Code of Conduct on Digital Campaigns in Albania

This Code of Conduct on Digital Campaign (the Code) was drafted by the International Institute for Democracy and Electoral Assistance (International IDEA), the National Democratic Institute (NDI), and Rule of Law Centre, University of Helsinki, in cooperation with the Central Elections Commission (CEC) of Albania. The Code is also the result of extensive consultation with political parties and civil society. The Code of Conduct builds on the growing trend on self-regulation and largely draws from the Netherlands National Code of Conduct on Transparency of Online Political Advertisements, introduced in 2021[1] and the Code of Conduct for the European Parliament elections of 2024[2].

1. Introduction

Through this Code of Conduct, electoral subjects commit to maintaining the integrity of the 2025 general elections, as well as forthcoming elections.

By following this Code, the signatories uphold core principles of democratic elections like integrity, transparency, privacy, safety, fairness, and a level playing field.

They recognize the vital role of political parties in safeguarding these values.

Transparency empowers citizens to make informed decisions based on reliable information. Disinformation and manipulated content threaten free and fair elections. Signatories commit to the principles of truth and accuracy in their communication strategies and to countering mis and disinformation in elections.

The signatories are committed to preventing the deliberate deception of the public, including through the wrongful use of artificial intelligence, strengthening the integrity of Albanian elections, and supporting trust in democracy.

The pledges in this Code help to safeguard elections against undue interference or manipulation by setting minimum standards for ethical campaigning, increasing public access to relevant campaign information, and improving cybersecurity and digital hygiene measures throughout internal party mechanisms.

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[1] International IDEA and the Netherlands Ministry of the Interior and Kingdom Relations, https://www.idea.int/sites/default/files/news/news-pdfs/Dutch-Code-of-Conduct-transparency-online-political-advertisements-EN.pdf

[2] International IDEA and the European Commission, Code of Conduct for the 2024 European Parliament Elections, https://www.idea.int/european-code-of-conduct-2024

This Code of Conduct covers different aspects of electoral campaigning, applicable to digital activities, and to both paid and unpaid content and communication.

Parties are encouraged to promote compliance with the Code internally and encourage their members to sign on to or observe the commitments in their election campaigns.

The Code will be made publicly available to help facilitate oversight by media, researchers, voters, and citizens broadly in tracking compliance with the commitments. The Code is open for signature by electoral subjects that will register in the upcoming elections, including the 2025 general election.

2. Legal framework

This Code of Conduct is voluntary and does not intend to replace existing or future legislation or interfere with compliance with such legislation by its signatories or other stakeholders.

It is however part of the broader policy frameworks at various governance levels and aims at supplementing them. This Code should be read in accordance with relevant national laws and regulations, as well as international norms, conventions and laws that Albania adheres to, in particular legislation stemming from the European Union, which Albania must approximate.

Various legal and policy documents underpin the code.

The most important ones include:

- Articles 4, 9, 16/1, 18 and 45 of the Constitution of the Republic of Albania the principle of the rule of law, the right to vote, equality before the law, financial transparency, prohibition of hate speech and discriminatory language, and the integrity of public officials.
- The Electoral Code of the Republic of Albania (Law No. 10019 of 2008, as amended)
- The Law for Political Parties (Law No. 8580 of 2000, as amended)
- The Law on Personal Data Protection (Law No.124/2024).
- The law on Protection from Discrimination (Law No. 10 221 of 2010)
- The law on Audiovisual media in the Republic of Albania (Law No. 97/2013)
- The law on Cybernetic Security (Law No.25/2024)

The Central Elections Commission, in charge of oversight of elections assumes a key role in monitoring political advertising, including online, in the framework of safeguarding the integrity of elections.

3. Signatories' Commitments

The signatories of this Code of Conduct, representing electoral subjects planning to register in the 2025 parliamentary elections, jointly commit to:

1. Maintain the integrity of elections by complying with existing rules and norms and adhering to principles of fair campaigning and financial transparency.

