Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 03/L-073

ON GENERAL ELECTIONS IN THE REPUBLIC OF KOSOVO

The Assembly of Republic of Kosovo,

On the basis Article 65.1 of the Constitution of the Republic of Kosovo,

And for the purpose of conducting free, fair and democratic elections for the Assembly of Kosovo with the aim of strengthening the democratic rule in Kosovo,

Hereby adopts:

THE LAW ON GENERAL ELECTIONS IN THE REPUBLIC OF KOSOVO

CHAPTER I

GENERAL PROVISIONS

Article 1
Purpose of the Law

The purpose of this law is to regulate:

a) the electoral system for election of the Assembly of the Republic of Kosovo;

b) the financing and holding of elections for the Assembly of the Republic of Kosovo;

c) the recognition and the protection of the voting rights and the voter eligibility criteria;

d) maintenance of the list of voters;

e) regulation of Political Parties and certification of Political Entities;

f) responsibilities and functioning of the Central Election Commission;

g) establishment and functioning of the ECAC;

h) the organization and functioning of the election commissions and councils;

i) rules for accreditation of election observers, as well as their rights and responsibilities;

j) campaign spending limits and financial disclosure obligations;

k) the coverage of electoral campaigns by the media;

l) the code of conduct of political entities, their candidates and supporters;

m) voting procedures, counting, and the announcement of results;

n) the sanctions and fines imposed for violations of the provisions of this law.

Article 2
Fundamental Principles

The conduct and administration of the elections for the Assembly of Kosovo and the legislation pertaining to elections shall be guided by the following principles:

- Elections for the Assembly of Kosovo shall be held on the basis of free, universal, equal, direct and secret vote pursuant to this law and CEC rules.

- Eligible voters are equal in the exercise of the right to vote and have the right to cast an equal number of votes in the same elections.

- Every citizen of Kosovo has the right to vote and be elected without discrimination on the ground of race, ethnicity, color, language, gender, religious belief or political convictions, education, social affiliation or any other similar criteria pursuant to the provisions of this law.

- Election administration bodies shall undertake voter education activities designed to increase voter awareness on the voting procedures and procedures for protecting electoral rights. For this purpose, elections administration bodies shall make available education material in the languages of communities in those geographical areas where such communities are located and through the media operating in minority languages.

- Freedom and privacy in casting the vote is guaranteed. No person has the right to prevent a citizen from voting, force one to vote in a certain way, hold anyone accountable for the vote, or request that anyone reveal his/her vote or state the reasons for failure to vote against his/her will.

- The elections for the Assembly of Kosovo shall reflect the geographic representation of all regions of Kosovo.

- All political entities are free to campaign and make electoral propaganda in the mass media, by holding political events, and by publishing and disseminating campaign materials in any lawful manner pursuant to the applicable legislation and rules.

- Political entities shall be entitled to equality of opportunity of radio and television air-time, public funds and other forms of support.

- The use of public office, resources, or staff of any institution at a central or local level for the purpose of supporting a political entity in an election is strictly prohibited. Political entities shall not take advantage of civil servants using the post, resources, or staff to campaign during elections.

- All political entities and elections bodies are obliged to respect the gender quota requirements as set forth by this law.

- All political entities, their supporters, and all other institutions are obliged to respect the fundamental principles set forth in this article and take all measures to ensure the conduct of free, fair and well-informed elections within a climate of democratic tolerance, peace and respect for the rule of law.

Article 3
Definitions

For the purpose of this law,

"Accredited Observer" shall mean a representative of a certified political entity, NGO, governmental or inter-governmental organization, international organization specializing and engaged in the protection of human rights, foreign country, or the media, who has submitted a request to observe the elections and has been granted the approval by the CEC in accordance with this law and CEC rules;

"Assembly" shall mean the Assembly of Kosovo;

"Assets" shall mean all real or movable property owned directly or indirectly, including cash on hand and bank deposits, as well as any proceeds derived there from by way of sale, disposition or other agreements, the value of businesses owned, and any item owned having a value greater than five hundred euro (€500) and with an expected economic life exceeding three (3) years;

"Balance sheet" shall mean the political entities' financial disclosure of assets, liabilities and equity as defined in this Article;

"Campaign Period" shall mean the thirty (30) day period for election campaigning by Political Entities ending on the day immediately preceding the election day;

"Campaign Expenditure" shall mean any payment made for goods or purchase of goods, materials, labour, services whether tangible or intangible, made for the purpose of influencing an election, regardless of whether incurred in support of a specific candidate, political party, coalition, or citizens' initiative, such as the cost of print media

advertisements; production of broadcast spots; campaign materials, including pamphlets, posters, buttons; display advertisements, including billboards and their production; in-kind contributions. This shall not include Expenditures made in support of the ordinary operation of a Political Entity. Goods or services for which payments are made prior to or after the Campaign Period, for use during the Campaign Period, shall also be considered Campaign Expenditures;

"**Candidate**" shall mean a candidate for Member of the Kosovo Assembly, who runs in the name of a political party or citizen initiative.

"Contact Person" shall mean the person who is duly authorized to communicate on behalf of a Political Entity with the Office on non-financial matters;

"CEC" shall mean the **Central Election Commission**, an independent body of experts responsible for the administration of elections.

"CECS" shall mean the CEC Secretariat.

"Certified political entity(ies)" shall mean a political entity, i.e. political party, coalition of political parties, citizens' initiative and independent candidate, which is certified by the CEC, in accordance with this law and CEC rules;

"Central Civil Registry" shall mean the registry of habitual residents established under the Law on Citizenship and under this law;

"Citizens of Kosovo"/habitual residents of Kosovo are those individuals meeting the criteria set forth in article 28 of the Law on Citizenship;

"Challenge and Confirmation Period" shall mean the period of time following the declaration of election day by the President of Kosovo, during which eligible voters may challenge inaccuracies or omissions in the Voters List at the places designated by CEC and in accordance with the rules and procedures established by the CEC;

"Citizens' Initiative" shall mean a group of persons who voluntarily associate on the basis of a common idea, interest or viewpoint with the objective of having their candidates elected, but who do not wish to form a Political Party;

"Coalition" shall mean a coalition of two or more Political Entities;

"Community" shall mean inhabitants belonging to the same national, ethnic, linguistic or religious group traditionally present in the territory of Kosovo.

"Conditional Voters List" (CVL) shall mean a blank Voters List to be used in PSs where Conditional Ballots are cast;

"Constitution" shall mean the Constitution of the Republic of Kosovo;
"Contribution" shall mean a gift, subvention, donation, or bequest of any kind to a Political Entity, whether in cash or in-kind, and includes the payment of Entities' debts and the provision, otherwise than on commercial terms, of any property, loan, loan made out of the ordinary course of business, services or facilities for the use or benefit of the Entity. Services provided to a Political Entity by individuals voluntarily, on their own time and free of charge shall not be considered to be Contributions. The contribution is made at the moment when the political entity benefits from the contribution;

“Count and Results Centre” (CRC) shall mean the location where Conditional Ballots (CBs), out of Kosovo ballots, and any Regular Ballots as required by the CEC (CEC) or ECAC (ECAC) are counted, RRFs from each PS are audited and tabulated, and the final result is compiled;

“ECAC” shall mean the **Elections Complaints and Appeals Commission,** an independent body in charge of adjudicating complaints and appeals concerning the electoral process.

“Elections” shall mean elections in Kosovo;

“Equity” shall mean the difference between Assets and Liabilities;

“Equitable Access” shall mean fair and proportional media access to print and broadcast media in terms of time periods of media coverage, placement and lineage in print media, with the absence of discrimination for or against specific certified political entities;

“Event” shall mean a public indoor or outdoor political rally, gathering, march or procession, speech, or any other similar activity designed to disseminate a political message in order to gain support from voters;

“Expenditure” shall mean a Payment made for goods or purchase of goods, materials, labor, or services whether tangible or intangible. An expenditure is made on the date the payment or purchase is made or on the date the goods, materials, labor, or services are provided, whichever is earlier;

“Final Voters List” (FVL) shall mean the Voters List as set out in Article 8.6;

“Financial Representative” shall mean the person who is personally responsible for keeping a Political Entity’s financial records, ensuring the Entity’s compliance with the present Law and communicating with the CEC Secretariat with respect to the Entity’s Campaign Finance Disclosure Reports;

“Independent Candidate” shall mean a candidate for Member of the Kosovo Assembly, who does not belong to any political party or citizen initiative and does not run on behalf of any other Political Entity;

“Income“ shall mean any monetary sum received as membership fees or dues; rent; contributions from abroad by individuals, businesses or organizations of any kind; donations; the value of contributions in the form of goods and services (in-kind) contributions and any payment to the political entity;

“Liabilities” shall mean all monetary sums that a Political Entity is obliged to pay to other persons;

“Media” means all the TV stations and Radio Stations which broadcast in the territory of Kosovo and are licensed by the Independent Media Commission, including the print media.

“Municipality” shall have the meaning of the term under the Article 124 of the Constitution of Kosovo;

"Municipal Election Commission" (MEC) is a body responsible of implementing elections within the municipal territory.

"Non-governmental organization" (NGO) shall mean any non–governmental organization registered in accordance with the provisions of the applicable legislation;

"Office" shall mean the Office of Political Party Registration and Certification within the CEC acting as specified in the applicable legislation;

"Out of Kosovo voter" shall mean a successful out of Kosovo applicant using one of the means of voting outside of the territory of Kosovo, as specified in CEC rules;

"Payment" shall mean a transfer of valuable consideration, including payment in kind. A Payment is made at the time the benefit of the Payment is received;

"Political Party" shall mean an organization of individuals who voluntarily associate on the basis of common ideas, interests or views, for the purpose of obtaining influence and having their representatives elected to public office or as otherwise defined by applicable legislation;

"Political Entity" shall mean a Political Party, Coalition, Citizens' Initiative or independent candidate;

"Public Service Broadcaster" shall mean the not for profit public broadcasting organization of Kosovo, as defined by the Law on Radio Television of Kosovo;
A "**public employee**" includes, but is not limited to, a person in an employment relationship with a department of government administration, municipal administration or body of a like kind or whose remuneration is received from funds provided from the Kosovo Consolidated Budget.

"Private Broadcaster" shall mean a broadcasting outlet which is not publicly owned;

"Political Advertising Spot" shall mean a single advertisement of a political nature representing the views of a certified political entity that is transmitted by a broadcast medium;

"Political Campaign Activity" shall mean any political rally or speech, gathering, public presentation, or another activity designed to propagate a political message in relation to the elections;

"Polling Station" (PS) shall mean a room, hall or similar facility designated for the purpose of voting on Election Day and shall also include the public area within a radius of 25 meters of the entrance of the building in which a Polling Station is located;

"Polling Centre" (PC) shall mean building where one or more than one Polling Station is located for the purpose of voting in the elections and shall include the public area within a radius of 25 meters of the entrance of the building;

"Polling Station Final Voters List" (PS FVL) shall mean the list of voters assigned to a Regular PS bearing the signature of those voters who cast a Regular Ballot in that PS;

"Reconciliation and Results Form" (RRF) shall mean the form approved by the CEC ahead of every election for the purpose of reconciling votes cast in a Polling Station;

"Resource" shall include tangible and intangible items as defined in the applicable rules of an institution, such as vehicles, expendable material, photocopy, phone, cell phone, office equipment, premises.

"Special Need Voting" (SNV) shall mean the arrangements made and the procedures followed for those voters eligible to vote in Kosovo who cannot vote in person at the PS to which they were assigned on Election day;

"Tribunal" shall mean the International Criminal Tribunal for the former Yugoslavia (ICTY)**;**

"Voters List" (VL) shall mean the list of all eligible voters for the elections as set out in Article 7.1 of this law.

Article 4
Date and Announcement of Elections

4.1 After consultation with political parties, the President of Kosovo shall set and announce the date of elections for the Assembly of Kosovo.

4.2 Elections for the Assembly of Kosovo shall take place on a Sunday every four (4) years. Elections may not be held earlier than sixty (60) days and shall be held no later than thirty (30) days before the end of the mandate.

4.3 According to the powers vested in the President by the Constitution, the decree of the President setting the date of elections shall be made not less than six (6) and not more than four (4) months ahead of the election date. The decree shall contain the date of the elections.

4.4 The Assembly of Kosovo shall be elected for a mandate of four (4) years, starting from the day of the constitutive session, which shall be held within thirty (30) days from the official announcement of the election results.

4.5 Upon dissolution of the Assembly of Kosovo early elections shall be called by the President no later than ten (10) days after the dissolution. Early elections may not be held earlier than thirty (30) days and no later than forty-five (45) days after the dissolution. Early elections shall be regulated by the same laws and CEC rules as other elections, except that CEC may change time frames as needed in accordance with the circumstances.

4.6 The decision on calling for the election shall be made public in the 'Official Gazette of Kosovo'.

CHAPTER II

VOTER ELIGIBILITY, VOTERS LIST, AND CHALLENGE AND CONFIRMATION PERIOD FOR THE VOTERS LIST

Article 5
Voter Eligibility

5.1 A person is eligible to vote in an election in accordance with the present Law if he or she is at least eighteen (18) years of age on the day of the election and satisfies at least one of the following criteria:

a) he or she is registered as a citizen of Kosovo in the Central Civil Registry;

b) he or she is residing outside Kosovo and left Kosovo on or after 1 January 1998, provided that he or she meets the criteria in applicable legislation for being a citizen of Kosovo; or

c) he or she obtained the status of a refugee, as defined in the Convention Relating to the Status of Refugees of 28 July 1951 and its Protocol of 16 December 1966, on or after 1 January 1995, and is eligible to be registered in the Central Civil Registry as a habitual resident of Kosovo.

5.2 No person may vote if he or she:

a) is serving a sentence imposed by the International Criminal Tribunal for the former Yugoslavia ("the Tribunal");

b) is under indictment by the Tribunal and has failed to comply with an order to appear before the Tribunal; or

c) has been declared mentally incompetent by a final court decision.

Article 6
Voting in Kosovo and Outside of Kosovo

6.1 A person who is eligible to vote has the right to cast a ballot in Kosovo on the day of an election and in the electoral district where he or she is registered, provided his or her name appears in the Central Civil Registry or has registered as a citizen of Kosovo by a date specified by the CEC.

6.2 An eligible voter who is temporarily residing outside of, or is displaced from, Kosovo is entitled to cast a ballot in an election according to procedures and deadlines as specified in this law.

