 parliamentary elections. The ODIHR LEOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. For the short-term election observation, an International Election Observation Mission (IEOM) was formed as a common endeavour of the ODIHR LEOM, a delegation of the OSCE Parliamentary Assembly and a delegation of the Parliamentary Assembly of the Council of Europe.

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 26 April concluded that “In the 25 April elections, voters had a choice of candidates, who were able to campaign freely, under a legal framework which respects fundamental freedoms. Following a breakthrough agreement ending a political stalemate, the key stakeholders had sufficient confidence in the elections to participate. A reformed Central Election Commission (CEC) dedicated itself to overseeing the electoral process in an organised and transparent manner, despite significant new obligations, including the implementation of new technologies. The ruling party derived significant advantage from its incumbency, including through its control of local administrations, and from the misuse of administrative resources. This was amplified by positive coverage of state institutions in the media. Allegations of vote buying by political parties were pervasive during the campaign and a high number of investigations were opened in this regard. In a limited number of voting centres and counts observed, the process was largely transparent and smooth.”

The parliamentary elections were held following a breakthrough political agreement achieved in June 2020, which was followed by electoral reform. The elections took place against the backdrop of ongoing accession talks with the European Union.

The Constitution guarantees fundamental freedoms, and despite several ambiguities and inconsistencies, the Electoral Code serves as an adequate basis for the conduct of democratic elections. While the July 2020 changes in the Election Code were based on a wide political consensus and followed an inclusive consultative process, further constitutional and electoral amendments adopted in October 2020 were not preceded by due consultation with stakeholders. While a number of ODIHR and Venice Commission recommendations were addressed in the legislative changes, other recommendations remain outstanding, including those related to de-politicisation of lower-level election commissions, suffrage rights of persons with disabilities, criminal liability for defamation and use of campaign materials in the news.

The 140 members of parliament were elected for a four-year term through a recently modified regional proportional representation system, with voters able to cast preferential votes in 1 of the 12 multi-member districts. The system allows for independent candidates but does not guarantee them equal opportunities compared with the party candidates, contrary to international standards and OSCE Commitments. The number of seats allocated for each district in general ensured the equality of the

¹ The English version of this report is the only official document. An unofficial translation is available in Albanian.

vote. The new parliament will convene in September 2021, following the certification of election results and the swearing in of new members.

Parliamentary elections were generally well organized by the election administration. The newly formed CEC with its three distinct branches took on extensive new responsibilities following the recent legal amendments. Notwithstanding delays, including in the adoption of essential regulations, the launch of a voter education campaign and training of polling staff, the CEC managed to adequately fulfil most of its obligations, including complex new ones related to electronic voter identification. It operated transparently and held public sessions live-streamed and open to participation by stakeholders. Overall, the election administration at all levels enjoyed the trust of stakeholders.

Moving towards the introduction of electronic voting was part of the political agreement and the 2020 electoral reform. The CEC piloted new voting and counting technology in 32 voting centres in Tirana out of the total 5,199 voting centres in the country. The very short timeframe for implementation did not allow for substantive public discourse and independent scrutiny of the new technologies.

Voter registration is passive, and most IEOM interlocutors expressed confidence in the overall process of compiling voter lists. The total number of registered voters was some 3.5 million, including those residing abroad. The electronic voter identification system was newly established in all voting centres for election day, without prior pilots. Most IEOM interlocutors lauded the new system as they perceived it as a measure to mitigate the risk of double voting, family voting and voter impersonation on election day. However, the short timeframe of procurement and setup of the new system did not allow for substantive public discourse, an important component for ensuring public trust.

In an inclusive and consistent process, the CEC registered 10 political parties and 2 coalitions to compete nationwide, and 5 independent candidates to contest in 5 districts. In total, 1,871 candidates, including 732 women (40 per cent), were registered. In line with the law, leaders of seven political parties stood in more than one electoral districts, while other candidates may only stand in one, which violates the right to stand on equal terms.

Fundamental freedom of peaceful assembly was respected, and electoral subjects could all campaign freely, despite restrictions imposed due to the COVID-19 pandemic and the inconsistent application of fines for breaches of anti-pandemic regulations. The campaign lacked vigour, and messaging focused on the main party leaders, rather than on genuine issue-driven discourse. Widespread practices of vote-buying, as alleged by many IEOM interlocutors, remained a problem. The leaking of sensitive personal data of some 900,000 Albanian citizens before elections, including their political preferences, was of serious concern and made voters vulnerable to pressure.

The main parties all attempted to increase the visibility of women as candidates in the campaign, and the mandatory quota for women was exceeded in most candidate lists. Women received over one third of the seats in the new parliament. Female candidates and other actors received only 19 per cent of campaign coverage in the news and current-affairs programmes in the media monitored by the ODIHR LEOM. Women were underrepresented throughout the election administration.

Despite a robust legal framework in place to prohibit the misuse of administrative resources and minimise the advantage of incumbency, ministers continued to campaign during official engagements. The resulting publicity gave the ruling party a significant advantage. The alleged provision of incentives and pressure on civil servants were areas of concern. In his official capacity, the President campaigned against the ruling party.

Political parties, which obtained at least 1 per cent of votes in the last parliamentary elections, received public funding for their campaigns. Contestants could also finance their campaigns from their own

funds, donations from Albanian citizens and legal entities, and bank loans. The CEC as oversight body for campaign finance adopted binding regulations at an advanced stage of the electoral process, which resulted in legal ambiguity. Contestants are not required to submit financial reports before election day, thus limiting transparency and the ability of voters to make an informed choice based on knowledge of sources of campaign funds.

The media environment is crowded. Editorial independence is negatively impacted by owners' interests, which induces self-censorship. Journalists remain vulnerable to pressure and corruption. Regulations governing media coverage of the campaign narrow access to the media for smaller parties and independent candidates. Broadcasters refrained from in-depth and analytical coverage of all contestants. This, combined with party-produced content in news programmes, limited voters ability to make an informed choice. Regrettably, no televised debate between political leaders was organised.

The Electoral Code provides for a comprehensive framework for the resolution of election disputes. Both, the newly created Complaints and Sanctions Commission of the CEC and the Electoral College of Court of Appeals in Tirana considered election disputes. Complaints and appeals can be brought on issues such as candidate registration, the misuse of administration resources and election results, and for this election were considered in an open and due process, with the parties' procedural rights respected and decisions reasonably justified. Some 30 criminal investigations of vote-buying and some 50 criminal cases on other irregularities were initiated in relation to the 2021 elections.

The law provides for party, citizen and international election observation. Unlike party observers, the law still does not allow citizen observers to receive counting and tabulation results protocols. The CEC registered 17 citizen observer groups with some 2,000 observers.

The IEOM did not undertake systematic or comprehensive observation of election day proceedings. In the limited number of voting centres visited, the voting process was calm, and the secrecy of the vote was mostly respected. Overall, the COVID-19 preventive measures, including social distancing, were not always respected. In the limited number of counts observed, the process was largely transparent and smooth. The CEC started to post detailed preliminary results on its website on election night, thus ensuring transparency. The final turnout was 46.3 per cent.

This report offers recommendations to support efforts to align elections in the Republic of Albania with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations focus on the need to further review the legal framework, guarantee the right to a free and secret choice, identify, investigate and prosecute cases of vote-buying, ensure the security of citizens' personal data, and limit the use of campaign materials in the news. ODIHR stands ready to assist the authorities to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the government of the Republic of Albania, and based on the recommendation of a Needs Assessment Mission conducted from 25 to 28 January, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established a Limited Election Observation Mission (LEOM) on 18 March. The LEOM, headed by Ambassador Urszula Gacek, consisted of a 13-member core team based in Tirana and 24 long-term observers who were deployed on 26 March throughout the country. The LEOM remained in Albania until 7 May to follow post-election developments.

For election day, the ODIHR LEOM was joined by delegations from the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) to form an International

Election Observation Mission (IEOM). Azay Guliyev was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the OSCE short-term observer mission. The OSCE PA delegation was led by Reinhold Lopatka, and the PACE delegation was led by Aleksander Pocij. Each of the institutions involved in this IEOM has endorsed the 2005 Declaration of Principles for International Election Observation. On election day, 125 observers from 32 countries were deployed, including 42 observers deployed by ODIHR, as well as a 60-member delegation from the OSCE PA, and a 22-member delegation from the PACE. Women comprised 35 per cent of observers.

The ODIHR LEOM assessed compliance of the electoral process with OSCE commitments and other international obligations and standards for democratic elections and with national legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference in Tirana on 26 April.²

ODIHR wishes to thank the authorities for the invitation to observe the elections and the Central Election Commission (CEC) and the Ministry of Foreign Affairs for their assistance and co-operation. It also expresses its appreciation to representatives of other state and local institutions, political parties, civil society, media, the international community, and other interlocutors for sharing their views.

III. BACKGROUND AND POLITICAL CONTEXT

On 6 September 2020, President Ilir Meta called parliamentary elections for 25 April 2021. The elections took place during the global COVID-19 pandemic.

Albania is a parliamentary republic, with legislative powers vested in the 140-member unicameral parliament, and executive powers exercised by the government headed by a prime minister. The political scene is dominated by two political parties, the Socialist Party (SP) and the Democratic Party (DP). The SP won the last 2017 parliamentary elections, thus giving Prime Minister Edi Rama a second term in office.³ In February 2019, the DP and Socialist Movement for Integration (SMI) rescinded all their parliamentary mandates after parliament had voted down their initiative on the vetting of politicians. The CEC passed the vacant seats to remaining registered candidates, according to the law.⁴ This resulted in both duly appointed assembly members (MPs) sitting in opposition, and an extra-parliamentary opposition. The 2019 municipal elections were subsequently held without the participation of the DP and the SMI. The result was a complete takeover of all mayoral positions by the SP-led *European Albania* coalition.⁵ In effect, the SP gained absolute control over central and local governments.

In March 2020, upon the positive recommendation of the European Commission, the Council of the European Union opened accession negotiations with Albania. As part of this process further conditional requirements were set, *inter alia*, additional institutional reform and the implementation of ODIHR election-related recommendations.⁶ In June 2020, the SP and the parliamentary and extra-parliamentary

² See all previous [ODIHR election-related reports on Albania](#).

³ According to the 2017 elections: the SP received 74 seats; the DP - 43; SMI - 19; Party for Justice, Integration and Unity (PJIU) - 3; Social Democratic Party (SDP) - 1.

⁴ Mandates of 58 opposition MPs were relinquished. The CEC filled some vacancies from among the candidates registered in the DP and SMI lists for the 2017 elections, leaving the parliament with the ability to meet the quorum requirement.

⁵ Of the 61 mayoral races, the SP-led coalition won 60 and the Greek Ethnic Minority for the Future party won 1. In the local council elections, the winning coalition received over 96 per cent of the seats.

⁶ The Council of the European Union [determined](#) that before it is given an Intergovernmental Conference “[...] Albania should adopt the electoral reform fully in accordance with ODIHR recommendations, ensuring transparent financing of political parties and electoral campaigns [...]”.

opposition parties reached a breakthrough political agreement on electoral reform. This brought the opposition parties back into the political process.

President Meta, formerly the chairperson of the SMI, exhibited a strained public relationship with Prime Minister Rama and took election related initiatives and publicly criticised the government in strong terms.⁷ On 9 June 2021, the parliament, by overwhelming majority, voted to impeach President Meta, among other reasons referring to his undue involvement into the 2021 elections. This decision is subject to confirmation by the Constitutional Court.⁸

In the outgoing parliament, women were underrepresented with 26 per cent of seats (36 MPs); however, in the government they held more than half of ministerial posts.⁹ In a positive development, women received 48 seats (34 per cent) in the new parliament.

IV. LEGAL FRAMEWORK

The legal framework for the parliamentary elections consists of the 1998 Constitution, the 2008 Electoral Code, both last amended in 2020, and other relevant laws and regulations.¹⁰ Albania is party to a number of major international legal instruments related to democratic elections.¹¹

The Constitution guarantees fundamental freedoms, and the Electoral Code serves as an adequate basis for the conduct of democratic elections. However, recent legal amendments caused some inconsistencies and ambiguities, and impaired legal certainty and efficient administration of the elections, especially given the short time between the amendments and the elections.¹²

Following an open, inclusive and deliberative process, parliament, with the support of the international community, adopted a number of amendments to the Electoral Code on 23 July 2020. These altered the structure of the CEC, provided for additional regulatory safeguards against the misuse of public resources and strengthened guarantees for gender balance on candidate lists, addressing previous ODIHR recommendations. Amendments also related to public and private financing of the campaign, oversight of campaign coverage in the media, and election dispute resolution. The reform also provided for electronic voter identification on election day, the possibility of introducing voting from abroad, and piloting new voting and counting technologies.

