

INTERIM REPORT
6–22 April 2023

28 April 2023

I. EXECUTIVE SUMMARY

- In the 14 May local elections, voters will elect the mayors and councillors of Albania's 61 municipalities. The political environment continues to be characterized by the deep polarization between the leaders of major parties
- The Constitution and Electoral Code were last amended in 2020, and the new legal provisions, among others related to the election administration, campaign finance, and safeguards against abuse of public resources, will be applied for the first time to local elections. They addressed a number of previous ODIHR recommendations but many priority recommendations remain to be implemented.
- Following the 2020 amendments, the Central Election Commission (CEC) consists of three separate steering bodies: the State Election Commissioner (the Commissioner) and the Deputy Commissioner, the Regulatory Commission, and the Complaints and Sanctions Commission (CSC). Electoral preparations are underway with an extensive and highly visible voter education campaign, including in minority languages. So far, the election administration has complied with most legal deadlines. Most ODIHR Election Observation Mission (EOM) interlocutors noted increased transparency and openness in the CEC's decision-making. In three municipalities, the CEC will conduct an electronic voting pilot project.
- Some 3.65 million voters are registered for these elections. Voters could verify their data and request corrections, including online, during the public scrutiny period. Voter identification on election day is conducted using e-identification devices. Some ODIHR EOM interlocutors have stated that the recent reassignment of voters to voting centres could confuse voters on election day.
- A total of 40 parties and coalitions with 144 mayoral candidates and some 23,700 councillor candidates are contesting these elections. All council lists comply with the gender requirements of the Electoral Code.
- The 30-day official campaign period started on 14 April and is particularly visible in Tirana. Thus far, the campaign has been low-key, with an overall moderate tone. The ODIHR EOM is aware of two cases of violence, one of which claimed the life of a party member. Recent amendments introduced further safeguards against abuse of state resources. Nonetheless, many ODIHR EOM interlocutors raised concerns regarding the government's recent initiatives such as an extra bonus for pensioners and pledges by the prime minister regarding salaries of public-sector employees. Commissioner publicly stated that according to his interpretation, the respective legal provisions apply only to parliamentary elections.
- Thirteen of the 17 government ministers and 50 of the 140 members of parliament (35 per cent) are women. The Electoral Code provides for a 50-per cent gender quota for municipal council lists, with strict placement criteria. There are only 15 women among the 144 mayoral candidates. Three of the 12 CEC members, including the Deputy Commissioner, are women, as are 29 per cent of mid-level election commission members.

- Contestants may finance their campaigns from public and private funds. The law provides limits for donations and for campaign expenditures. Contestants are not required to publicly disclose before election day the source and amount of funds raised but must submit financial reports after election day. The Electoral Code provides a comprehensive list of sanctions for campaign finance violations. Contestants only had certainty about the campaign spending limits a week after the start of the campaign, once the CEC decided on the allocation of the additional public campaign funding, which is used to calculate the spending limits.
- The media environment is diverse, with a variety of outlets operating in a limited advertising market. Several ODIHR EOM interlocutors raised concerns that media concentration and control by intertwined business and political interests pose challenges to editorial independence and make journalists vulnerable to pressure and self-censorship. Defamation remains criminalized and is punishable by heavy fines. By law, broadcast media must provide unbiased and balanced campaign coverage, and transparency measures have been established for election advertising and media monitoring reports. The law provides for free airtime on the public broadcaster and paid airtime on private broadcast media. The Audio-visual Media Authority is in charge of monitoring broadcasters' compliance with the legal requirements for campaign coverage.
- Appeals can be lodged by contestants whose legal interests are affected. Voters can only lodge appeals concerning their inclusion in the voter list, and observers may only appeal denial of their accreditation. The administrative complaint procedure is elaborate and involves due process guarantees. As of 22 April, 23 appeals have been filed to the CSC, most concerning candidate registration. The CSC also considered 20 requests by the Commissioner to impose sanctions for abuse of public resources and satisfied 10 of these. The Electoral College has thus far adjudicated 11 appeals.
- The Electoral Code provides for citizen and international observation of all stages of the electoral process. Representatives of parties, coalitions and independent candidates may also observe. As of 22 April, the CEC has registered around 180 domestic observers and 131 international observers.

