



**REPUBLIC OF ALBANIA
CENTRAL ELECTION COMMISSION**

DECISION:

**ON VERIFICATION OF DECLARATIONS FORMS OF CANDIDATES FROM THE
MULTINAME LIST FOR FOR THE MUNICIPAL COUNCIL IN IMPLEMENTATION LAW
NO. 138/2015 "ON THE GUARANTEE OF INTEGRITY OF PERSONS ELECTED,
APPOINTED OR EXERCISING PUBLIC FUNCTIONS" FOR ELECTIONS FOR LOCAL
GOVERNMENT BODIES OF 30 JUNE 2019**

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

Klement ZGURI – Chairman

Denar BIBA - Deputy Chairman

Bledar SKËNDERI- Member

Edlira JORGAQI- Member

Rezarta BITRI- Member

Reviewed the case with:

OBJECT :For verification of declarations in the candidate's self-declaration forms from multi-name lists for municipal councils pursuant to Law no. 138/2015 "To guarantee the integrity of the persons being elected, are appointed or exercising public functions ".

LEGAL BASIS: The Central Election Commission, based on Article 23, paragraph 1, letter "a", of the law no. 10019 dated 29.12.2008 "Electoral Code of the Republic of Albania", as amended; Article 10, point 1, letter "a" of Law 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions", Article 5, point 4, letter "a" of law no. 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions"; Chapter V, of Assembly Decision no. 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".

NOTES:

The Moderate Socialist Party, a member of the Coalition "Alliance for European Albania", in accordance with article 5, point 4, letter "a" of law no. 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions" has filed in the Central Election Commission the forms of self-declaration of candidates for the commune of Mallakastër, Divjaka, Malësi e Madhe and Puka, as the competent body for the administration, verification, implementation of the prohibition of election and appointment in the public office, including the function of the councilor of the municipality.

Pursuant to Law No.138 / 2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions", the CEC has verified the data on the self-declaration forms for each multi-name list candidate. By verifying the data in the self-declaration form, it results that none of the candidates have declared any data constituting a condition for non-registration as a candidate for the municipal council, according to law no.

138/2015. PASHK GJETAJ the candidate registered in the multi-name list of the moderate Socialist Party with ordinal number 01, Pukë municipality stated that the expulsion measure was taken from Vasilika / Thessaloniki / Greece in 1994-1996 due to illegal migration.

The Central Election Commission pursuant to the 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" requested information from the courtroom office and the civil registry office via emails as well as via email for the candidates for members in the municipal councils who submitted the self-declaration forms to the Central Election Commission.

In response to the letter, the judicial office has sent to the CEC a judicial review of candidates for a member of the communes of Mallakastra, Divjaka, Malësi e Madhe and Puka, which states that:

GENC MALASI candidate registered in the multi-name list Moderate Socialist Party with ordinal number 01, Mallakstra Municipality. According to the document no.3452 prot, dated 17.05.2019 of the CEC addressed to the General Directorate of Prisons, the Judicial Status Section, on the basis of the Judicial Statements no. v. 1573/1, dated 17.05.2019, results with Decision No. 175, dated 01.10.2004, the Fier District Court found guilty of the criminal act "Theft" under Article 134/1 of the Criminal Code and Article 406 of the Criminal Procedure Code is punishable by 100,000 ALL fine. Mr. Genc Malasi for this criminal offense has been rehabilitated under Article 69 of the Criminal Code.

The Central Election Commission, referred to point 2, last paragraph, of Chapter V of Decision no. 17/2016 of the Assembly ascertains that for persons listed in the multi-name list their data do not constitute a condition for not registering as a candidate for the municipal council, according to law no. 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 "To guarantee the integrity of the persons being elected, are appointed or exercise public functions "and point 5/1, 6 of the article 9 of the instruction no.2, dated 29.01.2013" On the rules for depositing and verification of candidacy documentation and deadlines for publication of candidate lists ", the CEAZ should continue procedures for the registration of the multi-name list for the commune of Mallakstra, Divjaka, Malësi e Madhe and Puka, of the Moderate Socialist Party for elections to local government bodies of 30 June 2019.

FOR THESE REASONS:

The Central Election Commission, based on Article 23, paragraph 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 Law no. 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions"; Chapter V, of 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 the CEAZs, responsible for the continuation of procedures for the registration of the multi-name list for the municipal councils in the communes of Mallakastër, Divjakë, Malësi e Madhe and Puka of the Moderate Socialist Party for local government elections of 30 June 2019, according to the attached attachment.
2. This decision shall enter into force immediately.
3. An appeal may be filed against this decision within 45 days of the Administrative Court First Level Tirana.

Klement ZGURI – Chairman

Denar BIBA - Deputy Chairman

Bledar SKËNDERI- Member

Edlira JORGAQI- Member

Rezarta BITRI- Member