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Observation of the presidential election (13 and 27 April 2014) and of the early parliamentary elections (27 April 2014) in "the former Yugoslav Republic of Macedonia"

Election observation report
Ad hoc Committee of the Bureau
Rapporteur: Mr Stefan SCHENNACH, Austria, Socialist Group

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1. Introduction

1. The Bureau of the Parliamentary Assembly, at its meeting on 16 December 2013, decided to observe the presidential election in "the former Yugoslav Republic of Macedonia", subject to the receipt of an invitation and confirmation of the date, and to constitute an ad hoc committee composed of 21 members and the rapporteur of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee). The Bureau also authorised a pre-electoral mission. On 4 February 2014, the Bureau approved the composition of the ad hoc committee and appointed Mr Stefan Schennach as Chairperson. On 11 February 2014, Mr Trajko Veljanovski, President of the Assembly of "the former Yugoslav Republic of Macedonia", invited the Parliamentary Assembly to observe the presidential election on 13 April 2014. On 5 March 2014, the Bureau decided that the same ad hoc committee should also observe the early parliamentary elections scheduled for 27 April 2014 (at the same time as the possible second round of the presidential election). On 11 April 2014, the Bureau approved the final composition of the ad hoc committee (see Appendix 1).

2. Under the terms of Article 15 of the co-operation agreement signed between the Assembly and the European Commission for Democracy through Law (Venice Commission) on 4 October 2004, "[w]hen the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser". In accordance with this provision, the Bureau of the Assembly invited an expert from the Venice Commission to join the ad hoc committee as an adviser.

3. The pre-electoral delegation went to "the former Yugoslav Republic of Macedonia" on 11 and 12 March 2014 to evaluate the state of preparations and the political climate in the run-up to the presidential election. The programme of the visit (Appendix 2) included meetings with the presidential candidates, including the incumbent President, the President of the Assembly, members of the delegation to the Parliamentary Assembly of the Council of Europe, the Chairperson of the State Election Commission, the Minister of the Interior, the Minister of Information Society and Administration, the Vice-President of the Agency for Audio and Audiovisual Media Services, the Deputy Auditor General, the President of the State Commission for Preventing Corruption, representatives of the civil society and of the media, the Head of the election observation mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR), diplomats and representatives of international organisations present in Skopje. At the end of its mission, the pre-electoral delegation issued a press release (Appendix 3).

4. For the observation of the presidential election, the ad hoc committee operated in the framework of an International Election Observation Mission (IEOM) together with the election observation mission of the OSCE/ODIHR.

5. The ad hoc committee met in Skopje from 10 to 14 April 2014 to observe the first round of the presidential election on 13 April. The programme of the ad hoc committee's meetings, is set out in Appendix 4. On election day, the ad hoc committee split into eight teams which observed the elections in Skopje and the surrounding areas as well as in the following regions and municipalities: Gostivar, Veles, Tetovo, Kumanovo, Kriva Palanka, Ohrid, Bitola and Struga.

6. The following day, the IEOM held a joint press conference and issued a "statement of preliminary findings and conclusions" and a press release (Appendix 5).

7. For the observation of the early parliamentary elections on 27 April 2014 (date coinciding with the second round of the presidential election), an observation mission of the OSCE Parliamentary Assembly joined the IEOM.

8. The ad hoc committee returned to Skopje from 25 to 28 April 2014 to observe the second round of the presidential election and the early parliamentary elections, both on 27 April. The programme of the ad hoc committee's meetings, similar to those of the previous two missions but including meetings with representatives of the main political parties, is set out in Appendix 6. On election day, the ad hoc committee split into eight teams which observed the elections in Skopje and its surrounding areas, as well as in the following regions and municipalities: Gostivar, Veles, Tetovo, Kumanovo, Kriva Palanka, Gjorce Petrov, Petrovec, Ilinden, Zelenikovo, Ohrid, Bitola and Struga.

9. The following day, the IEOM held a joint press conference and issued a "statement of preliminary findings and conclusions" and a press release (Appendix 7).

2. Background

10. In line with constitutional and legal provisions, the first round of the presidential election was held on 13 April and the second round on 27 April 2014, at the same time as the early parliamentary elections further to the dissolution of the parliament on 5 March.

