

**REPUBLIC OF ALBANIA
CENTRAL ELECTIONS COMMISSION**

DECISION

**ON SOME ADDITIONS AND AMENDMENTS TO THE INSTRUCTION NO. 4, DATED 19.02.2013
"ON PROCEDURES OF SELECTION AND TRAINING OF THE CANDIDATES WHO MIGHT BE
APPOINTED BY THE CEC TO FILL THE VACANCY CREATED IN CEAZ AND VCCs"**

The Central Election Commission, in its meeting on 04.04.2019, with the participation of:

Klement ZGURI – Chairman
Denar BIBA – Deputy Chairman
Bledar SKËNDERI - Member
Edlira JORGAQI - Member
Rezarta BITRI - Member

Reviewed the case with the following:

OBJECT: On some amendments and additions to Instruction no. 4, dated 19.02.2013 "On procedures of selection and training of candidates who might be appointed by the CEC to fill the vacancies created in CEAZ and VCCs"

LEGAL REFERENCE: Article 23, item 1, letter "a", item 2 and 5, article 29, item 5, article 36, item 5 of the Electoral Code of the Republic of Albania.

The Central Elections Commission, after reviewing the submitted documentation and hearing the representatives of political parties,

NOTES

The Central Election Commission, pursuant to the provisions of Article 29, paragraph 5 of the Electoral Code, has adopted Instruction no. 4, dated 19.02.2013 "On selection and training procedures for candidates who might be appointed by the CEC to fill the vacancy created in the CEAZ and the VCC."

Based on the above-mentioned by laws, the CEC has followed the procedures for appointing and training of citizens to fill the vacancies in Electoral Administration Zone Commissions and Voting Center Commissions for local government elections of 2015 and 2013, 2017 parliamentary elections.

Decision no,127 Dated 04.04.2019 Decision time 11.00

On some amendments and additions to Instruction no. 4, dated 19.02.2013 "On procedures of selection and training of candidates who might be appointed by the CEC to fill the vacancies created in CEAZ and VCCs"

Selection of candidates for member or secretary of the CEAZ / VCC, on the basis of the established criteria, by giving priority to trainings in the field of elections, previous experience in electoral administration and professional qualifications, is hard to be met in cases where the number of citizens who meet the criteria is greater than the number of vacancies.

Detailed procedures for the selection of citizens who are appointed to fill the vacancies, whether implemented by the CEC or the CEAZ, increase transparency of organization and administration of the electoral process, increase the reliability of application of procedures, by fully complying with the legal provisions.

Based on the provisions Article 23, item 4 of the Electoral Code, as amended, the normative acts of the CEC are of a permanent nature and as a rule are applied in all elections. These acts are reviewed due to amendments of the law or due to other reasons that justify the amendment.

The CEC, in exercising its competencies in administering and supervising the election process, reviews Instruction no. 4, dated 19.02.2013 "On selection and training procedures for candidates who can be appointed by the CEC to fill the vacancy created in the CEAZs and VCCs", by complementing it and amending the selection procedures for appointments in order to fill the vacancies from the list of candidates approved by a CEC decision.

FOR THESE REASONS:

The Central Elections Commission, based on article 23, item 1, letter "a", item 2 and 5, article 29, item 5, article 36, item 5 of the Electoral Code of the Republic of Albania,

DECIDED:

1. In Instruction no. 4, dated 19.02.2013 "On selection and training procedures for candidates who can be nominated by the CEC to fill the vacancy created in the CEAZs and VCCs", the following additions and amendments are made:

1.1 Article 2, item 3 and 4, is amended as follows:

" 3. The Department of Elections Commissions reviews all the applications submitted to the CEC or to the Regional Electoral Offices, by shortlisting all the candidates that meet the requirements of article 30 and 31 of the Electoral Code and submit it for approval to the CEC.

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4. The Central Elections Commission approves through a decision a list of citizens that can be appointed to fill the vacancies of members and secretaries of CEAZ.”

1.2 After article 2, article 2/1 is added with the following content:

“Article 2/1

Lot procedure in the CEC

1.If the number of citizens, who are residents of the respective electoral zone, is greater than the number of vacancies in the list approved by the CEC, the selection of citizens to be appointed as a member or secretary of the CEC will be made by a lot cast in a public session.