Article 7
Voters List

7.1 The CEC shall maintain a Voters List and it shall ensure that the Voters List is accurate and up to date, which represents:

a) the most recent available extract from the Central Civil Registry of all eligible voters who are registered as citizens of Kosovo pursuant to the law on Citizenship; and

b) eligible voters who have successfully applied to vote outside of Kosovo.

7.2 All eligible voters listed in the manner required by the CEC. The personal information provided for each voter shall be: name, surname, date of birth, address, and the Polling Center where he/she is assigned to vote.

7.3 For confirmation of eligibility, the CEC shall have access to registers, records of residence, and other official records.

7.4 The Voters List shall be accessible as set out by CEC rules.

7.5 All activities and documents of the state bodies, and all submissions and evidence related to registering citizens in the Voters List shall be exempted from payment of fees and taxes.

7.6 The personal data of the citizens on the Voters List shall be written in the languages and alphabets in which the original records are kept and in accordance with the Law on the Use of Languages in Kosovo.

7.7 The competent court shall submit data to the CEC on persons who have been deprived of their legal capacity with a final court decision. Such data shall be delivered as required by the CEC.

7.8 The Central Civil Registry shall supply the CEC with all relevant information that the CEC requires to maintain the Voters List in accordance with deadlines established by the CEC.

7.9 The CEC shall provide the Municipal Election Commissions (hereinafter: MECs) with an electronic copy of the entire VL and one printed copy of the VL for their municipality.

Article 8
Review of Voters List and Challenge Period

8.1 Eligible voters may challenge, as specified under article 9, inaccuracies or omissions in the Voters List during a period established for that purpose by the CEC.

8.2 Prior to the start of the Challenge and Confirmation Period, following the declaration of the election date by the President of Kosovo, the CEC Secretariat shall make the VL available at MEC Office in each municipality as set out by CEC rules and in conformity

with data protection law. In addition, the MEC may designate additional locations to view the VL when necessary to allow for access to it within its municipality.

8.3. Decisions regarding changes in the VL shall be made by the court of first instance.

8.4 Prior to the commencement of the challenge period the CEC shall provide the designated Contact Person of each certified Political Entity with the VL. Any use of the VL by certified political entities that contravenes Chapter V on the Code of Conduct for Political Entities and their Supporters and Candidates, shall be a violation of this Law. Changes to the VL may be done in accordance with CEC rules.

8.5 The CEC shall provide accredited electoral observers with the VL during the election period upon individual request. Accredited electoral observers may observe the Challenge and Confirmation Period in all locations where the VL is available for viewing.

8.6 The CEC shall, after the public has had the opportunity to challenge inaccuracies and omissions in the Voters List, but before the day of the election, certify that the Voters List has been established in accordance with applicable law.

Article 9
The Challenge Procedure

9.1 Any eligible voter as set out in Article 5 may review the VL provided that he/she:

a) properly identifies him/herself to the MEC as an eligible in Kosovo voter appearing on the VL and provides one of the following identification documents:
(i) a valid ID card;
(ii) a valid travel document;
(iii) a valid passport;
(iv) a valid driving license; or

b) properly identifies him/herself to the MEC as a successful out of Kosovo voter applicant with a valid picture identification and out of Kosovo registration receipt.

9.2 A person who wishes to challenge a name that he/she considers should not be on the VL shall submit a request to the court of first instance clearly stating the facts supporting his/her challenge and including any relevant evidence.

9.3 A person may submit a request to the court of first instance if he/she discovers that his/her name does not appear on the VL. Such request shall include any relevant evidence.

Article 10
Adjudication Process

10.1 All decisions of the court of first instance are final, including decisions regarding the inclusion or exclusion of a name from the VL.

10.2 The Court of first instance shall notify CEC and any other parties requested against, and provide such parties an opportunity to respond. Any response to a request must be received within two (2) working days of receipt of notification from the court of first instance that a request has been filed.

10.3 The court of first instance within five (5) days shall communicate decisions regarding requests to the party that submitted a request and to any other party to whom written notification pursuant to paragraph 2 of this Article has been issued.

10.4 A request regarding improper exclusion from the Voters List, regular or by-mail, must be received by the court of first instance within 40 days before the election day.

10.5 The court of first instance will not act on requests that do not meet the requirements set forth in its Rules of Procedure. The court of first instance may summarily reject a request or a group of requests if it does not present a prima facie case or where the request or group of requests is manifestly ill-founded.

10.6 The court of first instance shall have the power to direct the CEC to take remedial action on issues regarding requests regarding the VL.

CHAPTER III

POLITICAL PARTY REGISTRATION AND POLITICAL ENTITY CERTIFICATION

Article 11
General Provisions

11.1 The CEC shall establish, within the CECS, an Office of Political Party Registration and Certification ("The Office"). The Office shall be responsible for maintaining the registry of political parties, certification of all political entities to be included on a ballot, and the campaign spending limit and financial disclosure articles of this law.
11.2 The Office shall be headed by an Executive Director who shall report directly to the CEC.

11.3 All registrations held by the Political Party Registration Office established within UNMIK Pillar III (OSCE) at the time this law comes into force shall be considered be registered by this law subject to article 18.1 of this Law.

11.4 A registered Political Party shall be automatically certified at the time of election and after fulfilling requirements of article 15.3 of this Law, unless it informs the Office otherwise in accordance with provisions of this law.

11.5 A registered Political Party or any other applicant for certification in accordance with this law shall be deemed a political entity. The Office shall establish and maintain a mailbox for each Political Entity certified by the CEC. All official correspondence in writing with political entities shall be conducted through the Contact Person and respective mailbox. Entities are obliged to regularly check their mailboxes situated at the CEC.

Article 12
Political Party Registration

12.1 Applications for registration of Political Parties may be submitted to the Office at any time during normal working hours.

12.2 Applications submitted for registration to the Office between the day of the declaration of the election date by the President of Kosovo and the date established for the ballot drawing will only be considered as applications for certification as a political entity in accordance with this law.

12.3. The application for the registration of a Political Party shall be submitted in the form established by CEC rule as required by the Office, and shall include the following:

a) name, surname, address and telephone number of the president of the Party;

b) name, surname, address and telephone number of the authorized financial agent of the party;

c) name, surname, address and telephone number of the person authorized to communicate with the CEC on behalf of the Party;

d) telephone number and the postal address of the headquarter of the party;

e) statement signed by the President of the Party to respect and abide by the Political Party Code of Conduct;
f) statute of the Party;

g) any acronym or seal of the Party;

h) the most recent financial statement of the Party;

i) the date of the most recent party convention;

j) name and address of at least 500 party members who are residing in Kosovo and who are found on the Kosovo Voters List.

12.4 The Office shall review applications within ten (10) days of receipt and inform the authorized representative of the party within five (5) of the completion of the review of any matter that requires clarification or change in the application form.

12.5 Within thirty (30) days of receiving the application, the Office shall inform the CEC of the status of the application, recommending to register, recommending not to register, or specifying areas that may require further clarification.

12.6 Each registered political party shall submit a form as prescribed by the CEC rules to continue its registration no later than March 31 of each calendar year.

12.7 Failure to reregister in accordance with this law shall mean that the party shall be removed from the register of political parties.

12.8 The Office shall be informed of any change in Political Party's president or financial officer shall be notified within five (5) working days of changes.

Article 13
Auditing of Financial Statements

Financial statements of a registered Political Party shall be audited annually in accordance with provisions of this law.

Article 14
Criminal conviction of political entities

14.1 A criminal conviction against a registered political entity shall mean deregistration of that political entity, as determined by the court.

14.2 The authorized financial officer of the party and the president of the party shall be legally responsible for the accuracy of all information submitted to the Office as required by this law.

Article 15
Certification of Political Entities

15.1 In order to contest an election, a Political Entity must be certified for that purpose by the CEC.

15.2. Application for certification may be submitted at any time during normal working hours up to sixty (60) days prior to election. No application for certification may by

considered by the Office between the 60th day prior to an election and the day of the election.

15.3 A registered Political Party is automatically certified but shall notify the Office within fifteen (15) days of the declaration of the election date by the President of Kosovo of any change of the president of the party, authorized representative of the party, or authorized financial representative of the party, and any necessary information related to such changes.

15.4 A registered Political Party not wishing to be certified for an election shall notify the Office within fifteen (15) days of the declaration of the election date by the President of Kosovo that it is not contesting the election, or that the Political Party will be seeking certification as a coalition in accordance with this law.

15.5 The CEC shall certify an eligible Political Entity if it submits a complete application, in the form prescribed and by a date established by a CEC rule the CEC. Such application shall be accompanied by all supporting documentation required under this article as follows:

a) a Registration Certificate (ID number in case of independent candidates);

b) name, surname, address, and telephone number of the Entity's President where applicable, and the authorized representative and the telephone number of the headquarters of the political entity;

c) a copy of the party's seal, or in case of coalitions, a copy of the seal of all political parties in the coalition;

d) name, surname, address, and telephone number of the Financial Officer of the Entity;

e) name, surname, address, and telephone number of a person authorized to deal with electoral process on the Entity's behalf;

f) statement signed by the President of the Party, or bearer of the list for other Entities committing to respect and abide by the Code of Conduct as set forth in this Law;

g) a policy statement, not exceeding 150 words, and in a language or languages of its choice, for the purposes of distribution to voters intending to participate in the elections as out of Kosovo voters. The Policy Statement shall be consistent with the Code of Conduct set forth in this Law and signed by the President or authorized signatory for the Political Entity;

h) in the case of a coalition, , a statement signed by the president of each registered political party participating in the coalition consenting to participate, indicating the manner in which the candidates shall be distributed between the members of the coalition on the ballot, and committing to respect and abide by the Code of Conduct of this law;

i) in the case of citizens initiative, the ID number of the leader of the initiative, the authorized representative, and the authorized financial representative. In the case of an independent candidate or citizens initiative, the candidate or the leader of the initiative may also serve as authorized representative and financial representative;

j) name, surname, address and telephone number of the leader of the list of the coalition, representative and financial representative;

k) in the case of a coalition, a copy of any seal of the coalition.

l) The Office shall be informed of any change in Political Party's president or financial officer shall be notified within five (5) working days of changes.

15.6 A Political Entity shall submit with its application a certification fee as defined by Article 23 of this law.

15.7 Subject to the exemptions specified in Articles 15.8 below, each application for certification shall include the necessary number of signatures as set forth in CEC rule.

15.8 A Political Party that gained at least one (1) seat in the Kosovo Assembly in the last election of the same type is not required to submit signatures in support of its application for certification in elections for the Assembly of Kosovo.

15.9 A person may give his or her signature in support of only one Political Entity per election.

15.10 Each Political Entity shall, in its application for certification, commit in writing and sign to follow the Code of Conduct for Political Entities as set forth in Chapter VI of this Law.

15.11 Each Political Entity shall indicate in its application whether it wishes to contest any of the seats guaranteed for the representation of Kosovo Serb and other non-majority communities under Article 64 of the Constitution.

15.12 Any failure to comply with the requirements of this Article shall entitle the CEC to suspend the application process. In addition to the certification requirements of this Chapter, above, the CEC shall, on receipt of a certification application by a political entity, including a registered political party, require the ECAC to provide it with a written confirmation that the political entity applying has fully paid any fines in relation to any previous election and confirm that there are no financial or other outstanding liabilities.

15.13 All requests to withdraw a certified political entity from the election shall be submitted to the CEC.

Article 16
Processing of Applications

16.1 The Office shall review each application for certification and if it determines that a Political Entity has not satisfied all of the criteria set out in the Article 15, then the Office shall within ten (10) days after the receipt of the application send a notice informing the Entity of the reason or reasons why its application for certification is not sufficient.

16.2 An applicant who receives a notice under article 12.4 of this Law, has five (5) working days to submit a revised application or an explanation that addresses the concerns identified in the notice.

16.3 The Office shall make a written recommendation to the CEC for or against the approval of each application it receives within five (5) days from receiving full documentation. The recommendation shall contain written explanation for each criteria. No party shall be certified unless it fulfills all of the criteria set forth.

16.4 After receiving a recommendation from the Office, the CEC shall either approve or reject the application for certification within seven (7) working days.

16.5 Upon a decision of the CEC, the Office shall immediately notify the applicant in writing about the status of the application, and in case of rejection, provide the reasons for the rejection and advise the applicant of its right to appeal to the ECAC within five (5) days.

Article 17
Political Parties

17.1 A Political Party may be certified to participate in an election, provided that its registration under UNMIK Regulation No. 2004/11 is not under suspension.

17.2 The Office shall inform the CEC regarding the registration status of each applicant Political Party prior to the conclusion of the certification procedure.

Article 18
Coalitions

18.1 A Coalition may be certified to contest an election under one name, provided that it consists solely of Political Parties that are eligible to be certified under 15.4.

18.2 The CEC shall treat a Coalition as a single Political Entity from the day the Coalition is certified by it until the results of the election are certified. A Political Party may not withdraw from a Coalition once it has been certified, until the results of the election are certified.

18.3 Upon dissolution of a Coalition, each of the registered Political Parties that were members of the Coalition shall be responsible for a share of all Liabilities incurred by the Coalition proportional to the agreement of the Coalition, including any outstanding fines imposed by the CEC or the ECAC.

18.4 A political party that is a member of a Coalition cannot participate as a member of another Coalition or as a separate political party in the same election.

Article 19
Citizens' Initiatives

19.1 The CEC shall treat a Citizens' Initiative as a single Political Entity from the day it is certified until the Citizens' Initiative has filed its final Campaign Financial Disclosure Report under Article 40.2 (b) of this Law.

19.2 Each candidate on the certified candidate list of a Citizens' Initiative shall be personally responsible for an equal share of any fines imposed on the Citizens' Initiative by the CEC or the ECAC.

Article 20
Independent Candidates

20.1 An independent candidate may be certified to participate in an election, provided he or she is eligible to be a candidate under Article 29 and is registered to vote.

20.2 An independent candidate may not, in the same election, seek certification as a candidate for a Political Party, Coalition or Citizens' Initiative.

20.3 An independent candidate may not withdraw his or her candidacy before the certification of the election results.

Article 21
Identical or Similar Names

21.1 The CEC shall not certify a Political Entity under a name or acronym that is the same as, or in the judgment of the CEC, is confusingly or misleadingly similar to, the name or acronym under which a different Political Entity has previously been certified.

21.2 If two or more Political Entities apply for certification under names or acronyms that are the same, or so similar that they are likely to cause confusion or mislead voters, the CEC shall decide which Entity has the right to be certified under the name or acronym. In deciding which Political Entity has the right to be certified under a name or acronym, the CEC shall consider the date on which each Entity submitted its application to the CEC and each Entity's previous use of the names or acronyms.

