



Republika e Kosovës  
Republika Kosova - Republic of Kosovo  
Komisioni Qendror i Zgjedhjeve  
Centralna Izborna Komisija  
Central Election Commission



Based on article 12, 23 and 64.2 item (a) and (b), 128 of Law no. 03/L-073 on General Elections in Republic of Kosovo and Law no. 03/L-256 on Amendment of Law no 03/L-073 on General Elections in Republic of Kosovo, article 13, 20 and 29 of Law no. 03/L-072 on Local Elections in Republic of Kosovo, Central Election Commission on 02.07.2013 issues:

## **ELECTION REGULATION No. 01 / 2013 ON REGISTRATION AND OPERATION OF POLITICAL PARTIES**

### **Article 1**

#### **General provisions**

This rule is intended to regulate procedures for: registration of political parties, rejecting the application for registration, suspension, complaints, merger of political parties, the contents of the party charter, political assemblies and cancellation of the registration of a political party.

### **Article 2**

#### **Definitions**

- 2.1 **Debt** - means the monetary sum which political entity is obliged to pay to other persons.
- 2.2 **CEC** - means Central Election Commission, independent body of experts responsible for administration of elections.
- 2.3 **Assembly of the party** - means a general meeting of all members of a political party of democratically elected delegates among all members.
- 2.4 **Payment** - means transfer of the payment in value, including the payment in form of goods and services. Payment must be done in the time when the benefit is received from the payer.
- 2.5 **Political party** - means an organization of individuals whom have gathered voluntarily on the basis of common ideas, interest and views, with the aim of exercising influence

and having their elected representatives in a public office or as otherwise provided by legislation in force.

- 2.6 **Property** - means whole movable or immovable, in direct or indirect property, including cash or bank deposits, as income that derive from their sale, transfer to the possession of a third person or other agreement, value of businesses owned and every item in possession that has more value than five hundred (500) euro and economic lifetime longer than three (3) years.
- 2.7 **Contact person** – means a person who is authorized to communicate in behalf of the party.
- 2.8 **Financial representative** - means a person who is personally responsible for maintaining the financial records of a political entity, ensuring compliance with the law and communicate with the Secretariat of CEC regarding financial disclosure reports for campaign of the entity.
- 2.9 **Political entity** - means political party, coalition, citizen initiative or independent candidate;
- 2.10 **Office** - means Office for Political Parties Registration and Certification that operated within the scope of CEC as defined with legislation in force.

### **Article 3**

#### **Registration of political parties**

- 3.1 Political party can apply for registration by submitting to the office:
- 3.1.1 The completed application form as prescribed in Annex (1) that includes the following:
- a) the name, surname, address and telephone number of the party leader;
  - b) the name, surname, address and telephone number of the authorized financial representative of the party
  - c) the name, surname, address and telephone number of the person authorized to communicate with CEC on behalf of the party
  - d) phone number and mailing address of the headquarters of the party
  - e) a statement signed by the chairman of the party to respect and abide the Code of

## Conduct for Political Parties

- 3.1.2 party charter in accordance with Article 14 of this rule,
- 3.1.3 any acronym or seal of the party;
- 3.1.4 the latest financial statement of the party, which includes the following:
  - a) proof of payment of registration fee in the bank ;
  - b) data of donors;
  - c) contract for the use of location for office or bank certificate for payment of rent;
  - d) other evidence of financial tools and equipment received from the time of establishment of the initiative;
- 3.1.5 the date of the most recent convention of the party; Annex (2)
- 3.1.6 Ethnicity statement founders of political initiative,
- 3.1.7 name and address of at least 500 party members who reside in Kosovo and who are on the Voters List Kosovo; Annex (3) that includes the following:
  - a) name and surname;
  - b) date of birth;
  - c) address;
  - d) phone number;
  - e) personal number;
  - f) signature;
- 3.1.8 political program of the party that has applied for registration, approved by its highest body, the political objectives and activities of the party, which must be in accordance with the Constitution of the Republic of Kosovo and laws in force;
- 3.1.9 Un-refundable application fee of 500 (five hundred) euros.

## Article 4

### **Review of requests**

- 4.1 Within thirty (30) days of receiving the application, the Office shall inform the CEC of the status of the application, recommending the registration or not recommending the registration, or by specifying areas that may require further clarification.