⁷ The president was appointed in April 2017 by the parliament constituted according to the 2013 parliamentary elections. On 25 March 2021, President Meta launched his own initiative called [Denounce Election Crime](#), in which he encouraged citizens to report any violations and pledged to “take all necessary actions to address any denunciation, and make public the facts related to illegal interference in the electoral process”.

⁸ At the time of publication of this report, the case was still pending before the Constitutional Court.

⁹ According to the 2021 statistics from [UN Women](#), Albania is 1 of only 13 countries in the world to achieve gender parity for women at government level.

¹⁰ Including the 2000 Law on Political Parties, 2001 Law on Demonstrations, 2008 Law on Protection of Personal Data, and 2008 Law on Gender Equality, 2013 Law on Audio-visual Media, 2015 Law on Guaranteeing the Integrity of Persons Elected, Appointed, or Exercising Public Functions (the so-called Law on Decriminalization).

¹¹ These include the 1966 International Covenant on Civil and Political Rights (ICCPR), 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1979 UN Convention on the Elimination of All Forms of Discrimination against Women, 2003 UN Convention against Corruption (UNCAC), 2006 Convention on the Rights of Persons with Disabilities (CRPD), as well as the 1950 European Convention on Human Rights (ECHR). Albania is a member of the Council of Europe’s Venice Commission and Group of States against Corruption (GRECO).

¹² For example, Article 145.2 of the Electoral Code refers to the older edition of Article 24 which was repealed after the July 2020 amendments; the restriction on the voting rights of persons with intellectual or psychosocial disabilities was removed from Article 44, but remained in the Constitution (Article 45) and in Article 53 of the Electoral Code. The Electoral Code contains vague regulations on the upper limit of number of candidates on candidate lists.

Despite the constitutional and electoral reforms in 2020, several previous ODIHR recommendations remain unaddressed, including those related to de-politicisation of lower-level election commissions, suffrage rights of persons with intellectual or psychosocial disabilities, criminal liability for defamation, use of party campaign materials in the news and equal rights of party and citizen observers.

The legal framework needs further review to address outstanding ODIHR and Venice Commission recommendations and a number of ambiguities and inconsistencies. The changes in the law should be preceded by an open and inclusive consultation process, and be enacted well before the next elections.

The CEC adopted regulations to supplement the laws. In a number of cases, such regulations were adopted at an advanced stage of the campaign, undermining legal certainty and the effective administration of the elections.¹³ In addition, the ODIHR LEOM also noted broad interpretation of the legislation.¹⁴

In order to guarantee legal certainty and effective election administration, binding sub-regulations should be in line with the primary legislation and be enacted in a timely manner.

V. ELECTORAL SYSTEM

The 140-member parliament is elected for a four-year term through a regional proportional system. Candidates are elected from 12 multi-seat electoral districts, which correspond to administrative regions. The number of seats allocated for each district depends on the number of citizens registered in the respective district and in general ensured the equality of the vote.¹⁵

On 30 July 2020, constitutional amendments introduced preferential voting.¹⁶ Following subsequent amendments on 5 October, the Electoral Code replaced the regional threshold for electoral subjects to qualify for seat allocation¹⁷ with a national threshold of 1 per cent, provided for a minimum number of candidates on the party lists, and allowed leaders of political parties to stand as candidates in up to four electoral districts.¹⁸ The Council of Europe's Venice Commission and ODIHR regretted that the procedure for adopting the amendments to the Constitution and subsequently to the Electoral Code was "extremely hasty", and was not preceded by a due consultation process. They also noted that amendments concerning the minimum number of candidates disadvantaged smaller parties, and raised concerns over possibility for party leaders to stand in several constituencies.¹⁹

¹³ For example, procedures stipulating COVID-19 related measures on election day were approved on 24 April, one day before voting; rules, procedures and templates for the contestants' final reporting on donations and expenditures and on campaign finance oversight were adopted on 6 and 14 April.

¹⁴ For instance, Article 10 of the Regulator's Decision No.11, on the formation of Voting Centre Commissions (VCCs), provides that VCC members can be replaced upon the request of the electoral subject that proposed them, while the Electoral Code does not provide for this.

¹⁵ In December 2020, the Regulator allocated seats per each district. Due to demographics, Tirana gained two more seats, while Diber and Gjirokaster each lost a seat as compared to the 2017 elections. Two districts exceed the 10 per cent deviation from the country's average number of citizens per seat (13.7 per cent in Gjirokaster and 13.0 per cent in Kukes), remaining in line with good electoral practice.

¹⁶ Several parties, including the main ones, informed the IEOM that they were not in favour of preferential voting.

¹⁷ An electoral subject is a political party, coalition or independent candidate contesting the elections.

¹⁸ The October 2020 changes in the Electoral Code also prescribed that one political party in a coalition needs to take the leading role and refined certain electoral procedures.

¹⁹ See the [Joint Opinion of the Venice Commission and ODIHR on the amendments to the Constitution of 30 July 2020 and to the Electoral Code of 5 October 2020](#).

Applying the nationwide threshold to independent candidates may result in the candidate requiring a significantly higher number of votes to enter parliament than the number of votes required for party candidates in the respective district. This challenges the principle of standing on equal terms.²⁰

To respect the principle of equal opportunity, the nationwide 1 per cent threshold for independent candidates should be reconsidered.

The seats are allocated according to the candidates' position on the list, but the newly introduced preferential voting potentially allows voters to influence the ranking of candidates on the list.²¹ In practice, this depends on the district properties and the need for collecting a high number of personal preferential votes by relevant candidate in the list.²²

VI. ELECTION ADMINISTRATION

The election commissions included the CEC, 92 Commissions of Electoral Administration Zones (CEAZs), and 5,199 Voting Centre Commissions (VCCs). Counting was held by Counting Teams (CTs) in 92 Ballot Counting Centres (BCCs), one for each Electoral Administration Zone (EAZ). Women were underrepresented throughout the election administration; the 30 per cent gender quota prescribed by law pertains only to CEAZ members.²³

A. THE CENTRAL ELECTION COMMISSION

The 2020 legal amendments changed the formation rules of the CEC and introduced three distinct branches in its structure: the State Election Commissioner (the Commissioner) and Deputy Commissioner, the Regulatory Commission (the Regulator) and the Complaints and Sanctions Commission (CSC). The Regulator and the CSC each have five members.²⁴ All CEC members are elected by parliament by no less than three-fifths of the votes.²⁵

These elections were the first ones to be administered by the newly structured CEC. The Commissioner exercises executive powers, steers the staff, and represents the CEC in relations with third parties, while the Deputy Commissioner supervises the voter identification technology as well as recruitment and training of election officials. The Regulator is competent for approving by-laws and other normative acts. The CSC is in charge of handling complaints against the Commissioner, Regulator and CEAZs. Overall, the CEC worked transparently and enjoyed the trust and confidence of stakeholders.

²⁰ An independent candidate can run only in one district, but the nationwide threshold to enter the parliament applies to them as well. Paragraph 7.6 of the [1990 OSCE Copenhagen Document](#) commits participating States to provide "the necessary legal guarantees to enable [electoral contestants] to compete with each other on a basis of equal treatment before the law and by the authorities". Article 25(c) of the [ICCPR](#) states that "every citizen shall have the right and the opportunity [...] without unreasonable restrictions [...] to have access, on general terms of equality, to public service in his country".

²¹ To change the original ranking on the list, a candidate must receive more preferential votes than the relevant list's quotient. The quotient is established by dividing the number of votes received by the number of mandates won by the list in the respective district. The quotient may not be larger than 10,000 votes.

²² Out of 19 candidates who surpassed relevant quotient, 15 would receive their seats according to the order of the list, and only 4 candidates got a seat due to change of their original position on the list.

²³ Three out of twelve CEC members are women. Approximately one third (31.4 per cent) of 736 initially appointed CEAZ members were women, but only 15 per cent held the position of chairperson. There was no gender-disaggregated data available on the composition of the VCCs and CTs.

²⁴ Decisions of the Regulator and CSC are approved by majority of four and three votes, respectively; with exceptions stipulated in the law when it is three and four votes respectively.

²⁵ The length of mandates differs: the Commissioner and Deputy Commissioner are elected for a seven and four year terms respectively, while the members of the Regulator and CSC for five and nine year terms, respectively.

The recent legal amendments created new responsibilities for the CEC, such as launch of electronic voter identification, piloting electronic voting and counting, monitoring of the activities of public authorities. Despite the commitment of the election administration, the limited preparation time and resources led to delays in approval of the counting manual, the layout of the ballot papers and procedural acts concerning campaign financing.²⁶ Overall, the CEC coped well with a progressive increase in workload.²⁷

In order to strengthen transparency and avoid any delays in administering elections, the CEC should publish a comprehensive electoral calendar with respective deadlines, including for adopting sub-legal acts, for training and logistical tasks.

The CEC held public sessions live-streamed and open to participation by media, observers and party representatives. Transparency was further enhanced by periodic online discussions of election-related issues with civil society, and by the availability of draft decisions on the website prior to their approval.

The CEC conducted a voter education campaign, including activities aimed at first-time voters and vulnerable groups. Topics included the concept of the new electronic voter identification, new design of the ballot paper, voting procedures and vote-buying. Besides posters and billboards, spots were aired on TV and available on social networks, subtitled to minority languages. Nevertheless, many IEOM interlocutors reported that the voter information campaign was insufficient and started too late in the process, especially with respect to the electronic voter identification and the layout of the ballot. This contributed to the confusion of voters on election day and a high number of invalid ballots (see *Election Day*).

B. LOWER-LEVEL COMMISSIONS

The CEC appointed the CEAZs who further appointed the VCCs and CTs by the legal deadline. The CEAZs and VCCs each have seven members nominated by the parliamentary majority and opposition parties.²⁸ The CTs are composed of four members, two representing the majority – SP, and two representing the opposition with one DP and one SMI nominee.

Political parties may still recall their nominees from the CEAZs at their own discretion despite previous ODIHR recommendations.²⁹ Given that VCC and CT members can also be replaced until the moment before their work starts, many of the initial party nominations were formal in nature, potentially challenging the effectiveness of the election administration. The CEC informed the ODIHR LEOM that 21 per cent of CEAZ members, 13 per cent of VCC and 13 per cent of CT members were replaced, largely due to nominating party decisions. These replacements required training of new commissioners, but did not have a significant impact on the performance of the CEAZs and other election officials, who conducted their activities professionally. Training of the VCCs and CTs was organized centrally by the CEC just before election day, partly due to the late approval of counting procedures.

²⁶ The design of the ballots with the numbers and names of the candidates was approved by the Commissioner on 1 April after the Regulator refused to take a decision due to lack of competence. The CSC, upon appeal by the SP, changed the content of the ballots excluding the names of the candidates. On 4 April, this decision was upheld by court.

²⁷ The Commissioner adopted around 300 decisions, and the Regulator passed over 30 regulatory acts.

²⁸ The largest parliamentary majority and the largest opposition parties propose two CEAZ members each. In addition, the next largest parliamentary majority and opposition parties propose one member each. For each CEAZ, three members were nominated by the SP and SDP and three by the DP and SMI. For these elections, the DP and SP also nominated the seventh member in 46 CEAZs each. The VCCs are composed following the same principle.

²⁹ This contravenes Section II.3.1.f of the [Venice Commission's 2002 Code of Good Practice in Electoral Matters](#), which states: "the bodies appointing members of electoral commissions must not be free to dismiss them at will".