11. The incumbent president, Gjorge Ivanov, affiliated with the Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity (VMRO-DPMNE), was running for a second term and was challenged by Stevo Pendarovski, affiliated with the opposition party Social Democratic Union of Macedonia (SDSM), Iljaz Halimi, affiliated with the Democratic Party of Albanians (DPA), and Zoran Popovski, affiliated with the recently-formed party Citizens Option for Macedonia (GROM).

12. The Democratic Union for Integration (DUI) party, a member in the governing coalition with the VMRO-DPMNE, boycotted the presidential election, alleging that its coalition partner VMRO-DPMNE had ignored its calls to nominate a consensual presidential candidate who would represent both the ethnic Macedonian and

ethnic Albanian communities. The DUI called for its supporters to refrain from voting and thus invalidate the presidential election, as a threshold of 40% of the registered voters was required in the second round to validate the election (a requirement previously criticised by the Venice Commission).

3. Legal framework

13. Elections are regulated by the Constitution, the Electoral Code and the Criminal Code. These were all amended on 24 January 2014 and some recommendations of the Venice Commission were partly addressed. Among the amendments are regulations with respect to the use of administrative resources, financing of campaigns, media coverage and out-of-country voting.

14. However, a number of inconsistencies remain, for example a lack of clarity on the definition of campaigning and on the use of public resources during the campaign. Safeguards for the separation of party and State are insufficient. The 40% turnout requirement in the second round of the presidential election, as already mentioned, could lead to cycles of failed elections. The complaints procedure was ineffective.

15. The president is elected in a single constituency by general and direct suffrage by secret ballot for a five-year term under a majoritarian system. To be elected in the first round, a candidate must receive more than 50% of the votes of the total number of registered voters. Should there be a second round, the candidate with the most votes wins, provided the turnout is greater than 40%, otherwise the entire election process must be repeated.

16. The parliament has 123 members elected for a four-year term. 120 members are elected under a proportional system in six electoral districts and three are elected in a majoritarian system in three out-of-country districts (Europe and Africa, North and South America, Australia and Asia). The uneven distribution of voters in the out-of-country districts and the difference between the number of voters in the domestic and in the out-of-country districts does not ensure genuine equality of the vote. This was already criticised in the 2011 Joint Opinion of the OSCE/ODIHR and the Venice Commission.

4. Electoral administration, voters lists and registration of candidates

17. The presidential and the parliamentary elections were administered by a three-level election administration: the State Electoral Commission (SEC), 80 municipal election commissions (MEC), 3 480 in-country election boards and 34 diplomatic–consular offices.

18. The SEC is composed of seven members appointed by the parliament for a four-year term. The President and two members are nominated by the parliamentary opposition parties and the vice-president and three members are nominated by the governing parties. The MECs have a President, four members and their deputies, randomly selected from public service employees for a five-year term. Election boards are formed by MECs and have one member nominated by the governing political parties, one by the opposition parties and three randomly selected from public service employees.

19. The SEC sessions were generally open for accredited observers and the media. However, they were characterised by division among members and voting along party lines.

20. As presidential and parliamentary elections were announced on different dates, the deadlines for public scrutiny and for closing the voters lists were different; this resulted in two separate voters lists, with 1 779 572 citizens registered to vote in the presidential election and 1 780 128 in the early parliamentary elections.

21. A number of the IEOM's interlocutors raised the issue of large numbers of voters residing at the same address and both the DUI and the SDSM filed complaints with the SEC requesting the deletion of voters from the voters lists, alleging that they were registered at fictitious addresses. As the legal provisions do not clearly specify which agency is responsible for investigating such complaints, the issue remained unsolved and led to mistrust in the accuracy of voters lists.

22. To stand as a presidential candidate, a citizen must have the right to vote, be at least 40 years old, and have lived in the country for at least 10 of the last 15 years. The duration of 10 years appears excessive and disproportionate with the principle of equality. Nominations for the presidential election must be supported either by 10 000 voters or 30 members of parliament.

23. Candidate registration was inclusive. Out of six nominees, two failed to collect the required number of signatures.

24. Candidates in the parliamentary elections had to be nominated by political parties, coalition of political parties or by groups of voters. In order to encourage the participation of women, and in accordance with legal provisions, one in every three consecutive places on candidate lists was reserved for the under-represented sex.

25. Nine political parties and five coalitions were registered by the SEC. All the Albanian parties, including the DUI and DPA, ran separately.

5. Election campaign and media environment

26. The presidential campaign for the first round officially started on 24 March and ended on 11 April at midnight. The campaign for the second round started on 14 April and that for the early parliamentary elections started on 5 April, with a two-day interruption during the campaign silence for the first round of the presidential election, as decided by the SEC.

