



REPUBLIC OF ALBANIA CENTRAL  
ELECTION COMMISSION

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**DECISION**

**ON THE VERIFICATION OF THE STATEMENTS ON THE SELF-DECLARATION FORM OF THE CANDIDATES FROM THE MULTI-NAME LISTS FOR THE MUNICIPALITY COUNCILS 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 18.05.2019, 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 from the multi-name lists for the municipality councils 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"

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



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On the verification of the statements on the self-declaration form of the candidates from the multi-name lists for the municipality councils 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.

## NOTES:

The party Alliance for Democracy and Solidarity, part of the coalition "Alliance for European Albania", 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", have submitted to the Central Election Commission the self- declaration forms of the candidates for municipality councils of Prrenjas and Kukes, 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.

In accordance to law no. 138/2015 "On guaranteeing the integrity of persons elected, appointed or exercising public functions", the CEC verified the data of the self-declaration form of the candidates for municipality councils members, it results that none of them have stated any data related to the provisions to prohibition in Law No.138 / 2015, " On guaranteeing the integrity of persons elected, appointed or exercising public functions".

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.

In response to the request, the state's office has sent to the CEC the verification of the judicial state for the candidates for members of the municipality councils of Prrenjas and Kukes, according to which it results:

**HEKURAN MEMA** a candidate registered in the multi-name list The Alliance for Democracy and Solidarity Party with ordinal number 01, Prrenjas. According to memo no. 3660 prot, dated 16.05.2019 of the CEC to the General Directorate of Prisons, the Judicial Sector, based on the Judicial Statements no. v-1534/1, dated 17.05.2019, results with Decision No. 27, dated 05.07.1969, the District Court of Librazhd pleads him guilty to the criminal offense "Acquisition of Socialist Property in Cooperation" provided by Article 81, 46 of the Code. The Penalty convicts him with two (2) months of imprisonment. Pursuant to Article 59 of the Criminal Procedure Code, suspends the execution of the imprisonment sentence and is put to trial for 2 (two) years on probation. By decision no.481, dated 16.08.1969, the High Court decides to leave the decision in force. Mr. Hekuran Mema for this criminal offense has been rehabilitated under Article 69 of the Criminal Code.

**SHABAN OMERI** a candidate listed on the multi-name list The Alliance for Democracy and Solidarity Party with ordinal number 07, Prrenjas. According to memo no. 3660 prot, dated 16.05.2019 of the CEC to the General Directorate of Prisons, Judicial Status Section, on the basis of Judicial Statements no. v-1534/1, dated 17.05.2019, results with Decision No. 27, dated 13.04.1979, Librazhd District Court found guilty of the criminal offense "Acquisition of Socialist Property in Cooperation" "Falsification of official documents in cooperation" "Abuse of duty" provided for in Article 80/1, 206/2, 12, 206 of the Criminal Code of Kosovo punished him with 9 (nine) years of imprisonment. By decision No. 153, dated 22.05.1979, the Supreme Court ruled that the decision was in force. Mr. Shaban Omar 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

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no. 17/2016 of the Assembly, ascertains that from the verification of the data only on the forms of self-declaration for the persons listed in the multi-name lists, their data do not constitute a condition for not being registering as candidates for the municipal councils, according to law no. 138/2015. CEC has also made the publication of self-declaration forms on the official website.

Referring to article 33, letter "f" of the Electoral Code, the Electoral Administration Zone Commission has the competency for the registration of candidates for the elections of the local government bodies, in those municipalities that are 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 the multi-name lists for the municipality councils of Prrenjas and Kukes, of the party Alliance for Democracy and Solidarity for the 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 CEAZs nr. 11 and 53 for the continuation of the procedures for the registration of the multi-name lists for the municipality councils of Prrenjas and Kukes for the party Alliance for Democracy and Solidarity for the elections for local government bodies of 30 June 2019, according to the annex nr. 1 attached
2. This decision goes effective immediately.

<b>Klement</b>	<b>ZGURI-</b>	<b>Chairwoman</b>
<b>Denar</b>	<b>BIBA-</b>	<b>Deputy Chair</b>
<b>Bledar</b>	<b>SKËNDERI-</b>	<b>Member</b>
<b>Edlira</b>	<b>JORGAQI -</b>	<b>Member</b>
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