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KOMITETI SHQIPTAR I HELSINKIT

Final Report

For the Observation
of the Parliamentary
Elections of
May 11, 2025

Published in August 2025



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ALBANIAN HELSINKI COMMITTEE

Final report of the Albanian Helsinki Committee on the observation of the Parliamentary Elections of May 11, 2025.

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This report was drafted in the context of the initiative “Building the electoral integrity and sustainability of political parties: Increasing the oversight role and citizens’ demands through support for CSO-s, media, and academia,” implemented by the Albanian Helsinki Committee, in partnership with the Institute of Political Studies, Civic Resistance, and BIRN Albania, supported financially by the British Embassy in Tirana.

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Introduction

The Albanian Helsinki Committee (hereinafter “AHC”) is a non-profit organization, founded on December 16, 1990. The Mission of AHC is to contribute to the respect for and promotion of human rights, strengthening the rule of law, and the conduct of free and fair elections, in keeping with the Constitution and international acts applicable in the Republic of Albania.

The exercise of the right to elect and be elected is a fundamental right, sanctioned in the Constitution. AHC has continuously engaged in monitoring elections from 1996, expanding the monitoring beyond the voting and vote counting process.

With a team of 145 long-term and short-term observers, AHC observed the pre-election process, the voting process, and the counting process for the parliamentary elections of May 11, 2025, expanding the monitoring to cover 113 municipalities of the country. AHC observers were instructed and trained in advance on the methodology for the monitoring process, electoral legislation, the principles, and manners of reporting.

AHC thanks and is grateful to all observers and local correspondents for their objectivity, impartiality, professionalism, integrity, and commitment.

During the monitoring of the pre-election process for the latest parliamentary elections, AHC focused on issues linked with the publication of voter lists, the written notification of voters, the decision-making of the CEC bodies (hereinafter the “CEC”), the establishment and functioning of the electoral administration, the conduct of the electoral campaign, and the prohibition of the use of state resources. Our monitoring sought to raise the awareness of the public, accountability, transparency, and responsibility of relevant institutions regarding the guaranteeing of the integrity of the electoral process.

AHC observers covered 163 Voting Centers (hereinafter “VC”), and, during the vote counting process, they covered 12 Vote Counting Sites (hereinafter “VCS”).

The main purpose of this report is to realize as comprehensive as possible an evaluation of the conduct of the electoral process for the parliamentary elections of May 11, 2025, relying on the findings and main conclusions of the monitoring of its most important phases. Through this evaluation, we seek to identify positive practices, challenges, and deficiencies that may have affected the integrity and transparency of the electoral process. Special attention is devoted to the analysis of the compliance of the conduct of elections with the legal framework in force as well as the international standards for free and fair elections.

This report also aims to contribute to improving electoral processes in the future, providing recommendations both in terms of the need for improving the law and its applicability in practice,



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addressed to the responsible institutions and political parties. The report seeks to provide a clear and argued overview of the quality of the electoral process and to positively influence the increase of public trust in the institutions that administer that process.

Executive Summary

The process for the elections for the Assembly of the Republic of Albania of May 11, 2025, took place in a complicated political and social environment, whereby faced with numerous technical and organizational challenge, the Central Election Commission demonstrated continued proactive efforts to ensure a transparent and inclusive process. These elections realized for the first time in these 35 years of democracy the voting by Albanian citizens living abroad, directly from those countries, otherwise known as the diaspora vote.

Nevertheless, AHC observers highlighted numerous problems, the majority of which were repeated from electoral monitoring in the past, which require immediate addressing and improvement of electoral legislation and its effective implementation, in order to guarantee elections with integrity and more credible in the future.

The stability of basic electoral legislation is of paramount importance, but besides the implementation of this principle, also important is the credibility in the procedures implemented for voters out of the country. One of the issues that requires careful review of electoral legislation is the need to envisage effective legal guarantees that enable respect for the principle of the secrecy of the vote of Albanian citizens who live out of the country. This is the case as in these elections, there were alerts about cases when this principle was not implemented (there were cases of the publication of the ballot on social media or perceptions on influence with elements of the abuse of the public administration in the vote of emigrants who are their family members).

According to article 77 of the Electoral Code, the electoral campaign begins 30 days before the day of elections; on the day before the elections, until the time of the conclusion of the voting process, there needs to be electoral silence. However, this provision was not respected, while the two main political parties began their electoral campaign early, focusing on countries where Albanian emigrants live, such as Greece, Italy, England, United States of America, etc. There have been cases when due to the violation of this procedure, the CEC alerted electoral subjects, but in no case did it undertake administrative measures, even when such violations continued. This situation disadvantaged the smaller political parties and was accompanied by a lack of transparency by the two main parties about the campaign spending inside and outside the country.

AHC notes that public institutions used legal artifices to avoid the scope of application of restrictions stipulated in the provisions of the Electoral Code on the misuse of public assets. In some instances, CEC's interpretation on these restrictions is of a limited nature (*stricto sensu*), which goes beyond the spirit of the law for an equal and fair race between political parties. In



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disputable cases, it would have been necessary to have a more complete and comprehensive administrative investigation by the CEC, on these cases that gave an advantage to the governing majority, such as the issuance of the spring bonus for pensioners, which had an impact on the four-month period of prohibition, the issuance of sub-grants by municipalities during the four-month period, signaled cases on the issuance of economic welfare aid, the misuse of social networks of public functionaries and institutions for electoral purposes, the approval of the by-law for pardoning administrative fines during this same period, etc. None of the complaints that AHC filed with the CEC on suspected cases of misuse of public assets does not appear to have been punished.

The canvassing system has been reported by AHC correspondents and observers in these elections as well, although the forms in which it is applied are sophisticated and they make it difficult for external and independent actors to identify it concretely. In this regard, the engagement of employees of the public administration at the central and local level, in support of candidates and electoral subjects, organized by neighborhoods or certain units, is disturbing. Due to their dependence relations, their functions and duties they carry out, there is a risk that it may be misused and thus create an enticing or intimidating environment toward voters who are directly or indirectly affected by their duties and function.

During the voting day, problems such as lack of electricity, technical defects in EIE equipment, not at disturbing levels as in the past, as well as the engagement of party activists in procedures for the verification of voters, affected the regularity of the process. The presence of individuals without accreditation badges, as well as sporadic attempts to influence voters, are indicators of weaknesses in the security controls and the implementation of the electoral law, although the assignment of two security coordinators for Voting Centers by the CEC was a novelty in these elections.

The vote counting process, although conducted transparently and with the active participation of observers, encountered the presence of unauthorized individuals in the vote counting sites and attempts to influence vote counters. AHC notes that the public's trust in the work of commissioners reading ballots after the recount in some municipalities of the country,¹ although there was no change in results, was infringed upon. These challenges underscore the need for full depoliticization of the electoral administration, strengthening of security measures, accountability and responsibility of the electoral administration, which is done primarily with transparency before the public by the CEC on the nature of "human error," as they were considered by two members of the CSC in individual announcements to the media and not by collective decision-making of this collegial body.

¹ Upon complaints of electoral subjects, there was a massive recount of ballots in major cities such as Tirana, Durrës, Vlora, and Fier.