C. ELECTION TECHNOLOGIES

For the first time, an electronic voter identification system (e-identification) operated in all voting centres (VCs) on election day. The declared aim of the new system was to mitigate the risk of double voting, possible family voting or voter impersonation. In addition, the CEC also launched a pilot project of electronic voting and ballot counting in one of the EAZs of Tirana city.³⁰

Each e-identification device contained voter lists from all VCs. Voters were identified based on ID cards or passports. Identity matching was performed electronically by cross-checking information contained on the data strip of the documents against the data held in the e-identification device.³¹ A fingerprint was also scanned to substitute the signing process on the paper voter list and saved in the device's memory, without any additional local processing.³² Following the identification, the devices printed a paper receipt containing the voter's personal data and picture for possible post-election verification.

The system procured met the legal and technical objectives set in the relevant regulations. The limited period available before election day forced the CEC to heavily rely on the vendor for software configuration, central training, technical field support, hotlines and logistics. The central role of the vendor raises questions regarding the extent to which the CEC remained in full control of developments and on all aspects of the electoral process.³³

The CEC had to implement e-identification in all VCs without undertaking any limited pilots or gradual introduction.³⁴ Due to time constraints, all detailed operational, technical, and procedural regulations were adopted only a few weeks before election day. In line with the Electoral Code, nine days before election day, the CEC performed the functional testing of the 3 per cent of e-identification devices. However, the limited public testing might not reveal all possible malfunctions of the devices. According to the CEC, on election day in some 80 VCs procedures were delayed, or the use of the e-identification devices was discontinued due to hardware defects.³⁵ Although most IEOM interlocutors, including all largest parties, expressed support for e-identification, the time constraint, lack of public scrutiny and lack of impartial audit made it difficult for stakeholders to develop an independent assessment of the preparatory procedures, final software and correct the functioning of the e-identification system.³⁶

Technical operators, recruited by the CEC, facilitated the e-identification at each VC. The CEC informed the ODIHR LEOM of a shortage of technical operators outside the main urban centres due to last-minute resignations, which resulted in delays in some VCs and the need to revert to paper voter lists in 86 VCs.

³⁰ The physical devices and the accompanying software for both the devices and the voter list management system, were procured through an international tender called in October 2020. Only one company participated in the final bid and was chosen as the vendor for the e-identification system on 10 February. The electronic voting and counting equipment and accompanying software was procured from the same company.

³¹ A second attempt to vote in the same VC was deterred by the e-identification device emitting a loud audio-notification and did not allow for the procedure to continue.

³² The dactyloscopic data collected could be used as evidence in possible post-election complaints and scrutiny. All personal data stored in the device or external memory was encrypted.

³³ See also the [ODIHR Handbook for the Observation of New Voting Technologies](#).

³⁴ According to good electoral practice, the introduction of a technology into the electoral process should be gradually made through limited pilots. This allows associated risks and challenges to be addressed before full-scale adoption.

³⁵ The most common defects were faulty receipt printers and fingerprint scanners not working in a consistent manner, especially for older voters. If the fingerprint could not be lifted, the voter signed the record manually.

³⁶ The [ODIHR Handbook for the Observation of New Voting Technologies](#) explains, "An incremental approach to introduction, together with thorough testing, verifiability and full transparency, can help develop public confidence in [new voting technologies]".

According to the Electoral Code, the purpose of gathering the dactyloscopic data was the post-election verification of instances of multiple voting, which was held in parallel to uploading the gathered fingerprint data to the CEC central database.

The Information and Data Protection Commissioner (IDPC), in consultation with the CEC, issued detailed recommendations for processing and maintaining the data, including fingerprints collected and camera recordings made in all VCs. The CEC adopted a regulation on the e-identification system's personal data protection and usage only on 23 April but failed to inform voters of how their personal data would be used, as recommended by the IDPC.³⁷

Electronic voting and ballot counting was piloted in one of the EAZs of Tirana city encompassing 32 VCs with 23,597 registered voters.³⁸ The electronic voting took place on local devices without Internet connection, and the voter identification process was procedurally and technologically separated from the voting process to guarantee secrecy of the vote.³⁹ Voting equipment consisted of a touchscreen module and a connected paper audit trail printer.⁴⁰ Voters could verify the electronic vote on a separately printed and collected paper slip, which held the vote in visual and QR-code format. As a contingency measure, all VCs were supplied with paper ballots in case electronic voting was not possible.

The CEC organized a nine-day demonstration of the equipment with access for all interested parties and held a limited functionality test of the technology three days before election day.⁴¹ However, the design of the electronic ballot used was changed close to election day and was not the same as what had been publicly presented and demonstrated.⁴² Due to a limited public discussion and education, voters required a heightened level of guidance to complete the procedure, as observed by the IEOM.

No pre-election independent audit or certification of the hardware and software applied for electronic voting was performed, as it was not prescribed for in the law.⁴³ The procurement process of voting equipment ended a month before, and the configuration of the software a week before election day, leaving a short preparatory period. Notwithstanding the limited scope of the pilot, the short timeframe did not allow for substantive public discourse and independent scrutiny of the system, including by civil society, both of which are important components for ensuring trust in a new voting technology.⁴⁴

The electronic votes were summarized and tabulated at EAZ level while being transferred from the voting devices to an offline local tabulation server by manual data carriers. Entry in the election

³⁷ According to the 23 April CEC decision, the collected fingerprints would be stored for up to three months after the final proclamation of the election results. This decision was made public only after election day.

³⁸ The voting process was designed to follow the paper-voting model, offering the voter also options to vote only for the electoral subject, skipping the preferential vote or casting a blank vote.

³⁹ The voting procedure for every voter was initiated by the VCC manually. All voting procedures, which required the use of voting equipment were performed anonymously, so that the vote could not be linked to the voter.

⁴⁰ Every VC had two sets of electronic voting equipment.

⁴¹ Between 3 and 11 April, the public demonstration at the CEC premises was attended by 547 voters.

⁴² The last-minute changes in the electronic ballot structure mimicked the paper ballot composition, displaying only the electoral subject names and the numbers for preferential voting. However, during the demonstration, candidates' names had been displayed.

⁴³ According to the [Council of Europe recommendation CM/Rec\(2017\)/5 on standards for e-voting](#) "Before an e-voting system is introduced [...], an independent and competent body shall evaluate the compliance of the e-voting system and of any information and communication technology component with the technical requirements." The [ODIHR Handbook for the Observation of New Voting Technologies](#) states that "In order for certification to be meaningful, the certification body should be competent and independent from vendors, suppliers and election administrators".

⁴⁴ According to the [Council of Europe recommendation CM/Rec\(2017\)/5 on standards for e-voting](#) "[...] only those e-voting systems which are secure, reliable, efficient, technically robust, open to independent verification and easily accessible to voters will build public confidence, which is a prerequisite for holding e-elections".

management and publication system of the CEC was also performed manually. According to the Electoral Code, the electronic voting results are verified after the announcement of the final election results. The manual recount of paper audit trails of electronic votes is implemented in at least 10 per cent of randomly selected VCs.

To enhance transparency and public confidence, adequate time and resources for effective preparation and meaningful possibilities for public and independent scrutiny of election technologies should be ensured. In case of use of electronic voting on a larger scale, applying verification methods such as risk limiting audits should be considered.

VII. VOTER REGISTRATION

Albanian citizens aged 18 years or older on election day are eligible to vote. Citizens found incompetent by a court decision cannot vote, which is at odds with international obligations prohibiting discrimination based on disability.⁴⁵ Citizens serving a prison sentence for committing certain crimes may not vote.⁴⁶ The voter registration system is passive, but voters over 100 years of age had to confirm their records for re-inclusion.⁴⁷

To ensure universal suffrage and equal treatment before the law, restrictions based on mental disabilities should be abolished and the obligation to register voters over 100 years old should be placed on the state.

Voters are included in the voter list of the VC serving their place of residence, based on the electronic database of the National Civil Status Register, maintained by the General Directorate of Civil Status of the Ministry of Interior (GDCS). The latter monthly published updated extracts of the voter lists, starting from October 2020. Corrections to voter lists were possible up to 40 days before election day in local GDCS offices; thereafter voters could correct their data through local courts. After the final publication of voter lists on 15 March, voters could check the printed lists at the local GDCS offices and VCs, or online. The final number of registered voters was 3,588,869, including those who reside abroad.⁴⁸ Most ODIHR LEOM interlocutors expressed confidence in the overall process of compiling voter lists.

As per the GDCS, some 800,000 voters' ID documents had expired before election day. In March, the Government extended their validity till 30 April 2021, thus ensuring ability to vote to all voters affected.

⁴⁵ While the restriction on the voting rights of these people was removed from an article in the Electoral Code in July 2020, it remained in other articles and in the Constitution. Article 29 of the [CRPD](#) requires States to “guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others”. See also Paragraph 48 of [General Comment No. 1 to Article 12 of the CRPD](#). Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) provides that participating States will “guarantee universal and equal suffrage to adult citizens”.

⁴⁶ The Law on Decriminalization suspends the voting rights of citizens serving a prison sentence for committing crimes listed in more than 80 articles of the Criminal Code (ranging from election related offences to severe crimes). According to the Ministry of Justice, these citizens constitute nearly half of all prisoners.

⁴⁷ See Article 26 of the [ICCPR](#). Paragraph 5.9 of the 1990 OSCE Copenhagen Document states: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law”. The ODIHR LEOM was informed that 2,861 records of voters over 100 years of age were removed from the voter register, and 446 were reinstated on the final voter list.

⁴⁸ According to the [Albanian Institute of Statistics](#) (INSTAT), the number of the so-called “new diaspora” in 2020 was estimated at 1.68 million of Albanian citizens (37 per cent). The new diaspora term applies to those who emigrated after the 1990s.

While foreseen as a possibility in the Electoral Code, no out-of-country voting was offered to citizens. Voters residing abroad could, however, return and vote in their respective VC. In practice, COVID-19 measures may have hampered the unimpeded entry into the country (see *National Minorities*).⁴⁹

The CEC supervised the voter list compilation process. Two auditors appointed by the CEC in October 2020 assessed the accuracy of the voter lists and noted issues such as changes of voters' address data without informing voters, and delayed or missing delivery of voter notifications in some municipalities.⁵⁰ According to the Ministry of Interior and some other ODIHR LEOM interlocutors, only a limited number of the municipalities fulfilled the obligations to notify voters. Inconsistent voter notification procedures and late changes in the VC locations might have hampered opportunities for public scrutiny of the voter lists. The e-identification devices allowed for redirection of voters in case they showed up at a wrong VC.⁵¹

Local authorities should ensure that all voters are informed in a timely manner about the place and time for voter list scrutiny and the location of their respective voting centres. Considerations could be given to moving deadlines for notification of voters closer to election day.

VIII. CANDIDATE REGISTRATION

Any eligible voter has the right to stand, except those serving a prison sentence or with a prior conviction for specific crimes as well as those deported from a number of countries or subject to a search warrant.⁵² Restrictions on those deported and under a search warrant, whose guilt has not been established by a court, are contrary to the principle of presumption of innocence enshrined in key international human rights instruments.⁵³ The Constitution lists categories of officials whose position is incompatible with the right to stand.⁵⁴

Restrictions on the right to stand of those deported and under a search warrant, whose guilt has not been established by a court, should be lifted.

Candidate lists can be submitted by political parties and coalitions of parties, which are first registered with the CEC as electoral subjects. Candidate lists must be submitted for each of the 12 electoral districts.⁵⁵ Independent candidates can compete through nomination by a group of voters.⁵⁶ A candidate may only appear in one list. The 2020 legal amendments provide an exception to this rule for

⁴⁹ On 19 April, the Minister of Health issued a controversial order imposing a 14-day mandatory isolation for people arriving from Greece and North Macedonia.

⁵⁰ The GDCS initiated certain changes in the voters' address data and claimed that these did not result in relocation of voters to other VCs. By law, voter notifications were to be delivered up to 2 December 2020. The CEC changed the location of some 100 VCs after this deadline due to inadequate technical conditions or limited access to the premises.

⁵¹ According to the CEC, some 186,000 voters (5 per cent of all voters) were redirected to another VC on election day.

⁵² The Law on Decriminalization refers to deportation from an EU Member State, Australia, Canada and the United States. It also references citizens convicted for certain crimes.

⁵³ See Article 14 (2) of the [ICCPR](#) and Article 6 (2) of the [ECHR](#). Paragraph 5.19 of the 1990 OSCE Copenhagen Document states that "everyone will be presumed innocent until proved guilty according to law".