27. The campaigns were active, candidates being able to campaign without hindrance. However, the campaign of the VMRO-DPMNE was largely dominant, as the governing party did not properly separate party from State activities, contrary to the Venice Commission's Code of Good Practice in Electoral Matters. Interlocutors of the IEOM provided credible allegations of voter intimidation, in particular among public sector employees, including pressure to attend campaign events, pressure not to attend opposition events, pressure linked to jobs, etc. There were also credible allegations of vote-buying, in particular among economically disadvantaged groups.

28. The DUI appealed to the Albanians to refrain from voting in the presidential election.

29. The presidential campaign witnessed a steady stream of accusations of past and present corruption between adversaries within the ethnic blocks. The DPA and DUI attacked each other for their respective decisions to run a candidate and boycott the election. The DPA criticised the DUI for jeopardising the secrecy of the vote for ethnic Albanians, especially in small villages.

30. These trends continued during the parliamentary election campaign, the only difference being that the DUI asked its supporters to turn out in large numbers for the parliamentary elections. The IEOM received credible information on the DUI exerting pressure on its voters to refrain from taking a presidential ballot paper on 27 April.

31. The legislation on campaign financing was amended in January 2014, but the system, as currently implemented, is not adequate to ensure the transparency, integrity and accountability of the process.

32. There are a large number of media outlets in the country, but the most important ones are under the indirect control of the ruling party, and the government appears to be the largest single advertiser. Consequently, a majority of media were biased in favour of the ruling party VMRO-DPMNE and its presidential candidate and mainly negative towards SDSM and its candidate. Albanian language media also favoured the DUI over the other ethnic Albanian contestants.

33. The media were characterised during both campaigns by a lack of political analysis and independent reporting, combined with a widespread phenomenon of self-censorship.

34. In the presidential campaign, there were very limited opportunities for other candidates to confront the incumbent President Gjorge Ivanov. Only one debate featuring all four presidential candidates was organised by the Macedonian Radio and Television MRT1. After the debate, the public broadcaster organised a discussion which focused mainly on perceived failures of the main opposition candidate, Stevo Pendarovski.

35. The electoral dispute resolution mechanism is ineffective and the lack of deadlines for courts to solve various election-related cases, combined with a limited right of voters to legal redress at every stage of the electoral process, is at odds with the Venice Commission's Code of Good Practice in Electoral Matters.

6. Election day

36. The election days were generally calm and peaceful both on 13 and on 27 April.

37. However, on 27 April, in some ethnic Albanian areas, it was observed that voters were discouraged by election board members from taking a presidential ballot paper, whereas in ethnic Macedonian areas voters were automatically given both ballot papers.

38. Members of the Assembly delegation observed both on 13 and on 27 April in the municipality of Suto Orizari practices contrary to democratic requirements (organised voting and voters who had obviously been given a paper with an indication of how to vote, as they were consulting this paper while in the polling booths). Group voting seemed to be the most frequent irregularity, in particular on 27 April, where IEOM observers noted it in 9% of the polling stations observed.

39. In the first round of the presidential election none of the candidates received the required majority of the total number of registered voters to be elected. According to the SEC, the incumbent president Gjorge Ivanov received 51% of votes cast, Stevo Pendarovski 37.51%, Iljaz Halimi 4.49% and Zoran Popovski 3.61%. The turnout was 48%, but voter participation remained low in the ethnic Albanian areas.

40. The results of the second round was therefore held between Gjorge Ivanov and Stevo Pendarovski. According to the SEC, Gjorge Ivanov was elected with 55.28% of cast votes. The turnout for the second round of the presidential election was 54.38%.

41. The results obtained by the major coalitions and parties in the early parliamentary elections are as follows: VMRO-DPMNE etc. 42.97% of cast votes, SDSM etc. 25.34%, DUI 13.71%, DPA 5.92%, GROM 2.82%, NDP (National Democratic Revival) 1,59%. The turnout for the early parliamentary elections was 62.96%.

7. Conclusions

42. In general, the election day was conducted efficiently and, in principle, in accordance with the national legislation. However, in one municipality observed, the voting process was problematic and a greater number of irregularities were witnessed (in particular organised voting). Other procedural irregularities were observed, particularly during the opening of the polling stations and during the counting, but they were rather of a technical nature and with no discernable influence on the results.