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From a media aspect, in spite of efforts to ensure equal treatment of political subjects in television broadcasts and the allotment of more limited and disproportionate time in some television stations for small competing parties, the interconnected interests of the government, business, and the media created again an unequal environment that was advantageous for the two main political forces. Especially these two political forces continued to make available to television stations prepackaged content, which is allowed by article 84 of the Electoral Code, but for which OSCE/ODIHR has recommended revision.

1. Monitoring methodology

The monitoring process was conducted in accordance with international standards and domestic legislation on the observation of elections and relied on an integrated quantitative and qualitative approach. The purpose of this methodology was to ensure an objective overview, as comprehensive and credible as possible, on the conduct of the electoral process in all of its phases.

The monitoring extended over a selected number of electoral zones, which represented different geographic, social, and political characteristics, including urban and rural areas, as well as regions with prior experience of electoral issues. Beside the normal voting centers and zonal election administration commissions (ZEAC), an important element of this methodology was **the monitoring of voting in Institutions for the Execution of Penal Decisions (IEPD)**. This represents an important step toward guaranteeing the right to vote even for those who are under restrictions of their personal liberty.

The monitoring engaged observers who received professional training on the contents of the legal electoral framework, rules of conduct, as well as specific instructions on the observation of voting in the IEPDs.

The main instrument employed was the **structured questionnaire**, divided by phase of the electoral process (electoral silence, distribution of materials, voting day, vote counting). The questionnaire included:

- **Close-ended questions**, which make it easier to compare and conduct statistical analysis;
- **Open-ended questions**, for the registration of extraordinary or unforeseen situations;
- **Room for quality comments**, which enabled observers to provide in-depth analysis on specific cases, especially in the IEPD where the voting dynamic is more complicated.

a. Collection, verification, and analysis of data

Data were collected in real time or upon conclusion of each phase through electronic or physical forms (questionnaires), depending on the terrain conditions. A rigorous process for verifying data was applied, in order to guarantee the accuracy, coherence, and credibility of collected information. In the case of IEPDs, special attention was devoted to reporting issues that are linked



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with access to information, free exercise of vote, and the fulfillment of legal procedures for the voting of detainees or convicts.

b. Methodological limitations

Although a standardized and representative methodology was pursued, due to the limited number of observers, the monitoring does not represent entirely national coverage. Also, in the selected IEPDs, restrictions on entry and institutional dynamics affected the length and depth of the observation.

2. Pre-electoral process

2.1 Publication and posting of voter lists

The publication within legal deadlines of the preliminary and final voter lists in visible and accessible places for citizens makes it possible for each voter to verify their data, in order to check the accuracy of data and guarantee voters the right to complaint in case of errors or unfair omissions. Also, they are essential components of the pre-electoral process that helps prevent violations such as unlawful voting or doubling of votes.

According to article 51, paragraph 4 of the Electoral Code “*No later than 30 days from the decreeing of the election date, the civil registry offices, upon approval by the chair of the local unit, shall print and publish the extract of electoral components of all citizens whose place of residence is in the areas of the voting centers under the jurisdiction of each office. Publication is done in the premises of the civil registry offices or the premises nearby, with free access for the public.*” Meanwhile, according to article 56, paragraph 3 of the Electoral Code, after the final voter list is sent to the ZEAC, no later than 35 days before the election date, the ZEAC, depending on the case, publishes the list near the relevant voting center, in premises where there is free access for voters, and submits to the VCC its copy of the list for use during the voting.

Based on the monitoring conducted by the Albanian Helsinki Committee during the pre-electoral period, it was noticed that legal obligations for the publication of the preliminary and final voter list within the deadlines was not carried out in a complete and level manner in all of the country’s districts. In some main municipalities, including Durrës, Shkodra, Lezha, Vlora, Gjirokastra, and Elbasan, the process of posting the preliminary voter lists encountered considerable difficulties or was done partially and without access by citizens.

There were instances, especially in the municipalities of Gjirokastra, Fier, Vlora, Durrës, Malësi e Madhe, and Lezha, in which the voter lists were published in the second or third floors of official buildings in the city, or inside the premises of the civil registry offices.



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Especially in Gjirokastrë, the voter lists were posted inside the hall of the city's municipality, which was accessible only during the institution's open hours. The same applies also to Fier Municipality, where the lists were published in the Prefecture building, specifically in the second and third floors of the institution. AHC notes that there were no mechanisms or functions to facilitate individuals with physical disabilities. In Vlora, the voter lists were not posted in the outside of the civil registry offices, but were disseminated to public premises, such as schools, institutions, etc., where access for voters was not possible after official working hours.

This situation led to the lists being accessed only within the official working hours of these institutions, thus making it objectively impossible for voters to access them after working hours. Thus, consulting the voter lists remains a recurring issue in these elections as well, a shortcoming that has been emphasized also by OSCE/ODIHR reports.

According to article 52, paragraph 1, of the Electoral Code, within 60 days of the publication of the first extract of the voter electoral components, the chair of the local government unit carries out the written notification of each voter included in the extract of electoral components of the voting centers in the relevant local government unit. Known as the notification of voters in their homes, expenses for this process, according to paragraph 5 of this article,² are covered by the ministry covering civil registry services. The relevant fund is distributed to local government units depending on the number of voters for each local government unit.”

Based on monitoring by AHC observers, it results that none of the monitored municipalities during the pre-electoral period made any transparent, proportionate allocation of the relevant fund, in accordance with this provision of the Electoral Code.

This situation runs counter to the previous findings of AHC's monitoring and repeated recommendations in the OSCE/ODIHR reports.

Pursuant to interventions carried out for this situation by the AHC,³ the State Election Commissioner addressed all of the country's municipalities about their obligations to post preliminary voter lists and the allocation of the funds by the Ministry of Interior to local government units, in order to notify voters.⁴

Regarding this situation, we find it important that article 171, paragraphs 1 and 2, of the Electoral Code, envisages that the violation of provisions of the Electoral Code (which include the

² This is about the coverage of necessary financial spending to notify voters in their homes.

³ AHC addressed the State Election Commissioner with the findings on the preliminary posting of voter lists and the allocation of the fund for notifications by letters 04.04.2025 No. 292 Prot., dated 03.03.2025 No. 214 Prot. and dated 24.01.2025 No. 95 Prot.

⁴ Letter by the State Election Commissioner on 04.02.2025, No. 738 Prot.



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obligations of individuals tasked with the administration of the electoral process), represents and administration violation and is punishable by a fine.

This situation has created real difficulties for citizens to verify their data, thus increasing the risk of errors in voter lists, as well as the infringement of the right to effectively participate in the electoral process.

AHC has emphasized that the lack of a clear and monitored mechanism for posting voter lists represents a serious weakness in the implementation of the Electoral Code. In order to guarantee a free and fair electoral process, it is essential that the local government bodies take measures to improve the transparency and access to information, fully respecting legal deadlines, and posting lists in places that are easily accessible for every citizen, and guaranteeing their timely notification in their homes, in order for them to effectively exercise the right to complain.

