



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



Based on article 15, 23 and 64.2 (a) and (b) of Law no. 03/L-073 on General Elections in Republic of Kosovo and Law no. 03/L-256 on Amendment of Law on no. 03/L-073 on General Elections in Republic of Kosovo and article 13, 14 and 20 of Law no. 03/072 on Local Elections in Republic of Kosovo, Central Election Commission on 02.07.2013 issues:

ELECTION REGULATION No. 08 / 2013

CERTIFICATION OF POLITICAL ENTITIES AND THEIR CANDIDATES

Article 1

General provisions

- 1.1 This election rule is intended to regulate: the application for certification of political entities and candidates, the procedures for certification of political entities and candidates, the reasons for rejection of the application for certification, complaints of applicants for certification, reviewing applications, withdrawal or replacement of candidates of political parties, storage and verification of their data, payment certification and listing on the ballot
- 1.2 Registered political party is automatically certified, but must notify the Office within fifteen (15) days from the date of declaration of election of the President of Kosovo for any change to the party chairman, authorized representative of the party, the party's financial representatives and any necessary information required by the certification office. After meeting these requirements a registered political party will automatically be certified unless ECAP confirms that a political party has not paid fines in the primaries or other liability, including administrative fees imposed by the CEC.
- 1.3 Within fifteen (15) days from the announcement of the election date by the President of Kosovo, a registered political party that does not want to be certified for the elections shall notify the Office that not contesting the election or that political party will seek certification through coalition accordance with the law.

Article 2

Definitions

- 2.1 **Certified Political Party** means the political entity that is a political party, coalition of political parties, citizen initiative or independent candidate, who is certified by Central Election Commission, in accordance with the laws and regulations of the CEC.
- 2.2 **Elections** mean elections for Kosovo Assembly, Municipal Assembly elections and Municipal Mayor Elections.
- 2.3 **General Elections** mean elections for Kosovo Assembly.
- 2.4 **Municipal Elections** mean elections for Municipal Assembly and for Municipal Mayor in certain municipalities.
- 2.5 **The candidate** means a person who competes for members of the Assembly of Kosovo, for municipal council, or mayor who competes on behalf of a political party or citizen initiative.
- 2.6 **Independent candidate** means a candidate for Member of the Assembly, candidate for deputy of the Municipal Assembly, or the mayor, who does not belong to any political party or citizen initiative runs in the name of any other political entity.
- 2.7 **Coalition** means agreement between two or more political entities.
- 2.8 **Municipal Election Commission (MEC)** is responsible body for implementation of election activities within the territory of the municipality.
- 2.9 **EPAC** means Election Panel for Appeals and Complaints, an independent body responsible for resolution of complaints and appeals regarding electoral process.
- 2.10 **Citizen Initiative** means a group of persons who voluntarily join the basis of an idea, or view common interest, to the selection of their candidates, but not wishing to form political parties.
- 2.11 **Financial Representative** means a person who is personally responsible for maintaining the financial records of the political entity, ensuring compliance with this rule and subject communicating with the Office of the CEC - Disclosure Reports on campaign finance entity.

Article 3

Application for certification of political entities

- 3.1 Political entity that intends to compete in the elections for the Assembly of Kosovo, municipal assemblies and mayors must apply for certification in the Central Election Commission (CEC). Political entity must submit documentation to the Office or the relevant MEC in the municipality at any time during regular business hours no later than sixty (60) days prior to the election and on Election Day.
- 3.2 Each application for certification of a political entity must be accompanied by all required supporting documentation containing the following information below and complete the application form for certification of a political entity, which is attached as Appendix (1), the which contains:
 - a) Name and acronym of the political subject, as the figure on the ballot wants;
 - b) Elections in which competing political entity and that municipalities
 - c) Registration certificate (number in case of candidates)
 - d) Name, address and telephone number of the president of a political entity where it is applicable, and authorized representatives and telephone number of the headquarters of the political entity
 - e) Copy of the seal of the party, or in the case of coalitions, a copy of the seal of all political parties in a coalition and any sign of the coalition
 - f) Name, address and telephone number of the entity's financial officer
 - g) Name, address and telephone number of the person in charge of the election process on behalf of the entity
 - h) Statement signed by the chairman of the party, or the holder of the list for other entities undertake to respect and act in accordance with the Code of Conduct also each Political Entity shall, in its application for certification, and assume that the sign will observe the Code of Conduct.
 - i) Political statement, not exceeding 150 words, and the language or languages of its choice, for the purpose of distribution of voters participating in elections as voters abroad. Policy Statement in accordance with the Code of Conduct and signed by the President or authorized signatory of a political entity

