

**REPUBLIC OF ALBANIA**

**CENTRAL ELECTION COMMISSION**

**DECISION**

**FOR VERIFICATION OF DECLARATION IN THE SELF-DECLARATION FORM, FOR MULTINAME LISTS OF CANDIDATES OF MUNICIPAL COUNCILS IN IMPLEMENTATION OF THE LAW NO. 138/2015 "FOR ENSURING THE INTEGRITY OF PERSONS ELECTED, APPOINTED OR EXCERCISING PUBLIC FUNCTION”**

Central Election Commission, in its meeting dated 17.01.2017, 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 matter with the following:

**OBJECT:**

FOR VERIFICATION OF DECLARATION IN THE SELF-DECLARATION FORM, FOR MULTINAME LISTS OF CANDIDATES OF MUNICIPAL COUNCILS IN IMPLEMENTATION OF THE LAW NO. 138/2015 "FOR ENSURING THE INTEGRITY OF THE PERSONS ELECTED, APPOINTED OR EXCERCISING PUBLIC FUNCTION”

 **LEGAL BASIS:** Article 23, paragraph 1, letter a, of Law no. 10019 dated 29.12.2008 "The Electoral Code of the Republic of Albania ', as amended; Article 11 of law 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions";Chapter V of the Decision of the Parliament no. 17/2016 "On the determination of detailed rules on the application of the prohibitions laid down in Law no. 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions".

 The CEC, after examining the submitted documentation and hearing the discussions of the participants

**NOTES**

Some municipal councils have informed the CEC for creation of vacancies due to resignations or loss of mandate by members of the municipal councils.

 Referring to article 11 of Law 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions", the self-declaration and verification of the data requirements in accordance with this law is carried out for each candidate of multiname list in the previous elections , for the municipal council, which is entitled to mandate members of the municipal councils for vacant seat.

 Candidates for members of the municipal councils based on the respective mulitname lists have filled in and submitted to CEC the self-declaration forms as the competent authority for the administration, verification, enforcement of prohibitions in the selection and appointment of public function and function involving municipal councilor.

The verification of the self-declaration forms, the six candidates for municipal councils declared turns out that there is no data that has to do with projections for prohibitions in the law No. 138/2015.

Pursuant to law No. 138/2015 “To ensure the integrity of the persons elected, appointed or exercising public functions and Chapter V, section 2, letter b and paragraph 3, letter c, of the decision of the Assembly no. 17/2016 "On the determination of detailed rules on the application of the prohibitions contained in the law No. 138/2015", the CEC has requested information from the registrar's office and the office of the state judicial candidates for city council members, who the self-declaration forms submitted to the CEC, and has published self-declaration forms at official website.

In response to the letter, the judicial status office sent to the CEC, the judicial status verification for 6 candidate members municipal councils, in their result unpunished by the Albanian courts.

Referring to Article 49 of Law 139/2015, "On local self-government" municipal council has the power to award the mandate, member of the municipal council.

CEC, referred to in point 2, last paragraph of Chapter V of Decision 17/2016 Assembly finds that 6 candidates for municipal councilors whose data do not constitute a condition for not selecting candidates to the post of adviser, should continue procedures for award the mandate by the respective municipal councils and the continuation of further verification.

.

**For these reasions:**

The Central Election Commission based on Article 23, paragraph 1, letter a, of Law no. 10019 dated 29.12.2008 "The Electoral Code of the Republic of Albania ', as amended; Article 11 of Law 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions"; Chapter V of the Decision of the Parliament no. 17/2016 "On the determination of detailed rules on the application of the prohibitions laid down in Law no. 138/2015, "To ensure the integrity of the persons elected, appointed or exercising public functions".

**DECIDED:**

Notice of municipal councils to continue the procedures for the award of multi-name lists mandate to fill the vacancies in the municipal councils, in connection attached to this decision.

This decision takes effect immediately.

**Denar BIBA- Chairman**

Hysen OSMANAJ- Deputy Chairman

**Bledar SKËNDERI- Member**

Edlira JORGAQI- Member

Gëzim VELESHNJA- Member

Klement ZGURI- Member

**Vera SHTJEFNI- Member**