- 4.2 Office reviews requests within ten (10) days of receipt.
- 4.3 If the application is incomplete or if further information is required to review the request, the Office shall request the applicant to provide additional information within five (5) days of receipt of the request from the office.
- 4.4 If the Office accepts the application of the political party which is presented for registration as complete, publishes it in the official languages in Kosovo, in one or more newspapers with the largest circulation, as well as on the official website of the CEC, within seven (7) days.
- 4.5 Any person may object the application on one or more grounds set out in article 5 of this rule by submitting written objections to the Office, together with any information or material that supports the objections within seven (7) days of the publication the application from the previous article 4.4 of this rule.
- 4.6 If there are no objections from article 4.5 and Office finds that there is no reason for refusing registration under article 5 of this rule, the Office within three (3) days recommends CEC for registration of the political party and notifies the Party.
- 4.7 If there are objections under Article 4.5 of this rule, the Office shall inform the political initiative on the objection within 24 hours of receipt of the objection and request clarification from political initiatives within 24 hours. Office shall review the objection and additional information within three (3) days of receipt of the objection and recommends CEC the approval or rejection of the application for registration. If CEC approves the application for registration of a political party, the registered party and other parties who have filed objections shall be notified about the decision of OPPr.
- 4.8 After the CEC decision, Office notifies immediately the political party which has filed for registration and the parties who have submitted objections, on the rejection of its request and determines that there are one or more grounds for refusal as in Article 5 of this rule.
- 4.9 Notice of refusal of application for registration of political party sent to the applicant, includes written reasons for the refusal and informs the applicant of his right to appeal under article 9 of this rule.
- 4.10 The political party that engages in political parties gains the status of a legal person with the capacity to own property, to enter into contracts, to sue and be sued in its own name.

**Article 5**  
**Reasons for rejection of registration**

5.1 CEC rejects the request for registration of political party, if:

- a) registration documents, including the statute of the party, do not meet the requirements of this rule or are in conflict with the Constitution and laws;
- b) party violates article 18.2 and 18.3 of this regulation;
- c) party applies for registration with name, acronym or symbol that based on the evaluation of the Office can promote hate or interethnic or religious violence ;
- d) the party applying for registration under the name, acronym or symbol that is the same, as evaluated by the Office, or very similar with name, acronym or symbol of the party previously registered by CEC. If both parties apply for registration under the name, acronym or similar symbols, Office decides which of them has the right to register the name or symbol, given the circumstances, including:
  - (i) date when each party has submitted the request;
  - (ii) date when each party has used the name or the symbol first.

**Article 6**  
**Suspension of registered political parties**

6.1 CEC suspends from the registry the political party for:

- a) for not holding the Assembly of the party in accordance with article 15.1 of this regulation.
  - (aa) with a decision of CEC for suspension, political party is obliged that in the deadline of 45 days to hold its Assembly.
- b) has not informed the Office in accordance with article 15.5 regarding the Assembly;
  - (bb) with a decision of CEC for suspension, the party is obliged that in the additional deadline of 5 days to inform the Office for the Assembly;
- c) does not submit the updated and completed annual reports in accordance with article 11 of this regulation and annual financial report until the 31<sup>st</sup> of march

of the following year, in accordance with Law on financing political entities;

- (cc) with a decision of CEC for suspension, political party is obliged that in additional deadline of 20 days from the day of suspension to fulfill its obligations pursuant to article 11 and obligations pursuant to Law on financing political entities;
- d) does not approve the statute and program in accordance with provisions of this regulation;
  - (dd) the CEC's decision for suspension, political party is obliged within additional deadline of 60 from the day of suspension, to harmonize statute and program of parties;
- e) violates Article 18.2 of this Rule 18.3 and Article 7.3 of the Regulation no. 14/2013 on the financing of political parties and sanctions;
  - ee) the CEC's decision for suspension, the political party is obliged that within additional deadline of 15 days to comply with the provisions of Article 18.2 and 18.3 of this Rule and Article 7 of the Regulation no. 14/2013 on the financing of political parties and sanctions;
- f) payer is not turning tools which are not approved or the same are not paid to the Kosovo budget, as required by Article 9.2 and 9.3 of the Regulation 14/2013 on the financing of political parties and sanctions;
  - ff) the CEC's decision to suspend, political party is obliged that within fourteen (14) days of additional deadline from the date of suspension, to perform its obligations under Article 9.2 and 9.3 of the Regulation no. 14/2013 on the financing of political parties and sanctions.