II. INTRODUCTION

Following an invitation to observe the 14 May 2023 local elections, and based on the recommendation of a Needs Assessment Mission conducted from 8 to 11 November 2022, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 6 April.¹ The mission, led by Dame Audrey Glover, consists of a 13-member core team based in Tirana and 24 long-term observers deployed on 13 April to 12 locations around the country. Mission members come from 21 OSCE participating States. ODIHR has requested participating States to second 300 short-term observers to observe election-day proceedings.

III. BACKGROUND AND POLITICAL CONTEXT

Albania is a parliamentary republic, with legislative powers vested in a unicameral parliament. The government, led by the prime minister, exercises broad executive powers. On 24 October 2022, in line with the Constitution, President Bajram Begaj called local elections for 14 May 2023.

The most recent local elections took place in 2019. The opposition Democratic Party (DP), the Socialist Movement for Integration (SMI; since renamed the Freedom Party, led by former President Ilir Meta),

¹ See previous [ODIHR election reports on Albania](#).

and some smaller parties boycotted those elections, in which a coalition led by the governing Socialist Party (SP) won 60 of the 61 municipalities.² The candidate of the Greek Ethnic Minority for the Future Party (MEGA) was elected mayor of Finiq municipality (Vlorë region).³

The SP also won the 2021 parliamentary elections with 74 of the 140 seats in parliament.⁴ Hence, Edi Rama, heading the government, retained his post for a third term since 2013.⁵ The political environment continues to be characterized by the dominance of traditional political elites and deep polarization between the major parties. This, compounded by a conflict within the DP, affected the work of parliament, including on electoral reform.

Following the 2021 elections and the public designation by the U.S. government, DP then-chairperson Lulzim Basha expelled former president and prime minister and long-standing DP leader Sali Berisha from the DP parliamentary group.⁶ After the DP's defeat in the March 2022 mayoral by-elections, Mr. Basha resigned as party leader and Enkelejd Alibeaj, leader of the DP parliamentary group, became acting DP chairperson. On 25 March 2022, the Tirana District Court registered statutory changes adopted in December 2021 by a DP National Convention called by supporters of Mr. Berisha, and subsequently, on 22 May 2022, party members elected him as party chair. Mr. Alibeaj appealed the district court ruling, and the Tirana Court of Appeals on 3 March 2023 overturned that decision and returned the party's legal representation to Mr. Alibeaj. Mr. Berisha and his Democratic Party of Albania-Refoundation Commission (DPRC) have announced that they will appeal that ruling.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Local elections are primarily regulated by the Constitution (adopted in 1998) and the Electoral Code (adopted in 2008); both were last amended in 2020. Other applicable laws include the Law on Political Parties, the Law on Demonstrations, the Law on Gender Equality, and the Law on Guaranteeing the Integrity of Persons Elected, Appointed, or Exercising Public Functions (the so-called Law on Decriminalization). Central Election Commission (CEC) regulations supplement election-related legislation. Albania is a party to major international treaties related to democratic elections and human rights and is a member of the Council of Europe's Commission for Democracy through Law (Venice Commission) and of the Group of States against Corruption (GRECO).

The new provisions introduced following the 2020 amendments, among others relate to the election administration, campaign finance, and safeguards against abuse of public resources, will be applied to local elections for the first time. While a number of previous ODIHR recommendations were addressed, including those on safeguards against abuse of public resources and strengthened guarantees for gender balance on candidate lists, many are yet to be implemented, including those related to the composition of lower-level election commissions, the mechanism of withdrawal of candidates, suffrage rights of

² On 6 March 2022, by-elections were held in six municipalities where the mayor's office had fallen vacant (Dibër, Durrës, Lushnjë, Rrogozhinë, Shkodër, and Vorë); the Democratic Party of Albania-Refoundation Commission (DPRC) led by Sali Berisha, running under the House of Freedom coalition, won in Shkodër, while the SP retained the other five mayoral positions.

³ The Constitution provides for full political, civil, and social rights for persons belonging to national minorities. There are nine officially recognized national minorities in Albania – the Aromanian, Bosnian, Bulgarian, Egyptian, Greek, Macedonian, Montenegrin, Roma, and Serb minorities. The 2011 census data lists less than 1.5 per cent of the population as belonging to a national minority. However, 15.6 per cent of respondents did not declare their ethnicity.

⁴ The DP-led Alliance for Change won 59 seats; the SMI won 4 mandates; and the Social Democratic Party (SDP) won 3 seats. Fifty of the elected MPs (35 per cent) are women.