21.3 For the purposes of this article, a Coalition shall be considered to be a different Political Entity from one election to the next unless its membership includes all the Political Parties that were previously part of the Coalition.

21.4 Nothing in this article precludes the certification of an independent candidate under his or her legal name. Where candidate names are the same, the CEC may include distinguishing information to avoid confusion on the ballot.

Article 22
Signatures

22.1 As part of its review under article 16.1 of this Law, the Office shall review each signature booklet submitted in support of an application for certification to ensure that the signatures are valid.

22.2 In authenticating signatures of support, the Office shall subject each signature booklet submitted by each applicant to a review as specified by CEC rules.

22.3 The following types of signatures shall be considered invalid and shall not count towards the signature requirement:

a) signatures of persons who are not registered voters;

b) signatures of support for which any required information is missing or illegible;

c) signatures that are in the same handwriting as other signatures, including signatures by the head of the family for other family members; and

d) signatures that include information that does not match information recorded in the most current version of the voters list.

Article 23
Certification Fee

23.1 Certification fees shall be established as specified by CEC rules.

Article 24
Order of the Ballot

24.1 The ballot lottery shall be held on a date determined by the CEC.

24.2 The Chairperson of the CEC shall decide the procedures to be followed in the lottery, ensuring that the lottery is fair and transparent. The Chairperson of the CEC shall preside over the drawing of lots.

24.3 The Office shall notify the Political Entities of the location, date, and time at which the ballot lottery will be held. Each Political Entity shall send a representative to draw a lot and observe the conduct of the ballot lottery. The Chairperson of the CEC shall chair

the ballot lottery and if a Political Entity does not send a representative to the ballot lottery, a member of the CEC Secretariat shall draw a lot for that Entity.

CHAPTER IV

CANDIDATE CERTIFICATION

Article 25
General Provisions

25.1 A political party, coalition of political parties, or citizen's initiative, that has applied to be certified to participate in the election shall submit to the Office a candidate list on the date and in the manner established by CEC rules.

25.2 The CEC shall decertify a certified political party, citizens' initiative or coalition if it fails to submit to the Office a candidate list by the deadline set by the CEC.

Article 26
Review of Candidate lists

26.1 No later than five (5) working days after the deadline for submission, the Office shall make a written recommendation to the CEC either for or against the certification of each candidate list it receives.

26.2 The Office shall review all candidate lists and, if it determines that a Political Entity has complied with requirements of Chapter III and IV of this Law, then it shall recommend that the CEC certify the candidate list within 10 days of receiving the list.

26.3 If the Office determines that a candidate list does not comply with the preceding provision, then it shall notify the relevant Political Entity to rectify its candidate list within five (5) working days, giving the reason(s) why its list needs to be amended.

26.4 A Political Entity that receives a notice under paragraph 3 of this Article has three (3) working days to submit a revised application, or an explanation that addresses the concerns identified in the notice, or both.

26.5 The Office shall make a written recommendation to the CEC either for or against the certification of a candidate list within ten (10) working days of sending a notice under Article 26.3.

26.6 Any Political Entity appeal to the ECAC of a CEC decision refusing to certify its candidate list shall be within five (5) working days of that Political Entity being notified of the decision.

Article 27
Gender Requirement

27.1 In each Political Entity's candidate list, at least thirty (30%) percent shall be male and at least thirty (30%) percent shall be female, with one candidate from each gender included at least once in each group of three candidates, counting from the first candidate in the list.

27.2 This article has no application to lists consisting of one or two candidates.

Article 28
Withdrawal or Replacement of Candidates and Political Entities

28.1 A Political Entity that has been certified may withdraw from an election by providing the CEC with written notice clearly indicating its intention to withdraw no later than two (2) working days before the date set for the ballot lottery under Article 24.1 of this Law.

28.2 If the ECAC removes a candidate from a candidate list because it determines that the candidate did not give his or her consent to stand as a candidate, the Political Entity may not replace that candidate on its candidate list, but shall ensure that the list remains in compliance with Article 27 of this Law.

28.3 Without prejudice to the provisions of paragraph 2 of this Article, a certified political party, citizens' initiative or coalition may within four (4) days after removal of a candidate replace him or her if that candidate also appears on the candidate list of another political party, citizens' initiative or coalition and has indicated a clear intention in writing to remain on the list of the other political entity.

28.4 If a candidate dies prior to the election, a certified political party, citizens' initiative or coalition may replace the deceased candidate by a date established by the CEC.

28.5 All requests to withdraw a certified candidate from the election shall be submitted to the CEC.

Article 29
Candidate Eligibility

29.1 Any person whose name appears on the Voters List is eligible to be certified as a candidate, except if he or she is:

a) judge or prosecutor in Kosovo or elsewhere;

b) member of the Kosovo Security Force;

c) member of the Kosovo Police;

d) member of the Customs Service of Kosovo;

e) member of the Kosovo Intelligence Agency;

f) head of an independent agency;

g) diplomatic representative;

h) chairperson or a member of the CEC;

i) member of the ECAC;

j) member of a Municipal Election Commission;

k) member of the armed forces of any state;

l) member of any police force or similar body;

m) serving a sentence imposed by the International Tribunal for the Former Yugoslavia;

n) under indictment by the Tribunal and has failed to comply with an order to appear before the Tribunal;

o) deprived of legal capacity by a final court decision;

p) deprived by a final court decision, including an ECAC decision, of the right to stand as a candidate;

q) found guilty of a criminal offence by a final court decision in the past three (3) years;
r) has failed to pay a fine imposed by the ECAC or the CEC; or
has failed to obey an order of the ECAC,

29.2 The number of the names of the candidates submitted may not be more than ten percent (10%) more than the maximum number of seats to be allocated.

29.3 If more than the maximum number of candidates is submitted, the CEC shall reduce the candidate list to bring it into compliance with the provisions of this article.

29.4 If a candidate who has been certified by the CEC has or acquires a status that would render him or her ineligible to be a candidate by reference to the provisions of paragraph 1 of this Article, that person shall be decertified by the CEC and removed from the candidates list of the relevant Political Entity.
29.5 No person who is a member of another elected legislative body may take a seat in the Kosovo Assembly. An Assembly member who is or becomes a member of another

elected legislative body after taking up his or her seat in the Assembly shall forfeit his or her mandate in the Assembly.

29.6 A public employee contesting a seat in the Assembly must take a leave of absence effective of the date of the beginning of the campaign period.

29.7 The CEC shall publish the certified lists of candidates within five (5) days of the certification and any amendments thereto within five (5) additional days.

29.8 A candidate may not at the same time stand for office on more than one candidate list of a political party, coalition, citizens' initiative, or run as an independent candidate.

29.9 The intentional provision of false information pertaining to articles 29.1 or 29.5 shall be a separate offence punishable in accordance with the rules of ECAC.

Article 30
Protection and Verification of Candidate Data

30.1 The CEC Secretariat shall keep confidential all candidate information submitted to the CEC in compliance with this law and CEC rules, until after the candidate is certified by the CEC, except that the CEC Secretariat shall provide all law enforcement agencies with any information that those organizations require for the purpose of election security.

30.2 Once a candidate is certified, the CEC may disclose that person's personal data only as permitted under the applicable law.

30.3 If a candidate is not certified by the CEC, the CEC Secretariat shall not disclose any of the candidate's personal data.

CHAPTER V

THE CODE OF CONDUCT FOR POLITICAL ENTITIES, THEIR SUPPORTERS AND CANDIDATES

Article 31
Purpose of the Code of Conduct

The Code of Conduct for Political Entities and their supporters and candidates has the purpose of establishing conditions under which the people of Kosovo may choose their representatives in free, fair and well-informed elections within a climate of democratic tolerance, peace, and respect for the rule of law.

Article 32
The Responsibilities of Political Entities, their Supporters and Candidates

32.1 This Code is binding on all Political Entities, candidates, members of Entities, and their supporters.

32.2 The ECAC shall have jurisdiction to adjudicate allegations that the provisions of the Code have been breached and impose sanctions and remedies in accordance with its procedures.

32.3 Political Entities shall effectively inform their members, supporters and candidates of the provisions of the Code.

32.4 Political Entities shall make all reasonable efforts to prevent their members, supporters and candidates from violating the Code.

32.5 Political Entities shall be responsible for violations of the Code committed by their members, supporters and candidates.

32.6 A Political Entity may submit evidence to the ECAC showing that it made reasonable efforts to prevent and/or discourage its members, supporters and candidates from violating the Code. Such evidence may be considered in determining an appropriate sanction, and may include evidence that:

a) the Political Entity has informed its members, supporters, and candidates of the provisions of the Code and the need to comply with its provisions;

b) the Political Entity and its candidates have spoken out publicly in the condemnation of violence, threats of violence, or intimidation during the electoral process;

c) the Political Entity has publicly and actively reprimanded its members, supporters, and candidates for any violations of applicable laws pertaining to elections;

d) the Political Entity has not encouraged, incited, or abetted its members, supporters, and candidates to violate the Electoral Rules in the particular case or in any other cases; and

e) any other evidence regarding the Political Entity's efforts to prevent its members, supporters, and candidates from violating the Electoral Rules.

32.7 Each candidate shall sign a statement confirming that he or she will comply with all applicable legislation and support the full implementation of the certified election results.

Article 33
Prohibited Actions by Political Entities

During the campaigning period a Political Entity, its supporters or candidates shall be prohibited from doing any of the following:

a) removing, covering, destroying, or altering any printed notice, placard, poster or other material, which is used for the purpose of election campaigning by another Political Entity;

b) displaying notices, placards and posters, or otherwise placing their names or slogans related to the election campaign, in or on public buildings or structures, on or above public roads, on public road traffic signs, in or on premises or structures occupied or otherwise used by international organizations, or in private premises without permission of the owners or users;

c) carrying or displaying weapons of any kind at political meetings or during any events related to the activities of Political Entities. The carrying of weapons by other persons at political meetings/events is permitted only if the persons carrying such weapons have been authorized to do so by the appropriate authorities and the Kosovo Police have been notified in advance that such weapons will be carried at given meetings;

d) disturbing meetings of other Political Entities or inciting others to do so;

e) preventing or attempting to prevent journalists from carrying out their professional functions;

f) promising any financial reward for the purpose of gaining support of voters;

g) threatening, or attempting to threaten, other Political Entities or their supporters or candidates;

h) encouraging any person to register to vote in an election who has no legal right to register;

i) encouraging any person to vote in an election who has no legal right to vote;

j) encouraging a person to vote more than once in the same election, or to vote in the name of another person;

k) abusing the right to complain, or making false, frivolous or vexatious complaints or submissions to the ECAC;

l) using language, in oral or written form, which incites or provokes, or is likely to incite or provoke, another person to commit an act of violence against other persons or property, or which incites or is likely to incite hatred towards others, or publishing or using pictures, symbols or any other material that has or is likely to have such effects; or

m) for the purpose of promoting a Political Entity or its candidates using pictures, symbols or any other material which refers to a person who:
(i) is serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia; or
(ii) is under indictment by the Tribunal and has failed to comply with an order to appear before the Tribunal.

Article 34
Intimidation and Violence During the Electoral Process

34.1 The use or threat of use of violence of any kind by Political Entities, their members, supporters or candidates, is strictly prohibited.

34.2 No Political Entities or candidates shall encourage, support or approve of violence, threats of violence or intimidation, during the electoral process. Each Political entity shall inform its members and supporters of the need to avoid such behavior.

34.3 Election campaigns shall be organized in such manner that a congenial and peaceful atmosphere prevails during the campaign period.

Article 35
Prohibited Actions by Public Employees

35.1 A person who holds a public office, elected or appointed, may not use such office or any of its resources for the purpose of obtaining votes. No resource of any institution of the public administration at a central or local level or any enterprise owned or controlled by central or local authorities can be used or applied in support of a political entity in an election.

35.2 No political entity shall, during the course of an electoral campaign period, encourage or take advantage of a public employee using his or her public position to campaign for a political entity.

Article 36
Prohibited Actions Prior to Polling

36.1 During the twenty-four (24) hour period prior to the opening of Polling Stations for the casting of the vote, and until their closing, political entities, their supporters or candidates, are prohibited from doing any of the following:

a) distributing or otherwise displaying at any Polling Stations, or within an area of 100 meters thereof, any kind of materials for the purpose of influencing voters;

b) campaigning in any manner.

Article 37
Acceptance of Election Results

All political entities, their supporters and candidates, are obliged to abide by the results of the elections and to support the full implementation of the certified election results.

Article 38
Sanctions for Violations of the Principles of the Code

38.1 The violation of any one of the articles of the Code of Conduct set forth in this Chapter, in cases when these violations have not affected the election result, is an administrative offence and is punishable with a fine as determined by ECAC.

38.2 The amount of the fine is determined on basis of Article 146.

38.3 The violations of the Code of Conduct determined by ECAC that have attempted to affect the elections results constitute a criminal offence pursuant to the Criminal Code of Kosovo.

CHAPTER VI

CAMPAIGN SPENDING LIMIT AND FINANCIAL DISCLOSURE

Article 39
Campaign Spending Limit and Contributions

39.1 No certified political entity shall have campaign expenditures exceeding an amount to be established by a CEC rule no later than five (5) days following the announcement of Election Day.

39.2 The CEC shall determine the maximum campaign expenditures based on the total number of voters registered in the voters list at the time of the last update of the voters list available to the CEC.

39.3 Maximum campaign expenditures shall apply to any goods and services purchased for campaign purposes regardless of the time of purchase or provision of service.

39.4 A Political Entity shall not accept a Contribution, except as regulated under the applicable legislation.

Article 40
Financial Disclosure Requirements

40.1 Each Political Entity certified to participate in the election shall submit a Campaign Financial Disclosure Report for the Entity, including all of its branches and all its constituent parts, and ending with the day of the election. Campaign Financial Disclosure Reports for the Entity shall be submitted no later than forty-five (45) calendar days after the day of the election.

40.2 Each Campaign Financial Disclosure Report of every political entity including all of their branches and constituent parts shall include complete and accurate disclosure of:

a) the Income of the Political Entity during the reporting period, including the source and date of all cash Contributions;

b) all Expenditures, including Campaign Expenditures, made by the Entity during the reporting period; and

c) a balance sheet showing the Assets, Liabilities and Equity of the Entity as of the first and last day of the reporting period.

40.3 Political entities shall provide the Office with copies of receipts for each administrative fee paid.

40.4 The Office shall report to the CEC on all administrative fees collected and remitted hereunder to the Kosovo Consolidated Budget.