- j) If the subject is political coalition statement signed Annex (3) by the president of each registered political party which participates in the coalition consenting to participate, indicating the manner in which the candidates will be ranked on the ballot among the members of the coalition, and committing to respect and act in accordance with the Code of Conduct
 - k) In the case of citizens' initiative, the ID number of the leaders of the initiative, authorized representative and authorized financial representative. In the case of an independent candidate or citizen initiative, the candidate or leader of the initiative may also serve as authorized representatives and financial representative
 - l) Political entity in its application shows if you want to enter the race for the Assembly to any of the seats reserved for representation of Serbs and other non-majority communities in Kosovo.
- 3.3 Political parties that in the last election of the same level have taken at least a seat, are released from the certification payment
- 3.4 Each political subject of his application for certification must include the signature cards, in the form attached as Appendix (2), containing:
- a) Hundred (100) signatures of registered voters support for each municipal election in which political entity intends to compete, but not more than one thousand (1,000) signatures if intended to compete in ten (10) or more municipal elections, and
 - b) Thousand (1,000) signatures valid unless intends to compete in the elections for the Assembly of Kosovo and
- 3.5 The person signing can give his/her support to only one political entity for one pair of elections.
- 3.6 The following types of signatures deemed invalid and not counted towards the signature requirement set out in article 3.3
- a) Signatures of persons who are not registered voters;
 - b) Signatures of support that any required information is missing or illegible;

- c) Signatures that are in the same handwriting as the other signatures, including signatures from the head of the family to other family members, and
- d) Signatures that include information that does not match the information recorded in the most recent version of the list of voters
- e) In the case of signatures of persons who have already signed up in support of more than one political entity, the signature of information on the subject who first submits documentation is valid

3.6 Office should have basic data application support persons each political entity.

- a) Data base will contain: name, surname, date of birth, residential address, personal identification number.
- b) The database may be used only for the purpose of controlling duplicated data.
- c) The database should be deleted at the end of the certification payment process.

3.7 Each application for certification shall include the required number of signatures unless political entity (Coalition, Citizens Initiative and independent candidate) received at least one (1) seat in the last elections of the same type are not required to submit signatures in support of the application her certification in elections for the Assembly or if intends to compete in municipal elections in the municipality where the political party has won at least one seat in the previous election for municipal assemblies.

3.8 Bank deposit slip showing that the political entity has applied to be certified, the certification payment has paid deposit of:

- d) Two hundred (200) euros for each municipal election that aims to compete, or
- e) Two thousand (2000) euros if intended to compete in the elections for the Assembly of Kosovo, up to a maximum of two thousand (2000) euros if intended to compete in the two elections to municipal and Kosovo Assembly;

Article 4
Review of applications for certification of Political Parties

- 4.1 After receiving the request for certification of a political entity, or MEO Office, as appropriate, must accept documentation in the presence of representatives of the political entity, and:
- a) Accepts the application for certification and gives receipt representatives of the political entity, which indicated the date of delivery;
 - b) Returns to political entity the application for certification if documentation is incomplete or does not comply with the requirements set forth in Article 3, and the political subject explained why documentation is incomplete.
- 4.2 Office shall review each application for certification and determine if:
- a) Documentation is complete and that the signatures on the card signatures are valid and sufficient.;
 - b) Documentation is complete and that the signatures on the card signatures are valid and sufficient.
- 4.3 Office reviews all applications for certification and if it determines that the political entity has not met all the requirements then Office within ten (10) days after receipt of the application for certification sends a notice informing the subject of the reason why the application is not sufficient.
- 4.4 An applicant who receives a notice from the Office, as defined in Article 4.3 has five (5) working days to submit a revised application or an explanation that addresses the concerns identified in the notice, the office or MEO.
- 4.5 Once the political party submits its corrected request for certification to as described in article 4.4, the Office shall make a written recommendation to the CEC for approval or rejection within five (5) days of receipt of complete documentation.
- 4.6 After receiving a recommendation from the Office, CEC approves or rejects the application for certification within (7) days.

