



REPUBLIC OF ALBANIA CENTRAL
ELECTION COMMISSION

DECISION

ON THE VERIFICATION OF THE STATEMENTS ON THE SELF-DECLARATION FORM OF THE CANDIDATES FOR MUNICIPALITY COUNCIL FROM THE MULTI-NAME LISTS, IN ACCORDANCE TO LAW NR. 138/2015 "TO GUARANTEE THE INTEGRITY OF PERSONS ELECTED, APPOINTED OR EXERCISING PUBLIC FUNCTIONS", FOR THE ELECTIONS TO LOCAL GOVERNMENT BODIES OF 30.06.2019

Central Election Commission in its meeting on 19.05.2019, with the participation of:

Klement	Zguri	-	Chairwoman
Denar	BIBA-		Deputy Chair
Bledar	SKËNDERI	-	Member
Edlira	JORGAQI-		Member
Rezarta	BITRI	-	Member

Reviewed the issue with:

OBJECT: On the verification of the statements on the self-declaration form of the candidates for municipality council from the multi-name lists, in accordance to law nr. 138/2015 "To guarantee the integrity of persons elected, appointed or exercise public functions", for the elections to local government bodies of 30.06.2019.

LEGAL BASIS: Article 23, point 1, letter "a", of Law No. 10019, dated 29.12.2008 "The Electoral Code of the Republic of Albania", amended; article 5, point 4, letter "a" of law nr.138/2015, "To guarantee the integrity of persons elected, appointed or exercise public functions"; head V, of Assembly Decision nr/ 17/2016 ""For the designation of detailed rules on the implementation of prohibitions provided in law nr. 138/2015", "To guarantee the integrity of persons elected, appointed or exercise public functions"



Nr. 572 of Decision

Date 19.05.2019

Time 18:00 of Decision

On the verification of the statements on the self-declaration form of the candidates for municipality council from the multi-name lists, in accordance to law nr. 138/2015 "To guarantee the integrity of persons elected, appointed or exercise public functions", for the elections to local government bodies of 30.06.2019.

Central Election Commission, after examining the documents presented and heard the discussions of the people present,

NOTES:

The Party National Unity, in accordance to Article 5, point 4, letter "a" of Law no. 138/2015 "On guaranteeing the integrity of the persons elected, appointed or exercising public functions", has submitted to the Central Election Commission the self-declaration forms of the candidates for municipality council of Klos, Puke, Polican, Malesi e Madhe, Maliq, Kruje dhe Divjake as the competent body for administration, verification, the application of prohibition of election and appointment to the public function, including the function of the councilor of the municipality.

Pursuant to law no. 138/2015 "On guaranteeing the integrity of the persons elected, appointed or exercising public functions", the CEC verified the data on the forms self-declaration for each candidate of the multi-name list. From the verification of the self-declaration form of the candidates for municipality council, for the municipality: Klos, Puke, Polican, Malesi e Madhe, Maliq, Kruje dhe Divjake, none of them has stated any data related to the provisions to prohibition in Law No.138 / 2015.

The Central Election Commission, in accordance to law no. 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions" and Chapter V, point 2, letter "b" and point 3, letter "c" of Assembly decision no. 17/2016 "On the establishment of detailed rules on the implementation of the prohibitions provided by law no. 138/2015", has requested information from the state's office and judicial office through written requests and electronic mail for the candidates for members in the municipality councils who submitted the self-declaration forms to the Central Election Commission.

The judicial office has sent to the Central Election Commission, the verification of the judicial situation for the candidates for municipality council for the municipality Klos, Puke, Polican, Malesi e Madhe, Maliq, Kruje dhe Divjake according to which they result unpunished by Albanian courts, according to which it results:

BLERIM STAFA a candidate registered in the multi-name list of National Unity Party with ordinal number 19, Municipality of Kruja. According to the memo no. 3670 prot, dated 16.05.2019 of the CEC addressed to the General Directorate of Prisons, Judicial Status Section, based on Judicial Statements no. V-1524/1, dated 17.05.2019, results with Decision No. 3865, dated 12.12.2016, Tirana District Court found guilty of the criminal offense of "Irregular Driving" provided by Article 291 of the Criminal Code and 406/1 of the Criminal Code punishes him with 2 (two) months imprisonment. Pursuant to Article 63 of the Criminal Code, the suspension of the execution of the sentence of imprisonment is ordered, leaving for 18 months a probation period. Mr. Blerim Stafa for this criminal offense has been rehabilitated under Article 69 of the Criminal Code.

