







## INTERNATIONAL ELECTION OBSERVATION MISSION Albania – Parliamentary Elections, 11 May 2025

### STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

#### PRELIMINARY CONCLUSIONS

The 2025 parliamentary elections were competitive and professionally conducted but took place in a highly polarized environment and contestants did not enjoy a level playing field. Still, candidates were generally able to campaign freely although some reported facing intimidation. The electoral administration managed the process in an inclusive and transparent manner. The out-of-country voting, introduced for the first time for these elections, was well managed, despite the late political agreement and adoption of this measure and some organizational issues. The ruling party benefitted from widespread use of administrative resources during the campaign, creating an undue advantage of incumbency. There were also numerous allegations of pressure on voters, especially public employees. Further, the electoral legislation and its narrow interpretation by the election administration did not prevent abusive practices. Concentration of media ownership undermining the plurality of news sources, along with self-censorship among journalists and the two largest parties dominating the news coverage, limited voters' opportunity to make an informed choice. The active use of online social networks by the contestants, amplified the strong confrontational discourse, and no authority was designated to detect harmful manipulative content. The new coordination mechanism among institutions to investigate and prosecute electoral crimes is a welcome development, but follow-through is necessary to address persistent concerns of electoral malpractice. Election day was generally calm and well organized but there was a frequent lack of adherence to procedures, and it was marked by a number of incidents of intimidation and inducement of voters and some procedural and transparency shortcomings in the vote count.

The legal framework provides an adequate basis for the conduct of democratic elections, despite the persistent need for comprehensive electoral reform through inclusive public consultations. Noted shortcomings and ambiguities reduce the clarity of the legal framework and create uncertainty in its implementation in both letter and spirit. While some ODIHR and Council of Europe's Venice Commission recommendations were addressed, the majority of long-standing recommendations, including those related to the composition of lower-level election commissions, interim reporting on campaign finance, and provisions to provide a conducive media environment, including removing criminal liability for defamation, have not yet been addressed, indicating a lack of political will for comprehensive reforms.

The parliament is elected through a modified electoral system combining closed and preferential lists which was introduced ahead of these elections. Some smaller parties argued the system favors the two largest parties, and it limits the impact of preferential voting, enabling the party leaders to retain significant control over parliamentary representation, in part due to the lack of internal party democracy. Despite these arguments which several of these parties brought to the Constitutional Court, the Court did not find the system to be unconstitutional.

Overall, technical preparations for the elections were conducted efficiently, transparently, according to established deadlines and in an inclusive manner by the Central Election Commission (CEC). Still, some stakeholders perceived some CEC members as politicized. Sessions of the CEC were open to observers and were livestreamed. The challenge of organizing out-of-country voting was significant, and some issues with ballot delivery were noted; however, the process was generally well managed. Lower-level commissions managed the process efficiently and transparently, despite some disruptions caused by the late replacement of members nominated by political parties, especially for voting centre members in the

days leading up to the election. The CEC made an effort to improve accessibility at VCs for persons with disabilities, but on election day observers reported accessibility problems in some places.

Albania is continuing to introduce technology in elections through the use of biometric identification of voters and with electronic voting pilots. Electronic voting was conducted in two districts and biometric identification was used in all voting centres. In line with good electoral practice, the CEC reduced its dependency on the provider of the biometric and electronic voting equipment and the use of technology was properly documented and managed in a transparent and sustainable manner. Political parties and media had full access to observe the demonstration of functionality of the identification and electronic voting devices, but the CEC did not publish any information about the security tests, including on the scope and methods used in the tests. The ODIHR EOM interlocutors generally expressed confidence in the technology, but some concerns have been expressed, mainly by the opposition, indicating a lack of trust.

The voter register included 3.7 million voters, including 245,935 registered abroad to vote by post. Electoral subjects were eligible to request the full copy of the voter list which enhanced the transparency of the voter registration process, despite concerns it may raise regarding data privacy. Voters were given sufficient opportunity to review their information in the voter list both in person and online. For voting abroad, despite the CEC's extensive voter information campaign and decision to accept expired Albanian biometric IDs, some 41,000 applications had to be rejected, due to a lack of appropriate proof of residence in the host country. Overall, the voter registration process was transparent, the voter lists were considered inclusive and generally accurate, and the extension of voting rights to out-of-country voters marked a step toward broader electoral participation.

The CEC registered eight parties and three coalitions by the legal deadline and approved a total of 2,046 candidates in an inclusive process. Candidate verification led to the removal of 16 nominees due to criminal records, none of which were contested, and parties were able to replace them. The requirement for electoral subjects to submit full lists of candidates for both open and closed lists and for all districts in the country impacted their capacity to contest.

The campaign was overall low-key but was nevertheless characterized by a confrontational and polarizing discourse, particularly online and notably between the two main political parties and their leaders. Contestants were largely able to conduct their campaigns freely, but the playing field was uneven. The ruling party benefitted from the widespread use of administrative resources and institutional leverage, including the waiving of a large number of state fines announced shortly before election day, and senior government officials engaged in high number of official events that often overlapped with campaign messaging, blurring the line between state and party. Allegations of pressure on public employees, cases of intimidation of opposition supporters and the misuse of patronage networks were noted which is inconsistent with international standards. Other issues of concern include, reports of votebuying, attempts to unduly influence marginalized voters, and alleged influence of criminal elements on some political parties.

Campaigning on social networks was not regulated, and no authority was designated to monitor it. Despite most political parties signing a Code of Conduct on Digital Campaigns, several contestants disseminated divisive or manipulative content, while third-party accounts reportedly used coordinated inauthentic behaviour on the online platforms to amplify attacks against the opposition. Contestants actively used Facebook and Instagram. The government's ban on TikTok as of 6 March limited some candidates' campaign opportunities. Although the CEC identified violations in public institutions' posts, it discontinued investigations in a few cases, and its overall monitoring efforts remained limited in scope and effectiveness.

Women's political participation has grown in recent years, yet their advancement remains constrained by entrenched structural barriers, particularly weak internal party democracy and limited access to funding. While women currently hold half of the ministerial positions, they occupy only 36 per cent of parliamentary seats and remain underrepresented in key electoral bodies, making up just three of 12 CEC members and 31 per cent of Commissions of Electoral Administration Zone (CEAZ) members, with few in leadership roles. A total of 38.5 per cent of registered candidates were women, which meets the 30 per cent gender quota requirement, but indicates a need for increased political will to promote the participation of women.

Only limited changes to campaign finance have been enacted since 2020. Key ODIHR and Venice Commission recommendations remain unaddressed and shortcomings in the regulatory framework impact the transparency of campaign finance and the equality of opportunities for parties and candidates. Loopholes, such as the absence of specific regulation for loans, online campaigning, and third-party expenditures, and ambiguities regarding the exclusion of candidate spending from party limits, may allow for circumvention of the rules. Although required by law, none of the contestants published a database of donations or loans, and the CEC could not take action, due to a lack of legal instruments to enforce compliance with this legal provision. The absence of interim reporting and concerns over the effectiveness of auditing further reduce transparency and accountability in campaign financing.

The media environment remained highly constrained, with the independence, diversity, and integrity of news content undermined by non-transparent financing, concentrated ownership, interference in editorial autonomy, and political influence. There is a lack of independent reporting, undermining the media's oversight role and a lack of critical journalism and robust information and the majority of media outlets are perceived to be aligned to the ruling party. Although the Constitution protects freedom of expression, defamation remains criminalised and journalists continue to face defamation cases. The appointment procedures for both the public broadcaster and the audiovisual regulator lack safeguards for *de facto* independence. The Electoral Code does not provide for equitable news campaign coverage of non-parliamentary parties. On TV monitored by the ODIHR EOM, the Socialist Party (SP) and the Democratic Party (DP) dominated the news coverage. Unattributed campaign coverage was prevalent, but no measures were taken to address it.

The Complaints and Sanctions Commission (CSC) dealt with its cases in a transparent, manner in public sessions, with the participation of the parties involved. However, the CSC applied a narrow interpretation of the rules on the use of administrative resources, with such practices often going unsanctioned. Narrow statutory criteria for who may appeal a decision limits access to an effective remedy. The Special Structure against Corruption and Organized Crime (SPAK) played a positive role in investigating electoral corruption, and the new coordination mechanism between SPAK, the CEC, and the General Prosecutor's Office enabled better information sharing on electoral crimes and was seen as having a possible deterrent effect. However, some ODIHR Election Observation Mission (EOM) interlocutors questioned the effectiveness of police in handling electoral offences and the effectiveness of efforts against politically connected organized crime.

The legal framework provides for full rights for political participation of national minorities and campaigning in minority languages is permitted. Some minority political parties maintain that the electoral system, with a requirement to stand in all electoral districts, is a barrier for smaller parties. The CEC produced election materials and voter education in the languages of national minorities, but these were limited and not observed to be widely distributed.

Under the Electoral Code, election observers have the right to follow the process at all levels, and electoral subjects are also allowed to nominate observers. However, a lack of funding for local civil society, notably from international donors, limited their capacity to undertake a comprehensive observation of these elections, reducing the level of scrutiny of the election process.