- 4.7 Following the decision of the CEC, the Office shall immediately notify the applicant in writing of the status of the application and in case of refusal, provides grounds for refusal and advises the applicant of his right to appeal ECAP within five (5) days.
- 4.8 Office, in coordination with the MEO, must keep a diary which contains all requests received for certification, delivery dates and delivery of new changes in those requirements, each political entity.

Article 5

Application for certification of candidates

- 5.1 Political entities that have applied for certification to participate in the elections office must submit a list of candidates, in the form attached as Appendix 3, at any time during regular business hours no later than (60) days before the election .
- 5.2 The application must include:
- a) the list of candidates for each election political entity to which compete, which is attached as Appendix (4), printed and signed by the chairman of a political entity or person contact, as well as in electronic form as described in Article 5.4 .
 - b) Form of certification candidate and financial disclosure form for each candidate involved in each list of candidates, which are attached as Appendix (5), respectively Annex (6).
- 5.3 Each candidate must complete the certification candidate form, as set out in Article 5.2 (b), and sign it as confirmation that:
- a) Does not take any position that would make it impossible to stand as a candidate under Article 29 of the Law on General Elections in the Republic of Kosovo
 - b) He / she gives his/her consent to stand as a candidate for a political entity on whose list he / she appears;
 - c) He/she must act in accordance with the electoral laws, election rules of the CEC, and the Code of Conduct.
- 5.4 Political entity must also prepare an electronic database that contains data as follows:

- a) Name, surname, sex and date of birth of all its candidates;
 - b) Addresses of the candidates, as listed in the Civil Registry
 - c) Telephone numbers of candidates, so when available, and
 - d) Personal identification numbers
- 5.5 Candidates on the list of a political entity may apply for elections at all levels on behalf of a political
- 5.6 The list of candidates of each political party at least thirty (30%) percent are male and at least thirty (30%) percent are women, with one candidate of each gender included at least once in each set of three candidates counting from the first candidate in the list. This does not apply to lists consisting of one or two candidates. Political entity that is not independent candidate shall submit a list of candidates in accordance with Article 27, Article 29 of the Law on General Elections and CEC rules.
- 5.7 The number of names on the list of candidates submitted to a political entity as defined in Article 5.2 (a), may not contain more than 10% of the maximum number of seats in parliament for certain which aims to compete.

Article 6

Review of applications for certification of candidates

- 6.1 Office must review all documentation received;
- a) For each candidate to appear on the list of candidates is presented to the political entity of the candidate certification payment form in accordance with Article 5 and;
 - b) For each candidate to appear on the list of candidates of the political entity is completed financial disclosure form must be signed by the candidate and the candidate
- 6.2 Office shall review each application for certification and determine whether all candidates appearing on the list of candidates:
- a) Are eligible voter if running in elections for the Kosovo Assembly, or

- b) Eligible voters are registered in the municipality in which they intend to compete for municipal elections;
 - c) Are eligible voter if running for Mayor, and at least three (3) years must be a resident of the municipality in which he or she is competing to be elected as Mayor.
 - d) Meet all the criteria set out in Article 29 of Law no. 32/L-073 on General Elections in the Republic of Kosovo
 - e) The list of candidates submitted to only one political
- 6.3 Office reviews all lists of candidates and, if it determines that the political entity has responded to requests then CEC recommends certification of the list within ten (10) days after receipt of the list of office.
- 6.4 If the Office determines that the list of candidates meet the above provision, PE notifies the correct list of candidates within five (5) working days, giving the reasons why the list needs to be corrected.
- 6.5 Political entity that receives a notice of this article has three (3) working days after receipt of notice under article 6.5 to submit a revised application or an explanation that addresses the concerns identified in the notice, or both.
- 6.6 Office a written recommendation to the CEC certification for or against a candidate list within ten (10) days after the filing of the notice under article 6.4.
- 6.7 Office makes a written recommendation to the CEC for or against certification of each list of candidates received no later than five (5) working days after the deadline for submission of lists.
- 6.8 Complaints of any political entity to the CEC decision refusing to certify the list of candidates to be submitted to ECAP within five (5) working days after notifying the political entity about the decision.
- 6.9 CEC publishes certified lists of candidates within five (5) days of the certification and any amendments thereto within five (5) additional days.

Article 7

Withdrawal or Substitution of Candidates and Political Parties

- 7.1 A certified political entity may withdraw from the election process by submitting to CEC a written notice clearly indicating its intention to withdraw no later than two (2) working days before the date set for the ballot lottery withdrawal. If a candidate dies before the election, certified political entity can replace the candidate two (2) days before the date set for the ballot lottery.
- 7.2 If ECAP removes a candidate from the list after determining that the applicant has not given his or her consent to be nominated as a candidate, political party can not replace that candidate on the list of candidates, but must ensure that the list is in accordance with Article 5.6 of this rule.
- 7.3 Without prejudice to the provisions of paragraph 2 of this article, a political entity, citizen initiative or coalition within four (4) days after the removal of a candidate, but no later than 2 days prior to certification may replace the candidate if that candidate at the same time appears on the list of candidates of another political party, or coalition initiative and indicated a clear intention in writing that he will remain in the list of other political entity.
- 7.4 All claims based on article 29 of the law on general elections for withdrawal of a certified candidate from the election must be submitted to the CEC.

Article 8

Protection and Verification of Candidate Data

- 8.1 The Office shall keep confidential all information about candidates submitted to the CEC in accordance with applicable laws and regulations, until after the certification payment of the candidate by the CEC, except when the Office will provide all agencies law enforcement with any information necessary for these organizations with the purpose of security during the elections.
- 8.2 Once a candidate is certified, the Office may disclose that person's personal information only as permitted by applicable law.
- 8.3 If the CEC does not certify a candidate, the Office shall not disclose personal data to that candidate.

Article 9
Certification fee

- 9.1 CEC will open and maintain a bank account on behalf of the CEC, which will be used to collect payments and reimbursement of certification payment. The bank account details are in receipt of payment.
- 9.2 If political party wins at least one (1) seat in elections in which competing, certification fee refunded political entity within thirty (30) days after the date of certification payment of the election results. Such reimbursement is made to the bank account stated political party in his application for certification.
- 9.3 Deposits are not refunding the certification should be transferred to the Kosovo Budget.

Article 10
Order of political entities in the ballot

- 10.1 Order on the ballot lottery must take place on a date specified by the CEC but not later than forty-five (45) days before Election Day.
- 10.2 CEC President shall decide the procedures to be followed in the lottery, ensuring that the lottery is fair and transparent, President of the CEC of the drawing of lots.
- 10.3 The Office shall notify the political parties of the location, date and time at which the order on the ballot lottery will be held. Each political party sends a representative to draw a lot and observe the conduct of the ballot lottery. Chairperson of CEC leads the ballot lottery and if the political party does not send a representative to the ballot lottery, a member of CEC draws the lot for that entity.

Article 11
Final and transitional provisions

- 11.1 With entry into force of this regulation, the election regulation number 08/2009 on Certification of political entities and their candidates of date 25.06.2009 is abolished.
- 11.2 An integral part of this Rule are also annexes:

- Annex I – Request for Certification of Political Entity
- Annex II - Signatures booklet
- Annex III – Consent Form of Coalition
- Annex IV – List of candidates of Political Entity (electronic form)
- Annex V- Candidate Certification Form
- Annex VI – Candidate Financial Disclosure Form

Article 12
Entry into force

This regulation enter into force 02.07.2013

President of Central Election Commission

Valdete Daka