40.5 If a Political Entity fails to submit a Campaign Financial Disclosure Form by the deadline, or if it submits an incomplete or inaccurate report, the Office may file a complaint with the ECAC in accordance with the procedures of that body.

40.6 Each Political Entity certified to participate in an election shall keep and maintain for a period of seven (7) years accurate and detailed records of the financial situation of the Entity and all of its branches during the period covered by the Campaign Financial Disclosure Reports, including:

a) accounting books that record, in accordance with generally accepted accounting principles:
(i) all Income by source, amount, identifying the manner in which the Payment was made (i.e. cash, cheque, bank draft, etc.); and
(ii) all Payments made by the Entity to another person, the purpose of the Payment and the manner in which the Payment was made;

b) receipts for all Expenditures in excess of one hundred euro (€100);

c) bank records for all accounts held by or on behalf of the Political Entity;

d) documents establishing the legal basis for ownership or occupation of all real property occupied by the Political Entity;

e) contracts to which the Entity is a party, including contracts relating to the lease or purchase of movable or immovable property;

f) a record of all Contributions to the Entity, regardless of when they were made, including:
(i) the value of each Contribution;
(ii) the date on which each Contribution was made;
(iii) the full name, address and Civil Registration, passport or driver's license number of each contributor; and
(iv) the full name of the person who received the Contribution on behalf of the Entity.

40.7 Each Financial Officer shall attend a training session in accounting and auditing arranged by the Office as soon as possible after his or her appointment unless he or she can establish to the satisfaction of the Office that he or she possesses sufficient expertise and experience that such training is not necessary.

Article 41
Auditing

41.1 For the purposes of this article, "the Campaign Auditor" shall mean any organization specifically tasked by the Office to audit campaign spending.

41.2 The Office shall audit any Campaign Finance Disclosure Report or Candidate Financial Disclosure Form.

41.3 The use of an external auditor as a campaign auditor is subject to decisions of the CEC.

41.4 Each Political Entity shall cooperate fully with the Campaign Auditor and shall provide the auditors with full and unfettered access to the financial records of the Entity, including without limitation all of the records referred to paragraph 3 of this Article.

41.5 The Campaign Auditor shall present the preliminary results of an audit, including a list of any apparent errors or omissions, to the highest executive body of the Political Entity within forty-five (45) days of commencing the audit, and no later than four months.

41.6 A Political Entity may, within fifteen (15) working days of its receipt of the preliminary results of an audit, submit a revised financial report and an explanation that addresses any apparent errors or omissions identified by the Campaign Auditor.

41.7 The Campaign Auditor shall submit a final audit report to the CEC and the highest executive body of the Political Entity no later than fifteen (15) working days after delivering the preliminary results of the audit under Article 46.5 of this Law. The final report shall identify any errors or omissions in the financial report, taking into account any explanation and revision submitted under aparagraph 5 of this Article.
41.8 No provisions of this Law shall prevent the General Auditor of Kosovo or any other relevant institutions from conducting auditing for spending by political entities at any time, including campaign spending.

Article 42
Sanctions

42.1 The CEC may charge administrative fees in accordance with rules, against Political Entities that submit Campaign Financial Disclosure Reports after the applicable deadlines. The CEC shall remit any administrative fees that it collects here under to the Kosovo Consolidated Budget.

42.2 The imposition of a fine or other sanction by the CEC does not prejudge any criminal sanction that may apply.

42.3 A Political Entity may appeal a decision of the CEC imposing a fine under this article to the court of first instance within five (5) working days of being notified of the decision.

42.4 The court of first instance shall not impose a sanction in respect of a matter that is subject to an administrative fee under paragraph 1 of this Article.

42.5 Political entities shall submit to the Office a copy of the payment slip for the administrative tariff that they have paid.

Article 43
Public Information

43.1 The CEC, acting through the Office, shall establish and maintain a Public Information File containing current copies of the following:

a) a Register of Donors indicating:
(i) the full name and Civil Registration, passport or drivers license number of each person who has made Contributions to a Political Entity, the combined value of which have exceeded one hundred euro (€100) in any calendar year;
(ii) the identity of the recipient Political Entities;
(iii) the value of the Contributions; and
(iv) the dates on which the Contributions were made;

b) copies of all Campaign Financial Disclosure Reports submitted to the Office;

c) copies of all Candidate Financial Disclosure Forms for certified candidates submitted to the Office; and

d) copies of any final reports relating to audits performed by the Office.
43.2 The Office shall make the contents of the Public Information File available for viewing by members of the public in a central location to be established by the Office

during regular business hours, at the CEC web-site and at such other locations and times as the CEC may direct.

CHAPTER VII

CAMPAIGNING AND NOTIFICATION OF POLITICAL EVENTS

Article 44
General Provisions

44.1 During the election campaign period, Political Entities shall, subject to the conditions specified in the Code of Conduct above, have the right to:

(a) organize and hold public meetings/events, roundtables, press conferences, speeches, or any other similar activities, at which they can freely express their opinions in order to gain support from voters;

(b) publish and distribute placards, posters and other material related to an election campaign; and

(c) campaign through any television, radio or cable operator, as well as via journals, newspapers, phone network, postage system or any other means of advertisement, in accordance with CEC rules and other applicable laws.

44.2 Disputes regarding holding of a political event in public places may be considered and resolved by ECAC.
Police reports regarding disturbances at the political event shall be made available to ECAC and CEC.

Article 45
Armed Close Protection Staff at Political Events

Armed close protection unit members authorized by the responsible law enforcement authority to carry weapons who are on duty at any event shall identify themselves beforehand and upon request to any KPS Officer present. All arms carried shall be concealed.

Article 46
Sanctions

Apart from individual responsibility for violations of any provisions of this Chapter punishable by the Criminal Code of Kosovo, violations may also be referred to the Elections Complaint and Appeals Court (ECAC). The ECAC may impose a sanction on the Political Entity found to be in violation of the provisions of this Chapter.

CHAPTER VIII

MEDIA DURING THE ELECTORAL CAMPAIGN

Article 47
General Provisions

47.1 The Code of Conduct for Broadcast Media and the Code of Conduct (CoC) for Print Media as issued by the Independent Media Commission, shall be applicable to all aspectsof campaign coverage and advertising. This Code of Conduct shall be applicable for all journalists, editors, broadcast managers and publishers.

47.2 All broadcast public media shall air voter education material free of charge as requested and provided by the CEC.
47.3 Journalists, editors, broadcast managers, publishers and media owners standing as candidates to be elected in a public office, shall not contribute to or otherwise influence the content of their respective media.

47.4 All media shall accept paid advertising in the language(s) in which they normally broadcast or publish.

47.5 The publication or broadcast coverage of opinion polls and surveys during the campaign period and relating to the elections shall be accompanied by the total number of respondents, the name of the implementing company, the name of the party responsible for it, and the margin of error.

Article 48
Equitable and Fair Treatment by the Media during the Electoral Campaign

All media shall ensure that all certified political entities receive fair and equitable coverage during the electoral campaign, and all broadcast media shall ensure fair and equitable access to political discussion shows and debates for all certified political entities.

Article 49
General Rules for Political Advertising on Radio and Television

49.1 Political advertising spots shall be no longer than 2 minutes (120 seconds).

49.2 Broadcasters which choose to air paid political advertising are required to offer a minimum number of minutes of free airtime to each certified political entity during the campaign period as following:

a) 20 minutes for private Kosovo-wide television broadcasters;

b) 40 minutes for the Public Service Television Broadcaster;

c) 15 minutes for private Kosovo-wide radio stations;

d) 30 minutes for each of the two Public Service Radio channels;

e) 15 minutes for all other television stations;

f) 10 minutes for all other radio stations.

49.3 This free airtime may be provided, at the discretion of individual broadcasters, in the form of participation in debates, discussion shows, interviews outside regularly scheduled news programs, or as free political advertising spots.

49.4 Coverage in regularly scheduled news programs shall not be counted as free airtime.

49.5 No political advertising spots shall air within news programs. For this Article, news programs are defined to include sports and weather components of news broadcasts.

49.6 Broadcasters shall ensure that every political advertising spot is clearly identified as such and shall clearly indicate the organization or individual responsible for it.

49.7 Broadcasters are required to keep separate daily logs, provided by the IMC, of free access provided and advertising time sold to each certified political entity. These logs are to be prepared and submitted weekly to the IMC in accordance with the instructions provided. These logs shall be open for public inspection upon receipt.

49.8 Broadcasters which choose to air paid political advertising shall offer one week prior to the start of the campaign period an unbiased and equitable schedule of free air time, for political advertising spots, in writing to all certified political entities.

49.9 Broadcasters shall not be penalized if a certified political entity fails to use time offered on equitable terms.

49.10 The total time of aired free political advertising spots on one broadcaster shall have a maximum of 20 minutes per certified political entity.

49.11 Broadcasters which choose to air paid political advertising but fail to offer the minimum required free air time to certified political entities over the course of the campaign period shall be considered in violation of this Law.

49.12 Private broadcasters which choose not to air paid political advertising time to any certified political entity are not required to offer the minimum free airtime as specified in paragraph 2 of this Article.

49.13 Private broadcasters which choose not to air paid political advertising but do offer free airtime to any certified political entity shall provide similar free airtime to all certified political entities.

49.14 The price per second charged for paid political advertising spots shall be no higher than the lowest rate charged for that time and day of the week in the past six (6) months.

Article 50
Paid Political Advertising in the Print Media

50.1 Print media shall provide equitable access to all certified political entities that request advertising space.

50.2 A print medium shall apply the same rate without discrimination to all certified political entities.

50.3 Each paid political advertisement shall clearly indicate the organization or individual responsible for it.

50.4 Free advertising space provided to a certified political entity shall be clearly identified as such. Similar free space shall be promptly provided to all other certified entities that request it.

51.5 Print media shall charge advertising rates to certified political entities that are no higher than the lowest officially listed and published advertising rates offered to all other advertisers for similar space and lineage which are in use thirty (30) days prior to the campaign period.

Article 51
Regulating Regime and Complaints Procedure

51.1 All complaints regarding violations of this Chapter by political entities shall be directed to the ECAC, whereas violations by media outlets shall be referred to the Independent Media Commission (IMC) in accordance with provisions of the Law on the Independent Media Commission.

51.2 All complaints that allege violations of this Chapter by the media shall be forwarded by the ECAC to the IMC for review and adjudication.

51.3 A violation of the duties and responsibilities of the media, as stated in this Chapter, may result in sanctions by the IMC.

51.4 The ECAC shall have authority to impose sanctions on certified political entities in respect of violations of this Chapter in accordance with the provisions of Chapter XX. Other violations of this Chapter shall be referred to ECAC.

Article 52
Prohibition of Media Coverage

52.1 No person or media outlet shall broadcast or publish any material pertaining to campaign activity during the period commencing twenty-four (24) hours prior to the opening of the polling stations until the official close of the polling stations.

52.2 No publication or broadcast of opinion poll and survey results relating to the election campaign, including exit polls, shall take place in Kosovo during the period commencing 24 hours prior to the official close of the polling stations and until the official closing of the polling process.

Article 53
Maintenance of Media Coverage Log

The Independent Media Commission shall make sure that media maintain a log to record the air-time, and other media exposure, for paid and non-paid advertising, of the campaign activities of each political entity. The log needs to measure all relevant indicators of exposure, separately for each Political Entity, in the manner set forth by IMC rules.

CHAPTER IX
ELECTION OBSERVERS

Article 54
General Provisions

54.1 Certified Political Entities, NGOs and governmental and inter-governmental organizations as well as international organizations specialized and engaged in elections or the protection of human rights, and representatives of foreign countries have the right to request the accreditation of observers to the elections.

54.2 A person may not be a local observer if he or she is not eligible to vote in the elections.

54.3 Requests for accreditation by an organization may be submitted to the CEC at any time prior to the 25th day before the Election Day.

54.4 Requests for accreditation for observing the Election Day only may be submitted by an organization at any time prior to the 20th day before the Election Day.

54.5 Accreditation of individuals to observe elections on behalf of on an organization shall be submitted to the CEC no later than 30 days before the Election Day.

54.6 The CEC approves or refuses the requests no later than ten (10) days after their submission.

54.7 Any person or organization who has applied for certification as an electoral process observer who has been denied accreditation by the CEC may submit an appeal to ECAC to review that decision in accordance with the procedures of the ECAC.

54.8 The CEC may remove the accreditation of an electoral process observer who has violated applicable Laws, Rules, Administrative Directions, Electoral Rules or Administrative Procedures concerning the electoral process.

Article 55
Qualifications of Observers

55.1 All accredited observers, except those appointed by an inter-governmental organization, foreign government, or NGO not registered in Kosovo, shall be persons who are registered to vote in the elections.

55.2 No person may serve as an accredited observer if he or she is:

a) a candidate for elected office in Kosovo; or

b) a member of a police, military or intelligence unit of Kosovo or any other state.

55.3 An accredited observer organization shall record the full name, address, and telephone contact number of each of its observers and shall make such information available immediately upon request to the CEC or the ECAC.

55.4 The responsibility to report any of the incompatibilities described above rests with each nominated observer and the organization that submits the request for accreditation to observe the electoral process. If it is found out that an observer holds any of the positions set out in paragraph 2 of this Article, the CEC shall withdraw the accreditation of the observer.

Article 56
Rights and Duties of Observers

56.1 An observer has the right to:

a) observe without hindrance the preparation and conduct of elections, including post-election day meetings, hearings and activities related to the elections, complaints and appeals over election results, and determination of the winning candidates;

b) submit written comments to election commissions and polling station committees;

c) observe the packaging, transfer, delivery, handling, counting, safekeeping, and destruction of ballots;

d) obtain copies of decisions, protocols, tabulations, minutes, and other electoral documents during the entirety of the election processes, including processes before and after election day.

56.2 During the electoral process, including the voter registration process, an accredited observer may submit a complaint of any violation of applicable Rules, Administrative Directions, Electoral Rules, or Administrative Procedure to the CEC in accordance with its procedures.

56.3 An observer has the duty to:

a) respect the requirements of this law and the rules of the CEC;

b) to wear the observer's identity badge where it can be easily seen when the observer is engaged in observation activities;

c) refrain from wearing distinctive signs that serve as means of propaganda or that might influence the voters' will or identify them with a particular political entity or a candidate; and

d) refrain from violating the right of the voter to a secret ballot and from hampering the process of voting and the administration of the election.

56.4 An accredited observer organization may send one observer to CEC and MEC meetings.

Article 57
Impartiality and Neutrality

57.1 Election observers shall be impartial and politically neutral while observing the electoral process.

57.2 Election observers shall not interfere in any way with the conduct of the election and shall respect the secrecy of the ballot.