43. During the election campaigns, the media displayed a lack of political analysis and independent reporting. There were no proper separation of party and State resources concerning the main ruling party, and there were credible allegations of voter intimidation, in particular as regards public sector employees.

44. Furthermore, the Assembly delegation noted that the election process as a whole did not contribute to reducing the tensions that exist between and within ethnic communities. The election process was a missed opportunity for political stakeholders to demonstrate a genuine wish to integrate all ethnic communities and minorities.

45. As declared during the joint press conference on 28 April, the Parliamentary Assembly stands ready, with the support of the Venice Commission, to offer assistance to further improve the electoral framework for the further democratic consolidation of the country.

Appendix 1 – Composition of the ad hoc committee

Based on proposals by the political groups of the Assembly, the ad hoc committee was composed as follows:

– Stefan SCHENNACH* (Austria, SOC), Head of the delegation

– Socialist Group (SOC)
  - Andreas GROSS,** Switzerland
  - Luc RECORDON,** Switzerland
  - Deniza KARADJOVA,** Bulgaria
  - Melita MULIĆ,*** Croatia
  - Deniz BAYKAL,*** Turkey
  - Ingrid ANTIČEVIĆ MARINOVIĆ,*** Croatia
  - Group of the European People's Party (EPP/CD)
  - Werner AMON,** Austria
  - Şaban DİŞLİ,* Turkey

– Alliance of Liberals and Democrats for Europe (ALDE)
  - André BUGNON, Switzerland
  - Margus HANSON,* Estonia
  - Chiora TAKTAKISHVILI,*** Georgia

– European Democrat Group (EDG)
  - Reha DENEMEÇ, Turkey
  - Sir Roger GALE,** United Kingdom

– Group of the Unified European Left (UEL)
  - Andrej HUNKO,*** Germany

– Rapporteur of the Monitoring Committee (ex officio)
  - Robert WALTER,* United Kingdom

– Venice Commission
  - Owen MASTERS, expert

– Secretariat
  - Bogdan TORCĂTORIU, Administrative Officer, Interparliamentary Co-operation and Election Observation Division, secretariat of the Parliamentary Assembly
  - Ivi-Triin ODRATS,*** Administrative Officer, secretariat of the Parliamentary Assembly
  - Gaël MARTIN-MICALLEF, Secretariat of the Venice Commission
  - Franck DAESCHLER,* Principal Administrative Assistant, Interparliamentary Co-operation and Election Observation Division
  - Anne GODFREY,** Assistant, Interparliamentary Co-operation and Election Observation Division

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* members of the pre-electoral delegation (11-12 March 2014)

** participation on 11-14 April only

*** participation on 25-28 April only

Appendix 2 – Programme of the pre-electoral mission

Tuesday, 11 March 2014

08:15-09:00 Meeting with Mr Gjorge Ivanov, President of the Republic

09:30-10:00 Delegation meeting

10:15-11:00 Meeting with Ambassador Geert-Hinrich Ahrens, Head of the OSCE/ODIHR Election Observation Mission, Mr Don Bisson, Deputy Head of Mission, and Ms Tamara Otiashvili, Election adviser

11:00-11:50 Meeting with representatives of civil society:
- Human Rights Institute: Ms Margarita Tsatsa Nikolovska, President, former judge at the European Court of Human Rights
- Most: Mr Zlatko Dimitrioski, Political Analyst
- Civil Center for Freedom: Mr Xhabir Deralla, Director
- Center for Institutional Development: Mr Zoran Bogdanovski, Institutional Development Manager
- Helsinki Committee: Ms Neda Calovska, Legal Adviser
- Foundation Metamorphosis: Mr Zoran Stojanovski, Programme Coordinator
- Macedonian Center for International Co-operation MCMS : Mr Aleksandar Krzalovski, First Executive Director

12:00-12:30 Meeting with Mr Trajko Veljanovski, President of the Assembly

12:40-13:15 Meeting with representatives of the media (part 1):
- Association of Journalists of Macedonia (ZNM): Mr Dragan Sekulovski, Executive Director
- Trade Union of Journalists: Ms Tamara Causidis, President
- Macedonian Institute for Media (MIM): Ms Biljana Petkovska, Director
- Media Development Center: Mr Dejan Georgievski, President

13:15-13:50 Meeting with representatives of the media (part 2):

