



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



Based on article 54, 55, 58 and article 64.2 item (a) and (b) article 128.2 of Law no. 03/L-073 on General Elections and Law no. 03/L-256 on Amendment of Law no 03/L-073 on General Elections in Republic of Kosovo, article 19 and 20 of Law no. 03/L-072 on Local Elections in Republic of Kosovo, Central Election Commission on 02.07.2013 issues:

ELECTION REGULATION No. 07 / 2013 ELECTION OBSERVERS

Article 1

General provisions

- 1.1 This election rule is intended to regulate: the procedure for application and accreditation organizations, observers, media and obligations of accredited organizations and their observers.
- 1.2 For media accreditation and staff will put the simplified procedure in accordance with Article 5 of this rule.

Article 2

Definitions

- 2.1 **Accredited observers** - means a representative political entity certified, non-governmental, governmental or intergovernmental international organization specialized and involved in the protection of human rights, foreign country, or the media, which has submitted a request for survey election and received approval by the CEC in accordance with this law and the rules of the CEC.
- 2.2 **Certified political entities** - means political entity, which is a political party, coalition of political parties, citizen initiative or independent candidate, who is certified by the Central Election Commission, in accordance with the law and rules the CEC.
- 2.3 **Nongovernmental organizations (NGOs)** - means any non-governmental organization registered in accordance with the provisions of applicable law.

- 2.4 **Media** - means all television and radio stations that broadcast in the territory and who are licensed by the Independent Media Commission, including printed media.

Article 3

Accreditation of organizations and their observers

- 3.1 Accreditation of Individuals for Elections on behalf of any election observation organization must submit a request to the CEC (Office), no later than thirty (30) days before Election Day
- 3.2 Organizations that apply for accreditation to observe the elections must submit a request to the CEC (office), not later than twenty-five (25) days before Election Day.
- 3.3 Organizations that apply for accreditation to observe the Election Day shall submit a request to the CEC (office), not later than twenty (20) days before Election Day.
- 3.4 Organizations or individuals on behalf of an organization applying for accreditation must meet the following documentation:
- a) observer accreditation form which is attached as Annex 1;
 - b) the list of monitors in the form attached hereto as Appendix 2 which includes: name, surname, date of birth, address, ID number and contact phone number for each observer in electronic form and hard copy signed by the representative of the organization; and
 - c) a statement of the observer in the form attached hereto as Appendix 3, signed by the individual, declaring that he or she:
 - i. fulfills the criteria of legal eligibility to be an observer;
 - ii. is ready to be an observer in behalf of that organization, and
 - iii. will adhere to the Code of Conduct for observers.
- 3.5 Office must verify the documents submitted by organizations or individuals on behalf of the organization for accreditation under section 1.1 of this rule.
- a) Submit them to CEC with the recommendation for accreditation no later than four (4) days after the filing thereof, if the documents are complete and properly signed, or

- b) Within the same time return the documents the applicant for correction, if it determines that the application for accreditation is incomplete or incorrect, with the announcement that what must be completed or corrected.
- 3.6 Organizations or individuals seeking to be accredited on behalf of the organization, submitted documents for accreditation of which were returned as incomplete or inaccurate in Section 3.3 of this Rule shall make corrections and additions highlighted in application and resubmit those documents to the Office within three (3) days of notification.
- 3.7 Within three (3) days of receiving of the recommendation for accreditation by the Office, the CEC must decide
- a) To accredit and certify the organization to its list of observers, or to accredit and certify the individual on behalf of an organization, or
 - b) Refuse the application for accreditation and to notify the relevant organization or individual concerned on behalf of an organization, giving an explanation for its decision and inform the applicant of the right to appeal against that decision to the Panel election Complaints and Appeals Commission (EPAC).
- 3.8 The application should be approved or rejected no later than ten (10) days after delivery and acceptance of full documentation and complete.
- 3.9 Office shall notify the organization or individual who has requested to be accredited on behalf of an organization that CEC has accredited it, and that has certified its observers accredited to provide the organization or individual on behalf of an accredited organization, the accreditation letter and special badges for all observers.