Election day was calm in most areas and transparent, but with a lack of adherence to procedures in many voting centres. While voting was generally assessed positively in 95 per cent of observations, there was

a fairly high number of negative assessments, largely regarding procedural shortcomings, and some pressure on voters. Serious irregularities that were observed included a significant number of incidents of intimidation and party observers and affiliates interfering in the process, inducements and allegations of vote buying. Further, the secrecy of the vote was frequently compromised due to the layout of polling stations, overcrowding, and interference. More than half of the polling stations observed were not adequately accessible for persons with disabilities to vote independently. Electronic voting generally proceeded without hindrance, though many voters appeared unfamiliar with the process, and some electoral officials were not adequately trained or lacked clarity on their roles. The electronic transmission of results from e-voting centres was cancelled, and a manual transmission will be conducted at the district level instead. While the counting proceeded in an orderly manner in many places, not all IEOM observers had full access to the process and noted some procedural shortcomings and a chaotic atmosphere in some locations. The observation of the counting process in Ballot Centres is on-going.

## PRELIMINARY FINDINGS

## Background

The 11 May parliamentary elections took place in a highly polarized political environment. The EU accession process featured prominently in the political discourse, with the ruling Socialist Party (SP) campaigning on a 2030 membership target and highlighting negotiation milestones, while the opposition parties criticised the use of EU integration rhetoric as a distraction from domestic issues such as the standard of living, corruption, and democratic backsliding. The first-ever implementation of out-of-country (OCV) voting in these elections was generally seen as an important milestone.

The political landscape is dominated by the SP, led by Prime Minister Edi Rama, and the main opposition Democratic Party (DP), led by Sali Berisha. The SP has won three consecutive parliamentary elections since 2013 and further consolidated power in the 2023 local elections. Internal conflicts within the DP led to the formation of splinter parties. 2

In October 2024, former President Ilir Meta, leader of the Freedom Party (FP) was arrested on allegations of corruption. In November, house arrest measures against Sali Berisha, in place since December 2023, were revoked, as he awaits trial on corruption charges.<sup>3</sup> Several DP-led protests in late 2024 and early 2025 took place, driven by concerns over the perceived erosion of democratic institutions, allegations of government corruption and the misuse of state resources. The protests also responded to high-profile arrests, which some opposition groups saw as politically motivated. In February, Erion Veliaj, the mayor of Tirana and a prominent member of SP, was also arrested on corruption charges.

Women's political engagement has increased in recent years; however, their advancement continues to be hindered by long-established systemic obstacles, including weak internal party democracy and limited access to financing. Women hold half of the ministerial posts but are less represented in parliament, holding 50 out of 140 seats (36 per cent).

In the 2021 parliamentary elections, SP won 74 seats; the alliance led by the Democratic Party "Alliance for Change" (DP) gained 59 seats; the Socialist Movement for Integration (SMI) – 4 seats; and the Social Democratic Party (SDP) – 3 seats. In the 2023 local elections, the SP won 52 mayoral contests, the Together we Win Coalition – 7, and the Greek Ethnic Minority for the Future Party – 1.

Three parties were established in 2024 as spin-offs from DP: Euroatlantic Coalition, established by the former leader of DP, Lulzim Basha; the Opportunity Party, led by Agron Shehaj; and the Right 1912 party, established by Enkelejd Alibeaj.

In 2023, the Special Anti-Corruption prosecutors (SPAK) charged Sali Berisha with corruption linked to his time as prime minister (2005–2013).

# Legal Framework and Electoral System

Parliamentary elections are primarily regulated by the 1998 Constitution and the 2008 Electoral Code, complemented by a set of regulations issued by the Central Election Commission (CEC). <sup>4</sup> Albania is party to major international legal instruments related to democratic elections. <sup>5</sup>

The legal framework serves as an adequate basis for the conduct of democratic elections, but a number of shortcomings and ambiguities undermine legal clarity and create uncertainty in implementation. The Electoral Code was amended significantly in July 2024 and February 2025, introducing changes to the electoral system and campaign finance rules and for the first time introducing OCV, as required by a Constitutional Court ruling. Additionally, legal provisions declared unconstitutional in 2021, were subsequently repealed. The electoral system was amended following an agreement between the SP and DP, close to the elections and without an inclusive public consultation, contrary to international good practice.

Some ODIHR and Venice Commission recommendations, including on the revision of the nationwide threshold for independent candidates and the removal of the possibility for political party leaders to compete in several electoral districts, were addressed. However, many long-standing recommendations remain unaddressed, including on the composition of lower-level election commissions, suffrage rights of persons with intellectual or psychosocial disabilities, criminal liability for defamation, independent media coverage during electoral campaigns, interim reporting on campaign finance and the extension of campaign finance regulations to third parties. <sup>10</sup> This raises concerns about the persistent lack of political will to address longstanding deficiencies in the electoral legal framework and underscores the need for comprehensive reform through an inclusive and consultative process.

The parliament is elected through a proportional system from twelve multi-member electoral districts corresponding to administrative regions. The allocation of seats per district is based on the number of citizens, aiming to ensure the equality of the vote, though minor deviations persists despite the legal obligation and the efforts to make the number of voters required to elect a candidate as close as possible

Other relevant laws include the 2000 Law on Political Parties, 2001 Law on Demonstrations, 2013 Law on Audio-Visual Media, 2015 Law on Decriminalization, 2008 Law on Gender Equality and the 2024 Law on Personal Data Protection

For instance, the timeframe for the application of regulations on the use of administrative resources for electoral purposes is ambiguous; there are no provisions regulating online campaigning; there are inaccuracies in the rules governing electoral dispute resolution and the bodies whose decisions can be appealed.

On 9 December 2022, the Court determined that the absence of legislation enabling Albanian citizens residing abroad to vote constituted a violation of their constitutional rights and obligated Parliament to establish provisions facilitating out-of-county voting within a year.

The Constitutional Court ruled in 2021 that the criteria for allocating parliamentary mandates were unconstitutional, specifically the threshold required for re-ordering preferential list candidates and the one per cent national threshold imposed on independent candidates.

See, for example, paragraph 25 of the 2023 ODIHR <u>Guidelines</u> on Democratic Lawmaking which prescribes that "All interested parties and stakeholders should have the opportunity to access the lawmaking process, be informed about it and be able meaningfully to participate and contribute." See also Section II.A.5.IV of the Venice Commission's Rule of Law Checklist related to the public access to draft legislation.

See previous ODIHR election-related reports on Albania. See also the joint ODIHR and Venice Commission opinions on the amendments to the Constitution and the Electoral Code in 2020 and on the electoral law and practices in 2011.

Including the 1966 International Covenant on Civil and Political Rights (ICCPR), 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1979 Convention for the Elimination of All Forms of Discrimination against Women, (CEDAW), 2003 UN Convention Against Corruption, 2006 Convention on the Rights of Persons with Disabilities (CRPD), 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), 1995 Framework Convention on National Minorities, 2004 UN Convention against Corruption (UNCAC). In 2023 Albania signed the Second Additional Protocol to the Cybercrime Convention. Albania is a member of the Council of Europe's Venice Commission and Group of States against Corruption (GRECO).

in all districts. <sup>11</sup> Under the new electoral system, each party or coalition presents one closed and one preferential list per district and for all districts. <sup>12</sup> Each closed list must contain a number of candidates equal to one-third of the number of seats in the district (rounded to the closest number), and a preferential list, with exactly the same number of candidates as there are seats in the district. The gender quota provides that one in every three candidates on both the closed and the preferential voting list shall belong to the less represented gender. The gender quota shall also be respected in the final distribution of mandates in the preferential list.

A party or coalition must pass a one per cent nationwide threshold to qualify for seat allocation in any of the districts, and the total number of seats per party in each district is determined proportionally. For each party, seats won in a district are first assigned to candidates on the closed list (until it is exhausted), with remaining seats distributed to candidates from the preferential lists, based on the number of preferential votes they receive. Several smaller parties, including some representing minorities, challenged the new system in the Constitutional Court, arguing that it benefits the two dominant parties, undermines the real possibility of a candidate from the open list to win a seat and does not respect the constitutionally imposed preferential voting requirements. While the Constitutional Court found the system constitutional, as the law does not violate the requirement related to candidate lists, it could still result in substantial control or influence of party leaders over parliamentary representation, in part due to a lack of internal party democracy, as most mandates are inevitably allocated to candidates from the closed lists regardless of the number of preferential votes gathered by candidates on the open lists.<sup>13</sup>

#### **Election Administration**

The elections are administered by the CEC, 93 Commissions of Electoral Administration Zones (CEAZs) and 5,225 Voting Centre Commissions (VCCs). Counting is conducted regionally by Ballot Counting Teams (BCTs) in 93 Ballot Counting Centres (BCCs), one in each zone, plus one for out-of-country ballot counting. The CEC comprises the State Election Commissioner and the Deputy Commissioner, the Regulatory Commission (RC), and the Complaints and Sanctions Commission (CSC). CEC members are elected by the parliament with no less than three-fifths of the votes. Only three out of 12 CEC members are women.