14:30-16:00 Meeting with members of the diplomatic corps and representatives of international organisations present in Skopje:
- Mr Thomas Michael Baier, Ambassador of Austria
- Mr Halil Gürol Sökmensüer, Ambassador of Turkey
- Mr Christopher Yvon, Ambassador of the United Kingdom
- Mr Ralf Breth, Head of the OSCE mission
- Mr Aivo Orav, Head of the Delegation of the European Union

16:35-18:30 Individual meetings with presidential candidates:
- Mr Zoran Popovski, GROM
- Mr Iliaz Halimi, DPA
- Stevo Pendarovski, SDSM

Wednesday, 12 March 2014

09:30-10:30 Meeting with members of the delegation of “the former Yugoslav Republic of Macedonia” to the Parliamentary Assembly:
- Mr Aleksandar Nikoloski, Head of the delegation
- Mr Igor Ivanovski
- Mr Aleksandar Spasenovski
- Ms Sonja Mirakovska

10:40-11:40 Meeting with Mr Nikola Rilkoski, Chairperson of the State Election Commission

11:50-12:20 Meeting with Ms Gordana Jankulovska, Minister of the Interior

12:30-13:00	Meeting with Mr Ivo Ivanovski, Minister of Information Society and Administration
13:10-13:40	Meeting with Mr Milaim Fetai, Vice-President of the Agency for Audio and Audiovisual Media Services, and Ms Adriana Skerlev-Cakar, Head of Department
15:05-15:35	Meeting with Mr Naser Adimi, Deputy Auditor General, State Audit Office
15:45-16:15	Meeting with Mr Gjorgi Slamkov, President of the State Commission for Preventing Corruption
18:00-18:30	Press conference

Appendix 3 – Press release of the pre-electoral mission for the observation of the presidential election

PACE delegation hopes that the presidential election will represent a smooth process, despite the strong polarisation of public life along political and ethnic lines

Strasbourg, 12.03.2014 – The intention of the authorities of "the former Yugoslav Republic of Macedonia" to organise, on 13 April 2014, its fifth presidential election since independence has been welcomed by a delegation of the Parliamentary Assembly of the Council of Europe (PACE) visiting the country to assess the pre-electoral climate.

The delegation, led by Stefan Schennach (Austria, SOC), welcomed the fact that the Electoral Code has been improved since the last election. However, following its discussion with various interlocutors, it considers it necessary to underline the importance of implementing all provisions of the new Electoral Code in good faith.

The delegation feels that the decision of the largest Albanian party, which is also part of the ruling coalition, to try to make the presidential election fail is not a constructive one and is at odds with the rules of democracy.

The country will hold early parliamentary elections on the same day as the expected second round of the presidential election, on 27 April 2014. This appears to cause a series of organisational problems, which, hopefully, will not negatively affect the two parallel electoral processes.

The delegation regretted the obvious polarisation of the media, which appears to be more a tool for propaganda than a means to disseminate information to the public. It stressed that, in particular during the electoral campaign, media must be in a position to deliver objective information to the public, so that citizens can make an informed choice on election day.

In fact, the delegation was informed by the highest authorities themselves about a general lack of trust both in the media and in the judicial system. It hopes that no effort will be spared during the electoral process to restore this trust, which is essential in any democracy.

The delegation expressed concerns about various issues raised by its interlocutors, such as the alleged growth of pressure on the media, unclear differentiation between the state and the governing parties which has allegedly led to the extensive use of administrative resources during the electoral campaign, and financing of the campaign.

It fully understood that some of these issues cannot be dealt with in the short time left before election day, but hoped that those which can still be addressed, such as providing in time biometric identity cards to all voters, will indeed be addressed.

The delegation was also informed about a certain lack of trust in the quality of the voters list, as the number of voters was considered by some interlocutors as being abnormally high. It thinks that the responsibilities for compiling on accurate voters list should be better defined between the institutions involved.

The delegation expressed the hope that, despite the strong polarisation of public life along political and ethnic lines, the electoral campaign will be a smooth one without any deviations towards nationalistic and ethnocentric paths, and will focus on debating concrete political programmes.

The PACE pre-electoral delegation was in Skopje at the invitation of the President of the Assembly. It met with the presidential candidates, including the incumbent President, with the President of the Assembly, with members of the delegation to PACE, with the Chairman of the State Election Commission, the Minister of the Interior, the Minister of Information Society and Administration, the Vice President of the Agency for Audio and Audiovisual Media Services, the Deputy Auditor General, the President of the State Commission for Preventing Corruption, with representatives of the civil society and of the media, with the Head of the OSCE/ ODIHR election observation mission and with diplomats and representatives of international organisations present in Skopje.