⁵⁴ Judges, prosecutors, military, police and national security officers, diplomatic representatives, mayors, prefects, members of election commissions, President of the Republic, high state administration officials determined by law.

⁵⁵ Candidate lists must be supported by 5,000 voter signatures for parties or 7,000 signatures for coalitions nationwide. The parliamentary parties and coalitions where the participating parties jointly hold a number of parliamentary seats not fewer than the number of parties in the coalition, do not collect signatures. Voters may support multiple lists.

⁵⁶ Groups of voters should consist of at least nine voters and be registered with the CEC to collect signatures in the support of the candidate from 1 per cent of voters of the respective electoral district, but no more than 3,000. Independent candidates are exempt from this obligation if they are MPs.

chairpersons of parties who can run in up to four electoral districts but may hold only one mandate of their choice, if elected.⁵⁷ This violates the right to stand on the same terms (see *Electoral System*).

The possibility for leaders of political parties to compete in several electoral districts should be revised to maintain the principle of equality.

Candidate and party/coalition registration was inclusive. Out of the initial 49 party requests 46 subjects were registered as were 3 coalitions at a later stage. The CEC registered candidate lists of 10 political parties and 2 coalitions to compete nationwide, and 5 independent candidates.⁵⁸ In total, 1,871 candidates, including 732 women (40 per cent), were registered.

The Electoral Code defines women as belonging to the underrepresented gender.⁵⁹ At least one third of candidates of the underrepresented gender must be nominated in each list. Given that the Electoral Code is unclear about the sequencing of women in candidate lists, the CEC interpreted that every three candidates on the list should include at least one woman (starting with number one).

The number of candidates on a list may not be less than the number of seats in parliament assigned to the respective electoral district, and may exceed this number by up to two.⁶⁰ The law is ambiguous as to whether there is an upper limit for the number of candidates on a list. On 18 March, the Commissioner denied registration to a total of 69 candidates nominated by the coalition DP-Alliance for Change, on the basis that these nominations were in excess of the “implied” upper limit. The CSC overruled the Commissioner’s decision; however, on 30 March, the Electoral College upheld the Commissioner’s decision effectively enforcing an upper limit for the number of candidates per list.⁶¹

In order to ensure legal certainty, considerations could be given to revising provisions related to the maximum number of candidates on the lists and the sequencing of candidates of different genders.

Candidacies were verified by the CEC in line with the Electoral Code and the Law on Decriminalization.⁶² Before the registration of the lists the CEC removes ineligible candidates, and the parties are granted the opportunity to replace them. Once registered, a candidate list cannot be altered. If new information resulting in the disqualification of a candidate comes after the list is registered, the candidate remains on the list but cannot hold the mandate if elected. The process of disqualification and revocation of mandates is continuous throughout the electoral cycle.

⁵⁷ Leaders of Albanian Democratic Movement, Albanian National Front, Hashtag Initiative, Movement For Change, SDP, SMI and SP stood for election in more than one electoral district.

⁵⁸ Five independent candidates contested in Diber, Gjirokaster, Lezhe, Shkoder and Tirana. The CEC rejected lists of the coalition *Alliance*, on the grounds that several parties left the coalition before its registration, and the lists of the National Alliance Party, which did not provide enough support signatures and did not respect gender quota.

⁵⁹ See Article 2(26) of the Electoral Code. The formulation in the law allows lists to be composed exclusively by women.

⁶⁰ The CEC’s interpretation of ‘up to two’ ensured that under all circumstances, the number of nominated candidates in a list was divisible by a factor of three in order to account for the gender quota.

⁶¹ This decision creates the possibility of insufficient reserve candidates to fill vacated seats; districts with a lower number of seats are particularly prone to this risk. The issue was raised by many ODIHR LEOM interlocutors.

⁶² The CEC verification process is conducted in co-operation with General Directorate of Prisons and the GDSCS offices. In total, the CEC sent documents of 30 candidates from 10 electoral subjects, including candidates from the DP, SDP, and SP, to the Prosecutor General Office for further investigation. By election day, the process of verification by the Prosecutor General Office was ongoing for all these candidates, but they remained on the candidate lists.

IX. ELECTION CAMPAIGN

The official campaign period commenced on 26 March.⁶³ Voters were presented with a choice of coalitions, parties, and independent candidates.⁶⁴ Despite this, in practice the debate centered around the choice between continuity or change. The political campaign, and especially its coverage by the media, lacked depth, with public messaging often focusing on personas of the main party leaders, rather than genuine issue-driven discourse. Campaign tools included both public meetings and door-to-door canvassing and, necessitated by the pandemic situation, there was an augmented online element, with a significant role for social networks and messaging platforms.⁶⁵ Promotional posters were only permitted in designated areas. Negative campaigning through the use of billboards was also observed.⁶⁶ The tone of the language used during the campaign by some party leaders and, in particular, the President, was confrontational.⁶⁷ Sometimes aggressive language was also used in the comments sections on social networks.⁶⁸

The substantive platform of the SP largely focused on the COVID-19 vaccination programme and achievements of government, including ongoing reconstructions following the 2019 earthquake. The DP-led coalition and SMI rallied around the core theme of countering the heavily centralised power of Prime Minister Rama.⁶⁹ The opposition also campaigned on the economy, financial incentives for youth and farmers, wages and employment. All parties shared the objective of EU accession.

The DP and SP, both headed by men, attempted to increase the visibility of female candidates, as did the SMI, led by a woman.⁷⁰ There were a few standout instances during the campaign of sexist language used against women. There was also some use of offensive terms for persons with disabilities directed against rival candidates, which clearly failed to meet agreed standards.⁷¹ In a positive step, the Commissioner for the Protection from Discrimination, after consulting with other bodies and political parties, established the “No Hate Alliance” which drew up a Code of Conduct for Political Parties promoting tolerance and discouraging discrimination and hate speech.

Fundamental freedoms were by and large respected, and electoral subjects could campaign freely. Restrictions were imposed due to the COVID-19 pandemic, including limitations on gatherings, distancing requirements and the use of facemasks, which created difficulties and stifled the campaign

⁶³ The official campaign period begins 30 days and ends 24 hours before election day. The SP and the coalition Democratic Party- Alliance for Change (DP-Alliance Coalition) both launched their campaigns on 25 March.

⁶⁴ The DP-Alliance Coalition included the DP together with 12 smaller parties in a broad-based coalition, including the Republican Party (RP), PJIU and Unity for Human Rights Party. The DP-Alliance Coalition and the SMI did not register as a coalition, but instead made a political agreement to co-operate in forming a government, if elected.

⁶⁵ Some ODIHR LEOM interlocutors raised concerns about the misuse of social networks by politicians during and beyond the campaign period, including by use of fake profiles and pages on social networks, allegedly to comment on politicians’ posts in a coordinated manner.

⁶⁶ In Fier, large billboards were used to disparage opposition leaders, including the leaders of the SMI and the DP as well as the former leader of the DP Sali Berisha and President Meta. Negative campaigning was also observed in Gjirokaster, Kukes and Shkoder. At times, the main parties aired negative campaign spots against each other on TV.

⁶⁷ The Commissioner [appealed](#) to parties to demonstrate composure and to avoid harsh language during the campaign.

⁶⁸ The Facebook campaign platforms of some leading candidates became heated battlegrounds, often filled with highly offensive comments. Some candidates removed negative comments from their pages.

⁶⁹ Some opposition parties made explicit that their main issue was with Mr. Rama and not the SP as such. Allegations of corruption, misuse of state resources and links to organized crime were constantly made by opposition parties.

⁷⁰ For example, at the SP campaign launch, 11 out of 14 speeches were [delivered by female candidates](#). There was prominent campaigning by female ministers. The leader of the DP presented a [programme on gender equality](#). Women made up approximately half of the SMI candidate lists, which also included a strong youth element.

⁷¹ The Commissioner for the Protection from Discrimination informed the ODIHR LEOM that he was disappointed as to the level of adherence observed during the campaign.

for all contestants.⁷² The leaders of the DP and SP informed the ODIHR LEOM at the start of the campaign of their intentions to respect COVID-19 distancing protocols. Stated intentions were followed to a greater extent. However, at some rallies, contestants were less observant of distancing and maximum attendance rules, though this attitude was not unique to any one party. The implementation of measures for breach of COVID-19 related regulations was not applied consistently by the police, and non-compliance with COVID-19 regulations during most events was tolerated.⁷³ In other cases, sanctions were applied, with fines affecting the independent candidates disproportionately and contributing to legal uncertainty.⁷⁴

As in the previous elections, credible allegations of vote-buying were present during and after the campaign, and investigations were initiated in number of cases.⁷⁵ Such allegations were not limited to any one party.⁷⁶ The DP, the most vocal against vote-buying activities, adopted potentially illegal

interventionist methods to “protect the vote”, self-justified in public statements.⁷⁷ Police commanders met by the ODIHR LEOM emphasised that nobody has the right to set up parallel structures to the police.

Law enforcement agencies should intensify efforts to identify, investigate and prosecute cases of vote-buying. Citizens should be encouraged to report and provide evidence of any vote-buying or pressure.

The legal framework prohibits the misuse of administrative resources, provides for reducing the advantage of incumbency, and limits budgetary expenditures during the four months prior to election day.⁷⁸ The CEC maintained a webpage where citizens could denounce electoral violations.⁷⁹ The efforts of the CEC to deploy 64 campaign monitors at extremely short notice to oversee compliance with

⁷² Temporary restrictions included a 10 people limit on gatherings based upon Order No. 633/2020 of the Minister of Health. The order was confirmed by the Constitutional Court which, however, expressed a reservation regarding the indefinite timing of the measures.

⁷³ The ODIHR LEOM was informed that the Prime Minister requested national police not to fine candidates in breach of COVID-19 protocols, and that the Mayor of Tirana issued a similar request to municipal police in Tirana.

⁷⁴ Two independent candidates were fined by the police: in Diber region, a candidate was fined with ALL 5 million (some EUR 40,000; EUR 1 is approximately ALL 123 (Albanian *Lek*) for addressing approximately 100 supporters; in Lezhe, a candidate running under the *Vetëvendosje* banner was also issued an ALL 5 million fine. The owners of premises where the gathering occurred in breach of the rules were regularly fined.

⁷⁵ The Special Anti-Corruption Structure (SPAK) informed the ODIHR LEOM that as of 24 April, it had opened over 30 cases related to vote-buying. The ODIHR LEOM was also informed by prosecutor officers in Berat and Shkoder that they had launched official investigations into vote-buying incidents. The DP filed a complaint with the SPAK containing dozens of allegations of vote-buying in Elbasan. The President made both public statements and sent written letters to national and international bodies.

⁷⁶ The ODIHR LEOM received allegations regarding vote buying by all the main parties, including numerous photos, videos and testimonies from opposition parties, alleging corrupt practices of the SDP and the SP. A few civil society groups informed the ODIHR LEOM that in certain areas, several parties had paid for the votes of the same voters, often under the guise of providing some kind of “support”.

⁷⁷ In order to “verify” information received on vote-buying the DP formed a group called “Vote Protection Structure”, [stating that](#) it was comprised of former members of the state police. On 21 April, one person was killed and three injured, in a shooting incident in Elbasan. The [Elbasan Police](#) arrested 10 people, under suspicion of illegal deprivation of liberty by force. The DP leadership disputed the version of events as presented by the police. On 23 April, the police also took actions against the “Vote Protection Structure” in [Diber](#) and [Korca](#) districts.

⁷⁸ [Decision No. 9](#) of the Regulator provides *inter alia* that in the four months prior to election day, prohibited activities include the distribution of permits validating illegal construction, registration of property titles, use in the election campaign of state resources, use of pre-university school students, employment or dismissal of staff of public institutions; furthermore, there should be no acts providing the increase of wages, pensions, financial or social support, reduction or abolition of taxes, waving of fines/taxes, or privatization.

⁷⁹ Both a smartphone application and a [website version](#) were available.

regulations were commendable. The reports of the monitors were published on the website, but were limited in scope, analysis, and clarity, which diminished their usefulness.⁸⁰

The Electoral Code requires that official public events within the four months preceding election day be reported at least five days in advance to the CEC.⁸¹ The Commissioner should then scrutinize and mark certain events as prohibited; in which case they should receive no media coverage. During the entire campaign, no events were marked as prohibited raising doubts whether the CEC had the institutional capacity to effectively review and consider all required declarations of official events.

