



**REPUBLIC OF ALBANIA  
CENTRAL ELECTION COMMISSION**

**DECISION:**

**ON VERIFICATION OF DECLARATIONS FORMS CANDIDATES FROM THE  
MULTINAME LIST FOR FOR THE DEMOCRATIC HUMAN ASSOCIATION COUNCIL  
(ASE) 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:** ON VERIFICATION OF DECLARATIONS FORMS CANDIDATES FROM THE  
MULTINAME LIST FOR FOR THE DEMOCRATIC HUMAN ASSOCIATION COUNCIL (ASE) 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

**LEGAL REFERENCE:** Article 23, point 1, letter "a", of the 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 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".

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

### **NOTES:**

The Democratic Alliance Party, in accordance with 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 deposited in the Central Election Commission the self-declaration forms of candidates for the Kuçova, Devoll, Këlcyrë, Pogradec, Tropojë, Maliq, Kukës 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 the law no. 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions", the CEC has verified the data in the self-declaration forms for each multi-name list candidate. By verifying the self-declaration forms of candidates for members in the municipal councils for these municipalities: Kuçovë, Devoll, Këlcyrë, Pogradec, Tropoja, Maliq, Kukës, none of them has stated any data related to the prohibition of bans on law no. 138/2015, "On guaranteeing the integrity of persons elected, appointed or exercising public functions". 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 ", has requested information from the courtroom office and the civil registry office through the documents as well via email for the candidates for members in the municipal councils who have submitted the self-declaration forms to the Central Election Commission.

a. Office of judicial status with memo no. V-1564/1 prot., Dated 18.05.2019 and no. V-1510/1 prot., Dated 15.05.2019 has sent to the Central Election Commission, the verification of the judicial status for the candidates for members in the municipal councils, for the municipalities of Kuçovë, Devoll, Këlcyrë, Pogradec, Tropoja, Maliq, Kukës, according to which result unlucky by the Albanian courts.

b. Office of Judicial Status with letter no. V-1564/1 prot., Dated 18.05.2019 and no. V

1510/1 of 15.05.2019 has sent to the Central Election Commission the verification of the judicial status for the candidates for the members of the municipal councils Kuçovë, Devoll, Këlcyrë, Pogradec, Tropojë, Maliq, Kukës, according to which it results that:

- **Municipality Maliq, Kosta Koro** with no. 03 on the basis of the decision no. 60 date 02.02.2017 The Court of the Korça District Court found guilty of the criminal act "Theft" under Article 134/2 of the Criminal Code and Article 406 of the Code of Criminal Procedure, sentenced to one month imprisonment. Pursuant to Article 63 of the CC, the 40-hour work sentence is replaced.

- **Municipality of Tropoja, Xhemile Oruçi** with no. 10 rendered according to the decision no. 177

dated 25.11.2015 Court of the Tropoja Judicial District has found guilty of the criminal offense "Fraud with Insurances" provided by Article 145 of the Criminal Code and is sentenced to 3 months imprisonment.

Pursuant to Article 59 of the Criminal Code, the execution of the imprisonment sentence and the defendant is suspended

is tested for a period of 18 months. Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

- **Municipality of Tropoja, Erdilant Kuçana** with procurement no. 07 on the basis of the decision no. 54 dated 22.09.2016 The District Court of Tropoja found guilty of the criminal offense of Organizing Illegal Lotteries in Cooperation, Articles 197 to 25 of the Criminal Code and punishes him with 120.000 ALL fine. Pursuant to Article 406 of the Code of Criminal Procedure, he punishes him with a fine of 80,000 ALL.

Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

- **Municipality of Pogradec, Bledar Çollaku** with no. 11 on the basis of the decision no. 31 dated 10.06.2003 The District Court of Pogradec found guilty of the criminal offense of "Unauthorized Content" and pursuant to Articles 278/2, 48 / ç of the Criminal Code and 406 of the Code of Criminal Procedure punishes him with 66.700 ALL. He is found guilty of the criminal offense "Disruption of public tranquility" provided by articles 274, 48 / ç, K.P and 406 K.Pr.P, convicting him with 33,300 ALL. Pursuant to Article 55/3 of the Code of Criminal Procedure, he definitively fines ALL 666,7000. The fine will be executed by making a final decision on this decision dated 23.06.2003.

Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

- **Municipality of Pogradec, Alban Topci** with procurement no. 09 on the basis of decision no. 150-22 dated 02.03.2016 The District Court of Pogradec found guilty of the criminal offense of "Destruction of firefoughted property" under articles 151/1, K.P and 406 of

the Code of Criminal Procedure, punishing him with 100.000 Lek. Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

**- Kukës Municipality, Sabri Deliu** based on the decision no. 14 dated 28.02.2003 Court of Appeal

Tirana District Court found guilty of the criminal offense "Opposition of the Police Officer" provided by Article 236/1 of the Code of Criminal Procedure and 406 of the Code of Criminal Procedure. Pursuant to Article 55 of the Criminal Code, he definitively condemns the fine of 300.000 ALL. Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

**- Kukës Municipality, Besnik Kapaj** based on the decision no. 57 dated 21.02.2008 is declared guilty of the criminal offense "Threat" provided by article 84 of the Criminal Code and based on this provision is sentenced to 50.000 ALL fine. Pursuant to Article 69 of the Criminal Code, it is rehabilitated.

The Central Election Commission, referred 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.

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 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 the deposit and verification of candidacy documentation and deadlines for the publication of candidate lists", the CEAZ should continue the procedures for the registration of the multi-name list for the council of Kuçovë, Devoll, Këlcyrë, Pogradec, Tropoja, Maliq, Kukes of the Democratic Alliance Party for Local Government Elections of 30 June 2019.

### **FOR THESE REASONS:**

The Central Election Commission, referred 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.

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 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 the deposit and verification of candidacy documentation and deadlines for the publication of candidate lists", the CEAZ should continue the procedures for the registration of the multi-name list for the council of Kuçovë, Devoll, Këlcyrë, Pogradec, Tropoja, Maliq, Kukes of the Democratic Alliance Party for Local Government Elections of 30 June 2019.

**DECIDED:**

1. Notification of the respective CEAZ for the continuation of procedures for the registration of the multi-name list for the council of Kuçovë, Devoll, Këlcyr, Pogradec, Tropoja, Maliq, Kukës of the Democratic Alliance Party for Local Government Elections of 30 June 2019 .
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**