

INTERIM REPORT
7–27 September 2021

1 October 2021

I. EXECUTIVE SUMMARY

- On 17 October, voters will elect the mayors and councils of 80 municipalities and the City of Skopje. In municipalities where no mayoral candidate receives the required absolute majority, a second round takes place two weeks later, between the two candidates with the most votes.
- Local elections are primarily regulated by the 1991 Constitution and the 2006 Electoral Code. The Electoral Code has been amended substantially since 2017 and was most recently amended on 15 September 2021, with the stated aim to address prior ODIHR recommendations. The changes, which apply to these elections, were adopted very close to election day and without any public discussion, though they had broad political support from all parliamentary parties.
- The elections are administered by the State Election Commission (SEC), 80 Municipal Election Commissions (MECs) and the Election Commission of the City of Skopje (ECCS), and some 3,480 Election Boards (EBs). Election-administration bodies have thus far complied with most legal deadlines. The SEC has held regular open sessions, and the legal framework provides for international and citizen observers and authorized representatives of contestants to follow the electoral process at all levels of the election administration. Not all SEC decisions and instructions have been published on the SEC website in a timely manner. The latest Electoral Code amendments affected and delayed the technical and administrative preparations of the elections and necessitated adjustments of SEC instructions, training and educational programmes, as well as election-day materials and procedures.
- Voter lists are extracted from a permanent voter register which is updated periodically and, as of 24 September, includes some 1.8 million voters. Biometric voter identification is being introduced for the first time under a tight timeframe of execution, without an initial pilot project or comprehensive testing. Most ODIHR EOM interlocutors, including political parties, welcomed the use of biometric voter identification as an effective means to prevent fraud. Some, however, expressed concerns that potential problems with the use of the devices may negatively impact public trust in the integrity of the elections and in the election administration.
- Mayoral candidates and council lists are registered by the respective MECs and the ECCS. Independent candidates were required to submit voters' signatures supporting their candidacy. The Electoral Code provides for a 40 per cent gender quota for council lists. A total of 571 candidate lists for municipal councils, including some 45 per cent women candidates, and 299 mayoral candidates, out of whom 25 are women, were registered within the legal deadline.
- The official campaign period for these elections began on 27 September and will end on 16 October. The Electoral Code contains provisions banning the use of administrative resources in the campaign, which were complemented by the September amendments. The pre-campaign environment has generally been peaceful. However, many stakeholders have raised concerns about emerging negative rhetoric in highly contested races.

- Election campaigns are publicly and privately funded. All campaign transactions must be administered through a dedicated bank account, and contestants must submit four financial reports, two before and two after election day. Campaign-finance reports must be published online, and the final report must be audited by the State Audit Office, which has limited oversight powers prior to the elections. The SCPC has authority to initiate *ex-officio* proceedings throughout the election period.
- The large number of media outlets are divided along political lines. Television and online media are the main sources of political information. The Electoral Code requires all media outlets, including online media, to cover elections in a fair, balanced and unbiased manner, and the public broadcaster is required to provide contestants with free airtime during primetime. Paid political advertisement in private broadcast, print and online media during the campaign period is funded directly from the state budget. Media compliance with legal requirements is overseen by the Agency for Audio and Audio-visual Media Services, including through its own monitoring of the campaign period.
- Complaints can be filed with MECs, the SEC, and the basic courts. Complaints concerning campaign finance and misuse of administrative resources can be lodged with the State Commission for Prevention of Corruption (SCPC). Voters can only file complaints regarding voter lists and on violation of their right to vote. The SEC and the SCPC have reported few complaints. Following the September amendments, the Administrative Court has filed an official request for clarification concerning the deadlines for review of election-day complaints.

II. INTRODUCTION

Following an invitation from the authorities of North Macedonia to observe the 17 October 2021 local elections, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 7 September.¹ The mission, led by Tana de Zulueta, consists of a 13-member core team based in Skopje and 20 long-term observers (LTOs) deployed on 15 September to 9 locations around the country. Mission members are drawn from 19 OSCE participating States. ODIHR has requested participating States to second 250 short-term observers to observe election-day proceedings.