Ministers continued with official engagements throughout the campaign. They regularly appeared at “inspection visits” of key facilities such as vaccination centres, wearing facemasks or t-shirts with “No. 12” (the SP ballot number), which drew significant publicity and constituted electioneering. The Prime Minister also inaugurated several major infrastructure projects during the campaign period. These types of events provided the SP with a significant advantage, which was already reinforced by the dominance of the SP in the local administration. In addition, public employment increased significantly in the lead up to the elections, in the period immediately preceding the moratorium on authorisation of new employment in the public administration.⁸²

The media reported that there was a huge increase in the distribution of municipal grants approved in the week prior to elections under the relevant reconstruction programme.⁸³ For many grant recipients there was also an increase in the cash value of the awards authorised by the municipality. Some ODIHR LEOM interlocutors perceived such distributions as misuse of state resources. The ODIHR LEOM received other reports that attempts were made to influence the vote through the provision of incentives, such as the issuance of permits validating illegal construction. The reports also alleged that many civil servants, a group vulnerable to pressure, were encouraged to vote for the ruling party.

Law enforcement bodies should investigate all allegations of electoral violations, including misuse of state resources, in a thorough, timely and transparent manner. Voters should be systematically informed about applicable mechanisms for reporting any instances of pressure and be assured they will not face negative consequences.

During the campaign, it emerged that a database containing the personal information and contact details of approximately 900,000 Albanian citizens, also containing likely voting preferences, leaked into the public domain.⁸⁴ Opposition parties, the President and many in the media called for an investigation by the SPAK into the alleged misuse of the personal data of citizens.⁸⁵ Unauthorized sharing or combining of voters’ personal data for the supposed purposes of democratic engagement may be considered a

⁸⁰ Many of the reports were handwritten documents. Of 63 reports submitted during the first week, 6 identified irregularities, mainly relating to the location of campaign offices or posters. One report identified non-reporting of activities of a public nature by public bodies, but without further details.

⁸¹ Information about planned activities had to be submitted via the [CEC website](#). On 24 March, the Commissioner appealed to all ministries and municipalities to exercise restraint and fulfil their obligations in relation to the prohibition on the use of state resources in support of electoral subjects.

⁸² The legal moratorium on authorisation of new employment started on 25 December 2020. According to the INSTAT, between the third and fourth quarters of 2020, employment in the public sector increased by 6 per cent (from 171,975 to 182,547). Increases in the same quarter in 2018 and 2019 were 1 and 0 per cent, respectively. On 24 December, the government authorized an additional 2,472 positions. The Prime Minister offered an explanation that the increase was due to the need for additional health and education workers, necessitated by the COVID-19 pandemic.

⁸³ In November 2019, Albania was struck by the earthquake which resulted in fatalities and widespread damage, especially in the region of Durres, requiring extensive reconstruction.

⁸⁴ The existence of the database in the public domain was independently confirmed by the ODIHR LEOM.

⁸⁵ A criminal investigation was launched by the SPAK. The IDPC also launched an investigation.

violation of the commitment to protection of the right to private and family life.⁸⁶ It may damage the confidence of the electorate, including in the secrecy of their vote.

Albania should ensure the security of citizens' personal data. Relevant institutions should thoroughly investigate and sanction any breach which impacts public confidence in the electoral process.

X. CAMPAIGN FINANCE

Campaign finance is primarily regulated by the Electoral Code. In November 2020, the Law on Political Parties was amended to repeal provisions on campaign finance, hence eliminating inconsistencies with the Electoral Code and addressing a prior ODIHR recommendation. On 6 April, 12 days after the start of the campaign, the Regulator approved the rules, procedures and templates for contestants' final reporting on donations and expenditures and on campaign finance oversight; additional guidelines and templates were approved on 14 April. Adopting binding regulation at an advanced stage of the electoral process creates undue legal ambiguity and may negatively affect contestants' campaign activity.⁸⁷

Political parties which competed in the last parliamentary elections received public funding for their regular activities.⁸⁸ Parties which obtained at least 1 per cent of votes in the last parliamentary elections also received public funding for their campaigns, proportional to the number of votes gained.⁸⁹ Independent candidates are not entitled to public funding.

Contestants might also finance their campaigns from their own funds, donations from Albanian citizens, legal entities, and bank loans.⁹⁰ Donations, including in-kind, are capped at ALL 1 million.⁹¹ Contributions above ALL 50,000 must be made through a designated bank account. The total campaign expenses of a party may not exceed ALL 167,480,000; the expenses of independent candidates cannot exceed ALL 27,913,000. Third party campaign financing is not regulated by law.⁹²

Authorities should consider legal changes to extend regulations and limits on donations and expenditures, as designated for political parties, to third parties.

⁸⁶ According to Paragraph 24 of the [1991 OSCE Moscow Document](#), the OSCE participating States “reconfirm the right to the protection of private and family life, domicile, correspondence and electronic communications. In order to avoid any improper or arbitrary intrusion by the State in the realm of the individual, which would be harmful to any democratic society, the exercise of this right will be subject only to such restrictions as are prescribed by law and are consistent with internationally recognized human rights standards”.

⁸⁷ The ODIHR LEOM observed in several regions that some candidates were unaware of finance reporting rules.

⁸⁸ The budget allocation for 2021 was ALL 140 million (approximately EUR 1,138,000). Based on the result of the 2017 elections, six parties received public support: the SP – 45.3 per cent, DP – 27.8, SMI – 14.3, PJIU – 5.3, SDP – 3.8 and Equal List – 3.5 per cent of all allocated funds for these purposes.

⁸⁹ The SP received some ALL 55.8 million; DP – 31.5 million; SMI – 18.9 million; PJIU – 4.5 million; New Democratic Spirit Party – 2.1 million; RP – 1.8 million; SDP – 1.6 million; Democratic Conviction Party – 1.4 million; Christian Democratic Party – 1.4 million, and Movement for National Development- 1.4 million. Prior to the 2020 amendments, all parties contesting the previous elections were eligible for public funding of their campaigns.

⁹⁰ Legal entities which have received public procurement funds in excess of ALL 10 million, have been involved in public-private partnership projects, have debts vis-a-vis the state budget, as well as those which carry out media-related activity, are not allowed to donate. Citizens and legal entities donating to contestants are not eligible to receive public procurement funds in excess of ALL 10 million in the three-year period after the elections.

⁹¹ On 24 December 2020, the Regulator approved rules for calculating the monetary value of in-kind donations.

⁹² Paragraph 256 of the 2020 [ODIHR and Venice Commission Joint Guidelines on Political Party Regulation \(2nd edition\)](#) states: “Third parties should be subjected to similar rules on donations and spending as political parties to avoid situations where third parties can be used to circumvent campaign finance regulations.”

Contestants are required to submit financial reports after the elections, within 60 days from the announcement of election results. Under the law, the CEC is required to appoint auditors to review these reports. Auditors' findings must be published within 30 days of their submission to the CEC. No interim reporting on campaign incomes or expenses is required by law. This limits transparency of campaign finance and reduces the possibility of voters to make an informed choice based on knowledge of the sources of campaign funds.⁹³

In order to enhance the accountability of political parties and the overall transparency of the electoral process, consideration should be given to requiring contestants to disclose their campaign incomes and expenditures before election day.

By law, the CEC oversees compliance with campaign finance regulations.⁹⁴ While the Electoral Code requires the CEC monitors to report on campaign finance, their reports did not contain any methodically collected findings on contestants' financial activity.⁹⁵ The ODIHR LEOM observed that the monitors lacked methodology and experience to oversee campaign finance. The CEC confirmed that their monitors were not trained on how to monitor compliance with campaign finance regulations.

The CEC is authorized to apply sanctions against contestants and donors for non-compliance with campaign finance rules; these include fines of up to ALL 5 million, and suspension of public funding of a political party for up to five years.

The CEC's capacity to effectively enforce legal requirements concerning campaign finance oversight should be developed.

XI. MEDIA

A. MEDIA ENVIRONMENT AND LEGAL FRAMEWORK

The crowded media environment is constrained by a limited advertising market concentrated among a few outlets. Media outlets often serve as lobbying platforms for their owners, which challenges media's editorial independence and induces self-censorship. Many IEOM interlocutors stated, that in the absence of effective self-regulation and uncertain labour conditions, journalists remain vulnerable to pressure and corruption. Some IEOM interlocutors raised concerns about safety of journalists.⁹⁶ Others were not

⁹³ Article 7.3 of the [UNCAC](#) recommends states take measures "to enhance transparency in the funding of candidatures for elected public office". Paragraph 247 of the ODIHR and Venice Commission Joint Guidelines on Political Party Regulation ([2nd edition](#)) states that "Voters must have relevant information as to the financial support given to political parties, as this influences decision making and is a means of holding parties accountable". See also Paragraph 261.

⁹⁴ On 20 April, five days before election day, the CEC trained the contestants' financial officers on changes in relevant regulations and on how to file campaign finance reports.

⁹⁵ The Regulator's decision required CEC campaign monitors to submit reports every 10 days as of the start of their work, and a final report within 7 days after election day. In addition, so-called "incident reports" were required if a concrete violation was observed. These reports must be published on the CEC website within two days of submission.

⁹⁶ Politicians often use denigrating language against journalists who report critically on the government. In April, there were two filmed incidents of physical attacks against journalists from Ora News in Tirana by bodyguards of the mayor of Tirana and in Kavaje by his supporters, when journalists tried to interview the mayor. The OSCE Representative on Freedom of the Media [has raised concerns](#) over the intimidation of and attacks against journalists, which undermine their safety.

satisfied with the level of protection of journalists' sources of information.⁹⁷ Combined these factors limit media freedom and pluralism.⁹⁸

Television (TV) remains the primary source of political information. Online portals and social networks have rapidly replaced print media.⁹⁹ The most popular online media outlets are connected to TV stations and duplicate their content.

The Constitution guarantees freedom of expression, media freedom, right to information, and prohibits censorship of means of communication. Although defamation is only punishable by fines, it remains a criminal offence, despite previous ODIHR recommendations. Campaign coverage is regulated in detail by the Electoral Code. It requires broadcast media to allocate all parties that won over 20 per cent of seats in the last parliamentary elections twice the amount of news coverage than other parliamentary parties. Coverage of competing non-parliamentary parties is at the discretion of the editors and cannot exceed the coverage given to the smaller parliamentary parties.¹⁰⁰ This discriminative approach against smaller parties is contrary to international commitments.¹⁰¹ In addition, a lack of clarity on the rules for time allocation for coalitions resulted in different interpretations.¹⁰² Provisions ensuring transparency of campaign advertising conditions were not always respected by private media.¹⁰³

The Electoral Code should be amended to guarantee equal opportunities of all contesting parties to access the media, including to advertising space. Additional considerations could be given to allocating a certain amount of free airtime equally to all contestants during the campaign.

Following the recent legal amendments, the Audio-visual Media Authority (regulator for the broadcast media, AMA) monitored broadcasters' compliance with the rules and provided the CEC with daily and weekly reports, which were published on the CEC website. The monitoring did not include an evaluation of the tone of the coverage.¹⁰⁴ Many ODIHR LEOM interlocutors questioned the AMA's

⁹⁷ On 18 April, the Special Court for Corruption and Organized Crime satisfied the request of the SPAK to seize the equipment of the owners of a news website, which was the first to report on the leak of a database with personal data of Albanian citizens. On 6 May, the Special Appeal Court overruled this decision.

⁹⁸ The preamble of Council of Europe Committee of Ministers' [2018 Recommendation on media pluralism and transparency of media ownership](#) stipulates that media freedom and pluralism "are central to the functioning of a democratic society as they help to ensure the availability and accessibility of diverse information and views, on the basis of which individuals can form and express their opinions and exchange information and ideas".

⁹⁹ Print media is hardly represented and has mostly moved online. Circulation data is not publicly available.

¹⁰⁰ Each parliamentary party contesting the elections can purchase up to 90 minutes of airtime, while non-parliamentary parties and independent candidates can purchase a total of 10 minutes of airtime on each private radio and TV broadcaster. In addition to airtime purchased by the electoral contestants for advertisement, broadcasters are required to provide half of the total purchased airtime free of charge.