2. If there is a vacancy for both the secretary and member of CEAZ in the respective electoral zone, first it is cast the lot for the CEAZ secretary and then the lot for the CEAZ member.

3. For the selection of CEAZ secretary, the following procedure is followed:

a. In a transparent vase, a number of balls with the same shape and color are placed, equal to the number of participants in the lot;

b. In each ball a paper is placed, with the name of the citizens participating in the lot;

c. The CEC appoints an employee from the CEC staff to draw the ball;

d. The CEC staff draws one of the balls from the vase, opens and reads the name of the citizen written on the paper inside the ball and gives it to the CEC Secretary.

In cases when in the respective electoral zone there is more than one CEAZ that has the vacancy opened for the position of the secretary:

- the CEC staff will draw from the vase, in succession, a number of balls equal to the number of CEAZ that have an open vacancy for the secretary position;

- the order of the lot drawn corresponds to the number of CEAZ in an increasing progressive order.

f. The citizens, whose names are in the remaining balls at the end of the lot for the CEAZ secretary, participate in the lot for CEAZ member in the respective election zone

4. For the selection of CEAZ member, the following procedure is followed:

a. In a transparent vase, a number of balls with the same shape and color are placed, equal to the number of participants in the lot;

b. In each ball a paper is placed, with the name of the citizens participating in the lot;

c. The CEC appoints an employee from the CEC staff to draw the ball;

d. The CEC staff draws one of the balls from the vase, opens and reads the name of the citizen written on the paper inside the ball and gives it to the CEC Secretary.

In cases when in the respective electoral zone there is more than one CEAZ that has the vacancy opened for the position of the member:

-the CEC staff will draw, in succession, a number of balls from the vase, equal to the number of vacant positions;

- the order of the lot drawn corresponds to the number of vacancies according to CEAZnumber in an increasing progression.

5. The CEC, in each case appoints by decision the member or secretary of the CEAZ.

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On some amendments and additions to Instruction no. 4, dated 19.02.2013 “On procedures of selection and training of candidates who might be appointed by the CEC to fill the vacancies created in CEAZ and VCCs”

1.3 Article 3, item 3 and 4 are amended as follows:

"3. The Department of Elections Commissions reviews all the applications submitted to the CEC or to the Regional Electoral Offices that meet the requirements of article 30 and 31 of the Electoral Code and submit it for approval to the CEC.

4. The CEC approves through a decision, for each election zone, the list of candidates that might be appointed as members or secretaries of VCCs and delivers it to the respective CEAZs"

1.4 After article 3, article 3/1 is added, with the following content:

"Article 3/1

Lot procedure in CEAZ

1. The Commission of Election Administration Zone, in filling the vacant positions, shall appoint the member or secretary of VCC by selecting the candidates in the list approved by the CEC decision.

2. If the number of citizens in the CEC approved list is greater than the number of vacancies, the CEAZ will cast a lot in a public session according to the following procedure.

a. In a transparent vase, a number of balls with the same shape and color are placed, equal to the number of candidates in the list approved by the CEC

b. In each ball a paper is enclosed, with the name of the citizen participating in the lot

c. CEAZ Secretary draws one of the balls from the vase, opens and reads the name of the citizen written on the paper inside the ball.

d. The CEAZ, at the end of this procedure, through a decision, appoints the member or secretary of the VCC, depending on the result of the lot.

3. When in the Election Administration Zone there is more than one VCC that has vacancies open for the position of the member or secretary, the CEAZ organises a lot in a public session according to the following procedure:

a. lists all the VCs, whose VCCs are without quorum, ranking them from the VC with the lowest in an ascending order. Daughter VCs come after mother VCs;

b. VCs listed under point "a" are numbered by the CEAZ, starting from number 1 and continuing in a progressive order until the last VC;

c. The CEAZ secretary will withdraw from the vase a number of balls equal to the number of vacancies in the VCCs of the respective EAZ;

d. The order of the drawn lot corresponds to the VC commissions according to the counting made in point "b";

e. At the end of this procedure, the CEAZ, by decision, appoints the member or secretary of the VCC according to the result of the lot. "

2. This decision comes immediately into effect.

3. This decision can be appealed in the Electoral College in Tirana Court of Appeals within five days after its publication.

Klement ZGURI – Chairman

Denar BIBA –Deputy Chairman

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Bledar SKËNDERI - Member

Edlira JORGAQI - Member

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