6.2 Office, immediately after the suspension of the registration of a political party:

- a) the register of political parties marks its suspension;
- b) inform the political party in writing of the steps necessary to undertake in order to bring the registration of the party back, as well as its right to appeal the suspension pursuant to Article 9 of this rule.

6.3 Suspension of registration of political party remains in force waiting for the decision of the appeal from article 9 of this rule.

- 6.4 Political party whose registration is suspended receives no public funding and can not be certified by the CEC to take part in elections.
- 6.5 CEC repeals the suspension of the registration of political party immediately after completion of the requirements of the Office avoidance of the reasons that have served as the basis for the suspension.

## **Article 7**

### **Extension of registration**

Registered political party must submit the form to continue its registration no later than March 31 of the calendar year; Annex (4).

## **Article 8**

### **De-registration of a political party from the registry**

- 8.1 With the decision of the CEC, Office deletes from the registry of political parties, if:
- a) criminal sanction against a registered political entity would mean cancellation of the registration of that political entity as determined by the court;
  - b) registered political party which fails to submit the form to the Office to continue its registration no later than March 31 of the calendar year. In case of failure to reregister in accordance with this rule, the party shall be deemed to be removed from the register of political parties;
  - c) is not certified by the CEC to take part in three successive elections;
  - d) has voluntarily dissolved in accordance with its charter;
  - e) has been suspended under the provisions of Article 6 of this rule and did not act within the additional deadline, previously determined by the CEC decision to suspend;
  - f) Its operation was stopped by competent court.
- 8.2 Political party that is removed from the register of political parties in accordance with article 8.1 of this rule, its legal person status ceases and is considered as dissolved, and the transfer of its assets will be done in accordance with the party statute.

- 8.3 If there is no agreement within the political entity, the division of property will be done through competent court

**Article 9**  
**The right for complaint**

Political entity or physical person, may appeal to the Election Panel for Appeals and Complaints (EPAC) within twenty-four (24) hours, the decision of the CEC, which rejected its request for: registration, union, merger and CEC decision for suspension and cancellation of registration

**Article 10**  
**Notifications for changes**

- 10.1 Registered political party shall notify the Office within five (5) working days from service of the assembly, Annex (5), if it:
- a) changes its official name, acronym or symbol. Such changes shall be coordinated in advance with the Office, taking into account the requirements of Article 5 (c) and (d) of this Rule;
  - b) changes its status or political program;
  - c) changes its President, Financial Representative or the membership of its highest executive body;
  - d) voluntarily dissolved;
  - e) changes the identity, address or phone number of contact person, financial representative or representatives of the party in any municipality where the party is active;
  - f) opens or closes a branch of the party.
- 10.2 Registered political party, together with notice of any changes listed in articles 10.1 (a) to (d) of this rule, a copy of the minutes of the meeting or the procedure by which the change was approved, which should be certified by the chairman of the party.
- 10.3 Registered political party, along with the notice of any change of status or political program of the party, submits a copy of the statute or the Office of Political Program.

**Article 11**  
**Changed annual data**

11.1 Registered political party shall complete and submit to the Office the updates data annually by 31 January of each year, identifying annual data changed; Annex (6):

- a) the names and surnames, addresses current party chairman, the members of the highest executive body, contact person, financial representative and representatives of the party in any municipality where the party is active;
- b) current addresses of all local branches of the party in Kosovo and abroad;
- c) any change of status or political party program that is made during the previous year.

**Article 12**  
**Unions**

12.1 Two or more political parties may apply to merge, to form a new party, handing Office:

- a) the minutes of meetings or proceedings where decisions to merge from each political party participating in the merger, each signed by the respective chairman of the party and
- b) the information or documents specified in Section 3.1.1, 3.1.2 and 3.1.8 of this rule for the new party.

12.2 Request for merger is reviewed by the Office in the same manner and within the same time as the application for registration of a political party as provided in article 3 and 4 of this rule.

12.3 CEC, on the recommendation of the Office issues a decision approving the application for registration of the merger and the new party and cancels the political parties have applied for union.