¹⁰¹ Paragraph 7.8 of the 1990 OSCE Copenhagen Document requires the participating States to "Provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process". Paragraph 8.5 of the [2008 PACE Resolution No 1636](#) highlights that "political parties and candidates must have fair and equal access to the media".

¹⁰² On 23 March, the Commissioner decided on allocation of free airtime. Even though the PJIU had seats in the parliament, as part of the coalition it was disqualified from the allocation of time. On 20 April, the CSC overruled the Commissioner's decision, granting the PJIU the time compensation.

¹⁰³ Only 1 print/online media outlet and 10 out of over 100 private TV and radio stations submitted their pricelists for advertisements to the CEC, in line with the law.

¹⁰⁴ The AMA launched its monitoring of over 30 broadcasters on 26 March. The reports reflected airtime allocated to electoral contestants and other political actors in programmes, their order of appearance in the news and the gender ratio of monitored subjects. In instances where a channel notified the AMA about mistakes in the latter's reports, the AMA made the relevant corrections to their monitoring results.

capacity to provide sufficient oversight.¹⁰⁵ Among others, the findings of the AMA indicated that the SP systematically received more coverage than other contestants.¹⁰⁶ During the campaign, the CEC reviewed only the first weekly report and demanded from the TV channels to stop illegal practices.¹⁰⁷ Almost half of the channels continued broadcasting without adjustment for several days. On 27 May, based on the AMA's monitoring findings, the Commissioner fined the public broadcaster with ALL 2 million for breach of electoral silence.¹⁰⁸

B. MEDIA MONITORING FINDINGS [Click Here to Read Media Monitoring Results](#)



According to ODIHR LEOM media monitoring results, the monitored TV channels aired plenty of current affairs and political talk-shows.¹⁰⁹ Some channels showed campaign banners during programmes and films. Major media outlets refrained from in-depth analysis and limited their role to simply conveying opinions. There were no televised debates between party leaders.¹¹⁰

Despite previous ODIHR recommendations, Article 84.1 of the Electoral Code still permits pre-recorded party-produced footage to be broadcast during news editions. Some ODIHR LEOM interlocutors criticized the long-standing and widespread practice of the main political parties and public officials to provide media with pre-recorded or live footage of their activities. By narrowly interpreting the law and the CEC regulations, broadcasters often chose not to attend campaign events, which resulted in a lack of comprehensive and objective coverage of the contestants and blurred the separation between editorial content and political advertising.¹¹¹ This is contrary to OSCE commitments and Council of Europe standards.¹¹²

Legislation should be amended to ensure that media are able to independently cover activities of electoral contestants with a view to limit the use of party produced content in the news.

The DP and SP dominated the political news coverage in all media outlets monitored, with the SP receiving between 27 and 35 per cent, and the DP between 26 and 32 per cent of such coverage.¹¹³ In addition, candidate Rama received between 7 and 13 per cent of coverage in his official capacity as

¹⁰⁵ The seven AMA members are appointed by parliament for a five year term, with the right of one renewal. During the campaign, three positions were vacant, and the mandates of the chair and another member had expired. According to the parliament's [website](#), not enough applicants had applied for the position of the chair by the February 2020 deadline. On 24 May, the parliament restarted the recruitment process of the chair and members of the AMA.

¹⁰⁶ The AMA reports also indicated numerous cases of advertisements within the news and beyond the timeline prescribed by Article 84.7 of the Electoral Code. Several regional channels did not provide their recordings to the AMA, as prescribed by the law. Some channels aired campaign spots not clearly labelled as such. A few cases were related to violations of the rules on publication of opinion polls. *Klan News* and *Shijak TV* regularly received AMA's notifications on violations.

¹⁰⁷ Throughout the campaign period, the AMA appealed to more than 30 different TV channels.

¹⁰⁸ While the CEC found several TV channels failing to ensure legally prescribed time allocation for parties, no sanctions were applied in this regard.

¹⁰⁹ On 26 March, the ODIHR LEOM commenced qualitative and quantitative monitoring of five TV stations (*RTSH-1*, and four private TV channels: *Top Channel*, *TV Klan*, *Vizion Plus* and *A2 CNN*) and two online news websites <http://www.panorama.com.al/> and <https://www.oranews.tv/>. The ODIHR LEOM also followed election-related content on social networks.

¹¹⁰ The SP leader effectively refused to debate with the opposition leader.

¹¹¹ Some IEOM interlocutors stated that the parties did not inform the media about campaign events in advance. In other cases, parties did not allow the TV channels to attend the events.

¹¹² See paragraph 9.1 the 1990 OSCE Copenhagen Document and paragraph 26 of the 1991 Moscow Document. See also paragraph I.3 of the [Council of Europe Recommendation CM/Rec \(2007\)15](#), which states that "regulatory frameworks on media coverage of elections should respect the editorial independence of the media".

¹¹³ Of the DP and SP time shares, 46 and 41 per cent of coverage respectively was dedicated to their leaders. *Top Channel* and *Vizion Plus* covered the SP in a more positive tone than the DP. While the SMI received in average 7 per cent in all monitored channels, all other contestants received jointly only 8 per cent of coverage.

Prime Minister in monitored programmes on different channels. The SP also received between 6 and 15 per cent through the coverage dedicated to the ministries and other public institutions.¹¹⁴ Conversely, the monitored online media dedicated more space to the opposition parties and covered them in neutral and positive tones, while the SP received more negative coverage than the others. Altogether this further narrowed objective information available to voters about the contestants, thereby limiting voters' opportunity to make an informed choice.

While the media is required by the CEC to provide gender-balanced campaign coverage, the former have no control over who the party decides to propose for participation in TV shows. In the news and current-affairs programmes monitored by the ODIHR LEOM, female candidates and other female actors received 19 per cent of coverage, and even less so in the monitored online media.¹¹⁵

XII. PARTICIPATION OF NATIONAL MINORITIES

The Constitution provides for full political, civil, and social rights for persons belonging to national minorities, in line with OSCE commitments. There are nine officially recognised national minorities in Albania.¹¹⁶ The 2011 census data lists less than 1.5 per cent of the population as belonging to a national minority; however, this figure is generally regarded as inaccurate.¹¹⁷

Several parties reported having persons belonging to national minorities among their members and candidates. Where persons belonging to national minorities stood as candidates in mainstream parties, this was either for smaller parties, or towards the end of the list for bigger parties - either way, with less chance of winning.¹¹⁸

Some members of the Roma and Egyptian communities perceived that politicians only care about their votes and not their situation and were thus less inclined to engage in the electoral process. The ODIHR LEOM received credible reports that a significant number of voters within these communities were approached by campaign co-ordinators from the largest parties to buy their votes.¹¹⁹

Campaigning in national minority languages is permitted and was observed in practice. Whilst all ODIHR LEOM interlocutors indicated that most national minorities in Albania speak and understand Albanian fluently, significant efforts were made to produce voter education materials in the languages of national minorities. The CEC, with the support of international organizations, translated and published on its website information about voting procedures into the languages of all national minorities.¹²⁰ Voter education spots, produced in the languages of national minorities, including Romani, with the support of the international community, were aired on several local TV channels.

¹¹⁴ The law states that coverage of public institutions promoting their achievements, is considered election-related and accounted as the coverage of the party associated with the head of the institution.

¹¹⁵ RTSH-1 devoted some 30 per cent of political coverage to female actors during the campaign. About a third of politics related materials of panorama.com.al was dedicated to women, but mostly to the SMI leader.

¹¹⁶ The [Law on Protection of National Minorities](#), in force since 2017, recognizes the Aromanian, Bosnian, Bulgarian, Egyptian, Greek, Macedonian, Montenegrin, Roma and Serb national minorities.

¹¹⁷ The Greek national minority accounts for 0.87 per cent of the population, Roma - 0.3 per cent, and ethnic Macedonians - 0.2 per cent. It is important to note that 14 per cent of respondents chose not to answer the question on ethnicity. See Report of the Council of Europe Framework Convention, Advisory Committee, Fourth Opinion on Albania [ACFC/OP/IV\(2018\)006](#); According to INSTAT, a new census on Housing and Population, originally planned for 2020, is now envisioned for October 2022.

¹¹⁸ The ODIHR LEOM was able to confirm the participation as candidates of Albanian citizens from the Egyptian, Greek, ethnic Macedonian and Roma communities.

¹¹⁹ Roma NGOs reported that the practice is common, and many voters, driven by poverty, would sell their votes.

¹²⁰ Downloadable posters containing voter identification rules and specifying electoral crimes in the languages of national minorities were also available. The ODIHR LEOM did not observe dissemination of these materials.

Nevertheless, local Roma NGOs supporting election participation noted that this was an ineffective substitute for physical outreach activities.¹²¹ Roma NGOs also reported to the ODIHR LEOM that many Roma have no ID cards or have lost them, which limits their ability to participate in elections.

The CEC and other stakeholders should continue in-person voter education programmes tailored to the needs of the Roma and Egyptian national minorities. Additional efforts could be made by the authorities to facilitate application for or renewal of ID cards by the voters in need.

With the exception of the Roma communities, most national minority interlocutors of the ODIHR LEOM reported a good relationship with the authorities and indicated that there was no discrimination faced by their communities in relation to participation in the elections.

On 19 April, the Minister of Health issued an order which required a mandatory 14-day self-quarantine for people entering Albania from North Macedonia and Greece, to protect the health of the population from COVID-19 transmission.¹²² The SMI immediately filed a legal challenge, and the People's Advocate sent an urgent recommendation to the Ministry of Health, recommending complete annulment of the order.¹²³ In the meantime, the ODIHR LEOM received reports that the police was already enforcing the order, even before the publication in the official gazette, and despite the legal effect of the People's Advocate's recommendation. Leaving aside the legal status of the impugned order and the questionable timeframe of its application, the order is likely to have negatively affected the ability of some Albanian citizens, including from national minorities, to exercise their right to vote.

XIII. COMPLAINTS AND APPEALS

The Electoral Code provides for a comprehensive legal framework for the resolution of election disputes, with an elaborate administrative complaint procedure and due process guarantees.¹²⁴ However, the law does not clearly provide for handling complaints in lower-level commissions, which leaves ambiguity about which body is responsible for complaints on campaign violations or decisions taken by the VCCs.¹²⁵ As a general rule, complaints can be lodged by the contestants whose legal interests are affected, within three days of the decision's adoption.¹²⁶ Observers may only appeal their denial of accreditation, and voters are only eligible to lodge complaints concerning their inclusion in the voter list, contrary to good electoral practice.¹²⁷

¹²¹ The CEC informed the ODIHR LEOM that, due to the COVID-19 pandemic, no physical outreach was possible.

¹²² Order No. 219 of the Minister of Health was effective for travel by air, sea, or land. On 3 May, the order was lifted upon decision of the Technical Committee of Experts.

¹²³ According to the law, the issuance of a recommendation by the People's Advocate has the effect of suspending the improper or illegal acts and proceedings until the recommendation is examined and a response provided.

¹²⁴ Among other safeguards, the law provides that complaints missing any formal requisites can be resubmitted with corrections within 24 hours.

¹²⁵ Any complaints concerning inaccuracies in the voter lists need to be lodged with district courts between 40 and 1 days before election day. The ODIHR LEOM observed cases of jurisdictional conflicts among courts on whether complaints regarding voter lists should be adjudicated by civil or administrative courts. Despite this, courts accepted all complaints in order not to deprive voters of their suffrage rights. The ODIHR LEOM also observed instances of formal complaints being filed with the VCCs on election day. Most of these VCCs recorded such complaints and forwarded them to the CEAZs.

¹²⁶ Complaints and appeals can also be filed through an electronic form on the CEC's official website.

¹²⁷ Section II.3.3.f of the [Venice Commission's 2002 Code of Good Practice in Electoral Matters](#) recommends: "All candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections".

Consideration could be given to reviewing the law in order to clarify responsibility for complaints against the VCC decisions and those related to campaign violations, as well as to eliminate undue restrictions on legal standing of complainants.