Article 4

Obligations of accredited organizations and their observers, or individuals that observe in behalf of an organization

- 4.1 Each accredited organization or individual who observes on behalf of an organization should take its distinctive observers within three (3) days of written notification from the Office for accreditation.
- 4.2 Accredited organization is responsible for the distribution of its observers badge separately, after verifying their identity. The organization must keep each file signed statement of observers, the names and contact details of observers.

- 4.3 Accredited organization is responsible and must ensure that its observers are fully aware of their rights and obligations and the electoral process.
- 4.4 Accredited organization is responsible for the behavior of its individual observers. If accredited organization determines that any of its observers or monitors an individual on behalf of an organization has breached the Code of Conduct for observers, it may cancel the badge of one observer and submit it to the CEC in order to he or she canceled the accreditation as observers.
- 4.5 CEC may revoke the accreditation of observers of the electoral process that has violated applicable laws, rules of election, administrative procedures relating to the electoral process
- 4.6 Notwithstanding the provisions of Article 3.6 (b) of this Rule, the CEC or EPAC may also, on its own initiative or upon notification by the Office or any of the MEO, may cancel the accreditation of observers that do not respect the Code of Conduct for observers or in any way hinder the election process. In case of misconduct or serious repeat by one or more observers from the same organization accredited CEC or EPAC may decide to immediately cancel the accreditation of an accredited organization. Such a decision automatically cancels accreditation of all observers accredited to that organization.
- 4.7 Accredited organization or an individual who observes on behalf of an organization may file a complaint to CEC if he / she does not have access to all meetings and documents of MEO. CEC will make a decision regarding the complaint within 48 hours and will take action which it considers appropriate.
- 4.8 Accredited organization or individual who observes on behalf of an organization may file a complaint with to CEC, MEO, the CEC Secretariat, or EPAC for every irregularity, violation of procedures or incidents witnessed during observation of election process. EPAC complaints will be filed in accordance with the Rules of Procedure of the EPAC. Complaints to the CEC, or the MEO or CEC Secretariat should be filed within (24) hours. The complaint should include a description of the facts, place and time of the event, also attended by observers name and number of his / her badge.

Article 5

Media accreditation

- 5.1 The staff of the print media or electronic ones (media houses) who want to enter the polling stations, the polling station or counting center and results on election day or during the counting must be accredited by the CEC.
- 5.2 The media must inform the Office of their staff list referred to in Article 3.4 (b) of this

rule no later than fifteen (15) days before the Election Day.

- 5.3 OPPR informs media through the public announcement of the deadline for application for accreditation.
- 5.4 The list should contain the following:
 - a) name of media house;
 - b) name and surname of the person;
 - c) Copy of the identification document of the media.
- 5.5 Upon notification, the Office within five (5) days must issue badges for media accreditation. Media accreditation badge is valid identification document along with the media identification document.
- 5.6 Holder of media accreditation badge will be entitled to:
 - a) Enter the polling stations, polling and counting center and results, as well as other objects and MEO CEC's that are open to the public and media. Badge holder observers considered;
 - b) Make a report, get the camera view and request information from the PSC Chairperson.
- 5.7 Activity of media staff should not jeopardize the integrity of the electoral process, silence, privacy and secrecy of the vote.
- 5.8 CEC may immediately withdraw the accreditation of media staff in the event of a breach of the provisions of the electoral law.

Article 6

Final and transitional provisions

- 6.1 With entry into force of this regulation, the election regulation no. 07/2009 on Election Observers of date 25.06.2009 is abolished.
- 6.2 Part of this rule are the annexes:

Annex I - I Observer Accreditation Form

Annex - II List of Observers

Annex - III Declaration of Election Observer

Article 7
Entry into force

This regulation enters into force on 02.07.2013.

President of Central Election Commission

Valdete Daka

