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Elections in Kosovo

2017 Local Elections

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Kosovo elections authorities as of October 16, 2017, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Kosovo will hold elections on October 22, 2017, to elect municipal mayors and municipal assembly deputies in all 38 districts of Kosovo. A total of 91 political entities were certified to run in these elections, including political parties (35), citizen initiatives (30) coalitions (1) and individual candidates (25) before the August 22, 2017 deadline. The campaign period began September 21, 2017.

Run-off elections will be held on November 19, 2017, in municipalities where no mayoral candidate obtains 50 percent plus one of all votes in the first round.

For municipal assembly elections, voting is done through an open list proportional representation system, in which voters select a political party and a candidate. Parties are then allocated seats in proportion to their share of votes.

What is the political situation?

Following an Assembly of Kosovo no-confidence vote in May, extraordinary "snap" elections were held on June 11; several parties joined forces to create the PDK-AAK-Nisma (PAN) Coalition, which won about 35 percent of the vote, narrowly beating out Vetevendosje, which ran as a single party outside of any coalition, and the incumbent LDK Coalition, led by former Prime Minister Isa Mustafa. Creation of the new government was delayed due to a lack of consensus or clear majority; after over two months of negotiations and six failed constitutive sessions, the government was only formed in early September.

In mid-June 2017, President Hashim Thaçi announced that Kosovars would go to the polls on October 22, 2017, to vote for their municipal governments.

What is the structure of government?

The Republic of Kosovo is a multi-party, parliamentary democratic republic. The Assembly elects both the president, the head of state, and the prime minister, the head of government. Executive power is headed by the prime minister, and legislative power is held by the Assembly of Kosovo. The judiciary is independent of the executive and legislative branches.

The prime minister and cabinet ministers are elected together by the Assembly of Kosovo. The Assembly, which is regulated by the constitution, is composed of 120 members directly elected for a four-year term; 20 of these seats are guaranteed for Kosovo's minority populations.

The Assembly passes all laws in Kosovo; ratifies international treaties; appoints the president, prime minister, ministers and justices of all courts; adopts the budget; and performs other duties established by the constitution.

At the local level, Kosovo is organized into 38 municipalities, each governed by a municipal mayor and a municipal assembly. This is the level which will be chosen following the October elections.

Who manages the electoral process?

There are three levels of election management bodies in Kosovo: Central Election Commission (CEC), the Municipal Election Commissions (MECs), and the Polling Station Committees (PSCs). Each body has its own management structure and responsibilities.

- **CEC:** The CEC is composed of 11 members, including the chairperson. The chairperson of the CEC is appointed by the president of Kosovo from among the judges in the Supreme Court and the appellate courts. The other members of the CEC are representatives of political entities that have seats in the Assembly of Kosovo. The main responsibilities of the CEC are to prepare and publish electoral rules; certify political entities; maintain the voter list; accredit observers; conduct voter education activities; establish MECs and PSCs; and announce and certify election results.
- **MECs:** The MECs are appointed for each election by the CEC, within 15 days of the announcement of the election, and disbanded 15 days after election results are confirmed. They are composed of at least seven members. The municipal election officer, who is a full-time CEC employee, serves as chairperson. Other members of the commissions represent political entities. The MECs are responsible for administering the election within their municipality and ensuring the legality, legitimacy and efficiency of the electoral process.
- **PSCs:** During the election period, PSCs are also established, the composition of which reflects that of the corresponding MEC.¹ PSCs are responsible for the administration of the voting process on Election Day; opening and closing of the polls; and counting of ballots.

How are local elections organized?

Each municipality is considered a single electoral district. Mayoral candidates are elected directly by voters registered in the municipality. For municipal assemblies, an open list of candidates for each municipality must be submitted by political entities to the Central Election Commission for approval, and at least 30 percent of candidates must be from the opposite gender. Voters will receive the two ballots described below.