Decisions of the Commissioner and the CEAZs, including those concerning election results, may be appealed to the newly created CSC.¹²⁸ Decisions of the CSC and of the Regulator can be appealed to the Electoral College of the Administrative Court of Appeals in Tirana (Electoral College) whose decisions are final.¹²⁹ The CSC has 2-day deadline and the Electoral College has 10 days to decide on the complaints or appeals received.¹³⁰ Both instances have 10 days to decide on election results cases.

In some of its decisions the CSC stated that its rulings were subject to appeal at the administrative court rather than the Electoral College, under general procedures and deadlines. On 4 March, the Electoral College adopted a similar position and dismissed an appeal by the SMI concerning a sanction imposed by the Commissioner against the mayor of Tirana, on grounds that appeals concerning violations by anyone other than contestants were not within its jurisdiction.¹³¹ Such positions by the CSC and the Electoral College appear to narrow the meaning of the Electoral Code which provides for specialized and expedited review of election-related complaints.

As prescribed by the Electoral Code, all relevant election-related decisions, including those concerning sanctions, should be reviewed by the Complaints and Sanctions Commission and Electoral College.

By 23 April, the Commissioner had received 116 campaign-related complaints filed through the web-based portal.¹³² The ODIHR LEOM was informed of nine cases in which the Commissioner applied a sanction or injunction; most other complaints were denied or dismissed, mostly for lack of evidence. The CSC received 23 complaints before election day.¹³³ Acting upon these, the CSC overruled six decisions of the Commissioner and eight decisions of the CEAZs. The Electoral College before election day adjudicated seven appeals against the CSC, fully or partially overruling two of these. The hearing of cases in both the CSC and Electoral College was done in an open and participatory process, with the parties' procedural rights respected, and decisions reasonably justified.¹³⁴

As of 10 June, the Office of the General Prosecutor confirmed 53 criminal proceedings initiated, among others regarding pressure on electoral subjects, falsification of electoral materials and election results, and violation of the secrecy of voting. Electoral violations related to corruption are prosecuted by the SPAK.¹³⁵ By 6 May, the SPAK notified the ODIHR LEOM of 35 criminal proceedings initiated, most of them regarding vote-buying.¹³⁶

¹²⁸ The CSC is composed of former judges, advisors to higher courts, CEC members, senior officials or experts.

¹²⁹ The Electoral College consists of eight judges from first instance and appeal courts, appointed through a draw for a four-year term in December 2020. Five judges are women. Cases are reviewed by a panel of five judges.

¹³⁰ On 26 March, the Commissioner formally requested an expedited review of a case related to candidate registration, as the 10-day deadline could potentially conflict with the timeline for producing and distributing the ballots.

¹³¹ Following this decision of the Electoral College, the SMI filed an appeal regarding campaign violations to the Administrative Court of Tirana that scheduled to hear the case on 28 April.

¹³² The CEC portal allows complainants not to disclose their identity. The CEC informed that anonymous reports were taken into consideration if the facts reported required investigation and action to be taken.

¹³³ Of these, eight were on accreditation of party observers, and the others concerned the design of the ballot paper, composition of the VCCs, registration of party lists, allocation of free airtime in the media, Commissioner's actions in response to campaign-related denunciations, and allocation of state funds among the contestants.

¹³⁴ While the hearings by the CSC and the Electoral College were held in person, due to COVID-19 restrictions only parties to the case and a limited number of observers were allowed to be present. The sessions of the CSC were live-streamed through the CEC website.

¹³⁵ The SPAK began its work in 2019 to handle investigation and prosecution of corruption-related crimes.

¹³⁶ The reports on alleged vote-buying were lodged by contestants, the President, police, and a few by citizens.

The CSC received 22 complaints related to election results and dismissed all of them. The Electoral College considered appeals of 16 CSC decisions regarding election results and confirmed all CSC decisions. On 9 July, the Electoral College ruled against the last remaining complaint regarding the allocation of seats and on 13 July the CEC's Regulator approved the final election results for the 25 April parliamentary elections.

XIV. ELECTION OBSERVATION

The Electoral Code provides for citizen and international observation at all levels of the election administration. Parliamentary parties and coalitions may appoint permanent representatives to the CEC, while other parties have the right to appoint representatives to the CEC only for the electoral period. Contesting parties, citizen and international organizations are entitled to appoint observers to the relevant CEAZs and VCCs.¹³⁷ The right to appoint observers within a coalition rests with the coalition and not the constituent parties. Unlike party observers, the law still does not explicitly entitle citizen and international observers to receive counting and tabulation result protocols.

Various domestic organizations followed the electoral process, with a focus on different aspects of the process, including on the use of state resources, the election administration and campaign finance. The CEC registered 17 citizen observer groups with 2,012 observers and accredited 262 international observers, both in an inclusive manner.

XV. ELECTION DAY

The IEOM did not observe election day and counting proceedings in a systematic and comprehensive manner. In most voting centres (VCs) visited, the voting process was overall calm.¹³⁸ The CEC announced voter turnout at 46.3 per cent.¹³⁹

According to the Electoral Code, voters can only vote in-person at the VC. Voting by mail or via mobile ballot box is not provided for. The law provides for special VCs to be organized in prisons, pre-trial detention centres and hospitals.¹⁴⁰ Voters who had contracted the COVID-19 and those in self-isolation were required to adhere to the rules of isolation, resulting in their *de facto* disenfranchisement.¹⁴¹

In the VCs observed, e-identification was generally conducted according to procedures; however, according to the CEC, 4 per cent of VCs opened with delay mainly due to issues pertaining to the start-up of the e-identification devices. Further, the CEC also reported that in some 3 per cent of VCs, either due to the malfunction of the devices or the absence of technical operators, voters were registered using

¹³⁷ Citizen observer organizations and political parties contesting the election have the right to appoint one observer per CEAZ, VCC and counting table; international observers two. A coalition is limited to three observers per CEAZ, VCC and counting table.

¹³⁸ According to the national police, a police officer present during the closing of a VC was stabbed in Shkoder region. The police also confirmed an incident in a VC in Fier region, with a perpetrator threatening to burn ballot boxes.

¹³⁹ A significant number of Albanian voters reside abroad. Majority could not vote due to lack of opportunity to vote from abroad and COVID-19 related travel restrictions. (see *Voter Registration* and *National Minorities*).

¹⁴⁰ A total of 20 special VCs were set up. Due to COVID-19 restrictions, there were no VCs in hospitals. According to the Ministry of Justice, some 70 per cent of eligible voters in prisons took part in voting.

¹⁴¹ According to the Ministry of Health, the number of persons hospitalized or in self-isolation due to COVID-19 infections on election day was around 22,000. Their disenfranchisement conflicts with provisions on voting rights and equality of the vote stipulated in Article 45 of the Constitution and paragraph 7.3 of the [1990 OSCE Copenhagen Document](#).

paper voter lists. In some of the VCs observed, commissioners used both the e-identification and the paper voter lists in parallel, which was not foreseen in the procedures.

Voting and ballot handling procedures were generally followed, and the secrecy of the vote was mostly respected in the VCs visited, but voters often did not remove their face mask for the purpose of identification, and the inking procedure was not strictly adhered to. The COVID-19 preventive measures, including social distancing, were not always respected, especially in the overcrowded VCs observed. Most VCs visited were not barrier-free for persons with physical disabilities.

For these elections, every VC was equipped with a camera to provide recording of election day proceedings, to be potentially used as evidence for possible post-election day complaints. Access to the recordings is by law limited to the CEC. The IEOM observed electronic voting in a limited number of VCs where the voting process was conducted in line with procedures. The rate of invalid 'electronic' votes was 1 per cent as compared with the nationwide 5 per cent rate of invalid votes.¹⁴² The latter can be attributed to the lack of a comprehensive and timely voter education campaign targeting the new ballot layout and the new preferential voting method.¹⁴³

To avoid unintentional invalidation of ballots and raise trust in the electoral process, the authorities should invest in timely voter education programmes tailored for different categories of voters.

In several regions, the IEOM observed groups of young men gathered outside VCs who appeared to control the area.¹⁴⁴ The IEOM noted many instances when party observers kept track of those who had voted by recording their ordinal numbers as assigned in the voter lists. This process was aided by commissioners who announced out loud the ordinal number of voters, which also provide public information on the participation rate in the elections. According to ODIHR LEOM interlocutors, this practice could contribute to the overall perception that parties and the authorities have information on who has or has not participated in voting.

The state should guarantee the right to a free and secret choice. Any form of pressure to disclose whether and how people voted should be prevented.

Adherence to closing procedures was eased by the use of the e-identification devices which recorded all statistics pertaining to the voter list and printed a final report containing among other data the number of voters who had received a ballot. This allowed for swift reconciliation of data concerning voter participation and the number of ballots issued.

In some of the BCCs observed by the IEOM the start of counting was delayed due to the ongoing training of the counting teams. This underscores concerns related to the replacement mechanism for counting staff. The environment in the BCCs observed was overall orderly, except for cases of overcrowding in areas designated for observers and lack of adherence to anti-COVID-19 measures.

In most of the BCCs observed counting procedures were followed. Every counting table had a local camera and a screen which were used to show each vote and to record the process, contributing to the transparency of the process. However, in some of the BCCs observed, CTs were not exposing the ballots on the screen for sufficient time.

¹⁴² In electronic voting, unintentional invalidation of the ballot is not possible. Voters had the option to deliberately invalidate a ballot by casting a blank one. 120 electronic votes out of 12,096 were invalidated.

¹⁴³ The highest rate of invalid votes was recorded in Diber with 6.8 per cent and the lowest in Tirana with 3.8 per cent.

¹⁴⁴ In Shkoder region, the IEOM noticed a person dragging another one into the VC and, once the voter had gone through the identification procedure, the voter was further instructed on how to vote. In the same region, the IEOM witnessed a case of money distributed to voters in the vicinity of a VC.

According to the law, voting results for electoral subjects must have been aggregated by the CEAZs by 22:00 on 26 April. Many CEAZs were unable to meet the deadline and completed counting for electoral subjects on 27 April. On the same day, the CEC fined members of 18 CEAZs for failure to transmit the results to the CEC within these deadlines.¹⁴⁵ There are no legally binding deadlines for counting preferential votes, which concluded on 30 April.

The CEC started to post detailed preliminary results on its website on election night, and then published the final voting results per each VC and aggregated results for every EAZ, thus ensuring transparency. The CEC aggregated the preliminary election results on 4 May. Final election results were declared on 23 June. Outgoing MPs retain their mandates until 9 September 2021.

XVI. RECOMMENDATIONS

These recommendations as contained throughout the text are offered with a view to further enhance the conduct of elections in Albania and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that have not yet been addressed. ODIHR stands ready to assist the authorities of Albania to further improve the electoral process and to address the recommendations contained in this and previous reports.¹⁴⁶

A. PRIORITY RECOMMENDATIONS

1. The legal framework needs further review to address outstanding ODIHR and Venice Commission recommendations and a number of ambiguities and inconsistencies. The changes in the law should be preceded by an open and inclusive consultation process, and be enacted well before the next elections.
2. The state should guarantee the right to a free and secret choice. Any form of pressure to disclose whether and how people voted should be prevented.
3. Law enforcement agencies should intensify efforts to identify, investigate and prosecute cases of vote-buying. Citizens should be encouraged to report and provide evidence of any vote-buying or pressure.
4. Albania should ensure the security of citizens' personal data. Relevant institutions should thoroughly investigate and sanction any breach which impacts public confidence in the electoral process.

¹⁴⁵ The ODIHR LEOM was aware of seven complaints filed to the CSC between 29 April and 4 May against the Commissioner's fines. In all of these cases, the CSC invalidated the Commissioner's decisions on imposing sanctions due to lack of an objective opportunity of the CEAZs in question to finalize the results given the relevant materials were not delivered by the BCCs on time.