The CEC administered the elections transparently and met its deadlines in accordance with the law. CEC sessions were timely announced, open to stakeholders, including political parties, who regularly participated, and were livestreamed. Generally, the CEC adopted its decisions in a timely manner, but there were instances where the delineation of competencies between the Commissioner and Regulator appeared blurred. The CEC was responsive to stakeholders, including collaborating with civil society organizations and political parties and sharing draft regulations. However, election information was not readily available to the public on the CEC's website due to an on-going substantial update. Several regulations were amended up to a week before election day, related to the instruction manual on vote counting procedures, and processing and counting of postal ballots from abroad, raising concerns that key information might not be disseminated to polling officials, parties and other stakeholders in a timely

Currently, Kukës is the only district that deviates more that 10 per cent from the national average, however due to the smaller size of this district (with only 3 seats elected), transferring another mandate to this district would introduce an even larger deviation.

The closed lists are ordered by the party, and the preferential lists are in alphabetical order, and each voter can select one candidate.

The Court rejected the complaint, stating that the system was in compliance with Article 64.3 of the Constitution, according to which "the law on elections guarantees that no less than two-thirds of the multi-name list should be subject to preferential voting and ensures gender representation."

The Commissioner has broad executive authority and represents the CEC. The Deputy Commissioner has a specific function to oversee the use of voter ID technology. The Regulator adopts sub-legal acts while the CSC examines complaints against decisions of the Commissioner and CEAZs, rules on the invalidity of voting and election results, and may impose sanctions at the Commissioner's request.

manner, and could lead to procedural confusion among polling officials and party observers. 15 In general, the CEC acted inclusively and enjoyed a high level of confidence, although some stakeholders perceived some CEC members as politicized.

For the first time, Albania conducted out-of-country voting (OCV) through postal voting, widely regarded as a landmark electoral development. Overall, the OCV was technically well organized, even more so as the number of registrations far exceeded the number expected by the CEC. There was an adequate regulatory framework for OCV, though some aspects were adopted late. 16 Voters received ballots for the electoral district of their last registered address in Albania and, to be counted, had to be returned to the CEC by 11 May at 7 p.m. 17 The OCV processing centre in Tirana was accessible to observers and its operations were livestreamed. In addition, diaspora voters could submit queries if they did not receive their ballots. Overall, the CEC managed to organize OCV under tight deadlines despite some reported delays in delivery in some countries, isolated instances where the voter did not receive a ballot or received two ballots and the duplicate printing of voters' address labels.

The CEC trained 36,000 election staff through a cascade training program.<sup>18</sup> While the trainers were generally well prepared, the sessions observed by ODIHR EOM Long-term Observers (LTOs) lacked a standardised methodology and, in some cases, sufficient materials. Positively, the CEC undertook a comprehensive voter education campaign on social networks, TV and radio, including on OCV, national minorities, and persons with disabilities. The CEC used accessible formats such as sign language interpretation for TV spots and provided information in Braille. ODIHR EOM interlocutors raised some concerns regarding the lack of direct, in-person voter education for persons with disabilities and the lack of education for the Roma community on the new electoral system and how to correctly mark the ballot paper, potentially limiting the ability of some voters to cast their votes correctly and independently. 19

CEAZs are responsible for organizing the elections in their respective areas, appointing the members of the VCCs and BCTs, and staff for tabulating results.20 CEAZs and lower-level election officials are nominated by political parties, despite previous ODIHR and Venice Commission recommendations to allow for non-partisan appointment of election commissioners.<sup>21</sup> CEAZs acted professionally and held regular meetings open to the public. The ODIHR EOM noted that CEAZs were largely comprised of experienced members who served in previous elections.<sup>22</sup>

By 7 May, political parties recalled or replaced over 209 CEAZ members out of 744 (28 per cent), but in the last few days before election day, the CEC informed the ODIHR EOM that there were up to two hundred additional replacements.<sup>23</sup> In most instances, parties replaced their CEAZ members at their discretion; however, the DP informed the ODIHR EOM that some of their members were changed

Section II. paragraph B, point 3 of the 2024 Venice Commission Revised Interpretative Declaration on The Stability 15 of Electoral Law states that "In the electoral field, legal certainty means that the confidence in democratic elections in line with international standards should not be undermined by late amendments to primary or secondary legislation, including from electoral bodies.".

Electoral law amendments related to the counting and evaluation of postal ballots were introduced only in February 2025, three months before elections. Subsequently, the CEC adopted several regulations related to out-of-country voting, some with further delays (two regulations were adopted in March 2025).

By law, ballots with an entry stamp or tracking information confirmed they arrived to Albania by the deadline would 17 be counted. Delivery of ballots was made through DHL which was chosen as the service provider through a proper procurement process by the CEC.

Four master trainers and 76 regional trainers used a mix of lecture style and interactive sessions. 18

A lack of voter education for minority communities was noted/observed in Elbasan, Berat and Lezhë municipalities. 19

According to the CEC, 18 special VCs were established, 16 in correctional facilities, and two in care homes. 20

A total of 741 CEAZ members were appointed: 279 from the DP, 279 from the SP, 93 from the SDP, and 90 from the 21

Of current CEAZ members, 57 per cent served in previous elections, 251 (XX per cent) members were serving for the

This contravenes Section II.3.1.f of the 2002 Venice Commission Code of Good Practice in Electoral Matters, which 23 states that "the bodies appointing members of electoral commissions must not be free to dismiss them at will".

following alleged threats.24 Several CEAZs informed the ODIHR EOM Long-term observers that the numerous replacements of members were disruptive but did not impact their overall preparations.<sup>25</sup> CEAZs met the legally required 30 per cent quota for the under-represented gender, with women comprising 31 per cent of members; however, women had limited presence in leadership roles which underscored the minimal nature of this compliance. 26 CEAZs faced several challenges in finalizing the composition of VCCs in remote areas and in hiring staff, mostly due to an insufficient number of nominations mostly by the DP, SDP and FP.27

By law, voters in the country can only vote in person at the voting centre, and homebound voting is not available. Persons with a disability may request assistance from a family member or another voter in the polling station.<sup>28</sup> The CEC provided tactile ballot envelopes for visually impaired voters and accessible voting booths in all voting centres to facilitate independent voting. The CEC worked to improve accessibility of its polling sites by instructing CEAZs to install ramps, provide signage, and barrier-free access and trained CEAZ and VCC staff on assisting voters with disabilities. The legal framework does not provide for postal voting for hospitalized, homebound or voters with reduced mobility, an issue that was raised by some International Election Observation Mission (IEOM) interlocutors.

# The Use of Technology in Elections

As in previous elections, biometric voter identification was used in all voting centres.<sup>29</sup> While the majority of voters used paper ballots, the electronic voting and vote counting pilot continued in two districts. The Electoral Code requires that voting pilots cover no less than 10 per cent of voters. However, following a political stalemate on the issue and a request from DP, the CEC Regulatory Commission sanctioned the use of two pilots that only included 1.4 per cent of the total number of registered voters, in contravention of the law. 30 Each VCC was equipped with two touchscreen devices that, for each vote, produce a printed receipt that the voter can see through a transparent window before being dropped into a sealed ballot box.31 After polling stations close, each machine tallies the votes, transfers the results electronically and prints a tally report. A total of 10 per cent of the ballot boxes are recounted manually. The CEC organized electronic voting demonstrations on the streets to increase voter awareness, but those were not assessed by the ODIHR EOM to be particularly proactive. 32 Political parties and media were able to observe these demonstrations and test the different functions of the identification and electronic voting devices. The ODIHR EOM interlocutors generally expressed confidence in the technology, but some concerns have been expressed regarding a lack of trust mainly by the opposition.<sup>33</sup>

For example, DP informed the ODIHR EOM that 20 VCC staff in Unit 8 in Tirana have withdrawn due to pressure.

Many replacement members served in previous elections as VCC or in BCT members.

Of the total number of CEAZ Chairs, Deputy Chairs and Secretaries, 26.5 per cent are women.

In cases where parties cannot propose sufficient VCC staff, the CEC appoints them from a recruitment pool. On 7 May, the CEC informed the ODIHR EOM that only 80 per cent of VCCs are constituted.

The CEC informed the ODIHR EOM that it registered some 26,000 persons with a disability, based on data provided 28

Each VC has one offline device containing the voter lists from all VCs. Voters are identified by scanning biometric ID, card data is compared to that on the device. A paper receipt with voter's information and photo is printed for visual verification, and a fingerprint is scanned in lieu of a signature.

The Electoral Code requires a phased introduction of ICT through pilots covering no less than 10 per cent of voters. The 2025 pilot covered 75 VCCs with 51,505 registered voters, (31 VCs with total 22,290 registered voters in Tirana, 44 with 29,215 voters in Vorë). This compares to 23,597 registered voters (32 VCCs in Tirana) in 2021 and 310,846 voters (401 VCs in Elbasan, Kamëz, Vorë) in the 2023 local elections.

Voters had the option of leaving the ballot blank and could re-vote once (in which case the first vote is printed as an invalid ballot). Paper ballots were available as a contingency but not used in parallel.

In response to past complaints about voter requests for assistance on election day and little interest in demonstrations at VCs, daily demonstrations were held at five street locations across the electronic voting area for two weeks.