III. BACKGROUND AND POLITICAL CONTEXT

On 6 August 2021, the Speaker of Parliament called local elections for 17 October. The most recent local elections took place in 2017, when the coalition led by the Social Democratic Union of Macedonia (SDSM), which had successfully formed a ruling coalition following the December 2016 parliamentary elections, gained control of the majority of municipalities.² The government, headed by SDSM president Zoran Zaev, is supported by a coalition of the SDSM, DUI and several smaller political parties.³

¹ See previous [ODIHR election reports on North Macedonia](#).

² Currently, out of 80 municipalities and the City of Skopje, SDSM holds 57 mayorships, the ethnic-Albanian Democratic Union for Integration (DUI) 10, the Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE) 5, and the Alliance of Albanians (AA) 3, while 3 mayors are independents. The Democratic Party of Albanians (DPA), the ethnic-Albanian Movement BESA (BESA), and the Democratic Party of Turks in Macedonia (DPTM) each hold one mayoral position.

³ The current government also includes one minister each from the Movement BESA (BESA) and the Liberal Democratic Party (LDP). The SDSM-led coalition that won the parliamentary elections in 2020 included a total of 20 smaller parties.

Women are underrepresented in public office, holding only 45 of the 120 seats in the current parliament and 4 of the 15 ministerial posts in the government. In the 2017 local elections, women were elected to 6 of 81 mayoral positions and represented some 34 per cent of elected councilors.

The country's long-standing aspirations for European Union (EU) membership and related postponements in accession talks, disagreements over the management of the COVID-19 pandemic by the government, concerns over the economic situation, particularly the high unemployment rate, and concerns over negative political rhetoric form the backdrop to these elections. A population census, the first since 2002, was launched on 5 September and is scheduled to last until 30 September.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Local elections are primarily regulated by the 1991 Constitution and the 2006 Electoral Code. Other relevant acts include the 2004 Law on Financing of Political Parties, the 2019 Law on Prevention of Corruption and Conflict of Interests, the 2013 Law on Media, and the 2013 Law on Audio and Audiovisual Media Services. North Macedonia has ratified key international human rights instruments pertaining to the holding of democratic elections.⁴

The Electoral Code has been amended substantially since the last local elections, including twice in 2021.⁵ On 2 April, amendments were passed to supplement provisions on biometric voter identification. On 15 September, the parliament suddenly adopted a number of amendments, most of which apply to these local elections. The amendments include provisions related to the voting rights of citizens with intellectual disabilities, the withdrawal of candidate lists, safeguards against the misuse of public resources, campaigning in the media, deadlines for the submission and review of complaints, and the tenure of the State Election Commission (SEC). While parliament announced that these amendments stem from previous ODIHR recommendations, the ODIHR EOM was informed that a more comprehensive electoral reform is scheduled for after the elections to implement, *inter alia*, ODIHR recommendations which remain unaddressed.

The 15 September amendments were adopted under an expedited procedure without prior public debate.⁶ While acknowledging that the changes were adopted very close to election day, most ODIHR EOM interlocutors noted that the process had broad political support,⁷ though key stakeholders such as the SEC said that they were not consulted on the draft amendments and raised concerns about the hasty adoption of important changes and the technical capacity to implement them in the limited time available before election day.

Local councils and mayors will be elected for a four-year term in direct elections in the 80 municipalities and the City of Skopje. Elections of councilors are held under a closed-list proportional representation

⁴ Including the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 2003 UN Convention against Corruption (UNCAC), the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD), and the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). North Macedonia is a member of the Council of Europe's European Commission for Democracy through Law (Venice Commission) and the Group of States against Corruption (GRECO).

⁵ Previously, changes to the Electoral Code were introduced in February 2020, affecting most electoral procedures and key responsibilities of the election administration. The Code was also amended in 2017, 2018, and 2019.

⁶ An inter-agency working group, tasked to propose amendments to the Electoral Code and convened by the Ministry of Justice, met several times during December 2020 and April 2021. The working group was originally established in 2015 and reinstated following a 20 July 2016 agreement between four main political parties; the group continued its activities until 2021 under the co-ordination of the Ministry of Justice.