⁵ Thirteen of the 17 ministers in the current government are women.

⁶ On 19 May 2021, the U.S. Department of State [issued](#) a public designation of Mr. Berisha due to his alleged involvement in significant corruption, in particular during his tenure as prime minister. In 2022, the United Kingdom also declared Mr. Berisha as *persona non grata*. Tom Doshi, chairperson of the SDP, was declared *persona non grata* by the United States in 2018.

persons with intellectual or psychosocial disabilities, criminal liability for defamation, use of campaign materials prepared by political parties in the news, and equal rights of party and citizen observers. In February 2022, parliament set up an *ad hoc* committee on electoral reform to follow-up on outstanding ODIHR electoral recommendations. The committee, whose mandate was recently extended until September 2023, has had limited activity with no results so far.

Mayors and municipal councillors are elected directly for four-year terms. Mayors are elected in first-past-the-post contests, while councillors are elected under a closed-list proportional system.⁷ The number of councillors in each municipality ranges from 15 to 61. The Electoral Code is ambiguous as to whether the one per cent threshold provided for in parliamentary elections also applies to local elections.⁸ ODIHR and the Venice Commission have previously recommended that the definition of the threshold for local elections be clarified and that a relevant amendment is made to the Electoral Code before these elections.⁹

V. ELECTION ADMINISTRATION

Local elections are managed by a three-tiered election administration, comprising the CEC, 92 Commissions of Electoral Administration Zones (CEAZs), and 5,211 Voting Centre Commissions (VCCs). Counting is conducted by Counting Teams (CTs) in 92 Ballot Counting Centres (BCCs).

Following the 2020 amendments, the CEC consists of three separate steering bodies: the State Election Commissioner (the Commissioner) and the Deputy Commissioner, the Regulatory Commission (the Regulator), and the Complaints and Sanctions Commission (CSC). All CEC members are elected by parliament by three-fifths majority.¹⁰ Only three of the 12 members are women, including the Deputy Commissioner.

Electoral preparations are underway, and so far, the election administration has complied with most legal deadlines.¹¹ The Commissioner, Regulator and CSC hold regular sessions, livestreamed online, and open to the media and observers. Decisions are generally published shortly afterwards on the CEC website.¹² Most ODIHR EOM interlocutors noted increased transparency and openness in its decision-making.

CEAZs were appointed on 12 February and are responsible for conducting elections in their respective electoral zones.¹³ Each CEAZ is composed of seven members and a non-voting secretary, nominated by

⁷ If two or more mayoral candidates receive an equal number of valid votes, the CEC will draw lots to determine the winner.

⁸ Article 166 (3) of the Electoral Code stipulates that the mandates of municipal councillors are allocated according to the same procedures as those provided for parliamentary elections.

⁹ See the 2020 [ODIHR and Venice Commission Joint Opinion](#) on the Amendments to the Constitution of 30 July and to the Electoral Code of 5 October.

¹⁰ The Commissioner is elected for a seven-year term, and the Deputy Commissioner for a four-year term. The Regulator consists of five members elected for five years, while the CSC operates with five members elected for nine years. The Commissioner manages the CEC administration and exercises executive powers; the Deputy Commissioner oversees recruitment and training of members of the election administration and the implementation of the electronic voter identification system. The Regulator issues sub-legal acts and other normative guidance, while the CSC adjudicates complaints against the Commissioner, CEAZs, or the Regulator.

¹¹ The ODIHR EOM noted some delays in the publication of the voter lists, the allocation of free airtime to electoral subjects, and in determining the order of the subjects on the ballot.

¹² The ODIHR EOM noted a few instances where CEC decisions were not published on the CEC website or were not discussed publicly prior to their adoption.

¹³ Municipalities with more than 80,000 registered voters are divided by the CEC into more than one Electoral Zone. For these elections, 50 of the 92 CEAZs are concurrent with the respective municipality and are handling registration of candidates and accreditation of party observers. For the remaining 11 municipalities, candidate registration and accreditation of party observers are managed by the CEC.

the parliamentary majority and opposition.¹⁴ Political parties may recall or replace their commission members at their own discretion and without justification.¹⁵ As of 22 April, 29 per cent of CEAZ members were women, including 19 of the 92 chairpersons. The CEC has informed the ODIHR EOM that due to the high level of replacements of CEAZ members, it plans to conduct additional training for new members.¹⁶ CEAZ sessions are public, and their decisions are either published at their premises or made available upon request. VCCs are composed in the same manner as CEAZs and were to be formed on 24 April. The law prescribes that voting centres are located in accessible premises. Several ODIHR EOM interlocutors expressed concerns over the accessibility of voting centres and the participation of voters with disabilities in the electoral process.

The CEC has launched an extensive and highly visible voter education campaign, including on its website. The CEC, with the support of international organizations, has translated the main voting procedures into the eight minority languages, as well as into sign language. Some ODIHR EOM interlocutors, however, noted that easy-to-read voter education materials are not available. Posters and spots about voter identification and electoral crimes are also available in national minority languages.

The CEC will pilot an electronic voting in Elbasan, Kamëz, and Vorë municipalities, covering 401 VCs.¹⁷ Voters will vote using touchscreen machines (direct-recording electronic equipment) with a paper-audit trail printer, none of which are connected to the Internet. Preliminary results will be published shortly after closing, and a post-election manual count of all receipts will be conducted to verify accuracy. Preparations for the pilot are underway, and the CEC has launched a voter education campaign and public simulations in the three municipalities.

VI. VOTER REGISTRATION

Citizens aged 18 or older on election day are eligible to vote, except for those found incompetent by a court decision, which is at odds with international obligations prohibiting discrimination based on disability.¹⁸ Suffrage rights are also suspended for citizens serving a prison sentence for committing certain crimes.¹⁹

The voter registration is passive and decentralized. Voters over 100 years of age are automatically removed from the voter lists and should confirm their status in order to be included in the voter register.²⁰ The voter lists are extracted from the National Civil Status Register and maintained by the General

¹⁴ Three CEAZ members are nominated by the parliamentary majority and three by the parliamentary opposition (two by the main ruling/opposition party and one by the second party of the parliamentary majority/opposition). The seventh member is proposed by the SP in even-numbered CEAZs, and by the DP in odd-numbered CEAZs. The chair of the CEAZ represents the party that has nominated the seventh member, while the deputy chair is of the opposite affiliation. The secretary is proposed by the political subject that nominates the deputy chair.

¹⁵ Section II.3.1.f of the Venice Commission's 2002 [Code of Good Practice in Electoral Matters](#), states that "the bodies appointing members of electoral commissions must not be free to dismiss them at will".

¹⁶ As of 22 April, some 26 per cent of all CEAZ members had been replaced, due to withdrawals, missing documentation or resignation. Three members were dismissed.

¹⁷ Each voting centre in these three municipalities will be equipped with two machines. In total, the CEC has procured 828 electronic voting devices. Paper ballots will be available in voting centres as a back-up, in case of equipment malfunctioning.

¹⁸ Article 29 of the 2006 [Convention on the Rights of Persons with Disabilities](#) (CRPD) requires States Parties 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 OSCE participating States will "guarantee universal and equal suffrage to adult citizens". ODIHR EOM interlocutors noted that in practice, very few voters are disenfranchised due to mental, intellectual or psychosocial disability.

¹⁹ The Law on Decriminalization suspends the voting rights for committing crimes listed in more than 80 articles of the Criminal Code (ranging from election-related offences to severe crimes).

²⁰ Some 3,700 voters aged 100 or over are included in the final voter lists.

Directorate of Civil Status (GDSC) within the Ministry of Interior (MoI). Local civil status offices, in co-ordination with the respective mayor, compiled the voter lists and published monthly voter list excerpts since November 2022. Voters could verify their data using a number of options until 4 April.²¹ After that, changes can be requested via a district court, up to 24 hours before election day.²² The final voter lists contain a total of 3,650,550 voters.²³

Following the call of the elections, the MoI issued a decree outlining the methodology for compiling voter lists. In January 2023, the MoI amended this instruction, specifying additional criteria, and assigned voters to voting centres by building code and alphabetically by surname.²⁴ In November 2022, the CEC appointed two auditors to supervise the compilation of voter lists, who have noted in their regular reports that recent reassignment of voters has affected around 1.3 million voters.²⁵ Some ODIHR EOM interlocutors believe that this could confuse voters on election day.

Voter identification on election day is conducted by e-identification offline devices containing the voter lists of all voting centres. Voters need to provide ID cards or biometric passports to verify their identity, and their fingerprints are scanned instead of a signature to confirm that they have been identified.²⁶ A receipt with personal data and a photo is printed and stored by the VCCs for post-election verification. The recruitment of technical operators for voter identification is ongoing, and the CEC has informed the ODIHR EOM that the limited number of applications for these positions in some areas could impact election-day preparations.