During the functional testing of voter verification devices on 28 April, political activist Altin Goxhaj questioned their trustworthiness. The CEC stated in 2024 that the DP remains sceptical and must agree before expansion. In 2023, the DP Chairperson denounced the pilot as "a monstrous, digitally cooked manipulation."

In advance of the 2021 parliamentary elections, the CEC procured biometric identification for all voting centres and more than 800 electronic voting and vote counting devices through open international tenders. The CEC managed biometric identification, electronic voting pilots, and its various election information systems through private contractors and the CEC staff, with little reliance on government IT services. Compared to previous elections, and in line with good electoral practice, the CEC was less dependent on the equipment vendor who in previous elections configured the device and provided full technical support. Technical requirements were aligned with the law, and the use of technology was properly documented and managed in a transparent and sustainable manner.

Elections are by law considered critical information infrastructure.<sup>37</sup> Notably, the CEC has undergone information security management system certification.<sup>38</sup> The National Cyber Security Authority supported the CEC with security testing, technical assessments and recommendations for improvement, with a special focus in 2025 on securing OCV registration platforms and the personal data of diaspora voters. While several institutions were a target of politically motivated cyberattacks in recent years, ODIHR EOM interlocutors did not report concern over foreign cyber interference in these elections.

The Electoral Code does not require independent technology audit or certification. However, in addition to internal tests, a contractor performed security tests of the CEC servers, its website and the biometric and electronic voting devices, in line with previous ODIHR recommendations. Apart from information on the public tender, the CEC did not publish further information about the security tests. While it is understandable that the CEC does not disclose sensitive security information, it also did not transparently communicate the scope, the methodology and summary of the results of such tests.

## **Voter Registration**

Albanian citizens aged 18 years or older on election day are eligible to vote. Citizens whose legal incapacity is declared by a court decision cannot vote, at odds with international obligations prohibiting discrimination based on disability.<sup>39</sup> Citizens serving a prison sentence for committing certain crimes may not vote.<sup>40</sup>

Voter registration for in-country voting is passive, based on the civil registry. Overall, the voter registration process was transparent, and electoral stakeholders had confidence in the inclusivity and general accuracy of the voter lists. However, to ensure the accuracy of the voter list and limit the number of deceased persons remaining on the voter list, voters over 100 years of age are automatically removed from voter lists and must confirm their status for inclusion, which may be an undue burden on these voters. Beyond this, voters can only be removed from the national register in case of death or at their own request.

The CEC provides technology management and logistics, offers tech support, recruits and trains the device operators, and manages its own infrastructure.

The <u>obligations</u> under the 2024 <u>Cybersecurity Law</u> designating independent institutions as <u>critical information</u> infrastructure focus on reporting to the National Cyber Security Authority.

ISO27001 certification is based on independent audit of information security controls, documents and processes. It does not include technical assessment or testing.

Articles 12 and 29 of the 2006 <u>Convention on the Rights of Persons with Disabilities</u> (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 <u>General Comment No. 1 to Article 12 of the CRPD</u>.

In line with Article 45 of the Constitution, the Law on Decriminalization denies voting rights for those 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).

Smartmatic won open tenders for both devices in 2021. In 2025, they were just tasked with updating software and supported the CEC during the election period.

The ODIHR EOM reviewed test and certification reports, device requirement and procurement documents. The political parties and the public have access to documents detailing the technology used, procurement and management processes.

Electoral subjects are eligible to request the full copy of the voter list which enhanced the transparency of the voter registration process, despite concerns it may raise regarding data privacy. 41 Voters were given sufficient opportunity to review their information in the voter list, both in person and online, until a day before election day. 42 As required by law, the CEC appointed two auditors to assess the accuracy of both the in-country and out-of-country voter lists. The auditors reviewed the allocation of voters to voting centres on a monthly basis, starting from six months prior to election day, and reported that this was successfully handled. The CEC published the final voters lists on 2 April with 3,713,761 registered voters, including those residing abroad.43

Eligible voters with an official residence permit abroad, can register for OCV. Following an extensive voter information campaign targeting the diaspora, the CEC conducted voter registration from 11 January to 4 March. Voters were required to upload their Albanian biometric IDs issued after 2009, residence permit issued by an authority in the host country and a proof of address, including through a utility bill or a bank statement in case the permit does not include it. 44 Initially, the CEC required valid Albanian IDs but amended their decision to provide for those with expired biometric documents to register. 45 The final out-of-country voter list was published on 11 March with 245,935 voters from 85 countries. 46 Some 41,000 applicants were rejected mainly because they could not present an official residence permit or proof of their address in the host country, as determined by the CEC.

The law requires eligible voters to present a valid biometric passport or identity card in order to vote. However, a significant number of citizens, some of which reside and vote in-country, have expired identification documents, an issue also noted in previous elections.<sup>47</sup> On 7 May, the Council of Ministers extended the validity of all biometric identification documents until 31 May, thereby enabling affected voters to vote.

# **Candidate Registration**

The right to stand for elections is afforded to any eligible voter, except those serving a prison sentence based on a final court decision for certain crimes. 48 Additionally, the Constitution outlines categories of officials whose positions are deemed incompatible with the right to stand for election. 49

Candidates can be nominated by parties and coalitions registered with the CEC as electoral subjects or stand independently. The CEC registered all eight political parties and three coalitions that applied by

According to the MoI, as of 11 May, 360,809 Albanians have expired biometric identity cards and 550,633 expired 47 biometric passports.

The president, judges, prosecutors, military and national security officers, police, diplomats, mayors, prefects, election 49 commission members, and certain state administration officials.

Paragraph 4.1.3. of the 2024 Council of Europe Guidelines on the protection of individuals with regard to the processing of personal data "Consistent with the principle of data minimisation, data processed in voter registers and voters lists should be limited to that necessary for the registration and authentication of voters".

While application must be received at latest 24 hours before election day, the court must make a decision no later than 42 6 hours before the closing of the polls.

The 2023 census by the Institute of Statistics (INSTAT), stated the number of residents of Albania had decreased to 43 2.4 million from 2.8 in 2011.

The voters' last residence in Albania, according to which the voters are allocated to electoral districts is taken from the 44 national population register.

The CEC received numerous queries from voters abroad regarding expired Albanian biometric IDs prompting the 45 government to issue a regulation on 5 February to allow the use of expired IDs.

The largest groups of out-of-country registered voters is in Italy, with 91,223 (37.1 per cent), and Greece, 68,386 (27.8 per cent). Among the others, there are a large number of voters in Germany 25,499 (10.4 per cent), the United States 20,653 (8.4 per cent) and the United Kingdom 17,227 (7 per cent).

The Law on Decriminalization refers to deportation from an EU Member State, Australia, Canada and the United 48 States. Citizens convicted for certain crimes or deported from these states, even in the absence of a final court decision, are barred to stand for election, as those under an international search warrant.

the 12 March deadline. <sup>50</sup> Of these, only one, the Albanian National Alliance Party, was led by a woman. Parties and coalitions were required to submit two types of candidate lists, a closed list with a predetermined order and a separate list for preferential voting, ordered alphabetically. A candidate could not appear in multiple electoral zones or on both types of lists simultaneously. In line with a prior ODIHR and Venice Commission recommendation, the possibility for party leaders to compete in several electoral districts was revoked. Some smaller and minority parties informed the ODIHR EOM that they had difficulties in identifying a sufficient number of candidates in all districts. While the failure to submit a sufficient number of candidates in any given district may lead to denial in registration all eleven electoral subject who submitted a registration application met the legal requirement and were registered. Overall, ODIHR EOM interlocutors did not raise concerns over the registration process.

The CEC registered 2,046 candidates in an inclusive manner. The Electoral Code requires that one in every three candidates on both lists must belong to the less-represented gender. A total of 787 (38.47 per cent) were women, which is barely above the legal minimum although all list complied with the requirement. No independent candidates submitted registrations to run in these elections. During the candidate verification, the CEC removed 16 candidates from the lists of various parties, all based on information provided in candidates' self-declaration forms related to their criminal record and confirmed through the General Directorate of Prisons. Affected parties did not appeal these decisions and were able to submit replacement candidates.

# Campaign Environment

The official campaign period commenced on 11 April and continued until 24 hours before election day. The campaign was overall low-key, with a focus on small in-person events, door-to-door outreach, and on social networks. SP and DP organized some larger events, along with a limited number of rallies by smaller parties. Common issues raised during the campaign included securing the path to EU membership, economic development, fighting corruption and strengthening democratic institutions. The campaign's tone was often confrontational, with personal attacks between the two main parties and their leaders. The SP aimed to discredit the opposition, while the DP accused the government of corruption and alleged that it is linked to organized criminal groups.

While contestants were largely able to conduct their campaigns freely and voters had a choice among political alternatives, the playing field was uneven, with the ruling party benefiting from the use of administrative resources and institutional leverage. The law prohibits to use of state resources in support of the campaigns of electoral contestants, but it allows campaigners to perform their official duties during the campaign. Notably, shortly before and during the campaign period, ministers and the prime minister

The ODIHR EOM observed 88 campaign events, of which 69 featured women speakers. A total of 67 of these events were accessible to persons with disabilities, but none included sign-language interpretation.

