



**REPUBLIC OF ALBANIA
CENTRAL ELECTION COMMISSION**

DECISION

FOR THE VERIFICATION OF DECLARATIONS IN SELF-DECLARATION FORM OF THE CANDIDATE FOR THE MAYOR, MR. ADRIATIK MALIQ ZOTKAJ IN POLIÇAN MUNICIPALITY, PURSUANT TO THE LAW NO. 138/2015 "ON GUARANTEEING THE INTEGRITY OF THE PERSONS ELECTED AND/OR APPOINTED TO, OR EXERCISING PUBLIC FUNCTIONSON ".

The Central Election Commission, in its meeting on 15.05.2019, with the participation of:

Klement ZGURI - Chairman

Denar BIBA - Deputy Chairman

Bledar SKENDERI – Member

Edlira JORGAQI – Member

Rezarta BITRI – Member

Reviewed the case with the following

OBJECT: For the verification of declarations in self-declaration form of the candidate for the mayor, Mr. Adriatik Maliq Zotkaj in Poliçan municipality , pursuant to the law no. 138/2015 "on guaranteeing the integrity of the persons elected and/or appointed to, or exercising public

LEGAL REFERENCE : : Article 23, point 1, letter a of Law No. 10019, dated 29.12.2008 "Electoral Code of the Republic of Albania", as amended; article 5, paragraph 4, letter a of law no. 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions"; Chapter V of the Assembly Decision No.17 / 2016 "On the Determination of Detailed Rules on the Implementation of the Provisions foreseen in Law No.138 / 2015," On guaranteeing the integrity of persons elected, appointed or exercising public functions



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The Central Election Commission after reviewing the submitted documentation and listening to the discussions of the attendees,

NOTES

Pursuant to Article 67, paragraph 2 and Article 72 and Article 165, point 3 of Law no. 10019, dated 29.12.2008 "Electoral Code of the Republic of Albania", Coalition "Alliance for European Albania" has submitted to the CEC a request for the registration of Mr. Adriatik Maliq Zotkaj in Poliçan municipality.

Mr. Adriatik Maliq Zotkaj in accordance with article 5, point 4, letter a of law 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions" has also submitted to the Central Election Commission the self-declaration form as the competent body for the administration, verification, implementation of prohibition of election and appointment in the public office, including the function of the mayor

By verifying the self-declaration form, if it has ever been sentenced by a final court decision by an Albanian or foreign judicial authority, Adriatik Maliq Zotkaj results that:

- With the Decision of the Court of the Skrapar Judicial District No. 20 dated 29.07.1985, he was found guilty of the criminal offense "Insult and blame for duty", provided by Article 206, Article 119 Criminal Code of the People's Socialist Republic of Albania and has been sentenced to 200 thousand ALL fine, 4 months labour conviction and ¼ monthly salary.

- With the decision of the District Court of Korça, he was found guilty of the criminal offense "Violation of the Road Traffic Rules" provided by Article 81 Criminal Code and was sentenced to 3 years in prison.

- By decision of the District Court of Skrapar No. 03, dated 01.02.2001, has been found guilty of the criminal offense "Objection of the employees of the public order police" provided by article 236/1 Criminal Code and sentenced to 10 months imprisonment.

- By Decision of the Court of the Tirana Judicial District no. 370 dated 21.05.2002, was found guilty of the criminal offense of committing arbitrary acts, forging documents under Article 250, Article 187/1 of the Criminal Code and sentenced to one year imprisonment.

The Central Election Commission, pursuant 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 the Assembly decision no. .17 / 2016 "On the Determination of Detailed Rules on the Implementation of Provisions foreseen in Law No.138 / 2015", with Documents no. 3449 prot., Dated 15.05.2019 and no. 3451 prot., Dated 13.05.2019, requested information from the civil status office and the judicial office for candidates for Mayors who submitted the self-declarat



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he judicial office has sent to the Central Election Commission, verifying the state of the court, which shows that;

1 - By decision no. 20 dated 29.07.1985, the Skrapar District Court found guilty of the offense of insult due to his duty due to the duty imposed by Article 206, 119, 35 kp. condemns 4 months of re-education through work by stopping 1/4 of monthly bills. Rehabilitated under article 69 k.penal.

2- By decision no.56 dated 19.03.1992, the District Court of Korça has found guilty of committing the criminal offense "Violation of the Traffic Rules" provided by Articles 81/2 and 32 of the CC and punishes him with 2 years and 6 months imprisonment. The District Court of Korça with decision no. 18 dated 09.04.1992 has decided to stay in power of the above decision.

3- By Decision No. 03, 01.01.2001, the District Court of Skrapar, Skrapar, has found guilty of the criminal offense of objection of the employee of the public order police, provided by Article 236/1 k.p. punishes him with 10 (ten) months of imprisonment. The Vlora Court of Appeal, with decision no.190 dated 24.07.2001, decided not to accept the appeal. Rehabilitated by Decision No. 253, dated 08.09.2016 of the District Court of Berat.

4 - By decision no. 370 (170), dated 21.05.2002, the Tirana District Court declared guilty of the criminal offense of committing arbitrary acts, forging documents, pursuant to Article 250, 187/1, 55 kp is sentenced to 1 (one) year of imprisonment and rehabilitated by Decision No. 253, dated 08.09.2016, of the District Court of Berat.

5- Based on the decision no. 253, dated 08.09.2016 The District Court of Berat decided to: Obtain rehabilitated from the criminal penalties given by Decisions no. 3, dated 01.02.2001 by the Court of the Judicial District, Skrapar and Decision No. 370 (170) , dated 21.05.2002 of the District Court of Tirana and after 14.06.2007 to be considered in an unjustified state.

The Central Election Commission, referred to point 2, last paragraph, of Chapter V of Decision No. 17/2016 of the Assembly ascertains that the declared data are not criteria for non-registration as a candidate under Law 138/2015. The CEC has also made the publication of the declaration forms on the official website.

Referring 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.

Referring to Law no. 138/2015 "On guaranteeing the integrity of the persons elected, appointed or exercising public functions" and point 5/1, 6 of the article 9 of the instruction no.2, dated 29.01.2013 "On setting the rules for depositing and verification of documentation candidacy and deadlines for the publication of candidate lists ", the CEAZ should continue the procedures for the registration for Mayor in Poliçan Municipality in, Berat Region, proposed by the Coalition "Alliance for European Albania" for elections to local government bodies of 30 June 2019.



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FOR THESE REASONS:

Central Election Commission, based on article 23, point 1, letter a, of Law No. 10019, dated 29.12.2008 "Electoral Code of the Republic of Albania", as amended; Article 5, point 4, letter f, of the Law No.138 / 2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions"; Chapter V of the Assembly Decision No.17 / 2016 "On the Determination of Detailed Rules on the Implementation of the Provisions foreseen in Law No.138 / 2015," On guaranteeing the integrity of persons elected, appointed or exercising public functions ".

DECIDED:

1. Notification of CEAZ no. 65 on the continuation of the procedures for candidate for Mayor Poliçan Municipality, Berat region proposed by the Coalition "Alliance for European Albania" for the elections for the local government bodies of 30 June 2019.
2. This decision shall enter into force immediately.

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



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