⁷ The amendments were submitted by members of parliament from the six main parliamentary groups, representing both government and opposition, and adopted by a near-unanimous vote (78 votes for, 2 against, and 1 abstention).

system without a threshold.⁸ Mayors are elected under a two-round majoritarian system. If no candidate receives an absolute majority of the votes cast in the first round, a second round takes place two weeks later, between the two candidates with the most votes. At least one-third of voters registered in a municipality must turn out in the first round for the mayoral election to be valid, otherwise the election must be repeated. The turnout requirement does not apply to possible second rounds and to council elections.

V. ELECTION ADMINISTRATION

Local elections are administered by a three-tiered structure led by the SEC and comprising 80 Municipal Election Commissions (MECs) and the Election Commission of the City of Skopje (ECCS) as well as some 3,480 Election Boards (EBs).⁹ The composition of each election management body must meet legal requirements for gender and ethnic representation.¹⁰

The SEC is a permanent body composed of seven members who are elected by parliament. Following an open recruitment process, four members, including the vice president, are proposed by the ruling parties, and three members, including the president, by the opposition parties from a draft list of applicants. The SEC in its current composition was appointed in January 2021 for a temporary two-year term; however, the 15 September amendments introduced a five-year term.¹¹ Only two of the current SEC members are women, including the vice president. For administrative and organizational matters, the SEC is assisted by a professional service, led by a secretary general. The mandate of the previous secretary general expired in January 2021 and the position has since been vacant.

The current MECs and the ECCS, as well as the non-partisan members of EBs, were appointed in June and July 2021, respectively, for five- and four-year terms.¹² MECs supervise the administration of elections in the respective municipality, register candidates, appoint and train EBs, and manage other technical preparations. Upon initial selection, women comprised 49 per cent of MEC and ECCS members, presiding over 39 of the 81 mid-level bodies. In several municipalities, the composition of MECs and EBs have not yet been finalized as a considerable turnover among selected members was reported, mostly due to health reasons or conflict of interest in cases of members running for election.

To date, election-administration bodies have complied with most legal deadlines. The SEC has held regular sessions which have been open to the media, observers, and authorized candidate representatives and which were live-streamed online, with recordings also made available on the SEC's YouTube channel. Sessions are announced solely via an official mailing list, often at very short notice. Not all session minutes, decisions and instructions adopted have been published on the SEC website in a consistent and timely manner.

⁸ The number of councilors is determined by the population size of the municipality and ranges from 9 to 33, with 45 representatives to be elected to the Council of the City of Skopje. Seats are allocated using the d'Hondt formula. The announced electoral reform foresees altering the electoral system to introduce open candidate lists.

⁹ The final number of operational EBs will only be determined after the completion of the voter registration process, given that polling stations will not be open in areas which have fewer than the minimum number of ten registered voters required for establishing a polling station.

¹⁰ Each gender shall be represented by at least 30 per cent of members, and all ethnicities which comprise at least 20 per cent of the respective municipal population should be represented.

¹¹ The September 2021 amendments stipulate that in case of a change of government, the composition of the SEC shall be harmonized accordingly.

¹² MECs and the ECCS are composed of five members and their deputies, randomly selected by the SEC from among employees of the state and municipal administrations. EBs comprise three members and their deputies, randomly selected by MECs from among public and civil servants for a four-year term, and two temporary members and their deputies nominated for each election by parliamentary parties. The two ruling and two opposition parties which received the highest number of votes in the last parliamentary elections nominate one member and deputy each.

The latest amendments to the Electoral Code affected and delayed the technical and administrative preparations of the elections and necessitated last-minute adjustments of SEC instructions, training and educational programmes, as well as election-day materials and procedures. The SEC training department developed a comprehensive training programme and completed initial trainings of MECs and SEC-certified trainers by mid-September; however, these trainings did not cover the use of the biometric voter identification devices (BVIDs) and reflected the election procedures in force before the adoption of the latest amendments. Supplementary training sessions for SEC trainers on use of the BVIDs and new procedures were held on 24 and 25 September, after the adoption of the revised instructions and the setup of technical equipment.