- **Ballot for municipal assembly:** While voting for the municipal assembly, voters must vote for a political entity and may also vote for one candidate from that political entity's candidate list. If a ballot is marked for more than one candidate, only the political entity indicated is counted and the vote goes to the leader of the list.
- **Ballot for municipal mayor:** Voters may vote for one mayoral candidate. A candidate is elected if he or she received 50 percent plus one vote of the total valid votes cast in that municipality. If none of the candidates receives 50 percent plus one of the total votes, a run-off election is held

¹ Per Article 74.1 of the Law on General Elections in Kosovo, the composition of the PSC should reflect the structure of members of the MEC.

between the two candidates who received the most votes. The candidate that wins in the runoff election is elected mayor.

What is the gender balance on the candidate list?

Kosovo has a 30 percent quota for women in municipal and national assemblies. According to the Law on Local Elections and Central Election Commission (CEC) regulations, a political entity submits a list of candidates for the municipality/municipalities in which it intends to run for the municipal assembly. Each candidate list must have at least 30 percent of its certified candidates be of the opposite gender to be approved by the CEC.

Within each party that wins seats in the municipal assembly, approximately 30 percent of seats won by a political entity in a municipal assembly must be allocated to minority gender candidates. If a gender is underrepresented through Kosovo's open list proportional representation system for municipal assemblies, candidates of the minority gender will be given priority in seat allocation until the 30 percent minimum quota is met.

How many registered voters are there and who is eligible to vote?

There are 1.9 million eligible voters for the upcoming elections, including Kosovo citizens who live abroad.

Every citizen of Kosovo who is 18 or older on Election Day has the right to vote as long as he or she satisfies at least one of the following criteria:

- Is registered as a citizen of Kosovo in the Central Civil Registry;
- If residing outside Kosovo, left on or after January 1, 1998, provided he or she meets the criteria for being a citizen; or
- Obtained refugee status, as defined in the Convention Relating to the Status of Refugees, on or after January 1, 1995, and is eligible to be registered in the Central Civil Registry.

Those serving a sentence imposed by the International Criminal Tribunal for the former Yugoslavia; who are under indictment and have failed to appear before the Tribunal as ordered; or who have been declared mentally incompetent by a final court decision are barred from voting.

If a person has a valid form of identification, but their name cannot be found on the final voter list, that person may cast a conditional ballot. Conditional ballots are not counted in the polling stations, but are reviewed for eligibility at the Count and Results Center. If eligible, they are tabulated and added to final vote counts for the relevant municipality.

How many polling stations are set up on Election Day?

The Central Election Commission has established 899 polling centers and 2,505 polling stations across Kosovo.

Is out-of-country voting allowed?

Out-of-country voting will be conducted in this election. The deadline for eligible voters residing outside of Kosovo to apply for out-of-country voting was August 23, 2017. The Central Election Commission (CEC) reviews each application for eligibility. To be eligible to vote from outside of Kosovo, a person must prove his or her identity; be at least 18 years old on Election Day; and be registered in the Civil Register of Kosovo or can prove eligibility through other documentation.

If a person has registered to vote by mail in a previous election, or is registered at the Civil Registration Agency, then he or she must only prove identity to be included in the list of voters outside of Kosovo. If eligibility is approved, ballots will be sent to the voter prior to the election, and must be returned to the CEC by midnight two days before Election Day.

If an application is rejected, citizens have the right to appeal the decision to the Electoral Complaints and Appeals Commission (ECAP). Where appeals are not upheld by ECAP, citizens have the right to further appeal to the Supreme Court.

By the August 23 deadline, the CEC received 11,813 applications and approved 10,475 applications to vote via mail; the rejected applications mostly lacked proof of eligibility.

How will voters with disabilities cast their ballots?

The Law on General Elections states, “No one shall be discriminated against on grounds of race, color, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status.”

