

**REPUBLIC OF ALBANIA**

**CENTRAL ELCTION COMMISSION**

**D E C I S I O N**

**ON UNIFICATION OF EVALUATION PRACTICE OF BALLOTS BY THE PEOPLE RESPONSIBLE FOR BALLOT COUNTING AND EVALUATION ACCORDING TO THE CODE**

The Central Election Commission, in its meeting dated 02.27.2013, with the participation of:

Lefterije LLESHI (LUZI)- Chairwoman

Denar BIBA- Vice Chairman

Albana SHTYLLA - Member

Hysen OSMANAJ- Member

Ilirjan MUHO- Member

Jani JANI- Member

Vera SHTJEFNI- Member

examined the issue with

**OBJECT:** For the unification of practices for the assessment of ballots by persons put in charge by the electoral code for counting and evaluations of votes **.**

**LEGAL BASIS:** Article 21 paragraph 1 and paragraph 2, Article 23, Article 117 of Law 10019, dated 29.12.2008 "The Electoral Code of the Republic of Albania", as amended.

Central Election Commission, after examining the documents submitted and heard discussions of the participants;

 **NOTES:**

The Electoral code in paragraph 2 of Article 21has foreseen jurisdiction of the CEC to unify electoral practices. Also in Article 117, paragraph 4, the obligation of the CEC to issue a specific guide to unify the assessment practices of ballot by counters , commissioners or other persons who are in charge of counting and evaluation of ballots by the Electoral Code. In paragraph 2 and 3 of Article 117,it’s foreseen the types of votes and the criteria for evaluation of the vote. According to this definition votes are valid only on ballots in which is clearly specified the vote for only one of the parties or political party member electoral coalition of the voting.

While the votes are invalid ballots when:

a) the ballot paper is not the same size, color or shape of the ballot approved by the CEC;
b) the the ballot is missing stamps provided for in Article 103 of this Code;
c) on the ballot are made notes or signs that make impossible to evaluate the vote;
ç) on the ballot have been made notes in favor or disfavor to certain elective subjects;
d) there is a vote for more than one elective subjects on the ballot;
dh) has not voted for any of the elective subjects on the ballot;
e) it is not clear who it is voted, or
ë) the voter has voted for a person or a subject that is not on the ballot.

Based on these criteria, the experience gained from the decisions of the CEC and the Electoral College vote counting during recount process, to the CEC arises the duty to unify the practices of evaluation of the valid votes. For this reason, the CEC has developed several models of ballots type which are attached to this decision that have been defined in practice as valid ballots.

**FOR THESE REASONS:**

Pursuant to article 21 paragraph 1 and paragraph 2, Article 23, Article 117, Law 10019, dated 29.12.2008 "The Electoral Code of the Republic of Albania", as amended,

 **D E C I D E D:**

1. Votes are only valid ballots in which there are none of cases stipulated in Article 117, paragraph 3 and it is clearly only a vote for one of the elective subjects, political party or coalition participating in the ballot, according to the models attached to this decision or many cases like them .

This decision shall enter into force immediately.

**The Ballots models**