A full 21-member delegation from the Parliamentary Assembly of the Council of Europe will arrive in Skopje prior to the presidential election to observe the vote.

Appendix 4 – Programme of the presidential election observation mission (first round, 13 April 2014)

Friday, 11 April 2014

09:30-10:00 Meeting of the ad hoc committee:
- Opening and briefing on the pre-electoral mission by Mr Stefan Schennach, Head of Delegation
- Briefing by members of the pre-electoral mission
- Briefing by Mr Robert Walter, rapporteur of the Monitoring Committee
- Briefing on election legislation, by Mr Owen Masters, Expert, Venice Commission
- Practical and logistical arrangements, Secretariat

10:00-11:00 Briefing by the OSCE/ODIHR Election Observation Mission (part 1):

11:00-11:30 Meeting with representatives of international organisations present in Skopje:
- Ambassador Ralf Breth, Head of the OSCE mission
- Mr Aivo Orav, Head of the Delegation of the European Union

11:30-12:30 Meeting with representatives of civil society

14:30-15:15 Meeting with representatives of the media (part 1):
- Association of Journalists of Macedonia (ZNM): Mr Dragan Sekulovski, Executive Director and Mr Naser Selmani
- Trade Union of Journalists: Mr Vlado Apostolov
- Media Development Center: Mr Dejan Georgievski, President

15:15-16:00 Meeting with representatives of the media (part 2)

16:00-16:30 Meeting with Mr Nikola Rilkoski, Chairperson of the State Election Commission

16:30-17:00 Meeting with Ms Gordana Jankulovska, Minister of the Interior

17:00-17:30 Meeting with Mr Zoran Trajchevski, President of the Agency for Audio and Audiovisual Media Services

17:30-18:00 Meeting with Mr Gjorgi Slamkov, President of the State Commission for Preventing Corruption

Saturday, 12 April 2014

09:30-11:00 Individual meetings with presidential candidates:

– Mr Zoran Popovski, GROM

– Mr Iliaz Halimi, DPA

– Mr Jovan Despotovksi, International Secretary, representing Mr Stevo Pendarovski, SDSM

11:00-13:00 Meetings with leaders of the main political parties (to discuss issues linked to the early parliamentary elections of 27 April)
- VMRO-DPMNE: Mr Nikola Todorov, Minister of Health and Head of Electoral Office, Ms Biljana Briškovksa, Deputy Minister of Justice
- DUI: Mr Abdulakiu Ademi, Minister of the Environment, Head of Electoral Office
- SDSM: Mr Damjan Manchevski, Vice-President
- DPA: Mr Imer Aliu, MP

13:00-13:30 Meeting with Mr Gjorge Ivanov, VMRO-DPMNE, incumbent President of the Republic

13:30-14:00 Briefing by the OSCE/ODIHR Election Observation Mission (part 2):
- Mr Don Bisson, Deputy Head of Mission
- Mr Ovidiu Craiu, Election Analyst
- Mr Anders Eriksson, Statistics Expert

13h45 Meeting with interpreters and drivers

Sunday, 13 April 2014

Election day: observation of the opening, voting, closing and tabulation.

Monday, 14 April 2014

08:30-09:30	Delegation meeting (debriefing)
13:30	Joint press conference

Appendix 5 – Press release on the observation of the presidential election (first round, 13 April 2014)

Presidential candidates able to campaign freely and fundamental freedoms respected, but campaign playing field not level, international observers say in Skopje

Strasbourg, 14.04.2014 – Fundamental freedoms were respected and candidates were able to campaign freely in the efficiently-administered 13 April 2014 presidential election in "the former Yugoslav Republic of Macedonia", although biased and unbalanced media coverage and a blurring of state and party activities created an unbalanced playing field, international observers said in a statement issued today.

"The campaign was active and the candidates engaged in a vigorous schedule of rallies, however, the playing field was not level," said Ambassador Geert-Hinrich Ahrens, Head of the election observation mission from the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). "This is one of the issues we will continue to look at by observing the campaign and the media coverage in the lead-up to the early parliamentary elections and the second round of the presidential vote in two weeks, for which we will also be joined by 160 short-term observers."

In general, the State Electoral Commission (SEC) functioned efficiently and most of its sessions were open to observers and the media, although tensions were evident when particular members made political statements or when voting on politically contentious issues followed party lines. In addition, the SEC failed to communicate effectively with the Municipal Election Commissions, causing some confusion regarding procedures.