Coalition "Democratic Party – Alliance for a Great Albania" (PD–ASHM), Party "Lëvizja Bashkë" (Movement Together, "Lëvizja Atdheu" (Homeland Movement), Party "Euro-Atlantic Coalition" (KEA), Socialist Party of Albania, Coalition "Albania Becomes – Adriatik Lapaj Initiative", Party "Albanian National Alliance", Party "New Democracy Alliance", Coalition "Right-Wing for Development", Party "Mundësia" (The Opportunity), Social Democratic Party.

On 14 April, Deputy Prime-minister Belinda Balluku posted in reference to DP: "They steal, kill, slander, and curse"; On 23 April, Mr. Berisha stated in reference to Rama's allies: "Your kind will be declared terrorists...there will be no place for you on Earth"; on 24 April, Mr. Berisha accused Mr. Rama and Ms. Balluku of orchestrating a "mafia-driven land grab". Agron Shehaj, the leader of Opportunity Party accused Adriatik Lapaj, the leader of Albania Becomes Movement, of benefiting from insider deals in his capacity as a lawyer. In response to these allegations, according to media reports, Mr. Lapaj filed a defamation lawsuit.

engaged in official events, held inspections of facilities, promoted investment and infrastructural projects, overall contributing to the advantage of the ruling party, and at times explicitly campaigning.<sup>53</sup>

By law, no legislation granting benefits to specific segments of the population may be proposed or adopted in the four months preceding election day. While the law has been formally respected, some policies approved before this period resulted in benefits being distributed to certain groups of voters during the electoral period and several large-scale events took place during the campaign period. 54 In December 2024, the government decided to waive fines for unauthorized constructions, non-compliance with COVID-19 restrictions, and for agricultural and livestock producers, that were imposed between 2015 to 2024 and announced this on 9 May 2025, with the apparent purpose of influencing voters. Furthermore, public institutions and state entities are required to report to the CEC any public activities in the four months prior to election day, which the CEC may decide to prohibit as misuse of state resources. Of the 4,522 official events registered during this period, the CEC prohibited only 18 as involving misuse of state resources, raising doubts as to its capacity to review all submissions and its narrow approach to interpreting the law in this respect. Although many of these activities formally complied with legal provisions, their high number created opportunities for the incumbent to use them for campaign purposes, particularly in regions where high-level government officials served as SP political coordinators. 55 The wide use of such public activities for electoral purposes further reinforced the ruling party's undue advantage, and blurred the line between the state and party, contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document. 56

The CEC can investigate election-related administrative offences, *ex officio* or in response to complaints filed online by any interested party. Of the 166 such complaints received by the CEC, a significant portion was about the use of public resources, road paving, prohibited public-private partnerships, and the initiation of social assistance, subsidies, and public procurement tenders, made in connection with heads of public institutions, mayors, and ministers. In the majority of the decisions issued by 9 May on these matters, the CEC found that, since the budgets were allocated before the start of the four-month period, the measures were not in violation of the law, and in 37 cases, CEC decided not to initiate an administrative investigation. Overall, the CEC reached a decision only on 118 of the complaints by election day. The lack of an expedite procedure addressing complaints raises concerns about the efficiency of the current system for investigating and deciding upon election-related administrative offences by the CEC.

separation between the State and political parties"

For example, On 18 April, the Minister of Health and Social Protection <u>promoted</u> the government's investment Lezhë Regional Hospital; on 19 April, the Prime Minister, Deputy Prime Minister, and the Minister of Infrastructure and Energy <u>presented</u> the new gasification project in the city of Korçë. On 28 April, the Minister of Interior <u>presented</u> a new development project for the production of military vehicles. The Prime Minister also <u>toured</u> the newly renovated Municipal Hospital of Mirditë on 18 April, the Psychiatric Hospital in Vlorë on <u>27 April</u>, the construction site of a new school in Tirana on <u>28 April</u>, presented the construction of a new high-tech facility in Shkozë on <u>28 April</u>, and promoted the investments in the region in Gjirokastër on <u>3 May</u>.

A 9 January <u>Decision</u> of the Council of Ministers provided for pensioners in Albania to receive a spring bonus along with their monthly pension. Distribution of the payments of ALL 10,000 (approximately EUR 100) or ALL 5,000 (EUR 50), depending on the level of pension, started on 1 March. Projects budgeted for in 2024 by municipalities that were initiated immediately prior to or during the elections, included: road works in Durres, Himarë, and Librazhd, invitation to tenders in Himarë, Mat, Roskovec, and Shkoder; and subsidies in Lezhë, Klos, and Tirana. Large scale or highly visible events included the March Tourism Fair in Berlin, attended by ministers and the Prime Minister and widely reported on and the Albanian segment of the Giro d'Italia cycling event, which was scheduled to take place on 9 to 11 May, coinciding with the electoral silence and election day.

The highest number of events were in municipalities in Fier region, where the Deputy Prime Minister is SP' political leader. High numbers of instances were also registered in Lezhë, led by the Minister of Justice and Gjirokastër, led by the Minister of Tourism. Municipalities led by the opposition registered none or only a limited number of such events.

In paragraph 5.4 of the 1990 OSCE Copenhagen Document, the OSCE participating States committed to "a clear

The ODIHR EOM received widespread allegations and reports that municipal employees were pressured by their superiors to participate in or support the SP's campaign. This is inconsistent with international standards that require voters to be free from undue influence or coercion.

Several allegations of vote-buying were noted during the campaign, and investigations were initiated in 37 cases. A number of ODIHR EOM interlocutors made allegations of links between political parties and organized crime in some areas, with organized crime groups intimidating and threatening voters and, at times, candidates. 2

Campaigning on social networks is not expressly regulated, and there is no regulatory authority designated by law to monitor campaign activities on social networks and detect disinformation, manipulative content and the use of inauthentic behaviour. However, the CEC set up a special unit to monitor the social network accounts of 150 public institutions during the campaign and received training on detecting election-related misinformation. Based on this monitoring, from 11 April to 9 May, CEC found 10 posts of public institutions to potentially be in violation of its regulations and referred them for administrative investigation. In a few similar matters submitted to the CEC regarding use of official accounts of public institutions for campaigning, the CEC chose to stop investigations. The CEC made some effort to coordinate with Meta but this did not result in a mechanism for the CEC to flag potentially manipulative content or to request content be removed. The overall scope and effectiveness of CEC's monitoring of the online campaign remained limited.

In 16 events held by the SP for women, observed by the ODIHR EOM, the majority of attendees were public sector employees. In four of these events, some attendees informed the ODIHR EOM they had been instructed to attend by their employer.

See paragraph 19 of the 1996 General Comment 25 to Article 25 of the ICCPR, which states that "[p]ersons entitled to vote must be free to vote for any candidate [..] and to support or to oppose government, without undue influence or coercion of any kind which may distort or inhibit the free expression of the elector's will."

Specific allegations of vote buying were made in Elbasan, Korçë, Mirditë, Shkodër, and Tirana.

Such allegations were made to the ODIHR EOM in Durres, Elbasan, Tirana and Vorë where the alleged perpetrator was reported to be linked to an organized criminal group.

In preparation for the elections, on 16 April, the CEC held a meeting with the representatives from Meta. The ODIHR EOM reached out to Meta to discuss its activities regarding the upcoming elections but it did not receive a response.

Allegations and first-hand reports of municipal employees pressured by their superiors to attend campaign events by SP were made in Durrës, Fier, Has, Korçë, Peshkopi, Shkodër, Tirana, and Vlorë. Allegations of pressure on municipal employees to take part in the SP campaign, or support it, including financially, were made in Devoll, Elbasan, Gjirokastër, Korçë, Lezhë, Pukë, Shkodër, and Tropojë. Allegations of pressure on public sector employees to relay information about their family or friends living abroad were made in Dibër, Durrës, Elbasan, Fier, Korçë, Lezhë, Shkodër, and Tirana. On 7 May in Elbasan at the closing rally of DP, the ODIHR EOM was informed by party officials that participants had been bussed from the neighbouring municipalities of Cërrik and Belsh.

First-hand reports of threats were made in Berat, Durres, and Fier. Allegations of voters refraining from attending opposition party events for fear of retribution were made across the country, and with particularly concrete and elaborated accounts in Durrës, Elbasan, Gjirokastër, Lezhë, Korçë, Kukës, and Tirana. Further, allegations of voters being intimidated by the police were reported in Fier. On May 4, family members of an SP candidate were allegedly threatened in Lezhë.

Before elections, the Balkan Investigative Reporting Network (BIRN) held a training for the CEC regarding methods to monitor hate speech, disinformation, and spending on social networks. See section II.3 of the Explanatory Report of the 2024 Venice Commission's Interpretative Declaration on the Code of Good Practice in Electoral Matters as concerns digital technologies and artificial intelligence.

