

**INTERIM REPORT No. 2  
10–21 June 2006**

**I. EXECUTIVE SUMMARY**

- The State Election Commission (SEC) is proceeding with preparations for election day and has adopted most of the necessary forms, instructions and regulations and has arranged for the procurement of additional material needed for voting. The SEC also published the description of election precincts and signed polling station copies of the voters list.
- Samples of the ballot papers for the six election districts were adopted after a process marred by disagreement within the SEC on this issue, and indications of overt political pressure on the SEC and its President, who threatened to resign.
- The SEC departed from the practice of holding some closed working sessions and has decided that all sessions will be open to the public. The SEC has also established a working group to draft the SEC's rules of procedure provided for by the Election Code.
- The official election campaign started on 15 June and leaders of most parties contesting the elections participated in the signing of a Code of Conduct on 13 June.
- Violent incidents, mutual accusations and harsh rhetoric have been evident since the commencement of the campaign period, increasing calls for pre-electoral calm.
- Parliament on 12 June adopted amendments to the Criminal Code which foresee stricter sanctions for election-related criminal offences.
- Broadcast and print media are actively covering the campaign and election-related issues. The Broadcasting Council started its monitoring activities to ensure compliance of broadcasters with relevant legal provisions.
- Several first-instance courts contacted by the OSCE/ODIHR EOM were unaware of their competence and obligation to resolve election-related complaints filed by contestants in the elections, which could have adverse consequences for the protection of candidate rights.

**II. THE ELECTION ADMINISTRATION**

The SEC is proceeding with preparations for election day and has adopted most forms, instructions and regulations necessary for the conduct of voting. Following an inventory, the SEC arranged for the procurement of additional equipment such as UV lamps and special ballot box seals from abroad. The samples of the ballot papers, which have to be prepared separately for each of the six election districts, and in different combinations of languages depending on the municipality, were adopted with some delay. This followed a process marred by disagreement

within the SEC on this issue, and indications of overt political pressure on the SEC and its President. In turn, the start of the printing of the ballots was delayed by three days.

SEC President Jovan Josifovski, who is a nominee of the opposition Internal Macedonian Revolutionary Organization – Democratic Party of Macedonian National Unity (VMRO–DPMNE), on the one hand, and the rest of the SEC membership, on the other hand, disagreed over the size of the space and fonts on the ballot sample allocated to the VMRO–DPMNE coalition. The coalition had early in the election process registered its candidate lists under a very long name containing the official names of all 14 coalition partners, of which some were given in more than one language.

In SEC sessions on 17 and 18 June, Mr. Josifovski defended the right of the coalition to appear on the ballot in the same font size and thus with significantly more space than other parties and coalitions.<sup>1</sup> He appeared unwilling to accept any compromise and several times threatened to resign. He subsequently met Prime Minister and Social Democratic Union of Macedonia (SDSM) President Vlado Buckovski, who after consultation with the major opposition parties convinced the SEC President to remain in office. Ultimately, the SEC agreed on the layout of a ballot sample that gives all parties equal space and fonts, except for VMRO–DPMNE, which is given some 50 per cent more space and will have a smaller font size.

In the first weeks of the OSCE/ODIHR EOM presence, the SEC conducted additional working sessions that were not announced to the public or to observers. At times, this led to confusion among the SEC members themselves as to what had been officially decided or just agreed upon during such “pre-meetings”. The OSCE/ODIHR EOM raised the question of the legal basis for the conduct of such sessions as well as the question of observer presence at them with the SEC. The SEC responded by abandoning the practice and deciding to conduct all future sessions open to the public.

Concurrently, the SEC established a working group tasked with drafting the rules of procedure (*delovnik*) of the SEC, in fulfillment of a legal obligation under Article 31.35 of the Election Code. To date, no minutes of any SEC session held since the arrival of the OSCE/ODIHR EOM have been approved or made available to the public.

On 9 June, the SEC published the description of election precincts and the final data on voters by precinct, by municipality and by election district, which had been prepared by the Ministry of Justice, and made them available on its website. Some 14 precincts, all located in remote areas, have less than the ten or more than the 1,400 registered voters foreseen as the minimum and maximum number in the Election Code.<sup>2</sup> Five of the six election districts meet the legal requirement regarding the number of registered voters, while Election District 6 deviates slightly from the legal norm.<sup>3</sup>

On 12 June, the SEC signed the 2,976 polling station copies of the voters list, as well as 51 special excerpts from the voters list which will be used for early voting one day prior to election

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<sup>1</sup> This recalled the 2002 ballot, on which the coalition led by the now ruling Social Democratic Union of Macedonia (SDSM) appeared under a similarly long name occupying twice as much space as other parties.

<sup>2</sup> Art. 165 and 166 of the Election Code. Article 166 allows for a deviation from the prescribed number of registered voters for precincts located in remote areas.

<sup>3</sup> According to Article 4.2 of the Election Code, a deviation of up to three per cent from the average number of registered voters is tolerated. Election District 6 deviates by 3.2 per cent.

day in military units, prisons and by internally displaced persons (IDPs).<sup>4</sup> While the Election Code provides for early voting by military and prison detainees, it does not provide for early voting by IDPs; thus, the SEC instructions arguably expand the scope of the Election Code.

The SEC has decided upon voter education activities, but has yet to begin them. It launched a second round of training for members of Municipal Election Commissions (MECs) on 21 June and issued a training manual for Election Boards, the training of which is due to begin on 26 June. MECs are fully operative, but in some municipalities the MECs have been provided with inadequate premises or resources for their work. The SEC has yet to decide how the 500 State and municipal officials and 2,500 public officials who on election day will be serving in election boards away from their home precincts will be given a possibility to vote and travel between their home municipality and the location where they serve.

OSCE/ODIHR long-term observers (LTOs) reported that most MECs are trained and operational and that they appear confident about managing their tasks. While election preparations by MECs are underway and the schedule adopted by the SEC is being followed, LTOs noted that the level of engagement in the process varies from MEC to MEC.

### **III. THE LEGAL FRAMEWORK**

The new legal framework introduced with the Election Code is, for the most part, seen by the parties as a positive contribution to improving the election environment. However, ultimately, successful implementation of the Election Code will require all three components of the election process, namely voters, political parties and state institutions, to respect the letter and the spirit of the law and to uphold the rule of law.

Many parties also welcomed the last-minute amendments to the Criminal Code, which were adopted on 12 June and provide for stricter sanctions for election-related criminal acts, including long-term prison sentences. Interlocutors told the OSCE/ODIHR EOM that stiffer sanctions should deter potential perpetrators, but in certain regions they still voiced concerns regarding possible election-day irregularities.

Several interlocutors have raised concern whether all parties will respect legal provisions regarding campaign financing. In particular, they stressed the lack of effective implementation mechanisms for ensuring compliance with the regulations, and a lack of will or capacity on the part of institutions to audit in detail the financial reports which parties must file after the elections.

### **IV. THE CAMPAIGN ENVIRONMENT**

The official election campaign period started on 15 June. In some regions, campaign activities were generally slow to pick up, whereas in others there were already extensive activities even before the official start of the campaign. Extensive campaign activities are now evident around much of the country, including rallies, canvassing, and advertising.

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<sup>4</sup> 1,379 military personnel in 37 military units, 1,604 inmates in 12 prisons or custody centers and 531 internally displaced persons in two collective centers are registered on the excerpts from the voters list for early voting.

On 13 June, leaders of most political parties contesting the upcoming elections participated in the signing of a Code of Conduct promising to hold fair elections. The event was organized by the National Democratic Institute for International Affairs, the domestic non-partisan observer organization MOST and the Macedonian Women's Lobby.

However, the start of the official campaign has been overshadowed by a number of violent incidents, allegations and counter-allegations. Initially, most of these incidents involved the two largest ethnic-Albanian parties, the Democratic Party of Albanians (DPA) and the Democratic Union for Integration (DUI). These included numerous attacks on campaign offices and on party activists, and allegations of intimidation. Notable among these incidents were the extensive damage to the DUI offices in the Skopje municipality of Saraj, as well as in the municipalities of Lipkovo and Tearce. Grenades were thrown into the yard of a DPA office in Saraj on the night of 16-17 June. A shooting incident in Saraj on the night of 18–19 June involved DPA and DUI activists; nobody was hurt during the shooting.

On the night of 21–22 June, there was a fight in central Skopje involving activists of the two largest ethnic-Macedonian parties, the governing SDSM and the opposition VMRO–DPMNE, arising out of a dispute over the placing of billboard posters. The incident, which the parties blamed on each other, according to some reports, involved shooting. SDSM announced that it would not place posters in Skopje for the remainder of the campaign period.

Among the largest ethnic-Macedonian parties, campaigning has focused on economic and social issues and the prospects for EU integration. The parties have strongly criticized each others' records and programs. Among key campaign issues, the governing "For Macedonia Together" coalition has stressed its success in attaining EU candidate status for the country, while the opposition VMRO–DPMNE has portrayed the country's progress on EU integration under the outgoing government negatively.

The campaigns of the DUI and the DPA have focused on the success or failure of the outgoing government in advancing the interests of the Albanian community. The DUI's campaign has focused on its record in government, especially its claims to have improved the position of ethnic Albanians. For its part, the DPA has accused the DUI of having failed to improve the lot of the Albanian population.

Political parties have made general allegations to the OSCE/ODIHR EOM about pressure on voters, including intimidation and inducements. The New Social Democratic Party (NSDP) made allegations to the OSCE/ODIHR EOM of difficulties opening offices in Kocani, Kumanovo and Gevgelija municipalities, due to alleged pressure from political opponents. The NSDP also asserted that their office in Prilep had been broken into.

Political party interlocutors continue to voice a lack of confidence in the electoral process, especially among the opposition, as well as considerable mistrust between the parties. This lack of confidence is reflected in opposition parties' stated concerns about the accuracy of the voters list and possible election day irregularities.

## **V. THE MEDIA**

With the official start of the campaign on 15 June, print and broadcast media outlets began providing daily information on election issues and campaign activities.

In accordance with the Rules for Equal Access to Media Presentation, public Macedonian Television (MTV) offered free airtime to all political parties and started broadcasting free-of-charge campaign programs on 19 June. In addition to these free presentations, MTV is planning to host 14 debates on its third channel MTV+, each of them focusing on a different topic. Candidate forums are also aired on the Albanian-language program of MTV2. Special election-related bulletins covering the campaign activities of the contestants are regularly aired on public and private TV channels.

National newspapers have been publishing special pages dedicated to campaign events, including reports from rallies, candidates' meetings with citizens, press conferences and conventions. Columns and commentaries containing a range of different opinions on the elections are regularly featured in the dailies.

Parties have been placing paid advertisements in the newspapers and on TV; the format chosen included brief campaign spots, short excerpts of broadcasts of rallies and conventions, as well as announcements of future campaign events and cartoons.

The Broadcasting Council, which is obliged to supervise the broadcast media during the official campaign period, started its monitoring activities of local and national broadcasters on 15 June. Preliminary results of their monitoring unit will be announced during several press conferences which are scheduled to take place during the campaign and immediately after election day. Until the end of the reporting period, participants in the elections had filed three official complaints with the Broadcasting Council.

The OSCE/ODIHR EOM's media monitoring results concerning the pre-election period (2 June–14 June) indicate that, immediately before the official start of the campaign, national broadcasters and newspapers covered Government activities at length. Overall, the tone of the media coverage of political parties in the monitored pre-election phase was moderate.

## **VI. COMPLAINTS AND APPEALS**

Several first-instance courts contacted by the OSCE/ODIHR EOM are not aware of their competence and obligation to resolve election-related complaints filed by the campaign organizers and candidates, as proscribed in the new Election Code. The Ministry of Justice has stated to the OSCE/ODIHR EOM that it is not obliged to issue instructions or notifications to the courts regarding their newly acquired competencies. This lack of guidance and information could have adverse consequences for the protection of candidate rights.

## **VII. DOMESTIC NON-PARTISAN OBSERVATION**

According to information released on the SEC website, four domestic non-governmental organizations (NGOs) have been accredited to observe the upcoming parliamentary elections.

The Citizens' Association MOST, which has observed elections in the past, plans to deploy some 3,500 domestic non-partisan observers covering the whole territory of the country. MOST also plans to conduct a parallel vote tabulation (PVT) exercise, with special teams deployed throughout the country.

Diversiteti, an NGO formed in 2002, plans to observe elections for the first time. The organization has accredited over 1,300 observers, who it plans to deploy primarily in the West and Northwest of the country.

### **VIII. OSCE/ODIHR EOM ACTIVITIES**

The Head of the OSCE/ODIHR EOM and other mission members continue to meet candidates, political parties, election commissions, government officials, media, civil society and others throughout the country. LTOs have met the majority of MECs and have established contacts with local authorities, parties, domestic observers and other civil-society groups, and local media.

A briefing for representatives of diplomatic missions and international organizations was held on 15 June and another meeting is planned for 28 June. Preparations for the arrival of short-term observers have commenced.