2. Encourage inclusive political discourse and participation and contribute to safe electoral processes, in particular by:

a. refraining from producing, using or disseminating discriminatory statements and biases against specific groups based on their gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation;

b. refraining from disseminating, posting, or promoting messages that incites violence or hate speech; signatories are encouraged to firmly condemn and sanction any act of violence against candidates or elected representatives.

c. refraining from voter dissuasion or disseminating any inaccurate information on the electoral process, such as information about voters, voting process, and polling station.

3. Ensure an ethical and transparent use of campaign tools and technologies, including artificial intelligence. Abstain from producing, or disseminating misleading content, in particular:

a. falsified, fabricated, doxed or stolen data or material;

b. Any type of deceptive content using audio, images or video and generated with or without artificial intelligence to falsely or deceptively alter or fake candidates, officials or any electoral stakeholder. The use of artificial intelligence-generated content is only permitted when clearly labelled. Using watermarking and provenance signals indicating the origin of the material is encouraged;

c. fake accounts or automatic bots to manipulate voter opinions;

d. trolling, unfounded accusations or cyber-bullying;

e. content created and disseminated by actors from outside the country, seeking to erode principles of democracy, freedom, equality, protection of human rights, rule of law, and promoting peace and stability.

4. Make use of all the available resources to counter the negative effects of AI-generated deceiving content and consider staff training to this end; abstain from using personal or confidential information in AI tools, e.g., in prompts, thereby safeguarding individual privacy and security in elections; consider establishing a structured mechanism for citizens to report any concerns or misuse associated with the AI technologies.

5. Ensure transparency of received financial contributions, including benefits in kind such as gifts and hospitality received, loans, donations, campaign contributions and expenditure to be in line with the applicable European and national legislation.

6. Ensure transparency of political advertising and campaign messages:

a. Refrain from running political ads sponsored by undeclared interests or otherwise engaging third-party intermediaries to place campaign messages without attribution.

b. Adhere to online platforms' transparency policies and mechanisms and provide faithful information for registration and verification processes.

c. Provide information, preferably on political party websites on:

i. affiliated organizations and foundations; or other legal entities campaigning on their behalf;

ii. their use of political advertising including sponsors, sources of funding and amounts spent;

iii. targeting of advertising and any use of artificial intelligence systems in the dissemination of advertising.

d. Refrain from manipulative tactics, techniques, and procedures to amplify political messages and from using sensitive data for microtargeting. Ensure that data used for political campaigning strictly adheres to the Albanian law on Data Protection, with an emphasis on data minimization and lawful, fair, and transparent processing of data.

7. Proactively avoid amplification of narratives seeking to undermine democratic principles led by entities and actors from both inside and outside the country.

8. Take active steps to pursue minimum standards on cybersecurity, to recognize, deter and prevent cyberattacks, distribute information, including internal trainings on cybersecurity risks in elections.

9. Remove or ask to remove without delay any content placed on behalf of the signing party that violates the commitments in this code of conduct. Report such content to online platforms.

10. Raise awareness on the Code of Conduct internally and promote compliance among campaign staff, party sections and other bodies, and affiliated institutions. Encourage members to sign up to or observe the commitments in this Code of Conduct.

11. Ensure that campaign staff and party sections strictly adhere to national regulations, to prevent the misuse of public resources in the context of elections; raise awareness of party members on the need to strictly adhere to such regulations.

12. Promote independent observation of the commitments laid down in this Code of Conduct and cooperate fully with oversight authorities, international and domestic election observers and other actors engaged in independent observation of the commitments such as media, academic researchers, and civil society organizations.

13. Discuss implementation of this Code of Conduct among electoral subject chairpersons and/or secretary-generals and respective party branches prior to the elections.

14. Conduct a post-election review and continue the discussion between and within electoral subjects after the 2025 general elections.