Despite the large number of media outlets, many stakeholders with whom the observers met alleged there is indirect control over the media by the ruling party, through the government's dominance in the advertising market. There was a lack of political analysis and independent reporting, and the public broadcaster failed to provide balanced coverage.

The incumbent enjoyed a significant advantage in resources and predominance in paid advertising. The government's clear support during the campaign did not fully respect the separation of party and the state.

"The conduct of the campaign divided society along ethnic lines, and the call by one ethnic-Albanian party on members of this community not to vote is a matter of concern," said Stefan Schennach, Head of the delegation from the Parliamentary Assembly of the Council of Europe (PACE). "We also saw instances of organised voting, as well as some small procedural irregularities. These issues cast a shadow over what was largely a well-conducted process on election day."

Four candidates were registered and the campaign was active. Although the tone of campaigning was mostly moderate, negative rhetoric was heard increasingly from the governing and main opposition parties as the campaign progressed. There was a stream of strong negative allegations within the ethnic-Albanian bloc, as well as an appeal not to vote made by one party to ethnic Albanians.

All four candidates were men. While gender-representation criteria were respected in election-administration bodies, gender issues were not addressed in candidates' programmes.

Recent amendments to the Electoral Code addressed some recommendations from prior OSCE/ODIHR election reports. Although their introduction less than a year before this election went against good practice, they enjoyed cross-party support and were passed following public consultations. A number of inconsistencies and issues of concern remain, however. The 40 per cent turnout requirement in the second round of the presidential contest could lead to cycles of failed elections, and the lengthy residency requirement for candidates contradicts OSCE commitments and Council of Europe standards and other international obligations.

The mechanism for resolving electoral disputes is ineffective. In addition, the lack of deadlines for the resolution of election-related cases does not guarantee timely legal redress and voters can only challenge decisions on voter registration and the violation of their voting rights on election day.

On election day, the administration in the limited number of polling stations visited was procedurally well-prepared and the voting process was administered efficiently, however, in one municipality the voting process was problematic and a greater number of irregularities were noted. The vote count was carried out in a professional and transparent manner. The tabulation process was generally well organised, although there were many small discrepancies in the results protocols, which were corrected by the MECs.

Appendix 6 – Programme of the observation mission for the second round of the presidential election and of the early parliamentary elections (27 April 2014)

Friday, 25 April 2014

11:00-12:00 Meeting of the ad hoc committee:
- Opening and briefing on the pre-electoral mission by Mr Stefan Schennach, Head of Delegation
- Briefing on election legislation, by Mr Owen Masters, Expert, Venice Commission
- Exchange of views based on the findings of the electoral mission of 11-14 April
- Practical and logistical arrangements (information from the Secretariat)

JOINT PARLIAMENTARY BRIEFING

13:00-13:20 Opening by the Heads of Delegations:
- Ms Christine Muttonen, Special Coordinator of the short-term OSCE observer mission
- Ms Isabel Santos, Head of the OSCE Parliamentary Assembly Delegation
- Mr Stefan Schennach, Head of the Delegation of the Parliamentary Assembly of the Council of Europe

13:20-13:45 Welcoming remarks

13:45-14:45 Briefing by the OSCE/ODIHR Election Observation Mission

Introduction and overview of findings to date:
- Ambassador Geert-Hinrich Ahrens, Head of Mission

Political background:
- Ms Ellen Shustik, Political Analyst

Complaints and appeals:
- Ms Elissavet Karagiannidou, Legal Analyst

Media environment:
- Mr Iegor Tilpunov, Media Analyst

Election day procedures:
- Mr Ovidiu Craiu, Election Analyst

Observation forms:
- Mr Anders Eriksson, Statistics Analyst

15:00-16:00 Panel discussion with NGOs/INGOs
- Mr Darko Aleksov, Executive Director of MOST
- Mr Xhabir Deralla, Director Civil Center for Freedom
- Ms Uranija Pirovska, Director of the Helsinki Committee for Human Rights

16:00-17:00 Panel discussion with media representatives

Saturday, 26 April 2014

09:30-10:15 Election Administration:
- Mr Subhi Jakupi, Vice-President of the State Election Commission

10:15-12:45 Meetings with political parties:
- Ms Biljana Briskoska, Head of Legal Commission, VMRO-DPMNE
- Mr Damjan Manchevski, Vice President, and Mr Jovan Despotovski, International Secretary, SDSM
- Mr Abdilaqim Ademi, General Secretary, DUI
- Mr Imer Aliu, Member of the Central Presidency, DPA
- Mr Gikten Aziri, Vice-President, NDR

12:45-12:50	Closing remarks
12:50-13:50	Meeting with interpreters and drivers

Sunday, 27 April 2014

Election day: observation of the opening, voting, closing and tabulation.