VII. CANDIDATE REGISTRATION

Any eligible voter has the right to run in local elections, except for those serving a prison sentence or with a prior conviction for certain categories of crimes or under a search warrant, as well as those who hold public positions which are incompatible with the status of a candidate.²⁷

Political parties and coalitions had to register with the CEC as electoral subjects, prior to submitting their candidate lists for municipal and mayoral offices.²⁸ A candidate may feature only in one list, and the ranking on candidate lists cannot be amended after registration. Electoral subjects had to submit candidate lists to the respective CEAZs or the CEC, no later than 25 March. To be registered, candidate lists for municipal councils had to represent men and women equally, with candidates of different gender alternating on the list. Independent candidates for mayors and municipal councils could be nominated until 25 March, by groups of no fewer than nine voters residing in the respective municipality.

²¹ Voters can check their voter list record using the CEC application or online portals at e-albania.al. Voter list excerpts were published by polling unit.

²² Voter lists were distributed to CEAZs by 9 April, and final voter lists were published shortly afterwards.

²³ The final voter lists include 1,843,170 male and 1,807,380 female voters.

²⁴ In line with the January 2023 amendment to its instruction, the MoI split voting centres with more than 1,000 voters in two or more fractions by grouping voters with the same building code and by family names. According to ODIHR EOM interlocutors, this change was consulted beforehand with the CEC and political parties.

²⁵ The auditors have thus far published nine reports.

²⁶ The CEC has introduced new criteria for voter identification, in order to address possible attempts at impersonation. Voters will have up to three attempts per thumb and index finger to identify. Should this fail, they will have to sign the voters list and the print from the device in order to be allowed to vote.

²⁷ 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, even in the absence of a final court decision, as well as those under international search warrant. Judges, prosecutors, military, police and national security officers, diplomatic staff, prefects, members of election commissions, the President of the Republic, and high state administration officials determined by law must resign to be eligible to stand.

²⁸ Parties needed to submit documents for registrations by 6 March, and coalitions by 15 March.

Political parties and coalitions who are not represented in parliament or the respective municipal council, as well as independent candidates, had to submit support signatures of no less than 1 per cent of voters registered in the municipality.²⁹ By law, that the election administration verifies 5 per cent of the submitted signatures. Candidacies are verified in line with the Electoral Code and the Law on Decriminalization.³⁰

A total of 40 parties and coalitions with 144 mayoral candidates and some 23,700 councillor candidates are contesting the 61 mayoral and 1,603 councillor positions, including two independent mayoral candidates and ten for municipal councils.³¹ Only 15 of the 144 mayoral candidates are women. Forty candidates are still under examination by the Prosecutor General, and the final decision on their eligibility is pending.

VIII. CAMPAIGN ENVIRONMENT

The 30-day official campaign period started on 14 April and ends one day before election day, at midnight on Friday, 12 May. No campaigning is allowed on the day before or on election day.

The major political parties have officially started their campaigns. They seem to be driven by personalities rather than by specific political platforms, with the councils' elections secondary to the mayoral contests. While the main opposition groups launched their campaigns with public meetings, the ruling SP has declared that it intends to run a low-key campaign.³² The campaign thus far has been relatively low-key and with a moderate tone. The ODIHR EOM is aware of two cases of violence, one of which claimed the life of a party member.³³

Overall, the campaign is visible, in particular in Tirana, where the ODIHR EOM has observed a significant presence of outdoor campaign materials, thus far almost exclusively by the SP. Several contestants have told the ODIHR EOM that they plan to campaign using social networks, door-to-door visits, small-scale meetings with voters, and small posters.³⁴

²⁹ Political parties that do not have representation in parliament or local councils must submit no less than 50 but no more than 3,000 support signatures, regardless of the type of election. Independent candidates in local elections, by contrast, must submit support signatures of voters equal to 1 per cent of the voters registered in the respective municipality, regardless of its size. Independent candidate Eduard Nallbani was denied registration due to insufficient support signatures, and the threshold for the municipality of Tirana is defined as 7,000 voters.

³⁰ The CEC and 50 CEAZs verify that candidates have the right to stand, and the CEC verifies that candidates meet the integrity commitments mandated by the law, i.e., that they have not been convicted or are under investigation for certain criminal offenses. If further investigation is necessary, they refer candidates to the Prosecutor General.

³¹ Based on CEC data, three parties and seven groups of voters were denied registration due to incomplete documentation. Three mayoral and 10 local council candidates withdrew after they were registered. The CEC on 18 April 2023 reinstated the mayoral candidate of the Hashtag Initiative in Dropull (Gjirokastër region), following a decision by the Electoral College.

³² The Together We Win coalition launched its campaign at the Tirana national football stadium, with several thousands in attendance, introducing in person all 61 mayoral candidates, including three women candidates. The DP launched its campaign in a sports hall in Tirana, with a presence of several hundred supporters.

³³ On 11 April, in Vau i Dejës (Shkodër region) a bomb was placed on the car belonging to a local DPRC leader, causing material damage. On 19 April, a local SDP leader and a councillor candidate in Shengjin (Lezhë region) was shot dead at his business property.

³⁴ The ODIHR EOM is following the social media accounts of major contestants and the leaders of major parties, as well as the official accounts of selected municipalities. In addition, the ODIHR EOM is conducting a qualitative analysis of hate speech, inflammatory language or derogatory comments, or presence of disinformation narratives in social networks.

Campaigning in public facilities is prohibited.³⁵ CEC Decision No. 9 of 2020, adopted with the aim to limit potential abuse of administrative resources, prohibits political activity by civil servants during working hours. The CEC is authorized to scrutinize all events held by public institutions to identify abuse of public resources, and to ban events that do not comply with the law. To monitor compliance, the CEC in January 2023 deployed 119 monitors and has developed a weekly reporting mechanism.³⁶

Starting four months prior to election day and until the formation of a new government, the authorities cannot propose, approve, or issue decisions providing increased financial benefits. In this respect, many ODIHR EOM interlocutors have raised concerns regarding the 31 March decision to provide bonus of Albanian Lek (ALL) 5,000 (approx. 44 EUR) for pensioners, to be distributed in April, as well as pledges to increase the salaries of various groups of public-sector employees, articulated on several occasions in April by the prime minister. As several stakeholders expressed concerns that no official action from the CEC followed, the Commissioner publicly stated that according to his interpretation, the respective Electoral Code provision is only applicable to parliamentary elections.³⁷ On 22 April, in Kamëz (Tirana region), Mr. Rama declared, while referring to the DPRC candidate in a derogatory manner, that future government support to the municipality is conditioned by the election result.³⁸

On 24 March, the DPRC requested that the Special Prosecutor's Office Against Organized Crime (SPAK) initiate a criminal investigation against Prime Minister Rama and others concerning the distribution and use of the application ‘*AktivIsti*,’ which was introduced in 2022 by the SP. The DPRC claim suggests that application is used within the SP-controlled public administration, in order to control the social media activities of subordinate public-sector workers so that they endorse activities of the SP and government officials and party leaders on social networks.³⁹

IX. CAMPAIGN FINANCE

Contestants may finance their campaigns from public and private funds. On 12 April, the CEC distributed ALL 345,341,079 (approx. EUR 3.07 million) of annual public funding, provided for by the Law on Political Parties, to 11 parties which competed in the last parliamentary elections.⁴⁰ Political parties which obtained at least 1 per cent of the vote in the last local elections are eligible to receive additional public funding, provided for by the Electoral Code. Parliament allocated ALL 100 million for the local elections campaign. Based on this, the CEC decided on 22 April, eight days after the beginning of the campaign, to distribute some ALL 97 million to 13 eligible electoral subjects.⁴¹ Independent candidates are not entitled to public funding. Private funds may include contestants’ own means, donations from

³⁵ These prohibitions are governed by the Electoral Code, the Law on the Rules of Ethics in Public Administration, and the Law on Civil Service.

³⁶ Between 13 January and 23 April, 3,503 public activities were reported by 147 public institutions. The Commissioner banned 30 of these activities for violation of the reporting deadline and/or participation of political representatives.

³⁷ The Commissioner made this [statement](#) during a press conference on 30 March.

³⁸ Mr. Rama in his [speech said](#) that “those who will put the donkey with two long ears in the municipality can forget about the government. Forget about support from the government.”

³⁹ The SP has refuted claims that the application is used to control public sector employees.

⁴⁰ Of these, the SP received around ALL 151.5 million, the DP 106.4 million, the Freedom Party 15.5 million, the SDP 12.3 million, the Republican Party (RP) 11.5 million, the Party for Justice, Integration and Unity (PJIU) 9.8 million, the Human Rights Union Party (HRUP), the Environmentalist Agrarian Party (EAP), the Progressive Alliance Party (PAP), and the Legality Movement Party (LMP) 8.0 million each, and the Hashtag Initiative (HI) 6.3 million. EUR 1 is approximately ALL 113.

⁴¹ Due to overdue payments from the 2021 campaign, no funds were allocated to the SDP.

Albanian citizens and legal entities, and bank loans. Donations, including in-kind, are capped at ALL 1 million (approx. EUR 8,850).⁴²

The total campaign expenditures of a party may not exceed 300 per cent, and those of an independent candidate 50 per cent, of the highest amount of public funding allocated to a party based on the results of the last local elections. As these funds were allocated on 22 April, the expenditure threshold was only known to contestants after the campaign had started.

Each contestant must register the amount of each donation received, as well as donor identification data, in a special register approved by the CEC. Contestants are not required to publicly disclose, before election day, the source and amount of funds raised but must submit financial reports within 60 days from the announcement of election results. The Electoral Code provides for a list of sanctions for campaign finance violations. The 120 campaign monitors deployed by the CEC also oversee the implementation of regulations related to campaign finance.⁴³

X. MEDIA

The media environment is diverse, with a variety of media outlets operating in a limited advertising market. While online media consumption is continuously increasing, television (TV) remains the main source of political information.⁴⁴ Several ODIHR EOM interlocutors raised concerns related to media concentration and control by intertwined business and political interests, noting that both factors pose challenges to editorial independence and make journalists vulnerable to pressure and self-censorship.⁴⁵ Attacks on reporters, discrediting rhetoric by politicians, and difficulties in gaining access to public information were noted as major factors affecting media professionals.⁴⁶

The Constitution provides for freedom of expression, media freedom, and the right to information, and prohibits censorship. However, defamation remains criminalized and is punishable by heavy fines.⁴⁷ The Law on Audio-visual Media regulates broadcast media; in a positive development, proposed amendments known as “anti-defamation package”, which were criticized by several human-rights organizations, were withdrawn from parliament in November 2022.⁴⁸

The Electoral Code regulates the campaign coverage by broadcast media, which must provide unbiased and balanced reporting. The Code also contains provisions aimed at fostering transparency for election advertising and media monitoring reports. On 13 March, the CEC allocated free airtime for campaigning

⁴² Legal entities which received public procurement funds in excess of ALL 10 million (approximately EUR 88,500), those which have been involved in public partnership projects or have debts to the state budget, as well as those which carry out media-related activity, are not allowed to donate towards electoral campaigns. All donations above ALL 50,000 (approximately EUR 440) must be made through a designated bank account.

⁴³ On 20 April, the government adopted a decision on “Taking measures and monitoring the activity, behaviour or use of administrative resources during the election process”, in which it established an *ad hoc* task force for the co-ordination of the monitoring process, composed of 11 ministers and state officials, with representatives of four more institutions, including the CEC and the Prosecutor General.

⁴⁴ See [IPSOS Strategic Marketing Opinion Poll Results on Media Trust from March 2021](#).

⁴⁵ In March 2023, the European Parliament (EP) Committee on Foreign Affairs initiated a [motion for EP resolution](#) on the 2022 Commission Report on Albania, “urging the government to ensure the transparency of media ownership, financing and public advertising”.

⁴⁶ In a [statement](#) from 23 February 2021, the OSCE Representative on Freedom of the Media raised concerns over the intimidation of and attacks against journalists.

⁴⁷ The Criminal Code provides for fines up to ALL 3 million (around EUR 26,800).

⁴⁸ Print media are self-regulated, while online outlets remain unregulated.

on the public broadcaster Albanian Radio and Television (*RTSH*).⁴⁹ Paid airtime is limited to 90 minutes per private channel for each parliamentary party and 10 minutes for non-parliamentary parties and independent candidates, for the entire campaign period.⁵⁰ Party-produced content in news programmes is allowed, provided it is clearly labelled as such.