12.4 Office, after the decision of CEC:

- a) register new political party;
- b) removes the names of merged parties from the register of political parties;
- c) notifies in writing the new party to the approval of the request for merger and cancellation of the registration of merged parties

- 12.5 A merger between two or more political parties strengthened the date when the request for merger approved and registered by the CEC. In this regard, the Office shall inform immediately the new party.
- 12.6 After approval and registration of the merger by the CEC
- a) all the assets and debts of the merged political parties become Assets and Debts of the new political party
  - b) all members of merged political parties become members of the new political party.
- 12.7 CEC with the recommendation of the Office rejects request for merger, when it is not in accordance with the requirements of this article. The Office shall notify the applicant in writing immediately after the rejected merger request. Such notice shall include the reasons for the refusal and inform the applicant of his right to appeal under article 9 of this rule.

### **Article 13**

#### **Merger of the political party with another political party**

- 13.1 A political party which wants to merge into a different political party must hold the assembly, which addresses the statutory procedures.
- 13.2 The political party that melts at a different political party submits to:
- a) the minutes of meetings or procedures where the decision for merger with another party was made, including the list of delegates.
- 13.3 Political party that accepts the merged party must hold an assembly, where all the obligations and duties of the merged party are accepted as well.
- a) minutes of the Assembly of the political party as well the list of delegates which accepts the merged party with all rights and obligations;
  - b) form for changes
- 13.4 CEC with the recommendation of OPR issues the decision for approval of the request of political party for merger and cancellation of registration also the transfer of obligations of the merged entity
- 13.5 CEC with the recommendation of the office refuses the request for merger when it is

not in accordance with requirement of this article. Office informs the applicant in written immediately after the refusal of the request for merger. Such notification includes reasons for refusal and informs the applicant of this request for his/her rights to complain pursuant to article 9 of this regulation.

#### **Article 14** **Statute of the party**

14.1 Every registered party has its stature which regulated actions of the party in general including its branches

14.2 The statute of the registered party includes

- a) procedures through which citizens become members of the party and cease to be members of the party, also the rights and responsibilities of the members
- b) procedures that need to be implemented to change the stature or political program of the party
- c) Procedures that need to be implemented form the party in order to join an electoral coalition
- d) procedures that need to be implemented in order to elect the President, the members of the highest executive body or other elected officials of the party;
- e) procedures that need to be implemented to determine the candidates of the party for elections of Kosovo Assembly;
- f) the possibility to exercise internal financial control ;
- g) the rights of members to get informed for all income and expenditures of the political entity as well the responsibility of the respective body for financial transactions;
- h) creation of an body for resolution of contest within the party related to interpretation of the statute;
- i) transfer of all assets after settlement of all debts in case of dissolution of the party and
- j) duration and work regulation that need to be implemented in the regular and

extraordinary assemblies of members of the party including ensuring the quorum, agenda and decision making;

k) procedures of dissolution or merger of the party;

l) any other provision that is required by other laws.

14.3 Amendment of the statute of the registered party that is not compatible with the requirement of this regulation is invalid.

14.4 Every registered party and all its members, executive bodies and its officials must adhere to the statute of the party and when the statute is not in accordance with this regulation they must adhere the requirements of this regulation.

14.5 Statute of the registered party is a public document and with a request from citizens the party can make copies of its actual statute. Party can determine the fee which does not exceed the value of twenty five cents (0,25 €) for one page of the copy of statute.

## **Article 15**

### **Assembly**

15.1 Registered political party holds the assembly within six (6) months from the date of registration of the party and at least every forty-eight (48) months.

15.2 The Chairman of the registered political party reports on the financial status of the party and submit financial reports between the two assemblies.

15.3 Assembly of the registered political party elects the president, the highest executive organ of the party in a democratic and transparent manner within six (6) months from the date of registration of the party and then at least every forty-eight (48) months.

15.4 Each member of a registered political party, either directly or through a delegate is assigned to an equal vote in all decisions taken by assembly, including the election of the chairman and the highest executive body of the party.

15.5 A registered Political Party is obliged to notify the Office within 5 working days from the day of its Assembly, presenting copies of the minutes of the assembly which must be certified by the party chairman.

15.6 A registered political party must invite the Office to observe the assembly. Registered political party shall notify the Office to monitor the assembly of its corresponding branch. Office may authorize SMEO's for monitoring the assembly of the branch.