57.3 The number of observers from a single observer organization that may be present at the same time in a polling station, counting centre, voter information centre may not exceed two (2).

57.4 Accredited observers shall, while observing the electoral process, visibly display accreditation badges and carry such documentation as the CEC may require by Electoral Rule.

Article 58
Accreditation of Observer Organizations

The CEC shall establish rules for observers organizations and observers.

CHAPTER X

THE CEC

Article 59
The CEC

59.1 The Central Election Commission (hereinafter "the CEC") as established pursuant to article 139 of the Constitution, shall be a permanent and independent body within the meaning of this Law.

59.2 The CEC of Kosovo ensures preparation and conduct of elections in accordance with the principles and requirements of this law.

59.3 In carrying out its mandate the CEC, shall, inter alia:

a) undertake voter education activities designed to increase voter awareness of and participation in elections;
b) undertake projects or research in relation to electoral system and related matters;

c) establish appropriate procedures and undertake activities to ensure that all persons with disabilities are able to exercise their right to vote and participate fully in electoral processes in Kosovo; and

d) perform any other functions ancillary to the holding of elections in Kosovo assigned to it by relevant Rules and subsidiary instruments there under, including actions necessary to protect the integrity of elections process in the face of force major.

59.4 The headquarters of the CEC is in the capital of Kosovo, Prishtinë/Priština.

59.5 The Commission may enter into technical arrangements and understandings that are required for the fulfillment of its functions and responsibilities.

59.6 The CEC shall establish and maintain a separate bank account in the name of the CEC, which shall be used solely for the collection and refunding of deposits as required in this law.

59.7 The CEC shall consider all personal data of candidates and voters collected for election purposes as confidential, except as provided in this law, and shall take all measures to protect such data, except when expressly required by law enforcement agencies.

Article 60
Composition of the Commission and Remuneration

The CEC shall consist of 11 members in accordance with the Constitution.

Article 61
Mandate and Appointment of CEC Members

61.1 The Chair of the CEC shall be appointed in accordance with article 139(3) of the Constitution of Kosovo.

61.2 The mandate of the Chair of the CEC shall be seven (7) years commencing on the day stipulated in the notification of appointment by the President of Kosovo.

61.3 Appointment of CEC members as provided in article 139(4) of the Constitution of Kosovo shall be done by the following procedures:

a) within 10 days of the coming into force of this law parliamentary groups entitled to appoint a member(s) to the CEC shall notify the President of Kosovo of their appointment. Provided that the individual appointed by the parliamentary group conforms to the requirements of this law, the President of Kosovo shall, within five (5) days confirm the appointment in writing. The appointment shall be effective on the day stipulated in the official appointment by the President of Kosovo.

b) the Chairman of the CEC shall serve for not more than 2 consecutive mandates.

c) the Members of the CEC shall serve for not more than 3 consecutive mandates.

d) the termination of a mandate shall be on the last calendar day of the same month of the commencement of the mandate.

e) notwithstanding point (d) of this paragraph mandate that expires 90 or fewer days before an election or up to 90 days following the certification of the results of an election

shall be automatically extended to 90 days after the certification of the results of an election.

61.4 The mandate of the members of the CEC shall begin no later than sixty (60) days after the certifications of the Assembly elections results.

61.5. The mandate of the Chair or any member of the CEC may be terminated with resignation or terminated with immediate effect by the President of Kosovo in the following circumstances:

a) the member fails to meet the conditions and criteria of this law.

b) the members fails to attend without any reasonable motive three consecutive meetings of the CEC and the termination of the mandate is approved by 2/3 of the majority vote of the CEC;

c) the member is convicted of a criminal offence;

d) The member behaves or acts in a manner that seriously affects the status and integrity of the CEC;

e) The member is unable to perform his or her duties for more than six consecutive months.

61.6 In the case where a mandate is terminated by the President of Kosovo, the new appointment shall be made in accordance with this article. The new appointment of a replacement shall be in accordance with the procedures in this article and the new member shall only serve for the remainder of the mandate of the member replaced, but shall be subject to reappointment in accordance with this article.

61.7 A member of the CEC must have work experience of no less than 5 years and a university degree in law, public administration, political science, human rights, mathematics, election administration, in social sciences, public relations, or statistics.

61.8 A person shall not be eligible to be a Member of the CEC if he or she is:

a) a member of the Assembly of Kosovo;

b) a member of a Municipal Assembly in Kosovo;

c) a candidate for elected public office in Kosovo;

d) a member of a publicly elected representative assembly outside of Kosovo;

e) a holder of a senior public or high political party office;

f) a member of a public electoral commission within or outside of Kosovo;

g) a member of the Kosovo Protection Corps;

h) a member of any police force or body of like kind;

i) a person not eligible to vote in Kosovo;

j) a person serving a sentence imposed by the International Criminal Tribunal for the Former Yugoslavia or under indictment by the Tribunal and has failed to comply with an order to appear before the Tribunal; or

k) a member of a non-governmental organization monitoring the elections;

l) have been convicted of a crime by a final court decision;

m) have been a member of an intelligence or security service in Kosovo or abroad in the last 5 years; and

n) have been dismissed from the public administration for a violation of the law.

61.9 If a parliamentary group or community fails to appoint a person to be a Member of the CEC within 21 days of being requested to do so, the President shall at his discretion select and appoint an eligible person to fill the vacant position from the category as described in the Constitution.

61.10 If the President considers that an appointee is not suitable to serve as a Member of the CEC under this Law, he shall hold consultations with and request the appointing organization concerned to appoint a new candidate. If the appointing organization in question fails to appoint an eligible person to be a Member of the CEC within 14 days of such request, the President shall at his discretion select and appoint an eligible person to fill the vacant position.

Article 62
Oath of Declaration and Appointment

62.1 The President shall issue a letter of appointment to each Member of the CEC who shall personally appear before the President or his designated representative on a date notified by the President and make the following Declaration in the language of his or her choice: “I solemnly declare that I shall discharge the duties of my office as Member of the CEC honorably, faithfully, impartially, diligently and conscientiously.”

62.2 If a person appointed to be a Member of the CEC fails, without good cause shown, to make the Declaration pursuant to article 67.1, the President shall request the appointing organization to appoint a different person. If the authority fails to appoint an eligible person to be a member of the CEC within 14 days of such request, the President shall at his discretion select and appoint an eligible person to fill the vacant position.

Article 63
Decision-making

63.1 CEC meetings are called by the chairman or by at least four (4) members. The notice for a meeting shall also include the agenda of the meeting.

63.2 During the Campaign period and until the declaration of the final results, the CEC remains in session according to a pre-determined and published time-table.

63.3 Meetings of the CEC are valid when attended by no fewer than seven (7) CEC Members.

63.4 On Electoral Rules, the registration of political parties and certification of political entities, the declaration of election results, as well as decisions related to complaints regarding the declaration of results, the CEC shall aim to decide by consensus; when it is not possible to reach consensus with 2/3 of the votes. Every other decision is taken by a simple majority of votes.

64.5 Meetings are chaired by the chairman of the CEC.

63.6 A decision of the Commission is not subject to appeal, except as may be expressly provided for in this law.

63.7 The CEC shall establish rules of procedure consistent with this Law.

63.8 A Member shall not participate in the making of a decision by the CEC on a matter in which he or she or his or her family member has an interest of a personal or financial nature, which may call into question the ability of the Member to act impartially.

63.9 Meetings of the CEC are open to the public, except when issues related to personnel of the CEC or CECS are discussed.

63.10 The CEC shall prepare an annual report to the Assembly of Kosovo, to be provided in the month of April. The report shall contain information about activities of the CEC and recommendations that the CEC deems appropriate to be dealt by the Assembly.

63.11 All decisions of the CEC shall be public documents.

Article 64
Responsibilities and Functions of the CEC

64.1 The CEC shall be responsible for the implementation of this law.
64.2 The CEC shall:

a) prepare and issue rules, forms and procedures relating to the implementation of this law and any other matter pertaining to the conduct of elections within its competence;

b) publish all approved rules, forms and procedures and make them readily accessible to the public;

c) establish and maintain the list of persons eligible to vote in a particular election;

d) maintain an Office for Registration of Political Parties and Certification of Political Entities as provided in this law;

e) design and approve ballot papers and other electoral materials;

f) accredit official election observers;

g) certify the voters list in relation to an election;

h) certify the results of elections

i) publish the results of elections;

j) establish municipal election commissions and polling station committees and regulate their operation;

k) appoint ballot counting teams for any polling station committees as circumstances may warrant.

Article 65
Secretariat of the CEC

65.1 The Commission shall be assisted in the discharge of its responsibilities and functions by a Secretariat (hereinafter the "CEC Secretariat") which shall operate in accordance with this Law.

65.2 The Office shall function as part of the CEC Secretariat. The CEC Secretariat shall implement the decisions of the CEC, prepare reports, recommendations for CEC decisions and shall provide administrative and other necessary support to the CEC. The Secretariat shall also assist the CEC in the implementation of functions and responsibilities assigned to it in accordance with this Law, and subsidiary instruments there under.

65.3 The Secretariat may, with the approval of the CEC, conclude agreements with third parties on behalf of the CEC pursuant to procedures established by the CEC.

Article 66
Management of the CEC Secretariat

66.1 The Secretariat shall be managed by the Chief Executive Officer (hereinafter: "CEO"), and a Deputy Chief Executive Officer (hereinafter: "Deputy CEO") who shall both be appointed by the CEC. The CEO shall be directly accountable to the CEC.

66.2 The terms of appointment of the CEO, Deputy CEO and the Executive Director of the Office shall be in accordance with the Civil Service Law and may be extended. The CEC may remove the CEO, Deputy CEO or the Executive Director of the Office at any time in accordance with applicable procedures.

66.3 No person may serve as CEO, Deputy CEO of the Secretariat or the Executive Director of the Office if he or she:

a) holds or seeks public office;

b) holds any official post or executive position in a political party; or

c) has been criminally convicted.

66.4 Either the Chief Executive Officer or the Deputy Chief Executive Officer of the CEC Secretariat shall attend every meeting of the CEC.

66.5 The CEO shall be responsible for:

a) under direction of the Chair, organizing the agenda for CEC meeting and ensuring all required material is available prior to each meeting;

b) reporting to the CEC on any matter pertaining to the duties of the CECS, with the exception of the Executive Director of the Office;

c) the overall administration and management of the Secretariat and ensuring that the functions entrusted to it are implemented;

d) providing proper guidance to the Secretariat and accurate, impartial and expert advice to the CEC;

e) organizing the Secretariat and issuing administrative procedures on any matters pertaining to its functions;

f) the effective and efficient management of human and financial resources provided to the Secretariat; and

g) implementing non-discriminatory personnel policies within the Secretariat, including equitable gender representation, in all areas and levels and ensuring that the composition of the Secretariat staff reflects the multi-ethnic character of Kosovo.

66.6 The CEO shall designate a financial authorizing officer for the Secretariat and shall ensure compliance with such decisions, administrative instructions and financial rules as may be issued in this regard by the Ministry of Finance and Economy, or other appropriate authorities.

66.7 Staff of the Secretariat shall be selected and employed by the CEO of the CECS in accordance with the procedures established by the Government of Kosovo.

66.8 The CEC shall have an annual appropriation from the Kosovo Consolidated Budget to cover the expenses for the proper function of the Secretariat, based on a budget proposal submitted by the CEC. The CEC shall prepare a separate budget request to the Government of Kosovo each election year.

66.9 The members of the election commissions and employees of the public administration in the service of these commissions are subject to criminal and

administrative liability in accordance with the legislation in force for violations of the provisions of this Code.

CHAPTER XI

MUNICIPAL ELECTION COMMISSIONS

Article 67
Composition of MECs and Qualifications of the Members

67.1 Municipal Election Commission (MEC) shall generally have seven (7) members; this number may increase if number of Political Entities qualified as part of Committee is bigger.
Each Municipal Election Commission shall be composed of:
a) a MEC Executive Officer (MEO) employed by the CEC and that shall be the Chair of the MEC; and

(b) one member appointed by Political Entities that have passed election threshold in national elections, it they are subject of election threshold;

67.2 Members of an MEC shall be eligible to vote in the municipality and be persons with high professional and ethical standing with administrative or electoral experience and knowledge sufficient to efficiently perform the work of the MEC.

67.3 The CEC shall endeavor to ensure that all ethnic communities with significant numbers in respective municipalities are fairly represented in the membership of MECs.

67.4 The CEC shall appoint the MEC within 15 days of the announcement of the election. Appointment shall terminate 15 days after the certification of the elections results, unless the term of MECs is terminated prior to the completion or extended.

67.5 No person may be appointed to serve as a member of a MEC, or may continue to serve once appointed, if he or she:

(a) is seeking or holds elected public office;

(b) holds appointed public office;

(c) is not eligible to stand as a candidate in elections;

(d) holds any office or appointed position within or on behalf of a certified Political Entity;

(e) has been declared mentally incompetent by a final court decision; or

(f) has been previously terminated as an MEC member by the CEC; or

(g) has been prohibited from serving as a member of an MEC by the ECAC.

67.6 No person may serve as a member of more than one MEC at the same time.

67.7 A member of a Municipal Administration appointed to serve as a Municipal Election Commission member shall, with respect to his or her duties as a Municipal Election Commission member, serve under the authority of the CEC and the MEC Executive Officer during the period of his or her appointment.

67.8 Appointment of an MEC member is subject to the signing of the MEC Code of Conduct as adopted by the CEC before commencing their work.

67.9 Notwithstanding the preceding paragraphs of this article, if so required, the CEC shall have the authority to appoint at its sole discretion MEC members that do not meet the requirements of this article.

Article 68
Responsibilities of the Municipal Election Commissions

68.1 Each MEC shall, under the exclusive supervision and direction of the CEC acting through the Secretariat, administer elections within its municipality ensuring the legality, legitimacy and efficiency of the electoral process. Without limiting the generality of their responsibilities, each MEC shall:

a) establish an office in the premises of the municipality administration for the discharge of its duties;

b) provide information to voters of all communities and disseminating information necessary for the administration of elections;

c) impartially provide political parties, citizens' initiatives, coalitions and independent candidates with information about their rights and obligations in relation to elections;

d) attend any training session required by the CEC;

e) assist in the appointment and training of any person assisting in the administration of the election including polling station committees;

f) assist in the technical arrangements at the polling stations and any other technical preparations for the elections including receiving all non-sensitive election materials;

g) ensure the proper conduct of polling and counting and compiling the results of the elections within their jurisdiction;

h) collect and store election- related materials after the election; and

i) perform other duties required by any other applicable legislation or CEC rule.

