

**REPUBLIC OF ALBANIA**

**CENTRAL ELECTION COMMISSION**

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

**FOR GIVING THE DEPUTY MANDATE TO THE ASSEMBLY, TO THE CANDIDATE OF THE MULTI-NAME LIST OF CANDIDATES OF THE JUSTICE, INTEGRATION AND UNITY PARTY (PDIU) IN THE VLORË DISTRICT, FOR FILLING THE VACANCY ANNOUNCED FROM THE ALBANIAN ASSEMBLY**

Central Election Commission in its meeting date 06.01.2017, with the participation of:

Denar BIBA Chairman

Hysen OSMANAJ Deputy Chairman

Bledar SKËNDERI Member

Edlira JORGAQI Member

Gëzim VELESHNJA Member

Klement ZGURI Member

Vera SHTJEFNI Member

examined the issues with:

**Object:** For giving the deputy mandate to the Assembly, to the candidate of the multi-name list of the Justice, Integration and Unity Party in Vlora District, for filling the vacancy announced by the Parliament, after the interuption of the mandate of Mr. Dashamir Tahiri.

**Petitioner:** Assembly of the Republic of Albania.

**Legal basis:** Article 23, item 1, letter a, Article 164, item 2, of the Law No. 10019, date 29.12.2008 “Electoral Code of the Republic of Albania” amended.

CECafter examining the submitted documentation and hearing the discussions of representatives of political parties,

### NOTE

Through letter no. 3979/1 prot., dated 12/30/2016 addressed to the CEC, the General Secretary of the Assembly, Mrs. Albana Pillar, announces the establishment of the vacancy due to invalidity and premature termination of the deputy mandate to the Parliament, Mr DASHAMIR Tahiri, deputy of Vlora District electoral area.

Article 164 of the Electoral Code stipulates that in case of termination of the mandate, the Assembly notifies the CEC to establish the vacancy and CEC decides to give the mandate to the next candidate on the multi name electoral list of the same political party in the respective electoral area, registered under article 67 of the Electoral Code.

The Electoral College with the decision No. 31, dated 02.08.2013 has distributed mandates and determine the winning candidates for the Vlore District electoral area, in the 2013 parliamentary elections. According to the decision abovementioned the Justice, Integration and Unity Party (PDIU) for the Vlore District electoral area for Elections of Parliament dated 23 June 2013 has won one mandate and the winning candidate from the multi-name list of Justice, Integration and Unity Party for Vlora District, is as follow: numbered 1 (one) Mr. Dashamir Mehmet Tahiri.

It turns out that the multi-name list of Justice, Integration and Unity Party (PDIU) in Vlora District meets all the criteria set out in Article 67 of the Electoral Code, including gender criteria. In these conditions the replacement of the vacancy will be made pursuant to Article 164, item 2, first sentence. Also we note that the vacancy doesnt belong to a mandate to be awarded under item 6 of the Article 67 of the Electoral Code, to implement the exemption set out in Article 164, item 2 of the Electoral Code, second sentence.

As above mentioned, the interrupted mandate shall be passed to the next candidate of the list of the Justice, Integration and Unity Party (PDIU) in Vlora District Electoral Area.

The CEC decision no. 342, dated 11.05.2013 "On the approval of the multi-name lists of the Justice, Integration and Unity Party, member of the Coalition "Alliance for Jobs, Welfare and Integration" for the Parliamentary Elections in 2013," has aproved the multi-name list of the Justice, Integration and Unity Party for 12 electoral areas.

According to the multi-name list of the Justice, Integration and Unity Party for Vlora District, the next candidate is the candidate with the serial number 2 (two) Mr. Edmond Skender Zejno. The verification of the above documents shows that the person who will exceed the mandate as a deputy to the Albanian Assembly from multi-name with the purpose of filling the vacancy created from the termination of Mr. Dashamir Tahihi mandate, is Mr. Edmond Skënder Zejno, which ranks respectively with number 2 (two).

Referring to Article 11 of the Law 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions" self-declaration and verification of data requirements in accordance with this Law, performed for each candidate of the multi-name list for the previous elections, for the Parliament, which is entitled to obtain the deputy mandate for vacancy, according to the Electoral Code.

Under these conditions, Mr. Edmond Skender Zejno must submit the self-declaration form in the CEC as the body responsible for the management, verification, enforcement of prohibitions on the selection and appointment to the public functions, deputy to the Assembly.

Pursuant to Article 11 of the Law No. 138/2015 " To ensure the integrity of the persons elected, appointed or exercising public functions " and Chapter V, of the Assembly's decision no. 17/2016 "For the determination of detailed rules on the application of the prohibitions contained in the law No. 138/2015", CEC, made the publication of the declaration form on the official website and verify the data in this form.

CEC requested information from the registrar's office and the office of the judicial status for the candidate for deputy in the multi-name list of the Justice, Integration and Unity Party, Vlora district with serial number 2 (two).

According to the information delivered from the judicial status office in CEC, results that Mr. Edmond Skender Zejno candidate for deputy in the multi-name list of the Justice, Integration and Unity Party, Vlora district, is unconvicted by the Albanian courts.

From the verification of the data in the self declaration form of the Mr. Edmond Skender Zejno turns out, that is not declared any data that has to do with the conditions of detention in the election for the deputy function, according to law No. 138/2015 "To ensure the integrity of the persons elected, appointed or exercising public functions ".

As abovementioned, the interrupted mandate belongs to the next candidate, after Mr. Dashamir Tahiri, ranked by serial number 2 (two) in the multi-name list of the Justice, Integration and Unity Party in the Vlora District Electoral Area, Mr. Edmond Skender Zejno.

**FOR THOSE REASONS:**

The Central Election Commission based on Article 23, item 1, letter a and Article 164 of Law no. 10019, dated 29.12.2008 "The Electoral Code of the Republic of Albania", amended

**DECIDE:**

To give the deputy mandate of the Member of Parliament of the Republic of Albania, the next candidate on the multi-name list of the Justice, Integration and Unity Party - Vlora District, Mr. Edmond Skender Zejno.

This decision shall enter into force immediately and shall be published in the Official Journal.

Against this decision may be appealed in the Electoral College, to the Tirana Court of Appeals, within five days, from the date of the announcement of this decision.

**Denar BIBA Chairman**

**Hysen OSMANAJ Deputy Chairman**

**Bledar SKËNDERI Member**

**Edlira JORGAQI Member**

**Gëzim VELESHNJA Member**

**Klement ZGURI Member**

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