¹⁴⁶ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations". The follow-up of prior recommendations is assessed by the ODIHR LEOM as follows: recommendations 5, 8, 18 and 20 from the [ODIHR final report on the 2019 local elections](#) (2019 Final Report), recommendations 11, 13, 14, 22 and 23 from the [ODIHR final report of the 2017 parliamentary elections](#) (2017 Final Report) and recommendations 19 and 21 from the [ODIHR final report on the 2015 local elections](#) (2015 Final Report) are fully implemented. Recommendations 1, 4, 6, 11 and 13 from the 2019 Final Report, Recommendation 1 from the 2017 Final Report, and Recommendations 3, 6, 11, 12, 16, 18 and 23 from the 2015 Final Report are mostly implemented. Recommendations 2, 3, 7, 12 and 15 from the 2019 Final Report, recommendations 2, 3, 4, 8, 10, 12, 16, 19 and 21 from the 2017 Final Report, and 1, 2, 8, 10, 14, 17 and 20 from the 2015 Final Report are partially implemented. See also the ODIHR [electoral recommendations database](#).

5. Legislation should be amended to ensure that media are able to independently cover activities of electoral contestants with a view to limit the use of party produced content in the news.

B. OTHER RECOMMENDATIONS

Electoral System

6. To respect the principle of equal opportunity, the nationwide 1 per cent threshold for independent candidates should be reconsidered.

Legal Framework

7. In order to guarantee legal certainty and effective election administration, binding sub-regulations should be in line with the primary legislation and be enacted in a timely manner.

Election Administration

8. In order to strengthen transparency and avoid any delays in administering elections, the CEC should publish a comprehensive electoral calendar with respective deadlines, including for adopting sub-legal acts, for training and logistical tasks.
9. To enhance transparency and public confidence, adequate time and resources for effective preparation and meaningful possibilities for public and independent scrutiny of election technologies should be ensured. In case of use of electronic voting on a larger scale, applying verification methods such as risk limiting audits should be considered.
10. To avoid unintentional invalidation of ballots and raise trust in the electoral process, the authorities should invest in timely voter education programmes tailored for different categories of voters.

Voter Registration

11. To ensure universal suffrage and equal treatment before the law, restrictions based on mental disabilities should be abolished and the obligation to register voters over 100 years old should be placed on the state.
12. Local authorities should ensure that all voters are informed in a timely manner about the place and time for voter list scrutiny and the location of their respective voting centres. Considerations could be given to moving deadlines for notification of voters closer to election day.

Candidate Registration

13. The possibility for leaders of political parties to compete in several electoral districts should be revised to maintain the principle of equality.
14. Restrictions on the right to stand of those deported and under a search warrant, whose guilt has not been established by a court, should be lifted.
15. In order to ensure legal certainty, considerations could be given to revising provisions related to the maximum number of candidates on the lists and the sequencing of candidates of different genders.

Election Campaign

16. Law enforcement bodies should investigate all allegations of electoral violations, including misuse of state resources, in a thorough, timely and transparent manner. Voters should be systematically informed about applicable mechanisms for reporting any instances of pressure and be assured they will not face negative consequences.

Campaign Finance

17. Authorities should consider legal changes to extend regulations and limits on donations and expenditures, as designated for political parties, to third parties.
18. In order to enhance the accountability of political parties and the overall transparency of the electoral process, consideration should be given to requiring contestants to disclose their campaign incomes and expenditures before election day.
19. The CEC's capacity to effectively enforce legal requirements concerning campaign finance oversight should be developed.

Media

20. The Electoral Code should be amended to guarantee equal opportunities of all contesting parties to access the media, including advertising space. Additional considerations could be given to allocating a certain amount of free airtime equally to all contestants during the campaign.

Participation of National Minorities

21. The CEC and other stakeholders should continue in-person voter education programmes tailored to the needs of the Roma and Egyptian national minorities. Additional efforts could be made by the authorities to facilitate application for or renewal of ID cards by the voters in need.

Complaints and Appeals

22. Consideration could be given to reviewing the law in order to clarify responsibility for complaints against the VCC decisions and those related to campaign violations, as well as to eliminate undue restrictions on legal standing of complainants.
23. As prescribed by the Electoral Code, all relevant election-related decisions, including those concerning sanctions, should be reviewed by the Complaints and Sanctions Commission and Electoral College.

ANNEX I: FINAL ELECTION RESULTS¹⁴⁷

| Electoral Subject | Votes | Percentage | Seats |
|--|--------------|-------------------|--------------|
| Social Democratic Party | 35,475 | 2.25 | 3 |
| Albanian National Front | 1,946 | 0.12 | 0 |
| Albanian Democratic Movement | 4,705 | 0.30 | 0 |
| Democratic Conviction Party | 8,239 | 0.52 | 0 |
| ABEOK ~ Alliance Popular Union Immigration | 1,376 | 0.09 | 0 |
| Socialist Movement for Integration | 107,538 | 6.81 | 4 |
| Hashtag Initiative Party | 10,217 | 0.65 | 0 |
| New Movement Party | 3,767 | 0.24 | 0 |
| Democratic Party "Alliance for Change" | 622,187 | 39.43 | 59 |
| New Democracy Alliance Party | 3,232 | 0.20 | 0 |
| Movement For Change | 7,054 | 0.45 | 0 |
| Socialist Party | 768,134 | 48.67 | 74 |
| Elton Debreshi | 580 | 0.04 | 0 |
| Iljaz Shehu | 400 | 0.03 | 0 |
| Kreshnik Merxhani | 148 | 0.01 | 0 |
| Boiken Abazi | 2,993 | 0.19 | 0 |
| Pal Shkambi | 126 | 0.01 | 0 |

| | |
|---------------------------------------|-----------|
| Total number of voters on voter lists | 3,588,869 |
| Number of voters who voted | 1,662,274 |
| Number of valid cast votes | 1,661,176 |
| Number of invalid cast votes | 1,098 |

¹⁴⁷ Source: The CEC [website](#).

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

OSCE Parliamentary Assembly

| | | | |
|---------------------|----------------|---------------------|----------------|
| Azay | Guliyev | Special Coordinator | Azerbaijan |
| Reynhold | Lopatka | Head of Delegation | Austria |
| Ewa | Ernst-Dziedzic | MP | Austria |
| Elisabeth | Grossmann | MP | Austria |
| Axel | Kassegger | MP | Austria |
| Josef | Hajek | MP | Czech Republic |
| Jan | Hornik | MP | Czech Republic |
| Karla | Marikova | MP | Czech Republic |
| Zdeněk | Ondracek | MP | Czech Republic |
| Pavel | Plzak | MP | Czech Republic |
| Jan | Zaloudik | MP | Czech Republic |
| Malte | Larsen | MP | Denmark |
| Christoffer Aagaard | Melson | MP | Denmark |
| Vilhelm | Junnila | MP | Finland |
| Nikoloz | Samkharadze | MP | Georgia |
| Bela | Bach | MP | Germany |
| Paul Viktor | Podolay | MP | Germany |
| Luigi | Augussori | MP | Italy |
| Mauro | Del Barba | MP | Italy |
| Paolo | Grimoldi | MP | Italy |
| Francesco | Mollame | MP | Italy |
| Vito | Vattuone | MP | Italy |
| Charles | Margue | MP | Luxembourg |
| Farah | Karimi | MP | Netherlands |
| Barbara | Bartus | MP | Poland |
| Robert | Dowhan | MP | Poland |
| Agnieszka | Pomaska | MP | Poland |
| Dariusz | Rosati | MP | Poland |
| Costel Neculai | Dunava | MP | Romania |
| Catalin Daniel | Fenechiu | MP | Romania |
| Gabor | Hajdu | MP | Romania |
| Christine | Theilmann | MP | Romania |

| | | | |
|-----------|--------------|---------------------|--------------------|
| Michele | Muratori | MP | San Marino |
| Paolo | Rondelli | MP | San Marino |
| Predrag | Rajić | MP | Serbia |
| Johan | Büser | MP | Sweden |
| Margareta | Cederfelt | MP | Sweden |
| Roza | Güclü Hedin | MP | Sweden |
| Jasenko | Omanović | MP | Sweden |
| Joakim | Sandell | MP | Sweden |
| Lars | Thomsson | MP | Sweden |
| Yusuf | Başer | MP | Turkey |
| Tekin | Bingöl | MP | Turkey |
| Mykyta | Poturaiev | MP | Ukraine |
| Sergii | Rakhmanin | MP | Ukraine |
| Lukas | Mussi | Staff of Delegation | Austria |
| Silvia | Andrisova | Staff of Delegation | Czech Republic |
| Radek | Merkel | Staff of Delegation | Czech Republic |
| Stephanie | Koltchanov | Staff of Delegation | France |
| Freyja | Koçi | Staff of Delegation | Germany |
| Ilias | Trochidis | Staff of Delegation | Greece |
| Anna | Di Domenico | Staff of Delegation | Italy |
| Roberto | Montella | Staff of Delegation | Italy |
| Francesco | Pagani | Staff of Delegation | Italy |
| Marcin | Mykietynski | Staff of Delegation | Poland |
| Daria | Boyarskaya | Staff of Delegation | Russian Federation |
| Anzhelika | Ivanishcheva | Staff of Delegation | Russian Federation |
| Veljko | Racković | Staff of Delegation | Serbia |
| Fredrik | Svensson | Staff of Delegation | Sweden |
| Ecem | Danik Gökçe | Staff of Delegation | Turkey |

Parliamentary Assembly of the Council of Europe

| | | | |
|-----------------|-----------|--------------------|---------|
| Aleksander | Pociej | Head of Delegation | Poland |
| Stefan | Schennach | MP | Austria |
| Marie-Christine | Dalloz | MP | France |
| Frédéric | Petit | MP | France |
| Andrej | Hunko | MP | Germany |

| | | | |
|----------------|--------------|-------------------|----------------|
| Ulrich | Oehme | MP | Germany |
| Marina | Berlinghieri | MP | Italy |
| Alberto | Ribolla | MP | Italy |
| Laima Liucija | Andrikienė | MP | Lithuania |
| Margreet | De Boer | MP | Netherlands |
| Jacek | Protasiewicz | MP | Poland |
| Krzystof | Śmiszek | MP | Poland |
| Viorel Riceard | Badea | MP | Romania |
| Antonio | Gutiérrez | MP | Spain |
| Sibel | Arslan | MP | Switzerland |
| Jean-Pierre | Grin | MP | Switzerland |
| Lesia | Zaburanna | MP | Ukraine |
| Renata | Tardioli | Venice Commission | Italy |
| Franck | Daeschler | PACE Secretariat | France |
| Michael | Janssen | PACE Secretariat | Germany |
| Bogdan | Torcatoriu | PACE Secretariat | Romania |
| Anne | Godfrey | PACE Secretariat | United Kingdom |

ODIHR LEOM Core Team

| | | | |
|----------|-----------|-----------------|------------------------|
| Urszula | Gacek | Head of Mission | Poland |
| Armen | Mazmanyan | | Armenia |
| Davor | Corluka | | Bosnia and Herzegovina |
| Priit | Vinkel | | Estonia |
| Kerstin | Dokter | | Germany |
| Pawel | Jurczak | | Poland |
| Kira | Kalinina | | Russian Federation |
| Karolina | Semina | | Russian Federation |
| Saša | Pokrajac | | Serbia |
| Robert | Bystricky | | Slovakia |
| Farrukh | Juraqulov | | Tajikistan |
| Evgeniya | Zamrii | | Ukraine |
| Polyna | Lemos | | United Kingdom |
| William | Romans | | United Kingdom |

ODIHR LEOM Long-term Observers

| | | |
|-----------------|--------------|--------------------------|
| Marketa | Nekvindova | Czech Republic |
| Kimmo | Collander | Finland |
| Jana | Bürgers | Germany |
| Eckart | Rohde | Germany |
| Anne | Uhlig | Germany |
| Eleni | Ioannou | Greece |
| Dimitrios | Kanakidis | Greece |
| Nicholas George | Yiannias | Greece |
| Dominika | Kövesdi | Hungary |
| Alessia | Riva | Italy |
| Filippo | Rosin | Italy |
| Jeroen | De Vries | Netherlands |
| Anne Christine | Kroepelien | Norway |
| Maud | Johansson | Sweden |
| Jenny | Nilsson | Sweden |
| Lars | Tollemark | Sweden |
| Mario | Barfus | Switzerland |
| Monica | Giambonini | Switzerland |
| Alexander | Anderson | United Kingdom |
| Martin | Brooks | United Kingdom |
| Melanie | Leathers | United Kingdom |
| Anne | Peskoe | United States of America |
| Steven | Smith | United States of America |
| Elia | Varela-Serra | United States of America |

ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).