68.2 Each MEO shall issue reports to the CEC Secretariat regarding the work of the MEC every week as specified by the CECS. A MEO shall issue an immediate report if asked to do so by the CEC Secretariat. MEO shall perform other duties as specified by the CEC.

68.3 Municipal Election Commissions shall keep regular records of their work, including minutes of proceedings, decisions made, and the weekly reports to the CEC and other relevant information.

Article 69
Appointment Process

69.1 The CEC Secretariat shall provide a list of nominees for each MEC to the CEC. Each list may include the names of some, all or none of the employees of the Municipal Administration nominated by the CEO of the Municipal Administration, at the discretion of the CEC Secretariat.

69.2 The CECS may consult non-governmental organizations, academic institutions and other similar bodies in order to identify qualified and suitable candidates.

69.3 Where the CEC rejects a nominee, it shall notify the appropriate MEO of that rejection and request him/her to submit another nominee. The MEO shall have ten (10) days to nominate an additional nominee and the CEC shall decide on the additional nomination without delay.

69.4 Any other person or persons that the CEC Secretariat considers appropriate for membership on the MEC, giving special consideration to the need to ensure fair gender and ethnic representation.

69.5 The CEC Secretariat shall issue a Certificate of Appointment to each MEC member.

69.6 The appointed members of a Municipal Election Commission shall begin their work immediately upon appointment by the CEC.

Article 70
Termination of MEC Members

70.1 The CEC may revoke the appointment of any MEC member at any time if the member:

a) fails to perform his or her duties as set out in CEC rules;

b) acts in a biased or unprofessional manner;

c) fails to attend two consecutive meetings of the MEC without a valid reason;

d) participates in an electoral campaign on behalf of a political entity or interferes in the electoral process;

e) does not report for duty for more than two (2) days during the election period without a valid reason;

70.2 A MEC member whose appointment is revoked shall immediately cease all involvement with MEC business and return all MEC property to the MEC Executive Officer.

Article 71
Compensation of MEC Members

71.1 MEC members and their Chairpersons shall be remunerated for the performance of their duties with resources of CEC in accordance with the rules adopted to this effect.

71.2 MEC members who are current employees of a Municipal Administration shall receive remuneration equal to half the salary to that provided by the municipality in addition to usual salary, instead of overtime pay. Members of MEC other than the MEO shall not be employed on a full-time basis outside of the election period.

Article 72
Decision-making Process

72.1 The Municipal Election Commission shall take decisions by a majority of the total number of members present.

72.2 No member of a Municipal Election Commission shall participate in the decision of a matter in which the member or member of his/her family may have an interest of a personal, financial or other nature, or which may raise doubts as to his or her ability to act impartially.

Article 73
Access to Meetings and Documents of a Municipal Election Commission

An accredited observer shall have access to all meetings and documents of an MEC. If a Municipal Election Commission does not allow attendance at a meeting, or access to a document, a complaint may be filed with the CEC. The CEC shall reach a decision on a complaint within 48 hours and take such action as it considers appropriate.

CHAPTER XII
POLLING STATION COMMITTEES

Article 74
General Provisions

74.1 Composition of Polling Station Committee (PSC) reflects the structure of members of MEC. The Municipal Election Commission may, in special cases, increase the number of members of a PSC and immediately notify the CEC.

74.2. Based on a CEC decision a second PSC responsible for counting the ballots may be established.

74.3 All persons appointed as PSC members shall satisfy the criteria for appointment specified in this Law.

74.4 Each Municipal Election Commission (MEC) shall submit to the CECS the nominations of those persons who satisfy the relevant criteria for appointment. The CECS will present the lists supplied by the MECs to the CEC for its approval, along with its recommendations or observations.

74.5 The CEC shall consider the lists of persons submitted by the CEC Secretariat and decide by simple majority whether to appoint the persons submitted or not, as the case may be.

74.6 Any member of a PSC who fails to attend training sessions organized by the MEC without good cause shall be precluded from working on Election Day and will lose some or all entitlement to remuneration as decided by the CEC.

74.7 Any member of a PSC who fails to attend the polling station to which he or she was allotted for Election Day will lose entitlement to remuneration and will be replaced immediately by the MEC with a trained and appointed reserve.

74.8 Each PSC member at the time of appointment shall sign a Code of Conduct, as prescribed by the CEC.

74.9 Each PSC member shall, regardless of political party affiliation or political viewpoint, act impartially in the service of all voters.

74.10 The PSC shall be responsible for ensuring the integrity, security and tranquility of the polling and counting process at the Polling Station under the immediate supervision of the MEC.

Article 75
Qualifications and requirements for appointing the PSC members and chairperson

75.1 In order to be appointed as a PSC member, a person must:

a) be a registered voter in the same Municipality where the Polling Station/Polling Centre is located;

b) be able to read and write in a language officially used in that municipality.

75.2 In order to be appointed as a PSC chairperson, a person must qualify as a PSC member in accordance with the provisions of this article, and in addition has completed at least secondary education; and

75.3 A person is not eligible to be appointed as a PSC member if s/he is:

a) a candidate for elected office in Kosovo;

b) a member of any Assembly in or out of Kosovo;

c) a member of an MEC, the CECS or CEC;

d) a member of the Kosovo Police Service, any police force or a member of Kosovo Protection Corps or any other military, security or intelligence services;

e) has been declared mentally incompetent by a final court decision; or

f) has been found guilty of a criminal offence within the past 3 years by a final court decision.

Article 76
Method of selecting polling station committees

76.1 Each PSC shall be approved by the CEC and is directed by Chairperson:

76.2 At the time determined by the CEC , the CECS shall invite all certified Political Entities represented in the Assembly of a Municipality that are contesting national elections to submit to the MEC nominations of persons they wish to be appointed to the PSCs established within their Municipality.

76.3 The CECS shall invite newly certified political entities, NGOs and other civic organizations to submit additional nominations for the PSCs.

76.4 All nominations under the provisions of article 74.2 and 74.3 of this Law shall be submitted to the respective MECs no later than five (5) days after the request for nomination is made by the CEC Secretariat.

76.5 The list of PSC nominations must include:

a) the name of the political entity or NGO making the submission, the name of the contact person and his/her contact details;

b) the name, surname, personal number, date of birth for each nominee;

c) specification for each nominee whether s/he has or not prior experience in elections and a secondary school degree; and

d) date and place of submission of the nominee list; signature of the representative of the political entity or NGO, as well as the signature of receiving the list from the MEC representative.

Article 77
Appointment of PSC members and their chairpersons

77.1 Immediately after receiving all the nominations, the MECs will assign the nominees to their proposed PS observing the following set of rules:

a) no more than one person from a single list of PSC nominees submitted under article 76.2 shall be appointed as a PSC member in the same PS;

b) in selecting from among candidates on a list of PSC nominees submitted under article 76.3, preference shall be given to the candidates with better qualification and particularly to those with previous election experience;

c) no more than one person from within the same immediate family may be appointed to the same PSC. For the purposes of this article, immediate family includes spouse, children, parents and siblings;

d) in new municipalities or where results from previous elections were not certified, the membership of PSCs shall be selected by lot among those political entities certified to participate in the upcoming elections for that municipality.

77.2 The MEC shall submit these nominations to the CEC Secretariat for recommendation to the CEC no later than five (5) working days after receiving the nominations. The CEC shall appoint all PSC members, including reserve PSC members, no later than four (4) days after receiving the nominations.

77.3 The chairpersons of a polling station committee shall be chosen equally between the four certified Political Entities that received the most votes during the last Kosovo Assembly election in that municipality.

77.4 Notwithstanding the preceding paragraphs of this article, if so required, the CEC shall have the authority to appoint at its sole discretion PSC members that do not meet the requirements of this article.

Article 78
Remuneration of PSC members and chairpersons

The PSC members and their Chairpersons shall be remunerated for the performance of their duties with resources provided from the Kosovo Consolidated Budget. The CEC shall issue a separate decision which will regulate this issue.

Article 79
Appointment of reserve to PSC members

79.1 The procedures specified in article 77 shall apply for appointing an additional 10% of reserve PSC members per municipality.

79.2 An appointed member shall be replaced by a reserve member by an MEC if, for any reason, the appointed member becomes unavailable to serve either before or on Election Day. If there are not sufficient numbers of reserve members available, an MEC may fill the vacancies with persons it deems fits and who also satisfy the criteria set forth in Article 80 of this Law. An MEC shall:

a) ensure that no more than one person from a Political Entity as set out in Article 77.2 of this Law is appointed as a PSC member in the same PS;

b) ensure that the replacement signs the Code of Conduct; and

c) arrange appropriate training for the replacement.

Article 80
Penalties and other measures

80.1 Certified political entities or NGOs that have nominated persons to be members of PSCs shall be responsible for ensuring that such persons attend all training sessions organized by the MEC.

80.2 Certified political entities or NGOs that have nominated PSC members shall be responsible for ensuring that such persons punctually attend and perform their duties in their polling station at such times and for such periods as directed by the MEC.

80.3 Where a person, or persons, nominated by a certified political entity or NGO fails without good cause to perform the obligations specified in paragraphs 1 and 2 of this Article, the matter shall be reported to the ECAC by the MEC. ECAC may, if it finds the matter proved, impose a fine or sanction.

80.4 Where, in the opinion of the Municipal Election Commission, a member of a polling station committee is, for whatever reason, unwilling or unable to perform his/her obligations, the MEC shall terminate the appointment of that member. The vacant

position arising as result of such decision shall, so far as possible, be filled in accordance with the provisions of this Law.

Article 81
Code of Conduct for PSC Members

Every Member of a PSC appointments are subject to taking the Oath as and signing the Code of Conduct as per CEC rule.

CHAPTER XIII

POLLING STATIONS AND VOTING

Article 82
General Provisions

82.1 The FVL of voters assigned to the same PC shall be prepared in the manner prescribed by the CEC and in a way that no PS within the PC exceeds 750 voters. Exceptions to this Rule may be authorized by the CEC.

82.2 A PS must be large enough to ensure the proper conduct of voting by setting up all work stations as defined in this Law and ensuring the secrecy of voting, the free view and control of the ballot box, and unimpeded access to observers.

82.3 The following persons are authorized to be present in a Polling Station or Centre:

a) persons attending for the purpose of voting;

b) members of the Polling Station Committee and Polling Centre staff;

c) CEC Members and CECS staff;

d) Municipal Election Commission members;

e) accredited observers;

f) police, when called upon to restore order; and

g) interpreters for the persons listed in items (c), (e) and (f) of this sub article.

Article 83
Polling Station and Polling Centre Locations

83.1 Based on the recommendation of the Municipal Election Commission (MEC), the CEC, through the CEC Secretariat, shall, no later than forty (40) days prior to the Election, make public the exact location of all PCs.

83.2 Each registered voter will be assigned to a Polling Centre that will be the location where his/her name will appear on the Final Voters List used during the conduct of voting on election day.

83.3 As much as possible no voter shall travel more than 3km to his or her place of voting.

83.4 Subsequent changes to PC locations shall be allowed in case of force majeure, or other objective and unpredictable reasons that would make a PC unsuitable for polling purposes. The CEC Secretariat shall immediately inform the CEC of these changes.

83.5 If a PC location has been changed, the MEC shall notify the voters of the change through local available media sources. Additionally, the MEC shall post a notice at the original PC location advising voters of the new PC location.

83.6 PSs shall be located in an accessible place to allow voters to form and stand in a queue and should, when possible, have level access so that disabled persons shall have unimpeded entry and exit. PSs shall have adequate lighting and protection from the elementary accidents.

83.7 A PC or PS shall not be located in a place of worship, a building which is owned by or is the seat of a political entity, or premises in which alcohol is served or consumed.

Article 84
Polling Station Security

84.1 The PSC Chairperson, with the assistance of all PSC members, shall ensure the tranquility and security of the voting process inside the PS. The order in the queue in front of the PS shall be maintained by the PSC member assigned as Queue Controller.

84.2 In case of serious disturbance inside or in the immediate vicinity of a PS, the PSC Chairperson shall request immediate assistance from the police. The incident shall be immediately noted in the Poll Book.

84.3 In case the disturbance turns into a serious threat to the integrity of the voting process or against the people inside the PS, the PSC Chairperson may decide to suspend polling and close the PS until order is re-established. The PSC Chairperson shall inform the MEC immediately and record the event in the Poll Book, including the period during which polling was suspended.

84.4 No person carrying weapons or arms shall be allowed inside a PS except on duty Kosovo Police in uniform. On duty Kosovo Police may not linger inside the PS after casting their ballot.

Article 85
Election Campaign Material and Voter Information Material at PSs and PCs

85.1 All political entities which have not removed their election campaign materials placed inside and within a radius of 100 meters of a PS or PC 24 hours prior to commencement of polling shall have such material removed by the PSC members or the PC Manager. Political entities which have not removed and or were found posting election campaign material after the imposed deadline shall be reported to the ECAC for violating this Law.

85.2 Printed material produced by the CEC Secretariat on behalf of the CEC, listing the names of all candidates of all certified political entities and the voting procedures shall be displayed at the PSs for the benefit of the voters. These lists shall also be displayed at the main access door of each PC.

85.3 Informational signs on the building must clearly display the number of the PC. Inside the PC, especially where there is more than one PS, signs to direct voters to the right PS must be displayed prominently. Each PS must be clearly marked with signs showing the PS number and the letters from the FVL of those voters assigned to that PS.

85.4 No election campaign information shall be broadcast on any communication device in the Polling Station, nor within hearing distance.

Article 86
Procedures Before Voting Begins

86.1 The CEC shall establish a rule governing the procedures for distribution and receipt of election materials to be delivered to a MEC and PSC.

86.2 On Election Day, the PSC Chairperson and/or his/her Deputy shall, under police escort, take the materials listed under article 103.1 from the MEC to the PC.

86.3 All PSC members shall be present at the PS at least one hour prior to the opening of the polls.

86.4 The PSC Chairperson shall perform all duties required to open the PS as established by CEC rules.

86.5 If the PS opens late, the PSC Chairperson shall immediately notify the MEC, who will inform the CEC Secretariat and record the time of opening in the Poll Book.

Article 87
Description of the Ballot and Ballot related material

87.1 The name of a political entity and their candidates shall appear on the ballot as it appears on its original certification application, subject to modifications – if any – and finally approved by the CEC.

87.2 The voter shall be instructed to indicate his/her choice so clearly that there is no uncertainty over the preference(s).