The Central Election Commission (CEC) is required to ensure persons with disabilities are provided with a way to participate in the electoral processes in Kosovo. Also, each polling center will have Braille ballot guides available for voters to use to cast their ballots.

The CEC is also required to establish voting programs that provide access for homebound voters and voters confined to an institution, such as those who are hospitalized, in designated homes for the elderly, inmates in prisons or detainees in detention centers. Additionally, the CEC is obligated to ensure that voter education campaigns target rural and illiterate voters as well as voters with a disability.

Citizens with special circumstances, including homebound voters, had to register as a voter with special needs from August 23 to October 7, 2017.

What is the counting and tabulation process?

Following the close of polls, votes are counted at each of the polling stations. All materials from each station within a polling center are sent to Municipal Election Commissions (MECs). From the MECs, all polling station materials will be delivered to the central Count and Results Center (CRC), where the results from each polling station are compiled. After ballot boxes are delivered to the CRC from each MEC, reconciliation and results forms from each polling station are tabulated.

Where materials are missing from a polling station – or where there are inconsistencies in the results information provided by a polling station – an investigation is conducted, with results that may resolve the issue or may lead to a recommendation for further action, such as a recount of ballots, to the Central Election Commission (CEC).

Conditional ballots, by-mail ballots and special needs ballots are counted at the CRC. CRC staff will tabulate results by polling station, generate the national election results, and report on voting in each municipality on behalf of the CEC.

When will the results be announced?

Results will be certified and announced once the tabulation at the Count and Results Center is complete. There is no legal deadline.

The Central Election Commission (CEC) intends to release unofficial voting results on the CEC website late on Election Day. Operators using tablets will be assigned to polling centers by the CEC and will electronically transmit polling station results to the CEC to be published on the CEC website as they are received. This preliminary results system is known as K-vote and was inaugurated during the November 2013 local elections.

How will election disputes be adjudicated?

Election disputes and electoral complaints are reviewed and adjudicated by the Electoral Complaints and Appeals Commission (ECAP), a permanent and independent institution established by the Law on General Elections. The 10 members of ECAP include a chairperson, who is a judge on the Supreme Court. Other members are judges of appeal and basic courts.

All eligible voters of Kosovo, representatives of political entities, polling station commissioners and domestic observers have the right to file a complaint. Complaints must contain the complainant's details and signature; a description of the alleged violation; its date, time and location; and have any relevant supporting documentary, video or audio evidence attached.

Complaints related to the campaign must be submitted within 24 hours of the occurrence. Election Day complaints must be submitted within 24 hours after the polls close. Complaints related to counting and results tabulation must be reported within 24 hours of the incident.

If a complaint or appeal is determined valid, ECAP has the capacity to sanction or fine the offender commensurate to the electoral offense.² ECAP imposes stronger fines on political entities which are represented in the Assembly of Kosovo than on those that are not. The imposition of a fine or other sanction by ECAP does not preclude any criminal sanction that may be applied by other authorities.³ ECAP's judgments are immediately made available to the public through their website.

Who can observe during Election Day? How do they get accreditation?

Accreditation of individuals for observation of elections in the name of any organization had to be submitted to the Central Election Commission by October 6, 2017. As of October 9, 2017, a total of 32,509 observers have been accredited for local elections, categorized as follows:

Political Entities	International Institutions (foreign election commission representatives)	Embassies	International NGOs (includes EU EOM)	Local NGOs	Media (local and international)
28,059	12	37	151	3,782	468

² Per ECAP Rules of Procedure, Article 6.10.

³ According to Article 120.5 Law on General Elections.

Resources

- [Election Complaints and Appeals Panel \(ECAP\)](#)
- [Law on Local Elections in the Republic of Kosovo](#)
- [Law on General Elections in the Republic of Kosovo](#)
- [Republic of Kosovo Central Election Commission \(CEC\)](#)
- [United Nations Security Council Resolution 1244](#)