2.2 Misuse of the public administration

In the pre-electoral period, observers of AHC and other partner organizations noticed some disputable cases of violations of electoral legislation on the prohibition of the misuse of public assets for electoral purposes, which have been conveyed to the State Election Commissioner and then have been appealed in some cases to the Complaints and Sanctions Committee.

AHC notes that public institutions have used legal artifices in order to avoid the scope of application of restrictions stipulated in the provisions of the Electoral Code. In some cases, the CEC interpretation regarding these restrictions is of a narrow nature (*stricto sensu*) that runs counter to the spirit of the law for an equal and fair race between political parties. Also, it is our opinion that in disputable cases, it would have been necessary to have a more complete and comprehensive administrative investigation by the CEC in order to declare the misuse or not of public assets to the advantage of the governing majority.

The use of social network accounts of public institutions to share political events and programs of candidates for MP remains one of the typical instances of the misuse of public resources. According to a precedent decision by the State Election Commissioner, issued in the previous local government elections of May 14, 2023, the social network accounts of state administration institutions shall be considered “public resources,” on which all legal regulations linked with movable or immovable assets under state administration, referring to article 91, paragraph 1 of the Electoral Code, shall apply. However, unlike this decision, in the parliamentary elections, the State Election Commissioner pursued an incoherent method of interpretation regarding the relevant provisions of Decision no. 9/2020 of the Regulatory Committee, displaying “tolerance,” sometimes inadequately justified, on human errors by individuals managing these profiles on social networks. Oftentimes, the managers of social media accounts of public institutions administer also the public profiles of the candidates in question, which represents a conflict of interest that leads to misuse of public assets, thus creating a disadvantage in the electoral race.



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In January 2025, a few days before the deadline for this legal prohibition went into effect, the Council of Ministers approved by a decision the issuance of a spring bonus (reward) for pensioners.⁵ The decision yielded its effects in March 2025, that is within the prohibited period, envisaged in the above provision. In these circumstances, in our opinion the Government has used a legal artifice to avoid the effects of legal prohibition of article 91 of the Electoral Code that uses the phrase “the proposal, approval, or issuance of by-laws” in the four-month period and does not include the effects of their implementation. As a result of this precedent, it would be necessary to legally revise this provision of the Electoral Code as this bonus, in itself, though not formally prohibited by the Electoral Code, created in essence in these parliamentary elections an unfair advantage for the governing majority, in misuse of public assets.

AHC observers have encountered continued instances of the opening of calls for projects or financial support by certain municipalities, to support green business models and other cultural events. Other reported instances include the call for applications in the Social Program of Housing for Loan Interest Subsidies (by Lezha Municipality), the call to subsidize families that benefit state-facilitated loans two months ahead of voting day (Tirana Municipality), etc. In essence, these calls are interpreted in the scope of application of the phrase “economic/social support” envisaged by article 91, paragraph 4 of the Electoral Code. These calls were opened either before the prohibited four-month deadline from voting day and the review of applications and decision making on announcing the winners was planned during this period or they were opened during this period of the ban.

It is worth emphasizing that the unlawfulness of these events does not lie in their cause or purpose, but in the tight deadline for which the call was opened for applications and the potential unfair use of public resources to create an “environment of coercion or influence” on the beneficiary subjects of the subsidies.

Based on alerts by its observers, AHC filed with the CEC the case of the use by the Socialist Party for its electoral office in the city of Elbasan a building that was under state administration. Elbasan Municipality made available the Decision of the Municipal Council of Elbasan of 31.08.2021 that approves the granting for use without reward of the premises “former Offices of the National Employment Service” to the Socialist Party, Elbasan branch, based on articles 22 and 22/1 of the law no. 8580, dated 17.03.2020 “On Political Parties.”⁶ According to article 91, paragraph 1 of the Electoral Code, “*Except for cases prescribed by law, resources of public bodies or entities at the central or local level may not be used or made available to support candidates, political parties, or coalitions....*”. Concretely, the exemption is envisaged in article 22/1 of law no. 8580 “On political parties,” which establishes as an orderly procedure the entering into contracts of

⁵ <https://shqiptarja.com/lajm/mbledhja-e-qeverise-ministri-ervin-hoxha-miratohet-shperblimi-per-punonjesit-e-policise-dhenia-e-shperblimeve-do-unifikohet>

⁶ That specifies that for being equipped for the central headquarters, political parties should file a request with the Mayor of the Municipality, in order to enter into a contract of borrowing for use for unused buildings.



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borrowing for use between political subjects and relevant municipalities; these contracts, according to article 901 of the Civil Code, are contracts without reward. Taking into consideration the Albanian political context and the previous instances of the misuse of public administration, we notice that such a legal foundation creates the basis for the placement of public resources at the disposal of the governing majority (which also runs the local government in this municipality). Also, both the law “On political parties” and the relevant CMD do not establish a maximal deadline for extending the contract of the borrow for use that may be entered into in these cases, thus creating premises for the misuse of public resources for political purposes during electoral periods.

Another instance was filed with the CEC, again in Elbasan Municipality, where the AHC observer reported that the building of the former cinema “Vullnetari” (Youth Center at Aleksandër Xhuvani University, Main Building), a building that is under state administration, an electoral meeting was held on January 15, 2025, with the participation of the mayor and other representatives of the Socialist Party. Making these premises available to the Socialist Party was repeated also on 18.03.2025, a case that was filed with the CEC by AHC. For the same municipality, there were alerts of cases whereby individuals with senior leadership positions, during official working hours, disseminated on their social media accounts propaganda posts of political candidates of the party in power. Elbasan Municipality claimed that such cultural and sports premises, under state administration, may be given for use to different subjects, as long as the routine activity of the relevant institution is not affected, and the event is not done during official working hours. In this case, AHC argued that based on article 91, paragraph 1, of the Electoral Code, except for exclusive cases prescribed by law, buildings under state administration may not be made available to political subjects for conducting electoral events, even outside the official working hours.

Again at Elbasan Municipality, it was found that the electoral office of a candidate of the Socialist Party was established next to and in the same address as the building of former cinema “Vullnetari,” Youth Center, at the Aleksandër Xhuvani University, Main Building, premises that served to place a Voting Center; this situation is in flagrant contravention with article 93, paragraph 2, letter “b” of the Electoral Code, which envisages *“Voting centers, ZEAC offices, and the Vote Counting Sites may not be created in buildings used by the public administration, except for education, cultural, and health care institutions.”*

Meanwhile, AHC’s monitoring activity found several cases of economic aid given to families in need; these were shared with the State Election Commissioner. AHC argued that the call in the announcement of 04.03.2025 by Durrës Municipality, with the same subject,⁷ raises indicia for unlawful activity against article 91 of the Electoral Code, if the individuals benefiting from this call do not meet the special by-legal criteria to be beneficiaries. The CEC has not undertaken a complete and comprehensive administrative investigation whether these conditions have been met

⁷ Announcement on the Agenda by the Municipal Council, with the first item being the approval of the draft decision “On the approval of the families benefiting from economic aid from the conditioned fund for economic aid up to 6% and the Durrës Municipality income fund, for February 2025”



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or not. This is because in the past, the provision of economic aid has been used as a tool to encourage its beneficiaries to vote in favor of the governing majority, at the central and/or local level.