87.3 The names of all candidates on the printed material displayed in Polling Stations or Polling Centers shall appear directly under the political party's, coalition or citizens' initiative's name that submitted the candidates' list.

87.4 The CEC shall determine the number of ballot papers to be printed and distributed. Number of ballots shall not exceed by more than 5 % of the number of voters in the voters list.

87.5 The ballot shall contain:

a) indication of the electoral district;

b) the public body that is to be elected;

c) the ordinal number placed before each individual electoral Political Entity;

d) name and acronym of each Political Entity according to the order determined on the ballot lottery;

e) security features as determined by the CEC;

f) any other information required by this law and rules enacted in accordance with it.

87.6 The CEC shall further determine by rule the details of ballots:

a) content;

b) the form and layout/appearance;

c) the manner and control of printing;

d) verification, distribution and handling of ballot papers;

e) security features; and

f) any other related matters not covered by this Law.

87.7 Ballots are printed under the immediate supervision of the CEC.

87.8 Ballots shall be printed in all official languages at the national level and at the local level, according to the Law on the Use of Languages. A certified Political Entity may choose the language and script in which its name is written on the ballot.

Article 88
Hours of Voting

88.1 The polling stations open at 7:00 and close at 19:00.

88.2 No one may vote after the closing time of the polling centers, except voters who are in the queue of a PS at the time of closing.

Article 89
Right to Vote and Secrecy of the Vote

89.1 An eligible voter has the right to vote if he/she either is civilly registered in Kosovo or successfully applied for out of Kosovo voting as set out in Articles 5 and 6 of this Law.

89.2 No person shall prevent or attempt to prevent an eligible voter from exercising his/her right to vote.

89.3 No person shall be allowed to vote on behalf of another voter, except in accordance with provisions of article 89.5 of this Law.

89.4 Each voter must mark his/her ballot in secret behind a voting screen. Only one person shall be allowed behind the voting screen at any time unless the voter has requested the assistance from another person as set out in paragraph 5 of this Article.

89.5 A voter who is disabled in such a way so as it is not able to mark or cast the ballot and/or illiterate may be assisted to vote by another person chosen by the voter if they so request assistance. Such person shall only assist one voter and shall not be a member of the PSC or an accredited observer.

89.6 The person consenting to assist the voter shall print and sign his/her name on the appropriate Voters List or Conditional Ballot Envelope, next to the name or other space provided of the voter who was assisted.

89.7 Members of the PSC may in no way influence the decision of the voter.

89.8 The Polling Station Commissioners and/or Polling Station staff shall explain the voting procedure only if so requested by the elector.

89.9 Members of the PSC shall take special care to ensure that the elector is not disturbed by anyone while marking out his ballot paper, and that the secrecy of voting is completely ensured.

Article 90
Accepted Identification Documents

For the purpose of this election the following are the acceptable identification documents:

a) a valid personal Identification Document (ID) card;

b) a valid travel document;

c) a valid passport

d) a valid Kosovo driving license;

e) a valid IDP card; or

f) a valid Refugee card.

Article 91
Regular Voting

91.1 Procedures for regular voting shall be established by CEC Rule.

91.2 Voting in the same elections more than once constitutes a criminal offence and is punishable in conformity with the Criminal Code of Kosovo.

Article 92
Voting of Polling Station Committee Members

PSC members and the Chairperson shall vote first when the Polling Station opens.

Article 93
Closing the Polling Station

93.1 Any person in the queue at the closing hour of a PS shall be allowed to vote if eligible. The Queue Controller shall inform the last person in the queue that he/she will be the last to vote. Any other person who joins the queue after that person shall not be allowed to enter the PS and shall be informed of his/her inability to vote.

93.2 After the last person in the queue at closing time votes, the PSC Chairperson shall close the PS, seal the ballot box in view of the observers present, and mark the exact time of closure in the Poll Book.

Article 94
Poll Book

94.1 Each PS shall have a Poll Book in which all significant events regarding the conduct of voting which occur at the Polling Station during election day shall be noted.

94.2 Only the PSC Chairperson, the PSC members, and present accredited observers shall be allowed to make notes in the Poll Book. If a voter has a complaint regarding any activity within the PS, he/she may request the PSC Chairperson to record his/her complaint in the Poll Book and/or submit an appeal to the ECAC in accordance with the set out procedures.

Article 95
Conditional Ballot Voting

A voter in Kosovo whose name cannot be found on the FVL, or his/her name is found on the FVL with a mark or notation indicating that he/she must vote by conditional ballots, shall be allowed to cast a conditional ballot at a PS issuing conditional ballots in accordance to CEC rules.

CHAPTER XIV

OUT OF KOSOVO VOTING

Article 96
General Provisions

96.1 An eligible voter who is temporarily absent from Kosovo may vote for elections for the Kosovo Assembly if he or she has successfully applied for Out of Kosovo voting in accordance with the provisions of this law and CEC rules.

96.2 An Out of Kosovo Vote should be received by the CEC prior to election day as determined by CEC rule

Article 97
Application for a Ballot

97.1 An eligible voter may apply to receive an Out of Kosovo ballot by submitting a completed Out of Kosovo Voting Application/Voter Registration Form ("By-Mail Application") in the form available from the CEC web-site:

a) by mail to one of the CEC P.O. Boxes; or

b) by fax to the CEC at a number indicated on the Out of Kosovo Application.

97.2 An eligible voter who has not previously been registered to vote in an election under the authority of the CEC shall submit, along with a completed Out of Kosovo Application, documentary proof that he or she fulfils the eligibility criteria set in Article 5 of this Law.

97.3 For the purposes of paragraph 2 of this Article, documents listed in article 90 may be used to establish some or all of the eligibility criteria under article 5 of this Law.

Article 98
Confirmation and Appeal Process

98.1 The CEC shall notify each applicant whether his/her application has been accepted or denied and appeal process shall be specified in accordance with CEC rules.

98.2 Each applicant who has been rejected shall be able to appeal the decision to the ECAC

CHAPTER XV

SPECIAL NEEDS VOTING

Article 99
General Provisions

99.1 The CEC shall establish special needs voting rules for.

a) homebound voters: eligible voters who cannot leave their home to vote in person at a regular PS due to physical, medical, or any other kind of disability;

b) voters confined to an institution: eligible voters who are hospitalized, elderly people in specially designated homes for the elderly, persons of diminished mental capacity in institutions of health care, inmates in prisons and detainees in detention centers; or

c) special circumstance voting: eligible voters living in communities who, due to relocation from the vicinity of their regular PS or security concerns, cannot vote at their assigned PS. This type of voting shall require the approval of the Municipal Election Commission.

Article 100
Adjudication Process

100.1 The MECs shall issue a written notice provided by CEC informing any eligible voter or group of voters whose request for SNV was denied the right to submit a complaint to the Court of First Instance by a date to be specified in the notice.

100.2 The Court of First Instance shall consider each appeal it receives in accordance with its Rules of Procedure and the deadlines in this law and the CEC rules.

100.3 The Court of First Instance may direct the MECs to include or exclude eligible voters from the SNV Voters List, pursuant to its Authority.

CHAPTER XVI
THE COUNTING OF BALLOTS AND ANNOUNCEMENT OF ELECTION RESULTS

Article 101
General Provisions

101.1 The procedures of counting of the ballots shall be governed by the following objectives: accuracy, transparency, efficiency, capability for recount and repeat elections, and protection of the secrecy of the vote.

101.2 Regular ballots cast at Polling Stations within Kosovo will be counted at those Polling Stations immediately after the close of voting.

101.3 The counting procedures shall be in accordance with the CEC rules.

Article 102
Reporting the Preliminary Count at the Polling Station

102.1 Any member of the Polling Station Committee who objects to the recorded results at a Polling Station may record his or her dissenting opinion in the Polling Station Poll Book and may submit a complaint to the ECAC in accordance with this Law.

102.2 The Chairperson of the Polling Station Committee and the CEC Supervisor, if present, shall be responsible for the compilation and accuracy of the counted results from the Polling Station recorded on the appropriate forms and shall forward the completed Reconciliation and Results Forms to the designated location.

102.3 The results of the counts at the PS shall be posted in the polling center by its Chair person.

Article 103
Storage of Ballots and Transportation of Election Material

103.1 After completion of the count, all used and unused ballots, Final Voters List, Conditional Voters List, Poll Book, conditional ballot envelopes containing marked ballots, and other official election materials of the Polling Station shall be:

a) packed and transported in accordance with CEC rules;

b) transported under secure conditions to a location specified by the CEC.

103.2 The Chairperson of the PSC shall accompany the transport of ballots and election materials to the designated collection point, and if requested, accompanied by a member from the opposition at the respective level chosen by consensus, or in absence thereof, drawn by a lot organized by the Chairperson.

103.3 The ballots, forms and the other election materials transported to the specified location in Kosovo shall be stored there under secure conditions until all complaints are resolved and results are certified by the CEC.

103.4 The CEC shall, by decision after the official certification of the results of the election, destroy specified election materials at an appropriate time within 60 days, except as directed by ECAC.

Article 104
Observers

104.1 All activity conducted at the C&RC may be observed by CEC (CEC) members, the CEC Secretariat's staff, Municipal Election Commission (MEC) members, and election observers accredited by the CEC.

104.2 Not more than four (4) accredited observers from the same Political Entity, as defined in Article 3 of this Law, or other accredited organizations may be present inside the C&RC at the same time.

104.3 Notwithstanding the provisions of this Law, if the Chief Executive Officer of the CEC Secretariat determines in his/her sole discretion that the number of accredited

election observers or accredited media representatives present inside the C&RC is impeding the counting process, he/she shall instruct the accredited election observers or media observers to reduce their numbers.

Article 105
Complaints Concerning the C&RC Process

105.1 Complaints concerning the conduct of the count at the C&RC shall be submitted in writing to the ECAC within 24 hours of the complainant's becoming aware of the alleged violation, and in any event no later than two (2) working days after the occurrence of the alleged violation.

105.2 The submission of a complaint shall not interrupt or suspend the counting process.

105.3 All complaints to the ECAC shall be decided no later than 5 days from receipt of the complaint in the ECAC central offices.

Article 106
Election Results

106.1 The CEC shall certify the election results after the completion of all polling station and counting centre procedures and when all outstanding complaints concerning polling and counting have been adjudicated by the ECAC and by the Constitutional Court.

106.2 Prior to certification of the election results, the CEC may order a recount of ballots in any polling station, or counting centre, or a repeat of the voting in a polling centre or municipality.

106.3 The results of an election are final and binding once they have been certified by the CEC.

106.4 The CEC shall publish the results of an election after they have been certified. The CEC Secretariat shall make public the following final results in a tabulated format including the publication on its web-site:

a) number of electors entered in the register of electors;

b) number of electors who have voted in each polling station;

c) number of electors who have voted outside the polling station;

d) number of electors who have voted (total ballots cast);

e) number of valid ballots received;

f) number of ballots unused;

g) number of used ballots;

h) number of invalid ballots;

i) number of blank ballots;

j) number of spoiled ballots;

k) number of votes for each Political Entity;

l) number of votes received by each individual candidate, when applicable;

m) number of seats granted to each entity;

n) names of candidates elected to office.

CHAPTER XVII
VOTER INFORMATION AND MEDIA

Article 107
General Provisions

107.1 The CEC shall, on a timely fashion, organize and sponsor a voter education campaign. It shall disseminate nation-wide, according to the Law on the Use of Languages, information on:

a) voting procedures; and

c) voters rights and procedures for protecting them and including complaint mechanisms,

107.2 In each polling station, on the day of the election, printed material, designed and produced on behalf of the CEC, listing the names of all political entities and names of candidates, as well as voting procedures, shall be issued, displayed or published by the CEC Secretariat for the benefit of voters. The names of the candidates on such printed and displayed material shall be listed in the same order as they appear on the candidate lists as certified by the CEC in relation to the political entity that submitted them.

107.3 When conducting the voter education campaign, CECS shall pay particular attention to target the rural, the disabled and the illiterate voters.

Article 108
Broadcasting of Voter Information

108.1 The CEC shall produce material suitable for transmission by radio and television informing the public on the electoral process in Kosovo.

108.2 Informational material produced by the CEC for use on television shall contain means for its simultaneous transmission to hearing impaired persons in the sign language appropriate to the needs of language groups serviced by the broadcaster.

Article 109
Violations

If a radio or television broadcaster fails to comply with the provisions of this Law or implementing legislation, the CEC shall immediately notify IMC.

CHAPTER XVIII
ELECTORAL SYSTEM FOR THE ASSEMBLY OF KOSOVO

Article 110
General Provisions

110.1 Kosovo shall be considered a single, multi-member electoral district.

110.2 A Political Entity shall submit a list of candidates based on procedures established by this law and CEC rules. Each candidate list shall comprise at least 30% of candidates from the other gender according to the table attached as Annex 1.

110.3 Each certified Political Entity shall appear on an “open list” ballot.

110.4 In the exercise of his/her right to vote, a voter shall vote for one (1) certified Political Entity and may vote for one (1) candidate from the said Political Entity’s candidate list. If a ballot is marked with more than one (1) candidate, only the vote for the Political Entity shall be counted.

110.5 A vote cast for a Political Entity shall be considered as a vote cast for the candidate ranking first on the Political Entity’s candidate list. The CEC shall ensure that the ballot does not allow a vote to be simultaneously cast for a Political Entity and the candidate ranking first on the said Political Entity’s candidate list.

Article 111
Distribution of Seats

111.1 Seats in the Assembly shall be distributed according to the system of representation established by article 64 of the Constitution of the Republic of Kosovo, by allocating:

a) one hundred (100) seats amongst all certified Political Entities in proportion to the number of valid votes received by them; and

b) twenty (20) seats guaranteed for representation of communities that are not in the majority in the Republic of Kosovo, as follows:

(i) Parties, coalitions, citizens' initiatives and independent candidates having declared themselves representing the Kosovo Serb Community shall have the total number of seats won through the open election, with a minimum ten (10) seats guaranteed if the number of seats won is less than ten (10);
(ii) Parties, coalitions, citizens' initiatives and independent candidates having declared themselves representing the other Communities shall have the total number of seats won through the open election, with a minimum number of seats in the Assembly guaranteed as follows: the Roma community, one (1) seat; the Ashkali community, one (1) seat; the Egyptian community, one (1) seat; and one (1) additional seat will be awarded to either the Roma, the Ashkali or the Egyptian community with the highest overall votes; the Bosnian community, three (3) seats; the Turkish community, two (2) seats; and the Gorani community, one (1) seat if the number of seats won by each community is less than the number guaranteed.