The media regulator, the Audio-visual Media Authority (AMA), is in charge of monitoring broadcasters' compliance with the legal requirements for campaign coverage. On 14 April, AMA launched its monitoring of some 34 broadcasters. Daily AMA media monitoring reports are available on the CEC website, containing also any breaches observed.⁵¹

On 14 April, ODIHR EOM commenced its quantitative and qualitative monitoring of five TV stations.⁵²

XI. ELECTION DISPUTE RESOLUTION

As a general rule, appeals can be lodged by contestants whose legal interests are affected, within three days of the decision.⁵³ While voters may only lodge appeals concerning their inclusion in the voter list, and observers may only appeal denial of their accreditation, anyone can file reports concerning alleged violations to the CEC, including electronically on the CEC website. The administrative complaint procedure is elaborate and involves due process guarantees. Complaints that do not meet formal requisites can be resubmitted with corrections within 24 hours.

Decisions of the Commissioner and of CEAZs may be appealed to the CSC, which has two days from the date of submission to decide. CEC decisions and failure of the CEC to act can be appealed within five days to the Electoral College of the Court of Appeals of Tirana (Electoral College), whose decisions are due within ten days and are final.⁵⁴

As of 22 April, 23 appeals have been filed to the CSC, most concerning candidate registration.⁵⁵ The CSC also considered 20 requests by the Commissioner to impose sanctions for violating the prescribed safeguards against abuse of public resources and satisfied 10 of these.⁵⁶ The Electoral College adjudicated 11 appeals within the deadline and in public sessions. The CEC informed the ODIHR EOM that as of 18 April, most of the 340 reports filed through its online portal had been submitted by CSOs and alleged abuse of public resources.

⁴⁹ Fifty minutes on public TV and 30 minutes on radio were allocated to the SP and to the DP, while other parliamentary parties received 25 minutes each on TV and 15 minutes on radio, and non-parliamentary parties received 10 minutes each on TV and radio. See [CEC Decision No. 352](#). On 18 April, RTSH held a lottery to determine the order of appearance of parties.

⁵⁰ The Electoral Code requires private broadcasters to submit pricelists to the CEC five days before the start of the official campaign period. On the CEC website, the pricelists of 16 media outlets are [available](#).

⁵¹ Reports include the amount of airtime allocated to electoral contestants, their order of appearance in news, gender ratio, etc. The tone of the coverage is not included in the reports. As of 22 April, according to AMA reports published on the CEC website, a few violations were found, mostly concerning the airing of political advertisement in forbidden timeslots and failure to provide recordings of the aired content to AMA, as prescribed by law.

⁵² Public broadcaster *RTSH-1* and private *Top Channel*, *TV Klan*, *Vizion Plus* and *A2 CNN*. In addition, qualitative monitoring of a number of online outlets is carried out.

⁵³ Appeals concerning election results may be lodged within five days.

⁵⁴ The Commissioner on 20 April in a letter to the Electoral College requested that the remaining appeals regarding candidate registration be reviewed no later than 24 hours after their filing to avoid delays in the process of production and distribution of ballots.

⁵⁵ Twenty-one appeals concerned candidate registration. Several of these were related to the controversy about the registration and legal representation of the DP; the others were related, among others, to alleged criminal records of candidates, collection of signatures, and technical requirements for the submission of registration documents. The two remaining appeals concerned the content of the ballot papers.

⁵⁶ Most concerned the requirement to report public activities during the four-month period before the elections.

XII. ELECTION OBSERVATION

The Electoral Code provides for non-partisan domestic and international observation of all stages of the electoral process. Parliamentary parties and coalitions may appoint permanent representatives to the CEC, while other electoral subjects have the right to appoint representatives for the electoral period only. Electoral subjects, once registered, may appoint one observer to the respective CEAZs and VCCs, and to each ballot counting table. Coalitions can delegate up to three representatives per commission or counting table, regardless of the number of parties in the coalition. The deadline for submitting accreditation requests is 15 days before election day for domestic non-partisan observers, and 72 hours for international observers. As of 22 April, the CEC has registered a total of 180 domestic observers from 10 civil society organizations, and 131 international observers.

XIII. ODIHR EOM ACTIVITIES

The ODIHR EOM opened in Tirana on 6 April. The Head of Mission has met with the President of the Republic, the Deputy Minister for Europe and Foreign Affairs, the State Election Commissioner and other members of the CEC, representatives of political parties, civil society, and the diplomatic community. The ODIHR EOM has established regular contacts with the election administration, governmental institutions involved in the electoral process, the judiciary, political parties, candidates, civil society, the media, and the diplomatic community.

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