During the electoral period, the ODIHR EOM followed the campaign activities of 23 accounts of political parties, coalitions and key candidates on Facebook and Instagram. 65 Contestants actively engaged across these platforms, focusing on video messages, sharing content from campaign events, and promoting campaign promises. Although most political parties signed a voluntary Code of Conduct on Digital Campaigns prior to the campaign, including DP and SP, several contestants shared divisive, discriminatory, and manipulative content. 66 Some civil society organizations monitored the campaign on social networks, including the Balkan Investigative Reporting Network, which reported on instances of coordinated inauthentic behaviour used to artificially amplify the engagement, especially of the thirdparty accounts that disseminated attack ads against the opposition, and the Coalition for Reforms, Integration and Consolidated Institutions, which monitored paid political advertisements on social networks.67

# Campaign Finance

Campaign finance is primarily regulated by the Electoral Code in conjunction with the Law on Political Parties. Despite some recent changes, no comprehensive reforms have been enacted since 2020. The current framework lacks effectiveness, with its shortcomings negatively affecting the transparency of campaign finance and the equality of opportunities for parties and contestants.

Political parties may finance their campaigns from public and private funds, including their own funds, bank loans and donations from citizens and domestic legal entities. On 21 March, well before the start of the campaign, the CEC distributed ALL 131,201,816 (approx. EUR 1.3 million) of public funding among the eleven electoral subjects distributed based on past election results. In 2025, the self-financing ceiling was raised from ALL 1 million to ALL 3 million (approx. EUR 30,000). Donations, including in-kind, are capped at ALL 1 million (approx. EUR 10,000) per donation, without a limit on the aggregate amount. Only the contributions above ALL 50,000 (approx. EUR 500) must be made through a designated bank account. Loans are neither capped nor specifically regulated, for example, in terms of repayment obligations. Although required by law, none of the contestants published a database of the donations, loans, or credits obtained, further undermining transparency; however, the CEC did not require them to take any action as the CEC is not provided with the legal instruments to enforce compliance with this legal provision.

The regulated period covers the expenditure of political parties and coalitions from the date the elections are officially announced until the end of the campaign, including those incurred before the official campaign period. However, the law lacks clear guidelines on what type of pre-electoral activities should be classified as campaign expenses and subject to oversight and potential sanctions, which falls short of international good practice.68

The current spending ceiling for a party or a coalition is ALL 326,456,950 (approx. EUR 3.3 million).<sup>69</sup> The 2025 legal amendments excluded candidate expenditure from party spending limits, without setting a separate ceiling for candidates. This legal ambiguity may allow for parties and coalitions to circumvent

The CEC stated that it monitored Facebook accounts of 77 contestants for paid political advertisements. 65

For these elections, campaign spending limits were increased from a maximum of three times to a maximum of five 69 times the highest amount received by an electoral subject from public funds.

For example, Prime Minister Edi Rama shared a post from a 18 April campaign event in Dibër, where he said: "half of the men in the country are retarded". In a post from a 22 April meeting with pensioners in Gjirokastër, Mr. Rama said: "If you are choosing between the EU and the swamp, and you choose the swamp, that means you're not well politically, you're autistic." Mr. Rama repeatedly referred to his opponent Mr. Berisha as a 'swamp owl', and other opposition leaders as 'swamp creatures'. Mr. Berisha, in turn, referred to Mr. Rama as 'Antichrist', a 'monster' and to the government as 'narco-dictatorship'. Mr. Rama frequently used AI-generated videos when targeting Mr. Berisha. 67

See 5 May article on the BIRN report. Paragraph 262 of the 2020 ODIHR and Venice Commission Guidelines on Political Party Regulation "Legislation 68 should provide clear guidelines regarding which activities are not allowable during the pre-election campaign, and income and expenditures used for such activities during this time should be subject to proper review and sanction."

spending limits, impacting transparency and accountability and allowing for a disproportionate advantage to the largest parties. <sup>70</sup> The campaign expenditure for online activities should, in principle, be included in the overall spending limit and reported, due to a legal requirement to report on all possible campaign spending. However, despite a prior ODIHR recommendation, online campaigning, paid political advertising on social network platforms, and third-party spending are not clearly regulated, which could lead to unchecked use of funds in the campaign, <sup>71</sup> These loopholes create pathways for the potential use of illicit and untraceable funds and the bypassing of applicable rules.

The contestants are required to submit campaign finance reports to the CEC through an electronic Financial Reporting Platform within 60 days from the official announcement of the results. The absence of interim financial reporting before election day limits transparency and deprives voters of timely information and runs counter to international good practice in campaign finance oversight. In April 2025 media reports alleged that a USD 6 million lobbying contract was undertaken by an Albanian company aimed at creating access for the DP to the highest levels of government in the United States. Several ODIHR EOM interlocutors expressed concerns about the technical limitations of the CEC's online platform and issues related to searching for and comparing data. Several parties noted that they had received training and ongoing support from the CEC regarding reporting requirements. Within five days of the announcement of the results, the CEC must appoint auditors to review these reports. Several ODIHR interlocutors expressed concerns about the auditor's capacity to detect illegal funding or undeclared expenses, including online.

#### Media

The independence, diversity and integrity of news available to voters are eroded by the dependence of most media on non-transparent financing by political and business interests, often reliant on government contracts. Concentration in media ownership further undermines the plurality of news sources, contrary to international standards. According to some ODIHR EOM interlocutors, the ownership of some major advertising sales houses by political interests hampers a fair distribution of advertising revenues, while a lack of reliable audience measurement prevents a transparent and accountable allocation of public advertising. The vast majority of media outlets are perceived to be affiliated with the ruling

Paragraph 19 of the I<u>CCPR General Comment No.25</u> states that "reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined, or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party". Paragraph 248 of the 2020 <u>ODIHR and the Venice Commission Guidelines on Political Party Regulation</u> states that "It is reasonable for a state to determine the criteria for electoral spending and a maximum spending limit for participants in elections."

According to data from Meta Ad Library, from 9 April until 8 May, contestants spent a total of up to ALL 21,410,830 (EUR 217,870) on political ads. Of these, DP spent ALL 2,746,960 (EUR 27,950), the Unity for Human Rights Party ALL 1,173,220 (EUR 11,940), Albania Becomes Movement ALL 490,050 (EUR 4,990). Among candidates, the account with the highest spending was that of Agron Shehaj, Opportunity Party's leader, with ALL 1,909,780 (EUR 19,430), Belind Këlliçi of DP with ALL 763,100 (EUR 7,770), and Vullnet Sinaj of SP with ALL 748,960 (EUR 7,620)

Article 7.3 of the <u>UNCAC</u> provides that states take measures "to enhance transparency in the funding of candidatures for elected public office". Paragraph 247 of the <u>2020 ODIHR and Venice Commission Joint Guidelines on Political Party Regulation</u> states that "Voters must have relevant information on the financial support given to political parties, as this influences decision making and is a means of holding parties accountable". See also Paragraph 261 which states that" It is good practice to require the following reports: [..]Reports providing oversight bodies and the public with preliminary information on campaign incomes and expenses of parties and candidates several days before election day"

According to the European University Institute <u>2024 Media Pluralism Monitor</u>, the top four owners in the broadcast market control 72 per cent of revenues and 87 per cent of the audience share. Paragraph 40 of the <u>UN Human Rights Committee (UNHRC) General Comment No. 34</u> stipulates that the states parties should take appropriate action "to prevent undue media dominance or concentration by privately controlled media groups in monopolistic situations that

may be harmful to a diversity of sources and views."

See also <u>assessment</u> by the Chairperson of the Association of Albanian Journalists.

SP.<sup>75</sup> The Public Broadcaster Albanian Radio-Television (RTSH) is not considered to enjoy a wide audience, and the bi-partisan appointment procedure of both the RTSH and the Audio-visual Media Authority (AMA) management does not provide for their *de facto* independence.<sup>76</sup>

Widespread interference by media owners in editorial autonomy, along with self-censorship among journalists, negatively affects the information made available to the public. In addition, journalists are repeatedly exposed to verbal and, at times, physical assaults by public officials.<sup>77</sup> Furthermore, journalists report shrinking access to government representatives, including the Prime Minister, with a declining number of press conferences held, and journalists at times prevented from attending events, contrary to international standards.<sup>78</sup> Editorial news coverage is often replaced by material prepared by government bodies, undermining editorial integrity. The Media and Information Agency (MIA), under the prime minister's office, centralizes and filters information issued about the government and public institutions.<sup>79</sup> Several civil society-founded and donor-funded media outlets provide investigative and public interest journalism, but are affected by recent cuts in international funding.<sup>80</sup>

Overall, the Constitution and legislation provide protection of freedom of expression. However, despite previous ODIHR recommendations, defamation remains a criminal offence. A significant number of civil and criminal defamation cases have been brought against journalists in recent years, including strategic litigation against public participation (SLAPP) cases.<sup>81</sup>

The 2023 Broadcasting Code requires all news to be objective and impartial. The Electoral Code, contrary to OSCE commitments, does not provide for equitable news coverage for non-parliamentary parties in a media environment already disadvantageous to them. 82 On 6 March, the Council of Ministers temporarily banned access to TikTok, this broad ban is incompatible with international standards. 83

According to <u>Balkan Investigative Reporting Network (BIRN)</u>, among the 10 largest TV stations (based on financial statements) *TV Klan* and *Top Channel* occupy 64 per cent of the market. The only TV station among the 10, perceived to be aligned with the DP, *Syri TV*, in 2023, "accounted for 1.7% of the total television market revenue, or 113 million lekë. The declared revenue fell by 22% compared to 2022."