111.2 The hundred (100) seats of the Assembly as described in article 111.1 (a) shall be allocated in the following manner based upon the total number of valid votes received by each Political Entity:

a) amongst Political Entities representing Albanian majority community who have won at least five percent (5%) from general number of total valid votes for Assembly elections and Political Entities of the Kosovo Serb and other non majority communities;

b) the total number of valid votes received by each Political Entity in the Assembly elections shall be divided by 1, 3, 5, 7, 9, 11, 13, 15, *et seq*. until the number of divisors used is equal to the number of seats;

c) the quotients resulting from this series of divisions shall be arranged in descending order. Seats shall be allocated to Political Entities according to the quotients, with the first seat going to the Entity with the largest quotient, the second seat going to the Entity with the next largest quotient, *et seq.* until all seats have been allocated;

d) if a Political Entity is allocated seats equal to the number of candidates on its list and there are still seats to be allocated to that Political Entity, then the remaining quotients of that Political Entity shall not be taken into account in allocating any remaining seats. Subsequent quotients in descending order shall be used until all seats are allocated.

e) if a tie occurs because two or more quotients are identical, the seat shall be allocated on the basis of a drawing of lots by the Chairperson of the CEC in the presence of the authorized representatives of the Political Entities concerned.

111.3 The twenty (20) reserved seats of the Assembly as described in point (b) of paragraph 1 of this Article shall be allocated to the Political Entities representing the Kosovo Serb community and other non majority communities in the same manner as described in article 111.2 of this Law, based on the total number of valid votes received

by each Political Entity, irrespective of the number of seats already allocated from the hundred (100) seats.

111.4 All votes received by the candidates appearing on the open list of each Political Entity shall be counted separately. A vote cast for a Political Entity shall be considered as a vote received by the candidate ranking first on the Poltical Entity's candidate list. The candidate lists shall then be reordered in descending order based on the number of votes received by each candidate.

111.5 The seats allocated to a Political Entity in paragraph 2 of this Article shall be distributed to the candidates on the Political Entity's candidate list as reordered in paragraph 4 of this Article, starting from the first candidate on the list in descending order, until the number of seats allocated to the Political Entity is exhausted. Additional seats allocated to Political Entities representing the Kosovo Serb community and other non majority communities as in paragraph 3 of this Article shall be distributed to the subsequent candidates on the Political Entity's candidate list reordered as in paragraph 4 of this Article.

111.6 If, after the allocation of seats as set out in paragraph 5 of this Article, the candidates of the minority gender within a Political Entity have not been allocated at least 30% of the total seats for that Political Entity, the last elected candidate of the majority gender will be replaced by the next candidate of the opposite gender on the reordered candidate list until the total number of seats allocated to the minority gender is at least 30%.

111.7 No person who is a member of another elected legislative body may take a seat in the Assembly. An Assembly member who is or becomes a member of another elected legislative body after he takes up his or her seat in the Assembly, shall forfeit his or her mandate in the Assembly.

111.8 A person whose mandate is forfeited under this article shall be replaced in accordance with the provisions of article 112 of this law.

Article 112
Replacement of Assembly Members

112.1 Seats allocated in accordance with the present Law are held personally by the elected candidate and not by the Political Entity. A member's mandate may not be altered or terminated before the expiry of the mandate except by reason of:

a) the conviction of the member of a criminal offence for which he or she is sentenced to prison term as provided by the article 69.3 (6) of the Constitution;

b) the failure of the member to attend for six (6) consecutive months a session of the Assembly or the Committee(s) of which he or she is a member, unless convincing cause is shown as per Assembly Rules;

c) the member's forfeiture of his or her mandate under article 29 of this Law;

d) the death of the member;

e) mental or physical incapacity as determined by final Court decision; or

f) the resignation of the member.

112.2 A member of the Kosovo Assembly the term of which ceases pursuant to article 112.1 shall be replaced as follows:

a) by the next eligible candidate of the same gender who won the greatest number of votes of the reordered candidate list of the Political Entity on whose behalf the member contested the last election;

b) if there is no other eligible candidate of the same gender on the candidate list, by the next eligible candidate who won the highest number of votes from the candidate list;

c) if there are no other eligible candidates on the candidate list, by the next eligible candidate on the candidate list of the Political Entity which had the next largest quotient of votes under the formula set out in article 111.4 of this Law in the most recent election of the same type; and

d) if the member is an independent candidate, by the next eligible candidate on the candidate list of the Political Entity that had the next largest quotient of votes under the formula set out in article 111.4 of this Law.

112.3 Upon a seat becoming vacant, the Speaker of the Assembly shall make a request in writing to the President for the vacancy to be filled. Such request shall include an explanation as to how the vacancy arose.

112.4 Upon receipt of a request under paragraph 3 of this Article, President shall, if the explanation provided is satisfactory, request the CEC to recommend the name of a person to fill the vacancy. The CEC shall, within five (5) working days of being requested to do so, provide the President with the name of the next eligible candidate under paragraph 2 of this Article.

CHAPTER XIX

COST OF ELECTIONS

Article 113
Financing of Elections

113.1 The Government of Kosovo finances the holding of the elections.

113.2 The CEC administers the funds designated for the conduct of the elections according to the rules set forth in this Law.

113.3 The budget of the CEC constitutes a separate line in the state budget.

113.4 The CEC determines the rules for distribution and use of election funds necessary for the conduct of elections by election commissions and the adequate functioning of the CEC Secretariat commensurate with its responsibilities, taking into account the applicable legislation on management of public finances.

113.5 The CEC may accept donations other than money that serve the electoral process, without infringing on its independence and authority.

113.6 Within 60 days from the day of the official announcements of the election result, the CEC shall publish a complete report on the election expenditures and the manner of their spending.

113.7 The proper use of funds allocated for elections and donations are controlled by the Auditor - General of Kosovo.

Article 114
Public Support for Election Campaigns

114.1 Public facilities, on equitable basis to all certified political entities and the CEC, shall make available their premises, equipment, means and other facilities for conducting the electoral campaign, in accordance with their normal procedures.

CHAPTER XX

ELECTION COMPLAINTS AND APPEALS COMMISSION

Article 115
Appointment of Election Complaints and Appeals Commission

115.1 The ECAC shall be a permanent independent body competent to adjudicate complaints and permitted appeals concerning the electoral process as established in this law and electoral rules.

115.2 The President of the Supreme Court shall appoint the ECAC members from among the judges of the Supreme Court and the District Courts. Upon the entry into force of this law the President of the Supreme Court shall appoint the ECAC members within sixty (60) days.

115.3 The ECAC members shall serve for a renewable term of 4 (four) years.

115.4 If a position becomes vacant, the President of the Supreme Court shall have the authority to replace any ECAC member at his sole discretion, following the consultation with CEC.

Article 116
Composition of ECAC

116.1 The ECAC shall consist of five (5) members including the chairperson. The ECAC may sit in panels of at least three (3) members.

116.2 The appointed ECAC members shall in the period starting sixty (60) days prior to election day and until certification of election results give full priority to their obligations as ECAC members. All Kosovar authorities are required to afford to ECAC any assistance which ECAC may need in said time period.

Article 117
Procedures of ECAC

117.1 The ECAC shall establish its own rules of procedure.

117.2 The ECAC shall, in adjudicating a complaint or appeal examine and investigate all relevant evidence, and grant a hearing if it deems it necessary.

117.3 Adjudication on appeals and complains by ECAC shall be based on clear and convincing evidence.

117.4 The ECAC may order a recount of the ballots in a polling station or polling centre and an examination of the balloting material as part of its investigation into a complaint or appeal.

Article 118
Decisions

118.1 The ECAC shall accept a complaint that is well-grounded and dismiss a complaint that does not meet this standard.

118.2 The ECAC shall provide the legal and factual basis for its decision in writing. The ECAC shall provide copies of its written decisions to the parties involved in the matter within two (2) days of the issuance of the decision if it affects the certification of the election results. For other decisions the ECAC shall provide copies of its written decisions to the parties involved in the matter within five (5) working days.

118.3 ECAC decisions shall be published in accordance with ECAC's rules of procedure.
118.4 An appeal may be made from a decision of the ECAC, as ECAC may reconsider any of its decisions upon the presentation by an interested party of new evidence or for good cause shown. An appeal to the Supreme Court of Kosovo will be accepted if the fine involved is greater than 5,000 Euro or if the matter affects a fundamental right. The Supreme Court shall give priority to any such appeal

118.5 The ECAC decision is binding upon the CEC to implement, unless an appeal allowed by this law or by the constitution is timely filed and the higher court determines otherwise.

Article 119
Complaints

119.1 A person who has a legal interest in a matter within the jurisdiction of ECAC, or whose rights concerning the electoral process as established by this law or electoral rule have been violated, may submit a complaint to the ECAC.

119.2 The Office may submit a complaint to the ECAC in respect of a Political Entity failing to comply with this law or CEC Rules affecting the electoral or the registration process.

119.3 The ECAC shall not consider a complaint concerning a decision of the CEC, but may consider an appeal from a decision of the CEC as specified under article 122 of this Law.

119.4 The ECAC may impose sanctions on a Political Entity for violation of this law or CEC rules committed by the members, supporters and candidates of the Entity. A Political Entity may submit evidence to the ECAC showing that it made reasonable efforts to prevent and discourage its members, supporters and candidates from violating this law or electoral rules. The ECAC shall consider such evidence in determining an appropriate sanction, if any, to be imposed on the Political Entity.

119.5 The ECAC may upon its own discretion consider matters otherwise within its jurisdiction, when strictly necessary to prevent serious injustice.

119.6 The provision of false information to the ECAC shall be a violation of this law that the ECAC may sanction under article 121 of this Law.

Article 120
Remedies and Sanctions for Violations

120.1 The ECAC may, if it determines that a violation of this law or CEC rules has occurred:

a) order a Political Entity or observer organization to take remedial action;

b) prior to certification of the election results and under exceptional circumstances in the sole discretion of ECAC, nullify the results of a specific polling station or direct the CEC to order a repeat of the voting in a polling centre; and

c) impose a fine on a Political Entity or observer organization of up to two hundred thousand euro (€200,000).

120.2 Failure to pay a fine or comply with an order of the ECAC within the time period specified in a decision of the ECAC shall be a separate violation of this law that may be sanctioned additionally by the ECAC.

120.3 If a violation of this law or an electoral rule, undermining the integrity of elections, has occurred, the ECAC may:

a) remove a candidate from a candidates list when it is determined that the candidate was responsible for the violation;

b) remove a candidate or candidates from the candidates list of a Political Entity and not allow that Political Entity to replace such removed candidates, if the ECAC determines that the Entity was responsible for the violation;

c) decertify a Political Entity from participating in the election; and

(d) prohibit an individual from participating in an election held under the authority of the CEC, either as a candidate or a member of an electoral administrative body, for a period not exceeding six (6) years.

120.4 The ECAC shall remit any funds it collects as fines to the Kosovo Consolidated Budget.

120.5 The imposition of a fine or other sanction by the ECAC does not prejudice any criminal sanction that may apply.

Article 121
Electoral Observers

121.1 The ECAC may revoke the accreditation of an observer organization if that organization’s observers have systematically, repeatedly or in an organized fashion, violated this law or electoral rules.

121.2 The ECAC may prohibit a person from serving or continuing to serve as an electoral observer if that person has violated this law, rules or electoral rules concerning the electoral process.

Article 122
Electoral Appeals

122.1 A natural or legal person whose legal rights have been affected by any of the following decisions of the CEC may appeal that decision to the ECAC:

a) the inclusion or exclusion of a person from participation in an out-of-Kosovo voting programme;

b) the certification or refusal to certify a Political Entity or candidate to participate in an election;

c) a candidate who after certification does not want to participate in an election;

d) the accreditation or refusal to accredit an electoral observer;

e) the imposition or an administrative fee on a Political Entity under article 42 of this law; and

f) the refusal to register a Political Party within the Office

122.2 The ECAC shall uphold an appeal from a decision of the CEC if it determines that the CEC decision was unreasonable having regard to all the circumstances.

122.3 The ECAC may, if it upholds an appeal from a decision of the CEC:

a) direct the CEC to reconsider its decision; and

b) direct the CEC to take remedial action.

Article 123
Secretariat of the ECAC

123.1 The ECAC shall be assisted in its responsibilities and functions by a Secretariat which shall operate in accordance with this Law.
123.2 No person may serve in the Secretariat of the ECAC if he or she:

a) holds or seeks public office;

b) holds any official post or executive position in a political party; or

c) has been criminally convicted.

123.3 The ECAC Secretariat shall:

a) receive complaints and appeals;

b) archive, translate and investigate cases;

c) maintain an official address and access to information at all times about the decisions of the ECAC in all official languages as per the Law on the Use of Langueges.
123.4 The ECAC Secretariat will have an office head, who, under the direction of the ECAC Chairperson, will be responsible for the following

a) all administrative matters connected to the functioning of ECAC.

b) preparations for ECAC panels ensuring all required material is available.

c) organizing the Secretariat and issuing administrative procedures on any matters pertaining to ECAC functions.

123.5 The ECAC Secretariat shall have an annual appropriation from the Kosovo Consolidated Budget to cover the expenses for the proper functioning of the Secretariat, based on a budget proposal submitted by the President of the Supreme Court.

CHAPTER XXI

TRANSITIONAL AND FINAL PROVISIONS

Article 124
Legal Interpretation and Applicability

The present Law shall supersede any provision in the applicable laws.

Article 125
All Rules and Forms

All rules referred to in this Law shall be prepared by the CEC Secretariat and approved by the CEC by simple majority. All these rules shall be available from the web-site of the CEC Secretariat on a timely fashion.

Article 126
Sanctions and Fines

126.1 The CEC or the Court of First Instance may punish violations of the provisions of this Law, when they do not constitute a criminal offence and have not been addressed by ECAC, by a fine between 200 and 2,000 euros.
126.2 The CEC shall issue an Electoral Rule defining sanctions and fines for each type of violation of the rules.

Article 127
Transitional Provisions

The administrative bodies in charge of running the elections shall continue to serve in their positions until the inauguration of new bodies.

Article 128
Implementation

128.1 The CEC shall issue secondary legislation for the implementation of this Law. Within nine (9) months from the day of entry into force of this Law, the CEC shall approve the rules referred to this Law;

128.2 The CEC shall issue any other rules deemed necessary for the implementation of this Law.

Article 129
Entry into Force

The present Law shall enter into force fifteen (15) days after the publication in the Official Gazette of the Republic of Kosovo.

Law No. 03/L-073
5 June 2008

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI