



Official Text as amended and supplemented on June 25, 2009

*Central Election Commission*

Pursuant to the article 64.2 item (a) and (b), articles 96, 97, 98 of the Law No. 03/L-073 on General Elections in Republic of Kosovo, and articles 20, 24 of the Law No. 03/L-072 on Local Election in Republic of Kosovo, Issues:

## ELECTORAL RULE No. 03/2008 OUT OF KOSOVO VOTING

### Section 1 Definitions

1.1 An eligible voter is a person who meets the voter eligibility criteria established under article 5 of the Law on General Elections in Republic of Kosovo and under article 12.1 of the Law on Local Elections in Republic of Kosovo.

1.2 An eligible voter that resides outside of Kosovo at the time of an election may cast a ballot Out of Kosovo according to this Electoral Rule and specified in technical procedures for the Out of Kosovo Voting programme, or may travel to Kosovo and vote in person.

1.3 For the purpose of this Election Rule, a ballot means one of the ballots produced by the Central Election Commission (CEC).

### Section 2 Registering to Vote Outside of Kosovo

2.1 an eligible voter may cast a ballot in election Out of Kosovo, pursuant to the procedures established by this Electoral Rule if he or she is:

- (a) registered as a Kosovo habitual resident in the Central Civil Registry, or
- (b) registered as an Out of Kosovo voter in a previous Kosovo election by demonstrating his/her eligibility as a voter based on established legal criteria.

2.2 A person who intends to cast a ballot in an Out of Kosovo election that does not meet the criteria set out in section 2.1 (a) and (b) shall register with the CEC as an Out of Kosovo voter by submitting:

- (a) a Registration/Application form for Out of Kosovo voting a copy of which is attached as Annex I; and
- (b) documentary proof of identity and that he or she fulfils the legal voting eligibility criteria to vote in conformity with article 5 of the Law on General Elections in Republic of Kosovo and to attach photocopied documents as listed in the Annex II.

2.3 An eligible voter may apply to be registered as Out of Kosovo voter, while submitting the completed Registration/Application form, through:

- (a) mail, to one CEC mail boxes, or
- (b) fax to the CEC, at the number marked on the bottom of the Registration/Application form for Out of Kosovo voting.

2.4 The filled Registration/Application form should be submitted to the CEC between the period of 100 days prior to Election Day until 70 days prior to Election Day.

2.5 The CEC, through the CEC Secretariat shall review the Registration/Application forms of Out of Kosovo voters by the deadline established in section 2.4 and shall either:

- (a) accept the application and mail the applicant a ballot at the address specified in the Registration/Application form; or
- (b) denies the application and notifies the applicant in writing of the reasons for such a decision and that he or she can seek legal redress at the competent body according to the Law on General Elections in Republic of Kosovo. If the competent body within its jurisdiction decides that the Voter has the right to participate in the Out of Kosovo programme it may order the CEC to include the voter.

2.6 A person who has been denied registration as an Out of Kosovo voter, as set out in section 2.5.b of this Rule, may decide to make corrections and/or amendments to his/ her applications and resubmit his/ her Registration/Application form to the CEC by the deadline established in section 2.4. of this Rule.

### Section 3 Voting Manner

3.1 An eligible voter who has been successfully registered as an Out of Kosovo voter and/ or applied to obtain a ballot, may obtain the ballot by either:

- (a) receiving the ballot(s) at an existing address outside of Kosovo that she or he provides for that purpose, or
- (b) taking personally the ballots(s) from one of the distribution points outside of Kosovo, established and publicly announced by the CEC, or
- (c) making a photocopy of the existing ballot(s) in distribution points as set forth in section 3.1b. of this Rule, or
- (d) downloading a copy of the ballot from the CEC web site on the internet

3.2 After marking the ballot(s), the voter shall place the ballot(s) in an unmarked and sealed envelope placed inside an outer/sending envelope. In the sending envelope the voter shall also place either a photocopy of his or her valid identification document and a note containing his or her personal data that shall contain at least his or her name, surname, fathers name and date of birth.

3.3 After marking the ballot for Out of Kosovo Voting, the voter shall send it by mail in one of the Mail boxes established and publicly announced by the CEC, by a date determined by CEC.

3.4 Out of Kosovo votes shall be accepted by the CEC 24 hours before the Elections.

Section 4  
Counting the Out of Kosovo ballots

4.1 The CEC Secretariat shall consider invalid and shall not count a by mail ballot that has been sent from Out of Kosovo:

- (a) by a person who is not an eligible voter or has his or her Application/ Registration form as an Out of Kosovo Voter denied by a CEC decision that has not been reversed by the competent body according to the Law on General Elections in Republic of Kosovo; or
- (b) based on the decision of the competent body according to the Law on General Elections in Republic of Kosovo for denying the request of the Out of Kosovo Voter, or
- (c) by a person whose identity cannot be established; or
- (d) after the deadline set out in section 3.4 of this electoral rule

4.2. The Out of Kosovo Voting unit will hand over the confirmed Out of Kosovo secrecy envelopes with the respective identifiers attached to it and sorted by municipalities to the count and result centre (CRC). The CRC will process Out of Kosovo envelopes and ballots according to the CRC electoral rule No. 06/2008 on Count and Result Centre.

Section 5  
Second Round of Mayoral Elections

5.1 Eligible person that wishes to cast vote Out of Kosovo for the second round of elections for Mayors of Municipalities may vote by taking the ballots according to the section 3.1 of this Rule and in accordance to the Electoral Rule no.10/2009 on Second Round of Mayoral Elections.

Section 6  
Entry into force

This Election Rule enters into force on June 25, 2009.

**Nesrin Lushta**

President of the Central Election Commission

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