**Article 16**  
**Selection of electoral candidates**

- 16.1 Registered political party ensures the democratic participation of party members in the selection of electoral candidates of the party.
- 16.2 Candidates of registered political party in elections for the Municipal Assembly are elected by the branch or branches of the party in the municipality, in accordance with the party statute.

**Article 17**  
**Members of the political party**

- 17.1 The person should have the right to vote in Kosovo to be a member of a political party.
- 17.2 A registered Political Party shall keep and maintain a register of members which includes name, address and civil registration numbers, passport or driver's license of all its members and the dates of their membership.
- 17.3 A registered political party may appoint dues or fees for its members not exceeding twelve (12) Euros for member per calendar year.
- 17.4 Members of the registered political party, including its officials are not responsible for the debts of the party.

**Article 18**  
**Officials of the political party**

- 18.1 Chairman and all other officers of the registered political party must be members of the party.
- 18.2 A person who is serving a sentence imposed by the International Criminal Tribunal for the former Yugoslavia or who is accused by the court and did not respond to an order to appear in court can not hold any position or function within a political party or to represent it.
- 18.3 People's Advocate and their deputy or another person from the group of persons referred to in Article 29 of the Law on General Elections in the Republic of Kosovo can not be appointed, elected or to hold any other office of political party or represent it.

18.4 The highest executive body of the registered political party shall designate one or more persons who are authorized to enter into agreements on behalf of the party.

## **Article 19**

### **Access to the document of political party**

19.1 Office updates and maintains political documents:

- a) the register of political parties;
- b) the status of each registered political party;
- c) political program;
- d) the final versions of all annual financial reports submitted to the Office together with the statement of audit of political parties;
- e) donor registry under the Law on financing of political parties.

19.2 Access to documentation of registration of political parties is accordance with the rules the Law on Access to Official Documents..

## **Article 20**

### **Fines**

20.1 The CEC registered political parties sanctions for violation of this rule based on the provisions of the Law on General Elections 03/L-073, 03/L-072 Law and the Law on Local Elections 03/L-174 on financing of political parties .

20.2 Imposition of penalty does not affect the suspension of political party registration under article 6 of this rule.

20.3 Imposition of penalty does not prejudice any criminal sanctions that may apply. Cases which may involve a criminal offense shall be forwarded by the CEC in the Office of the Prosecutor of Kosovo.

20.4 Collected fines must be returned to Budget of Kosovo

20.5 Office may file a complaint when ECAP political party does not pay the fines in accordance with section 20.1 of this rule by the deadline specified.

## **Article 21**

### **Extension of document filing period**

- 21.1 Office may grant an extension of the filing period set forth in Article 11 of this Rule and Article 3.3 (b) of the Regulation no. 14/2013 on Financing Political Parties and sanctions, upon submission of a written request of a registered political party for such extension. The application submitted at the latest five (5) days before the end of the deadline for submission of documents and must contain an explanation of why the party has failed to meet the deadline due to circumstances beyond its control. If the request is reasonable office notifies party in written of its decision whether to grant an extension of the filing period within three (3) days of receipt of the request. Allowed additional deadline is maximum ten (10) days.
- 21.2 Upon submission of a written request of a registered political party for such extension, the application submitted no later than five (5) days before the end of the deadline for submission of documents and contains explanations for why the party has failed to meet the deadline due to circumstances beyond its control. If the request is reasonable office party notifies in writing of its decision whether to grant an extension of the filing period within three (3) days of receipt of the request. Allowed additional deadline is maximum ten (10) days.

## **Article 22**

### **Final and transitional provisions**

- 22.1 With entry into force of this regulation, regulation no. 01/2008 on Registration and Operation of Political Parties of date 25.06.2009, regulation no 01/2008 for Amendment of regulation no 01/2008 on Registration and Operation of Political Parties of date 11.11.2010, regulation no. 01/2008 for Amendment of Regulation on Registration and Operation of political parties of date 28.03.2011 is abolished.
- 22.2 An integral part of the appendices to this rule are:
- Annex - I Political Party Registration Form
  - Annex - II Form of the Latest Convention of the Party
  - Annex - III List of Political Party Supporters
  - Annex - IV Form for Extension of the Registration of Political Party
  - Annex - V Form of Annual Updates of Political Party
  - Annex - VI Form for Notification of Changes in the Political Party

**Article 23**  
**Entry into force**

This regulation enters into force on 02.07.2013.

**President of Central Election Commission**

**Valdete Daka**