On 6 September 2024, the RTSH Director resigned following concerns <u>raised</u> about the positions he held with the SP in the past. On 17 February 2025, the Parliament <u>dismissed</u> the RTSH Steering Council for irregularities in the selection of a new RTSH Director. A new Steering Council was appointed on 17 March, which eventually <u>elected</u> a new Director on 25 April 2025.

The European Centre for Press & Media Freedom <u>reported</u> 45 incidents against media freedom in 2024. On 27 March 2024, the Committee to Protect Journalists <u>called upon</u> public officials, including prime minister Edi Rama, to stop abusive language and intimidating behaviour towards journalists. On 26 March 2025, safejournalists.net <u>reported</u> a recent physical assault on a journalist by a Tirana official.

Paragraph 13 of the <u>UNHRC General Comment 34</u> states that "[t]he free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion."

In October 2021, just before the launch of the MIA, six international media NGOs <u>urged</u> to cancel its establishment as it could "be used to further solidify control over the flow of public information".

According to Center for Quality Journalism, six projects funded by the US State Department were either suspended or terminated. Among them were the Investigative Network Albania (INA) which funded and published investigations and the "31 minutes" investigative TV program, broadcast on all major TVs.

A Safejournalists.net study reported a total of 8 criminal and 65 civil defamation cases in 2023.

Parties winning over 20 per cent of seats in the previous parliamentary elections are supposed to receive twice as much coverage in news than other parliamentary parties. Coverage of non-parliamentary parties is at the discretion of the broadcasters but may not exceed the coverage provided to parliamentary parties with less than 20 per cent of seats. 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 43 of the <u>UN Human Rights Committee (UNHRC) General Comment No. 34</u> stipulates that any restriction on websites, blogs, or other online communication platforms must be narrowly tailored and content-specific. Broad or generic bans, "blanket bans", on the operation of such systems, including internet service providers or search engines, are incompatible with international standards on freedom of expression. Three civil society organizations challenged this decision to the Constitutional Court on 25 March.

According to some ODIHR EOM interlocutors, the ban had an additional detrimental impact on the ability of all contestants, including non-parliamentary parties, to campaign on an equal footing.

According to most ODIHR interlocutors, news footage of the campaign was provided by political parties. On TV stations monitored by the ODIHR EOM none of this news coverage was marked as such, as required by the Electoral Code and no measures were taken by the CEC to address this practice. <sup>84</sup> In addition, several ODIHR EOM interlocutors reported that some interviews with candidates broadcast in current events programs were paid for, in violation of the law. Footage produced by electoral contestants in news, as well as paid for coverage, *de facto* equates to political advertising and disadvantages contestants with less financial means.

ODIHR EOM monitoring revealed that the two largest parties dominated the news coverage. <sup>85</sup> On RTSH, A2 CNN, Top Channel and TV Klan, the SP received, 45, 46, 48 and 57 per cent respectively, while the DP - AMAC got 41, 48, 45 and 43 per cent. <sup>86</sup> On average, 83 per cent of this news coverage was presented in a neutral or positive tone. None of the other contestants received more than 5 per cent of coverage on any of the monitored TV stations. Although a number of discussion programs were regularly broadcast, they did not bring together prominent candidates or party leaders from different parties. RTSH followed its legal obligation to provide free airtime to contestants. Paid political advertising on TV was only purchased by the two dominant parties. Ultimately, the constrained media environment and the failure to implement legal requirements in good faith deprived voters of independent, diverse, and robust information about the electoral contest.

## **Election Dispute Resolution**

The legal framework for resolving election disputes includes administrative procedures followed by the opportunity for judicial appeal. Observers may only appeal the denial of their accreditation, while voters can only challenge their exclusion from the voter list through the district courts. This narrow approach to legal standing is at odds with international standards and good electoral practice, which call for broader access to effective remedies in electoral disputes.<sup>87</sup>

The Complaints and Sanctions Commission (CSC) examines appeals against CEC and CEAZ decisions, including those challenging election results, to be adjudicated within 10 days. The CSC also imposes sanctions upon a CEC request. As of 11 May, the CSC reviewed 17 complaints against CEC decisions, most related to alleged irregularities before the start of the electoral campaign. It accepted the appeal in 11 cases, overturned two CEC decisions and imposed four administrative fines of ALL 3,000 for irregularities in the reporting of public institutions on their activities and negligence of CEAZ members. The remaining complaints were rejected. The process was transparent, with all cases reviewed in public session and with the participation of the parties involved. Although the CSC's decisions were generally well-reasoned, they reflected a narrow interpretation of the rules on the use of administrative resources

From 8 April to 9 May, the ODIHR EOM conducted a quantitative and qualitative monitoring of four TV stations and three online news media: *RTSH*, *TV Klan*, *Top Channel* and *A2 CNN*, as well as *panorama.al*, *lapsi.al* and *reporter.al*.

The figures exclude coverage of political actors in their institutional capacity. Current events and discussion programs displayed more imbalance.

The AMA sent daily and weekly monitoring reports to the CEC, in line with the law. However, the monitoring included only news editions and did not assess the tone of the coverage. By election day, the CEC took 20 decisions, mostly on violations of paid advertising and public opinion polls provisions. The AMA did not publish a monitoring report covering the 1 – 9 May period.

Paragraph 5.10 of the 1990 OSCE Copenhagen Document commits participating States to provide everyone with 
"effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and 
ensure legal integrity". Section II.3.3.f of the Venice Commission's 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".

in a campaign, limiting their application strictly to the official campaign period, 88 at odds with good electoral practice.89

The Electoral College of the Tirana Administrative Court of Appeal (Electoral College) is the highest authority for adjudicating election-related disputes, but operates with limited administrative staff, insufficient training and financial resources. 90 As of 11 May, the Electoral College had adjudicated and dismissed three complaints.<sup>91</sup> The sessions were public, the decisions were motivated and published on the website, albeit with a delay.

The Criminal Code defines 15 election-related criminal offences, most under the General Prosecutor's competence. As of 11 May, a criminal proceeding was initiated in 25 out of 60 cases of alleged electoral crimes, which include allegations of misuse of public office for electoral purposes, and obstruction of electoral subjects.92

SPAK has jurisdiction over cases of electoral corruption involving categories of high-level public officials or organized crime. For the first time, SPAK established a nationwide investigative task force and launched an online platform for reporting electoral offences. 93 By 10 May, out of 138 reports on alleged electoral crimes, 39 criminal proceedings have been initiated, the majority concerning allegations of corruption. Notably, SPAK initiated nine proceedings ex officio. The cooperation between the SPAK, CEC, and General Prosecutor's Office based on an inter-institutional protocol facilitated information sharing on electoral crimes, prioritization of the investigations and was in general positively assessed by ODIHR interlocutors. SPAK was generally perceived as a trusted institution by the IEOM interlocutors and as having a possibly deterrent effect. However, some interlocutors raised concerns about the effectiveness of the police when dealing with election-related offences also when related to organised criminal networks. (see also Campaign Environment).

# **Participation of National Minorities**

The Albanian Constitution provides for full political, civil and social rights for minorities, and the Electoral Code guarantees the right to vote and be elected to all Albanian citizens regardless of ethnic background, race, religion or language. The CEC produced election materials in the languages of officially recognized national minorities, with the exception of Egyptian (see election administration),94 though most ODIHR EOM interlocutors claimed that the materials were not distributed

Article 13 of the 2016 ODIHR and the Venice Commission Joint guidelines for preventing and responding to the misuse 89 of administrative resources during electoral processes, stipulates a broader definition of the electoral process that "covers the multifaceted ways in which administrative resources may be misused during the entire electoral process, not only the official electoral campaign period."

These were regarding political party registration, ballot design, and the use of electronic voting and counting devices Five proceedings have been registered at the Prosecutor's Office in Fier, six in Elbasan, two in Gjirokastër, Shkodër, Lezhë, Diber and Saranda and one in Korçë, Durres, Vlorë and Kukës. Ten were initiated ex officio, 3 following reports from citizens, 30 from the police and 8 from electoral subjects.

From January 2025 until 10 May, of the 139 criminal reports were registered, 56 were submitted by citizens through the SPAK online platform, the rest were mainly from police and DP, and some were referred by the General Prosecutor.

Article 91. paragraph 1 of the Electoral Code provides that "Except in cases provided for by law, resources of public bodies or entities at central or local level, or any other type of entity where the state owns capital or quotas and/or appoints the majority of the supervisory body or the administrative body of the entity, may not be used or placed in support of candidates, political parties or coalitions in elections, regardless of the source of capital or ownership." This article does not provide an explicit time period for the applicability of the provision and the CSC interpreted it to apply only during the one-month official campaign period.

Third parties with a legitimate interest can also file an appeal with the first instance administrative court. 90

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.

widely. 95 No restrictions on the use of minority languages during the campaign were observed. Issues related to national minorities or ethnicity were not prominent in the campaign and the national minority candidates often campaigned on issues affecting the population as a whole, with the exception of a few candidates from the Greek minority that campaigned on the issue of property rights.

Minorities were generally able to participate freely both as voters and as candidates, running with both the main national parties and with two national minority parties in the DP-led coalition. Some ODIHR EOM interlocutors argued that the current electoral system, with a requirement to stand in all electoral districts, was a barrier for the national minority parties to gain seats in parliament. They also noted that members of the Roma community were generally unfamiliar with electoral procedures and received no specific voter education. <sup>96</sup> Further, pressure on the Roma and Egyptian communities to sell their votes was reported to the ODIHR EOM. <sup>97</sup> ODIHR EOM Long-term observers noted that Roma voters in some areas were unclear about the exact locations of their voting centres, due in part to insufficient official communication. <sup>98</sup>

## **Election Observation**

The Electoral Code provides for citizen and international observation at all levels of the election administration. In an inclusive manner, a total of 47 national and 56 international organizations were accredited by the CEC. CSOs informed the IEOM that a lack of funding, notably from international donors, reduced their capacity to conduct a comprehensive observation and deploy an adequate number of observers for election day. Parliamentary parties and coalitions may appoint permanent representatives to the CEC. Electoral subjects could appoint one observer CEAZs and VCCs, and for each BCT, including for out-of-country ballots.

## **Election Day**

Election day was generally calm and managed transparently, but with a lack of adherence to procedures in many places during opening and voting, and some reports of intimidation and inducements being offered to voters. Overall, observers were provided sufficient access to observe the whole process. The large number of late changes of political party-nominated members of VCCs, even on the eve of elections, had a negative impact on the adherence to voting procedures and effectively reduced the transparency of the composition of VCCs. At 8 pm on election day, the CEC announced a voter turnout of 42.3 per cent.

The IEOM observed opening in 122 voting centres, assessing the process negatively in one-third of the observations. The large number of negative assessments was mainly due to several procedures not being adhered to. In vast majority of the voting centres observed, voting started late, with 28 of them more than 30 minutes delayed, often due to technical issues or missing materials. In 26 cases, VCC members were unfamiliar with opening procedures, and in 17, the ballot box was not shown to be empty to those present. In 9 observations, the setup procedures for the biometric identification device were not followed. In 12 VCCs, unauthorised persons were directing or interfering in the work of the commission. In electronic voting centres, IEOM observers reported a failure to follow the procedures in many instances.

The CEC informed the ODIHR EOM that posters in Macedonian were displayed alongside those in Albanian at VCs in Pustec, and in Greek at VCs in Dropull and Finiq. Voter education videos were translated into eight minority languages for social networks. Voter information leaflets were produced in eight minority languages and delivered to the State Committee for National Minorities, to be distributed in the respective regions for each minority group by their own representatives.

For example as reported in Tirana. However, the CEC collaborated with the OSCE Presence in Albania to hold outreach meetings with members of the Roma and Egyptian minorities in several municipalities.

This was reported to the ODIHR EOM in Korcë and Tirana.

This was reported to the ODIHR EOM in Tirana.

In most cases, voting was assessed positively. However, in 4.6 per cent of the 995 observations, a fairly high number, the process was assessed negatively, largely due to procedural shortcomings and some pressure on voters. Party observers were present in 79 per cent of the voting centres, though citizen observers were only found in 8 per cent and the lack of citizen observers in many places lessened the level of scrutiny of the process. <sup>99</sup>A total of 30 per cent of VCC members were women, and women were heads of VCCs in 25.5 per cent of voting centres observed.

IEOM observers reported that in 23 per cent of voting centres observed, voters could not always be identified by the voter identification devices, and in 24 per cent of the voting centres voters were not always checked for traces of ink. Some biometric identification devices suffered malfunctions, resulting in interruptions. In 23 per cent of voting centres observed, some voters' fingerprints could not be properly read. Security codes were not recorded in the VCC Meeting Record Book in 5 per cent of places observed. The layout of voting centres was assessed as inadequate for polling in 5 per cent of observations, largely because it contributed to compromises of the secrecy of the vote, which in 12 per cent of voting centres observed was not always respected. The secrecy of the vote was also compromised by the interference of party observers or VCC members. Group voting, mostly family voting, was observed in 11 per cent of voting centres visited and proxy voting, often for family members, in 3 per cent. Voters' understanding of voting procedures was negatively assessed in 13 per cent of observations, indicating a need for greater voter education on new voting procedures following the introduction of preferential lists.

Several cases of significant violations and incidents were observed throughout the day. The IEOM noted tension or intimidation in 4 per cent of voting centres visited, which often involved party observers or affiliates standing in the entrance to the voting centres and interacting with voters or interfering in the work of VCCs. Unauthorised persons, including party activists, were present in 2 per cent of places visited and were interfering in some instances. In 2.4 per cent of voting centres, there were indications of voters being induced to vote for a particular candidate, including allegations of vote buying. In 3 per cent of voting centres, observers reported unauthorised persons keeping track of who had voted. Following the close of polls, the CEC reported that cases related to five incidents were referred to the prosecutor's office, two in Tirana and one each in Elbasan, Korçë and Berat.

With regards to electronic voting, IEOM observers noted that while it generally proceeded without major problems, some concerns were evident. Many voters appeared unfamiliar with how to use the voting device, and many did not manage to vote within the three-minute time limit. Some VCC members and technology operators were not adequately trained on relevant procedures or lacked clarity on their respective roles. In several places observed, voters were not able to vote independently, and assistance was provided to those requiring it, as well as overcrowding due to the time it took voters to vote in some cases, compromised the secrecy of the vote.

There was a lack of adequate accessibility for persons with disabilities in 50 per cent of voting centres observed. The large number of voting centres that were inaccessible for independent voting clearly demonstrated a great need for further efforts to ensure accessibility for all voters. Additionally, the layout inside the voting centres was observed to be not suitable for persons with disabilities in 24.4 per cent of places visited. This, combined with the absence of a voting method for voters who are homebound, hospitalized or those with mobility issues, may have negatively impacted their participation.

The close of voting centres was assessed positively by IEOM observers in 75 of 89 reports. VCCs followed the closing procedures in most instances, though some unrest was reported in four cases. IEOM observers reported very positively on the receipt of materials at Ballot Counting Centres, though there was some overcrowding in 10 of the 50 centres observed. The transmission of e-vote tallies from machines directly to the CEC at the close of polling was postponed due to a request from DP not to

Following reports of some falsified accreditations, the CEC Regulatory Commission revoked all party observer accreditations for Vorë District on election day.

transmit e-votes at the close of voting to avoid early results being known, indicating some lack of trust also in the system. Instead, the voting devices containing their electronic ballot boxes were delivered to the relevant CEAZs in Tirana and Vorë, where the pilots were conducted, for tallying to start on the morning of 12 May.

IEOM observers have reported from 66 of the 93 Ballot Counting Centres, and reporting is on-going. Observers negatively assessed the process in 7 of the 66 cases. General problems were largely linked to some tension (9 cases), overcrowding (7 cases), a lack of full access to the process (12 cases) and some interfering by party observers (6 cases).

While the counting process proceeded in an orderly manner in many counting centres, observers noted a chaotic atmosphere and contestation of some ballots in some locations. Initial findings are based on 97 individual vote counts. IEOM observers negatively assessed the individual ballot box counts in 8 cases, mostly due to observed procedural and transparency shortcomings, such as unused ballots not being counted first, and ballots not being shown to the camera installed for that purpose in the prescribed manner. Copies of the results were not given to party observers in 19 cases, limiting transparency. Recounts were requested in 8 of the counts. The table of results for the vote count was delivered to the CEAZ immediately after the completion of the count in 89 observations. In Diber and Elbasan, IEOM observers reported that CEC officials went to the district to train counting centre members at midnight prior to the commencement of the vote count, indicating a lack of training likely due to the late replacement of several party-nominated members. A delay in the counting of OCV ballots was noted in the main counting centre in Tirana, due to a complaint by DP related to verification of some ballots.

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

## MISSION INFORMATION & ACKNOWLEDGEMENTS

Tirana, 12 May 2025 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP). The assessment was made to determine whether the elections complied with OSCE commitments, Council of Europe standards and other international obligations and standards for democratic elections and with national legislation.

Farah Karimi (MP) was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Ambassador Lamberto Zannier is Head of the ODIHR EOM, deployed from 2 April 2025. Björn Söder (MP) is Head of the OSCE PA delegation. Simone Billi (MP) is Head of the PACE delegation and Michael Gahler (MEP) is head of the EP delegation.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, at a later stage. The OSCE PA will present its report at its Annual Session in Porto in July. PACE will present its report during the June 2025 part-session in Strasbourg. The European Parliament Delegation for relations with Albania will discuss the results of the electoral observation mission at its meeting in June.

The ODIHR EOM includes 16 experts in the capital and 26 long-term observers deployed throughout the country. On election day, 350 observers from 47 countries were deployed, including 214 long-term and short-term observers deployed by ODIHR, as well as a 96-member delegation from the OSCE PA, 12 from the EP and 22 from PACE. Opening was observed in 127 voting centres and voting was observed in 1,343 voting centres across the country. Counting was observed in 97 Counting Centres.

The observers wish to thank the authorities for their invitation to observe the elections, and the Central Election Commission and the Ministry of Foreign Affairs for the assistance. They also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

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