PETRIT GANOLLI a candidate registered in the multi-name list of National Unity Party with ordinal number 01, Divjaka Municipality. According to document no.3454 prot, dated 17.05.2019 of the CEC addressed to the General Directorate of Prisons, Judicial Status Section, on the basis of Judicial Statements no. v-1571/1, dated 18.05.2019, results with decision no. 128 dated 12.07.2007 of the District Court of Lushnje, found guilty of the criminal offense "Circulation of falsified banknotes" provided by Article 183.1 of the Criminal Code was sentenced to five (5) months of imprisonment. The Vlora Court of Appeal, with its Decision No. 125, dated 13.06.2008, has ruled that the decision is in effect. Mr. Petrit Ganolli for this criminal offense has been rehabilitated under Article 69 of the Criminal Code.

~~**SADIK ISMAILI** a candidate registered in the multi-name list of National Unity Party with ordinal~~

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number 15, Divjaka Municipality. According to document no.3454 prot, dated 17.05.2019 of the CEC addressed to the General Directorate of Prisons, Judicial Status Section, on the basis of Judicial Statements no. v-1571/1, dated 18.05.2019, results with decision no. 04 of 22.01.1999, the Court of the Skrapar Judicial District found guilty of the criminal offense "Illegal forest cutting" provided for by Article 205 of the Criminal Code was sentenced to the time of detention. Mr. Sadik Ismaili for this criminal offense has been rehabilitated under Article 69 of the Criminal Code.

The Central Election Commission, in reference to point 2, last paragraph, of Chapter V of Decision no. 17/2016 of the Assembly, ascertains that for the persons listed on the multi-name list their data do not constitute a condition for not registering as a candidate for the municipal council, according to the law no. 138/2015. The CEC has also published self-declaration forms on the official website.

In reference to article 33, letter "f" of the Electoral Code, the Electoral Administration Zone Commission has the power to register candidates for local government elections in those municipalities administered by a CEAZ.

In reference to Law no. 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions" and point 5/1, 6 of article 9 of instruction no. 2, dated 29.01.2013 "On the establishment of rules for deposition and verification of candidacy documentation and deadlines for publication of candidate lists", the CEAZ should continue the procedures for the registration of candidate for municipality council for the municipality of Klos, Puke, Polican, Malesi e Madhe, Maliq, Kruje dhe Divjake, proposed by the party "National Unity" for elections to local government bodies of 30 June 2019.

FOR THE ABOVE REASONS:

The Central Election Commission based on Article 23, paragraph 1, letter "a" of law nr. 10019 dated 29.12.2008 "The Electoral Code of the Republic of Albania", amended, article 5, point 4, letter "f", of law nr. 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions"; chapter V, of decision nr. 17/2016 "On the establishment of detailed rules on the implementation of the prohibitions provided by law no. 138/2015", "On guaranteeing the integrity of persons elected, appointed or exercising public functions".

DECIDED:

1. To notify the respective CEAZs for the continuation of the procedures for the registration of the candidates for municipality council of the municipality of Klos, Puke, Polican, Malesi e Madhe, Maliq, Kruje dhe Divjake, proposed by the party "Denied Rights" for the elections for local government bodies of 30 June 2019.
2. This decision goes effective immediately.

Klement	ZGURI-	Chairwoman
Denar	BIBA-	Deputy Chair
Bledar	SKËNDERI-	Member
Edlira	JORGAQI -	Member
Rezarta	BITRI-	Member



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