Monday, 28 April 2014

08:00-09:00	PACE delegation meeting (debriefing)
15:00	Joint press conference

Appendix 7 – Press release on the observation of the second round of the presidential election and of the early parliamentary elections (27 April 2014)

Shortcomings during campaign overshadow generally well-run election day, international observers say in Skopje

Strasbourg, 28.04.2014 – Fundamental freedoms were respected and candidates were able to campaign without obstruction in the 27 April elections in "the former Yugoslav Republic of Macedonia", but shortcomings identified in the first round of the presidential election two weeks earlier, including the blurring of state and party activities and biased and unbalanced media coverage in favour of the ruling party, either persisted or were more pronounced, international observers said in a statement issued today.

"Yesterday's elections were effectively administered and election day went smoothly, but there were real problems before and, unfortunately, after the vote," said Christine Muttonen, the Special Co-ordinator who led the short-term OSCE observer mission. "The governing party did not adequately separate its party and state activities while, regrettably, the major opposition party announced it would not recognize the election results. I strongly encourage all political actors to work together to create a positive post-election environment."

The observers noted that there continued to be credible allegations of voter intimidation, including pressure by one party on ethnic Albanian voters to boycott the presidential ballot.

"This election process did not contribute to reducing the tensions that exist between and within ethnic communities," said Stefan Schennach, Head of the delegation from the Parliamentary Assembly of the Council of Europe (PACE). "The election was a missed opportunity for political stakeholders to demonstrate a genuine commitment to integrating all ethnic communities and minorities. PACE, with the support of the Venice Commission, remains ready to provide support for electoral improvements and further democratic consolidation in the country."

Media monitoring during the campaign period identified a bias in favour of the ruling party and its presidential candidate in the majority of monitored media, accompanied by negative reporting on the main opposition party and its presidential candidate. The lack of analysis and independent reporting identified in the first round of the presidential election continued during the second round and the parliamentary election, the statement said.

"The media monitored were largely biased in favour of the ruling party and the incumbent presidential candidate, while reporting negatively on the campaign of the main opposition party," said Isabel Santos, Head of the OSCE PA delegation. "All stakeholders should take a serious look at these findings, and then work together to create the conditions for a freer and impartial media environment."

Both the parliamentary and second round presidential campaigns were active, and all parties engaged in a vigorous schedule of rallies, the statement said. A significant advantage in resources and predominance in political advertising meant, however, that the ruling party and its presidential candidate dominated the campaign environment. The clear support they received from the government during the campaign did not respect the separation of party and the state. As in the first round of the presidential election, there was a steady stream of accusations of corruption within the ethnic blocs.

The State Electoral Commission (SEC) met most of its legal deadlines and held regular sessions, most of which were open to observers and the media, but continued to be divided along party lines on all contentious issues. As in the first round, the SEC did not communicate effectively with the Municipal Election Commissions (MECs), causing some confusion regarding procedures. The MECs did carry out their duties in a professional manner, the observers said.

A number of Electoral Code provisions regulating the parliamentary elections were amended in January 2014, addressing some prior OSCE/ODIHR recommendations. Inconsistencies and ambiguities remained, however, including in the legal definition of campaigning and the length of the campaign, as well as provisions on the use of public resources during the campaign.

"To characterize the elections in a nutshell, the run-up failed to meet important OSCE commitments, including on the separation of state and party, on ensuring a level playing field, on the neutrality of the media, on the accuracy of the voters list and on the possibility of gaining redress through an effective complaints procedure," said Ambassador Geert-Hinrich Ahrens, Head of the election observation mission from the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). "All of this, unfortunately, overshadowed an election day that did meet commitments and was orderly and peaceful."

The electoral dispute-resolution mechanism remained ineffective. There is a lack of deadlines for courts to resolve several types of election-related cases and the right of voters to legal redress is limited in all stages of the electoral process, the statement said.

Election day was conducted in a smooth and professional manner, although some technical irregularities were noted. The overall assessment of polling station openings, voting, and the counting and tabulation of votes was positive.