AHC observers found that the opening of the call for applications by Tirana Municipality for financial support for businesses relying on environmentally friendly mechanisms on 01.03.2023 and until 31.03.2025, contains elements of prohibited activity according to article 91, paragraph 4 of the Electoral Code. This takes into account the conduct of the call within the four-month period from voting day for the parliamentary elections of May 11, 2025, and the supporting economic/social nature that this call for applications has. Contrary to the arguments of Tirana Municipality, AHC argued that neither Decision no. 131, dated 18.13.2024, of the Municipal Council “On the approval of the mid-term budgetary program 2025 – 2027 and details of Tirana Municipality’s budget for 2025”⁸ nor the Operational Guidelines for the Implementation of the Project, nor Decision no. 167, dated 18.13.2020, of the Municipal Council⁹ there are no provisions of such close deadlines of the application with the voting day. On 11.04.2025, the State Election Commissioner decided to not start administrative proceedings, arguing that the funds for the call for projects on the above-mentioned subject, were made available before the mentioned four-month period, namely on 18.12.2024. Further on, this call was included in the law on the budget for 2025.¹⁰

Pursuant to this case, it is our opinion that the State Election Commissioner should have carried out a broader interpretation of the law, taking into consideration its spirit, based on the fact that besides making available the funds before the four-month period, the review of applications and the beneficiaries of this call would be done precisely within this timeframe.

The canvassing system has been reported by AHC correspondents and observers in these elections as well, although the forms in which it is applied are sophisticated and they make it difficult for external and independent actors to identify it concretely. In this regard, the engagement of employees of the public administration at the central and local level, in support of candidates and electoral subjects, organized by neighborhoods or certain units, is disturbing. Due to their dependence relations, their functions and duties they carry out, there is a risk that it may be misused and thus create an enticing or intimidating environment toward voters who are directly or indirectly affected by their duties and function. Therefore, our electoral legislation needs to be revised, guaranteeing the freedom of expression and organization (as is the right of the employee to

⁸ Through which the fund envisaged in the Tirana Municipality budget was approved, at 18.000.000 lek, for the implementation of this project for 2025.

⁹ “On the approval of the project ‘Financial support (grant) for new ‘green’ businesses that rely on an eco-friendly model, or existing businesses that attempt to turn into ‘green’ businesses by introducing go-green elements in them”

¹⁰ The decision may not be found on the official website of the CEC, but the relevant hearing may be found at this link: <https://www.youtube.com/watch?v=MyQ1tss6U0M>



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participate in an electoral rally) but at the same time, imposing proportionate restrictions that avoid abuse of office by public officials who coordinate or oversee the electoral campaign, exercising influence on voters to favor the political force in power or even other political forces.

2.3 Establishment of the by-laws and regulatory framework by the CEC

AHC has provided its modest and continued contribution to the activity of the Central Election Commission for drafting, updating, and establishing the regulatory framework and by-laws for the parliamentary elections of 2025. Its contribution helped point to the usefulness, priorities, and areas that needed improvement. AHC appreciates the CEC's continued consultations regarding these draft acts, but underscores the same conclusion as in the previous elections that consultation deadlines are very tight. They vary between 2 and 3 days, in some cases including weekends or official holidays. There appears to be a lack of reaction by the CEC on the comments and suggestions made by the AHC and the impact they have had on the decision-making process, i.e., whether they served or not to improve the draft act.

AHC contributed its opinions and suggestions to improve the draft decisions of the CCEC on approving or amending regulations in order to enable the exercise of the right to vote by voters who are outside the territory of the Republic of Albania, the rules of conduct of public institutions in elections, and the prohibition of misuse of public assets. Concretely, some of our most important suggestions and comments for these draft acts are presented further down in this report.

Regarding the Program for Sensitizing Voters belonging to national minorities, AHC has stated that direct meetings with this category of voters represents a positive step; however, it should have been extended over all steps of the electoral process. AHC has appreciated the necessity to establish a team of trainers for individuals who would hold meetings with voters from national minorities.

Regarding the Draft Decision "On the approval of rules for the registration of voters from abroad and the preparation of the voter list," AHC has stated that the list of documents required to enable the right to vote for Albanian citizens living permanently abroad is too long, rendering it not only ineffective, but also impossible to realize. This contributed to the bureaucratization of the process, making the emigrants' vote even more difficult.

AHC appreciated the draft decision of the CEC "On an addition to Decision no. 10, dated 23.10.2024 'On the approval of regulations for the registration of voters from outside the territory of the Republic of Albania and the preparation of the voter list,'" emphasizing its importance for improving the accuracy and transparency in the process of registration of voters from abroad. According to this mechanism, the CEC and the General Directory of the Civil Registry (GDCR) coordinate in real time to update the national voter register and avoid human errors. An essential aspect of this amendment is the transparency guaranteed through the publication of an extract of the registration lists, providing access to citizens, political parties, and monitoring organizations.



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Nevertheless, AHC pointed out that this mechanism requires strong security measures for the protection of personal data and a sustainable technological infrastructure.

Regarding the draft decision of the CEC “On rules of conduct of public institutions in elections and the prohibition of the misuse of public assets,” in its suggestions and feedback, AHC underscored some key issues that are linked with legal clarity, institutional definitions, as well as organizational measures for the effective implementation of rules. It was also suggested that the decision more clearly define the concepts of “prohibited activity” and “misuse of public assets,” making them easy to interpret and implement in practice. Another proposal is the inclusion of a detailed mechanism for reporting and reviewing violations within a short time period, with the possibility of including civil society organizations to guarantee transparency and accountability.

Regarding the CEC draft decision “On some amendments to decision no. 11, dated 1.11.2024, of the Regulatory Committee ‘On the approval of the list of documentation required to prove the residence of the Albanian voter who votes from outside the territory of the Republic of Albania, for the purpose of registration on the list of voters from abroad,” AHC emphasized the need for improvements that enable a secure and transparent process. Concretely, some exclusions were highlighted regarding the submission of documents for the registration of Albanian voters abroad and allowing third parties (family members or individuals living in the same address) to upload documents, may create legal uncertainty and a risk for abuse, given that the initial decision required that the voter him/herself submit the documentation. Problems include the lack of a strong verification mechanism and insecurity regarding the authorities that should verify statements by co-habitants. Furthermore, AHC has suggested that it is necessary to strengthen the protection of personal data and establish clearly the responsible authorities for issuing and verifying address documents.

Regarding the CEC draft decision “On an addition to decision 10, dated 23.10.2024 ‘On the approval of rules for the registration of voters from outside the territory of the Republic of Albania and the preparation of the voter lists,” AHC expressed the concern that these amendments reflect the amendments in the Electoral Code that were rejected by votes of the majority in the parliament. AHC recommends that the CEC, as an independent body, should not be affected by political interests; amendments to its regulations to sidestep the legal and parliamentary process undermine this independence and create a negative precedent. The politicization of the CEC undermines trust in the integrity of the electoral process. The proposal to use biometric identification documents within their validity timeline from different foreign countries for citizens to exercise their right to vote from abroad may lead to problems with the credibility of the electoral process. Also, it is essential that authorities undertake accurate verification procedures on these documents and maintain effective cooperation with foreign authorities to guarantee the integrity of the elections.

3. Electoral Silence



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Electoral silence is an essential component of the electoral process, stipulated clearly in **article 77 of the Electoral Code** of the Republic of Albania. It refers to the period when any campaigning and electoral propaganda is forbidden, in order for citizens to have a calm environment to reflect and make a free decision before and during voting day, free from any pressure or inappropriate influence.

AHC conducted partial monitoring of the electoral silence period, one day before voting day, on May 10, 2025. The monitoring was conducted by AHC observers in the field and through monitoring social and traditional media.

In general, the period of silence was upheld in many areas, but in about 25% of the cases, there were direct and clear violations of the ban.

Dissemination of propaganda materials (billboards, leaflets, posters, brochures) near public institutions, schools, and voting centers were noticed in specific areas such as the municipalities of Tirana¹¹, Fier¹², Vlorë¹³ & Malësi e Madhe¹⁴.

Activities on social networks and digital platforms: candidates and political representatives of the two main political forces continued to publish posts of an electoral nature and calls for support, challenging the ban of electoral silence and thus violating the law in force. In this aspect, AHC observers also found promotions of events, services, or public sites through statements, posts, or reels on social networks, thus causing an indirect form of the violation of electoral silence.

Role of traditional and local media: To the extent it was possible for observers to verify, it is a positive fact that local and national media outlets were responsible, respecting rigorously the period of electoral silence, without broadcasting propaganda materials or campaign content during the day of silence.

According to article 174 of the Electoral Code, the violation of the electoral silence by electoral subjects is fined by the CEC by 500,000 lek. AHC addressed the CEC on May 10, 2025, through a letter on the cases it had encountered violations of the electoral silence and demanded the removal of propaganda materials from anywhere nearer than 150 meters from Voting Centers, by the Voting Center Commissions, and the removal of propaganda materials at a larger distance, by the State Police and/or Municipal Police. However, there was no institutional reaction regarding this intervention.

¹¹ Street Vaso Pasha, next to the National Commercial Bank; Street “Ismail Qemali”, across from “Credins” Bank; Zogu /Boulevard

¹² “11 Janari” neighborhood, Street “Ramiz Aramasi”

¹³ “Tre Racat” square, across from “Petro Marko” theater, Skela roundabout

¹⁴ Koplik administrative unit, near the Municipality building



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4. The Process to Deliver and Disseminate Electoral Materials

The dissemination and delivery of electoral materials are important phases for guaranteeing a transparent and orderly voting process. This process includes several steps:

- The CEC has the responsibility to prepare and disseminate materials at the central level and then their delivery to the Zonal Commissions (ZEAC).
- Zonal Commissions are responsible for distributing the materials to the voting centers (VC) in their territory.

The findings of AHC's partial monitoring for this phase are as follows:

- The distribution of electoral materials by the CEC to the ZEACs was conducted on time and in accordance with the deadlines established in the Electoral Code. This is an indicator of good planning and organization at the central level.
- Issues were noticed by observers during the transfer of materials from the ZEACs to the VCs, where serious delays and deficiencies in coordination were noticed, in violation of article 100 of the Electoral Code, which requires that electoral materials are delivered at least 15 hours ahead of the start of voting.
- In some voting centers, the distribution of electoral materials was done until the late hours of May 10, 2025, thus jeopardizing the start of the voting process on time and causing concern among commission members.

The main reasons for these problems, according to our findings in the field, were:

- Lack and frequent changes of the composition of VCC membership, which caused difficulties in the organization and operational responsibilities in the field.
- Lack of transport means and inadequate logistical infrastructure that made the transport of materials on time and in a safe manner to the VCs difficult.
- Poor coordination between ZEACs and VCs as well as lack of effective communication during the period of the delivery of materials.

However, it was a positive fact that in **95.7% of the cases, the process of delivery of materials was documented by special process-verbals**, which enables a high level of transparency and trackability for every action undertaking during this process.

5. Monitoring of Voting Day

During the voting day on May 11, 2025, AHC conducted partial monitoring in over 145 Voting Centers (VCs) distributed in 13 different municipalities of the country, including urban and rural areas, as well as three special centers in the Institutions for the Execution of Penal Decisions (IEPD



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302, IEPD 313, and IEPD Durrës). This monitoring aimed at evaluating the implementation of the electoral law and guaranteeing as free and fair a process as possible for all citizens exercising their right to vote.

During the day, a series of problems were identified that need to be addressed immediately in order to ensure rigorous implementation of electoral legislation in the future elections.

a. Opening and start of the voting process

Based on article 11, paragraph 1 of the Electoral Code, the voting process should have started at 7:00 am, on May 11, 2025. Initially, the phase of preparation and opening of the VCs was done mostly in an orderly manner and within legal deadlines. However, there were some technical and organizational difficulties that affected the voting process, such as lack of electricity.¹⁵

In one case, the process of opening the Voting Center was delayed so much that the voter had to leave in order to take care of other engagements in his day.¹⁶ Moreover, the lack of members of voting commissions was a problem repeated in several VCs, leading to delays in starting the process and reducing the efficiency of the process.¹⁷ In some cases, delays in opening the VC went beyond legal boundaries, causing gatherings and large influxes of people in the early hours of the morning, especially in urban areas.¹⁸

b. Presence of unauthorized individuals during the voting day

The phenomenon of the presence of unauthorized individuals in VCs and their internal perimeter up to 150m remains disturbing, repeated, and encountered even in the latest parliamentary elections.

AHC observers encountered disturbing cases of the presence of unauthorized individuals in certain VCs, party observers who instructed voters, the use of “verifying lists” by the latter and, in some cases, by VCC members, as well as one very disturbing case of the presence of armed individuals near a VC in Durrës.

In some voting centers in Durrës,¹⁹ observers found the engagement of party activists in procedures for the verification and guiding of voters, a practice that runs counter to the Electoral Code and risks influencing the free will of voters and, therefore, the integrity of the electoral process.

¹⁵ At VC 3362 (Korça Municipality), electricity was lacking until minutes before its opening, a situation that created delays in the process of opening voting, and that then led to long queues of voters from the early hours of the morning.

¹⁶ VC 4235/01 (Gjirokastrë Municipality)

¹⁷ VC 4235, VC 4439/1 (Vlorë Municipality), VC 0729/00 (Lezha Municipality),

¹⁸ VC 113500 & 113501 (Dibra Municipality), VC 4493 (Vlora Municipality), VC 3289 (Berat Municipality)

¹⁹ VC1429/2, VC 1449, 1449/1, 1450, 1452/1, 1452/2



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Also, cases were encountered when individuals without accreditation badges stood in the vicinity of the VCs, though outside the 150-m perimeter, and observed individuals entering and existing the VCs, although no direct pressure on voters was documented. This situation creates an unsafe environment, carries premises for pressure on voters, and violates trust in the process.

c. Regularity of voting procedures

Members of the Voting Center Commissions (VCCs) carried out most of their legal duties in accordance with article 110 of the Electoral Code, but there were also some cases of delays, procedural misunderstandings, and lack of coordination. This was reflected particularly in the use of EIE equipment,²⁰ which functioned only partially, forcing the use of manual methods for the identification of voters in some instances. However, the use and functioning of such equipment represents an improving trend compared to the previous local elections, which indicates a better level of management by the CEC.

In some cases, the lack of one or two commissioners caused vacancies and the suspension of the process without clear legal reasons, as a result of disagreements on the role and figure of the VCC secretary, which caused tension and confusion in the voting premises.²¹ Likewise, the unreasonable and uncontrolled departure of commission members during voting day was seen repeatedly in several voting centers,²² which harms the stability and functioning of commissions throughout the entire process.

d. Identification with the EIE

According to article 105/1, letters “c” and “ç” of the Electoral Code, the chairperson, after verifying that the data for the identity of the voter match the data on the voter list and the voter is the same as the person on the identity document, writes down on the voter list the type and serial number of the ID and crosses out the voter’s name on that list; the voter then signs on the voter list next to his name. AHC observers reported that “crossing out” the name of the voter on the list and “obtaining his/her signature” next to his/her name was not done in cases when the EIE equipment was used. This practice was observed in almost all VCs monitored by AHC observers. In exclusive cases, such as in VC 1140/00 (Dibra Municipality), AHC observers reported that in parallel with

²⁰ VC 3280 (Berat Municipality).

²¹ At VC 4242/1, there was opposition by part of the members of the VCC regarding the exercise of the functions of the secretary by an individual employed in the municipality of the city. Although the exercise of administrative duties in public administration bodies is not expressly envisaged by the Electoral Code as a cause for non-compliance with the duties of the secretary, the respective ZEAC decided to replace the secretary with a party observer present at that VC.

²² VC 4235, 4238, 4239/1 (Gjirokastra Municipality), VC 1841 (Tirana Municipality),



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the normal functioning of the EIE, observers signed physically on the voter list, maintained by the VCCs.

AHC notes that these procedural guarantees of the Electoral Code were not respected as a result of the training program themes “For operators of the electronic identification equipment (Directory of Logistics and Digitalization, Sector of Digital Developments guiding manuals of the CEC) or as a result of instructions given by CEC representatives to the commissioners, during the voting process. AHC notes that materials of a training or guiding nature of the CEC should not surpass procedural guarantees provided by the law. To facilitate this process in the future, it is necessary to revise the provision of article 105/1, letter “c” of the Electoral Code, in order to not obtain the signature of voters when the EIE functions.

e. Respect for vote secrecy

The practice of verifying the identity of voters through the number of their name on the list, by party observers present in the VC remains a repeated issue; in some cases, observers found that this was done by printed lists or special apps. Thus, at VC 1135/00 in Dibra, the Socialist Party observer stood in violation of the positioning of party observers in the VC, behind the VCC members in order to verify those who voted. This practice is a serious violation of free vote as such actions may create pressure or unfair influence on voters. This practice, as stressed earlier, bears premises for influence on voters who appear on the party lists of electoral subjects and harms vote secrecy.

f. Assistance for voters who cannot vote on their own

According to article 108 of the Electoral Code, voters who due to physical reasons are not able to carry voting procedures on their own, may seek the assistance of a family member or another voter, who is on the list of voters of that VC. Before marking the ballot, the “assisting” voter makes a statement in the VCC Meeting Protocol Book that he/she will not influence the decision of the voter, will not make the vote public, and that he/she has not voted on behalf of another voter.

Regarding this monitored aspect, AHC observers found in some cases that the practice pursued was not in respect of provisions of the Electoral Code. Thus, at VC 1969,²³ a voter who was not able to vote himself, due to physical inability, was helped by the Voting Center Commission. The first paragraph of article 118 of the Electoral Code addresses specifically assistance provided by other voters and not by VCC members. In a case at VC 3271,²⁴ a voter who was physically unable to vote on her own, was helped by her son, without being accompanied with the accompanying documentation per article 108 of the Electoral Code.

g. Family voting

²³ Tirana Municipality

²⁴ Berat Municipality



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At some VCs in Korça,²⁵ Vlora,²⁶ Berat,²⁷ and Durrës²⁸ incidents of family voting were reported, with voting being conducted with the assistance of family members in violation of the requirements of the law, and cases of assistance being provided by VCC members or chairpersons for some voters,²⁹ which may indicate pressure or influence on free choice of vote.

h. Vote photographing

In general, monitoring conducted by AHC observers did not indicate frequent issues with vote photographing, based also on the experience and suggestions provided in past elections. However, at VC 1921/01,³⁰ VCC members did not conduct full verification whether a voter in the voting booth had a mobile phone with him or not. Thus, during the voting process, the noise of the camera going was heard from the mobile phone (a similar case as that reflected in the report on the previous elections), which caused discussions among Commission members.

i. Monitoring of Institutions for the Execution of Penal Decisions

Observers monitored VCs established in the IEPD's "Mine Peza" and "Jordan Misja" in Tirana, as well as IEPD Durrës.

During this monitoring, it was proven that at IEPD no. 313 in Tirana, there were complaints by inmates about the lack of ID cards, which disallowed the exercise of the right to vote by some of them. Moreover, cases of some inmates trying to guide one another about the manner of vote were reported at this institution, creating a form of influence that infringes upon the freedom and secrecy of vote.

At IEPD Durrës, where the voting center was placed in the premises of the institution's mosque, observers noticed overcrowding in the corridor toward the center, a situation that created premises for interaction and potential pressure among inmates during the exercise of the right to vote.

j. Observers' access

Voting day saw an environment that was generally permissive toward the activity of AHC monitors; however, there were also some cases in which the activity of observers may have been blocked based on the creation of certain institutional 'artifices' often in the name of 'confidentiality' or 'sensitivity' of the process.

²⁵ VC 3651

²⁶ VC 443800

²⁷ VC 3272/01

²⁸ VC 1420/4

²⁹ VC 1969

³⁰ Elbasan Municipality



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Thus, at Voting Center no. 1494 in Durrës,³¹ commission members obstructed the entry of accredited media observers, thus infringing upon freedom of the media and transparency of the process. This action obstructed reporting on the process in real time and without influence, violating the principles of the freedom to inform and public oversight of elections.

Further on, at VC 176400 (Tirana), the AHC observer photographed the positioning of a VC camera installed too low from the ground, thus documenting a violation in the sense of misusing electoral administration equipment. Afterwards, the observer was approached by two party observers and a member of the Commission, asking her to delete the photo. After feeling intimidated, the observer left the VC premises.

Also, at VC 1474 & 1474/1 (Durrës Municipality), the AHC observer was not allowed to monitor the process of closing the voting by VCC members, quoting “confidentiality” of the process.

As a conclusion, AHC notes that the problems encountered, through sporadic, dictate the need to improve the quality and credibility of the electoral process, for in-depth interventions for full depoliticization of local election administration and voting commissions, regulating control mechanisms, timely training of commissioners, avoiding last-minute vacancies, security of voting premises, and fully guaranteeing the freedom and secrecy of voting.

Besides, it is indispensable that the CEC, which has been made aware of the violations encountered by AHC during voting day and afterwards, establish the proper mechanisms that carefully review all violations and encountered issues in respect of the principles of accountability and responsibility.

6. Counting process

After the conclusion of the voting process for the elections for the Assembly of Albania, AHC observers continued with partial monitoring of the counting process, established at ZEAC buildings in 13 municipalities of the country. All VCSs were placed at public buildings and were equipped with cameras, which were pointing toward the tables and aired the process live to the CEC headquarters.

³¹[https://web.facebook.com/durreslajm.al/videos/1029540085832356/?__cft__\[0\]=AZWuc5Illi1WKNHQE9tcpN7Y2H-e6A3rSkmfQbGYjeCNNXxAznoGqvBrTPaqSHT-ylgMBBqEOnIOyqTXZ0u2DSKjYiYrimOwnH0svT006h7yQvAdsJw5A0z-PEzojER3H91TU00N9_qmBvCA2a2Seji2iwcCYR4sfC210_GfwccetJRb2dMNbt5FtHu1KnGH4YYe4m4OKXSw-MMkX0lkrb6N&__tn__=-UK-R](https://web.facebook.com/durreslajm.al/videos/1029540085832356/?__cft__[0]=AZWuc5Illi1WKNHQE9tcpN7Y2H-e6A3rSkmfQbGYjeCNNXxAznoGqvBrTPaqSHT-ylgMBBqEOnIOyqTXZ0u2DSKjYiYrimOwnH0svT006h7yQvAdsJw5A0z-PEzojER3H91TU00N9_qmBvCA2a2Seji2iwcCYR4sfC210_GfwccetJRb2dMNbt5FtHu1KnGH4YYe4m4OKXSw-MMkX0lkrb6N&__tn__=-UK-R)



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In general, observers monitored the process of delivering ballot boxes, which was done in accordance with the deadlines and procedures detailed in article 115 of the Electoral Code. At the same time, in all VCSs that were the subject of monitoring, observers found last-minute training, a practice highlighted earlier by the AHC as very harmful as it reduces the professionalism of commissioners and affects the inadequate implementation of electoral legislation and CEC normative acts.

a. Regularity of the counting process

In general, the vote counting process was conducted in accordance with the Electoral Code and was characterized by relatively good transparency.

However, at ZEAC Olympic Park, which was the site where the diaspora vote count was conducted, accessibility to ballots on monitors for non-party observers was reduced. This situation created concerns about full transparency of the process in those points, thus calling into question the possibility for impartial monitoring. Observers stated that the monitor where ballots are posted ceased to function, which made it possible for them to check the ballots, regarding the validity and the work done by the VCGs. In spite of claims and remarks by observers, the process was not suspended, thus violating the regularity of the counting process in this Vote Counting Site (VCS).

AHC considers that the proper functioning of technical equipment of the counting process is essential for the integrity and proper conduct of the vote counting process and, in case of them being blocked, the vote counting process should be suspended, until the problem has been resolved.

An important problem highlighted during the vote counting process was the presence of unauthorized individuals at the vote counting sites. This phenomenon was more frequent at EAC no. 38 in Tirana, EAC no. 24 in Durrës, EAC no. 11 in Kukës, where there were individuals who were not an official part of the counting commissions and had no right to stand near the site where the vote counting process was taking place. This unauthorized presence was not just a formal violation, but it represented a real threat to the integrity of the process. Such individuals, in some cases, intervened directly or indirectly with the work of the counters, creating unfair pressure or attempting to influence the final result. In this context, AHC emphasizes the need to verify the authorizations of individuals present in the Vote Counting Sites, in order to avoid influence on VCG members.

Observers reported tensions and conflicts created as a result of continued attempts by unauthorized individuals present in the hall to interfere with the process. External influence extended from psychological pressure on counters, including remarks on changes of the reading of the ballot results or blocking them for certain reasons.



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On the other hand, in some counting sites,³² observers highlighted the lack of proper preparation of counting commission members who often encountered difficulties in correctly managing the process, causing delays and confusion during the counting. This lack of professionalism was seen as a serious weakness that requires more in-depth training organized earlier and their stricter monitoring.

b. Classification of validity of votes

In keeping with articles 117 and 118 of the Electoral Code, the VCGs have the obligation to evaluate the validity of votes. In general, it is worth emphasizing that there were no contestations regarding the invalidity of ballots by political observers, but as highlighted earlier by unauthorized individuals loitering in these premises.

AHC observers found in some sporadic cases inaccurate reading of the validity of votes by the VCGs. This was backed up by the practice of the recount of votes in Tirana and Fier Municipalities, after the decision of the CSC that opened the way for this process; the process highlighted that the vote counting groups had erred in some cases on the validity of votes for certain candidates, which varied also in considerable margins although they did not lead to changes in the result. The recount in general harmed public trust in the professionalism and responsibility of counting commissioners. For these cases, except for some sporadic statements by CEC representatives, there is no institutional reaction by the CEC itself to make transparent why this happened and whether they found abuse or elements of the internal transfer (trafficking) of votes among candidates of the same subject, which should have been referred for further investigation by the prosecution office.

c. Closing of the vote counting process

Overall, AHC praises the fast pace of the counting process; within the three-day period of partial monitoring of this process by AHC, it had concluded in most of the EACs that were observed.

As a summary, although the vote counting process was conducted generally in a transparent manner and under extensive monitoring by different subjects, the highlighted issues, such as the presence of unauthorized individuals, attempts for unlawful influence on reading the ballots and the lack of proper training for commissioners, different data produced by the recounting process for Tirana and Fier Municipalities, created serious variables on electoral integrity. These challenges require immediate measures to reform electoral legislation in order to depoliticize counting commissioners and increase their professionalism, as well as rigorous implementation of the law by improving the oversight system, strengthening the principle of accountability and

³² EAC Olympic Park – AHC observers reported that in some cases, VCG counters tore up the ballot by mistake, at the moment of pulling them out of the envelope. This caused lack of clarity and confusion on whether these votes should be considered valid or not.

EAC Roskovec – Here, the relevant VCG interpreted that in cases of ballots marked only for the political subject but not the candidate, the vote should go to the first candidate on the list. In our opinion, this represents a wrong reading of the voter's will.



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responsibility within the electoral administration at all of its levels, guaranteeing that in the coming elections, democratic and legal standards are rigorously respected.

7. Recommendations

1. AHC reiterates its recommendation that further electoral reform requires broad political consensus and dialogue, transparency, and inclusivity. It is necessary to take under review the OSCE/ODIHR recommendations reflected in its reports of recent years.³³

Amendments to the Electoral Code should not be the monopoly of political parties and nor should they be carried out close to electoral periods, but rather take into consideration good international standards and practices. AHC recommends avoiding formal consultations for the next electoral reform in the face of the need for holding effective hearing sessions with experts, as well as with civil society organizations and representatives.

Per the above, AHC recommends the creation of a new Ad Hoc Parliamentary Committee on Electoral Reform as soon as the new parliament is constituted, in order to start work immediately, based on the above-mentioned principles and standards.

2. Elections for the Assembly of the RA proved once again that members of local Election Commissions, in many cases, were professionally not at the required level. Their work also displayed party bias. As a result, the immediate need remains for reviewing the priority and early recommendation of OSCE/ODIHR for their total depoliticization.

3. Some small parties complained that the electoral system in force harms the equality of vote between areas and, therefore, the distribution of mandates by the electoral system in general needs to be reviewed. Taking into consideration the arguments provided statistically by these subjects, AHC recommends that this issue is the subject of an inclusive discussion in the context of the next electoral reform.

4. In the May 11, 2025, elections, the candidates of preferential lists claiming damage to their legitimate interests were refused their complaints by CSC and the Electoral College, referring to paragraph 1, article 124 of the Electoral Code. This provision does not even envisage the right of complaint by candidates of political parties. AHC suggests the amendment of this provision, to

³³ Numerous OSCE/ODIHR reports either have not become subject of parliamentary discussion or have not been discussed at all, such as those of the years 2009, 2013, 2015, 2017, 2019, 2021, 2023. Almost all of these reports state in their introductions that “These recommendations should be read together with previous recommendations by OSCE/ODIHR that have not been addressed yet.”



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envisage the right to complain for candidates of political parties (based also on the Opinion of the Venice Commission and ODIHR).

5. Regarding CEC competences on voting from abroad and the relevant procedures for voting from out of the country (articles 24 and 26 of the Electoral Code), it is our opinion that the best and most credible realization of this procedure should be realized in its entirety, keeping in mind the achievements and difficulties resulting from the May 11, 2025, elections. To that end, we recommend that the main issues are resolved in the provisions of the Electoral Code, so that the CEC is not put in a difficult position by assuming attributes of the legislative branch. The experience of other countries certainly is important, but our emigration has its own peculiarities.

Regarding mail voting, it is our opinion that the Code of Good Practice of the Venice Commission of 2002 should be taken into consideration; it reads, *“postal voting should be allowed only where the postal service is safe and reliable; the right to vote using postal votes may be confined to people who are in hospital or imprisoned or to persons with reduced mobility or to electors residing abroad; fraud and intimidation must not be possible.”* (See p. 9).

6. Practice has shown that information technology systems or equipment that enable electronic identification of voters, electronic voting and post-election verification, if subjected to the principles of lawfulness, transparency, and effectiveness, are the most credible tools that guarantee the fast issuance of results. In these elections as well, electronic voting piloted in two areas highlighted the advantages of its speed and effectiveness, compared to manual counting. Given that electronic voting is faster and more credible in the issuance of results, we recommend expanding this voting in the future elections, upon consultation with political parties and the expertise of qualified experts of the field, without infringing upon the final discretion of decision-making of the CEC to ultimately determine the method and areas for piloting electronic voting.

7. The same violation is proven from one electoral process to the next: voters are not notified in their homes due to the lack of funds that should be allocated by the Ministry of Interior. Taking into consideration that the time available for such notification is very short according to article 52 of the Electoral Code (60 days from the publication of the extract of electoral components), AHC suggests that this deadline is extended up to 15 days before election date. We also suggest to the CEC that in such repeated cases of failure to fulfill this obligation, it issues administrative sanctions according to article 71, paragraph 2, of the Electoral Code.

8. In these elections as well, electoral subjects began the campaign long before the time stipulated in article 77 of the Electoral Code. Such a practice not only is accompanied by numerous expenses that go beyond a lawful campaign, but they also create marked inequality for the smaller parties. AHC suggests that the CEC, in such cases, is given competence not only to intervene, but also apply sanctions, pursuant to article 172, paragraph 1, of the Electoral Code, when necessary.



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9. The prohibition of the use of public resources for electoral purposes, in our opinion, should be revised in the provisions of the Electoral Code to expand this ban from the date when elections are decreed by the President of the Republic and not limit it to whether a political party is registered as an electoral subject or not.

10. Television stations, according to provisions of article 80, paragraph 1, on public radio-television and article 84 on private radio and television stations, of the Electoral Code, have devoted a minimal time fraction to electoral subjects that are not parliamentary parties or candidates proposed by voters. These provisions are worth revising in order to guarantee pluralistic and inclusive media reporting for competing subjects.

11. Mainly in news editions, AHC continues to find with concern that audio-visual content prepared by political parties or candidates represents the overwhelming majority of content shown on television, in accordance with article 84/1 of the Electoral Code, which legitimizes their broadcast. AHC recommends the revision of this article in accordance with OSCE/ODIHR recommendations in order to put an end to this practice that harms media freedom and the right of the public to be informed impartially.

12. AHC recommends to the CEC to conduct fast, effective, and objective administrative investigations of cases or alerts regarding the misuse of public assets, demonstrating rigorousness in the implementation of the law and the sanctioning of violators according to article 91 and 92 of the Electoral Code and its regulatory acts.

13. AHC suggests to the CEC to set into motion internal or external mechanisms (through the justice bodies) for the investigation of responsibilities of counting Commissioners, regarding deficiencies noticed in the reading and validity of ballots, in those municipalities where the CSC decided to order the recounting of votes.

Stemming from this problem, AHC also considers that it is necessary that in the next elections, the CEC review its instructions regarding the types of votes and the criteria for evaluating them. Paragraph 4 of article 117 of the Electoral Code states that “The evaluation of votes aims to identify to the extent possible the intent of the voter.” Evaluation of votes in practice needs to be illustrated with inclusive examples by the CEC as there are cases when the interpretation of the voter’s will requires special attention that goes beyond the formal aspect of where the mark was put, inside or outside the box and the type of mark used.

Spurred by this suggestion, we have in mind the guidance given by the CEC on the validity of votes for the parliamentary elections and the criticism of OSCE/ODIHR to electoral legislation of the time in the country, for article 92/4 of the Electoral Code of 2003, when the vote was deemed invalid if the voter’s mark was not precisely inside the special space or crossed the boundaries of this special space. This is why OSCE/ODIHR and the Venice Commission recommended



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amending the provision, to allow for more freedom in the definition of the invalidity of the vote, and therefore, the political choice of the voter.

14. AHC recommends to the CEC that, in the context of transparency and pursuant to article 123/3 of the Electoral Code “Participation of the public in denouncing facts,” to inform public opinion on results achieved and in particular, whether the information it obtained included or not cases with elements of criminal offenses that it denounced to the relevant prosecution bodies.

15. AHC recommends that the training of ZEACs, VCCs, and counting groups is not formal and delayed. Based on the harmful practice of training, especially the vote counting groups, one day before the counting or some hours ahead of it, detailed and quality training of commissioners should be a priority, focusing not only on knowledge of the procedures, but also the management of unforeseen situations and full respect of the law.

16. Strengthening measures for controlling access to counting sites and voting sites is essential for preventing the presence of unauthorized individuals and for avoiding any form of unlawful influence. This harmful practice should be given a final solution in the next elections.

17. Taking into consideration the changes and vacancies created in the composition of these electoral administration bodies at the second and third level, as in these elections among VCC members, we recommend revising the relevant legal provisions.

18. Furthermore, infrastructure and logistics should be reorganized to ensure full and timely dissemination of electoral materials, including securing electricity and the functioning of technological equipment supporting the process, such as EIE.

19. AHC suggests that transparency and free access of observers and the media be improved throughout all phases of the process, to guarantee independent and real-time reporting, which is key for the credibility of elections.