VI. VOTER REGISTRATION

All citizens who are at least 18 years old on election day have the right to vote, except those fully or partially deprived of legal capacity by a court decision on the basis of intellectual or psychosocial disability.¹³ To be included in the voter register, citizens must have a registered address in the country and a valid identification card or passport. The September 2021 amendments allow citizens whose ID has expired after the announcement of the elections and who have requested a new ID by election day to be included in the voter register. Due to contradictions in the Electoral Code relating to updating the register, citizens who turn 18 between the first and second round are not included.

The SEC is responsible for maintaining and updating the voter register, from which voter lists are extracted, on the basis of regular updates from various state institutions.¹⁴ In practice, the State Statistical Office ensures the technical and methodological processing of voter register data. The legal requirement for the voter register to be extracted from a National Population Register has yet to be implemented. All ODIHR EOM interlocutors expressed confidence in the accuracy and reliability of the voter register, though some recognized that a significant number of citizens residing abroad remain in the register as they maintain an official residence in-country.

On 24 September, the SEC closed the voter register, with a total of 1,824,864 voters, and started the printing of the voter lists.¹⁵ Citizens could verify their data in the voter register online and at SEC regional offices throughout the year, as well as during a public inspection period which took place from 21 August to 9 September.¹⁶ Between 15 and 20 September, all parties contesting the elections could collect an electronic copy of the voter register, without copy-protection.¹⁷ The timeline for parties to appeal SEC decisions regarding the voter register can prevent the SEC from closing the register by the legal deadline; there were no such appeals in these elections. The law does not provide for scrutiny of the register by independent candidates.

Biometric voter identification, introduced with the February 2020 revisions to the Electoral Code, will be used for the first time in these elections for all voters in regular polling stations, without a pilot project and without sufficient time for comprehensive testing of the hardware and software. A public procurement process was not initiated until June 2021, after which a total of 4,000 mobile BVIDs were

¹³ The September 2021 amendments introduced the possibility for citizens partially deprived of legal capacity to regain their voting rights based on a court decision, but this provision in practice has no effect on voting rights for these elections.

¹⁴ Including the Ministry of Internal Affairs, the Ministry of Justice, and basic courts.

¹⁵ Including 82,461 voters registered as residing abroad, who are entitled to vote in-country but are included in separate lists, as well as 2,250 in penitentiary and care institutions who are entitled to vote early on 16 October.

¹⁶ The search can be performed based on citizens' unique identification number or by address.

¹⁷ A total of 15 parties collected an electronic copy of the voter register. Of a total of 16 requests for corrections submitted by 2 political parties, 11 requests for inclusion of voters were rejected by the SEC.

procured in August 2021.¹⁸ Most machines were not delivered until the month prior to the scheduled election day.¹⁹

The voter list of each polling station is to be uploaded on devices that will scan voters' fingerprints to verify their identity by matching the fingerprint on record.²⁰ The BVIDs, which are not networked or connected to the Internet, are to be operated by the EB president or vice president. Paper lists are to be used as a contingency in case of technical problems with the BVIDs. Most ODIHR EOM interlocutors, including political parties, welcomed the introduction of biometric voter identification as an effective means to prevent fraud, including multiple voting and voter impersonation. Some, however, expressed concerns that any potential problems with the use of the new devices may negatively impact public trust in the integrity of the elections and in the election administration.

VII. CANDIDATE REGISTRATION

Citizens who are at least 18 years of age on election day and have the right to vote are eligible to stand for the office of mayor or councilor in the municipality of their registered residence. The legal framework forbids those currently serving or awaiting to serve a delivered sentence of more than six months of imprisonment from standing in elections.

Candidates for mayor and for councilor could be nominated by registered political parties or coalitions of parties, or they can run independently (individually as mayors or, in the case of councilors, on lists), supported by groups of voters.²¹ Each gender must account for at least 40 per cent of candidates on all lists for municipal councils, with a requirement that a candidate of the less represented gender is included in each group of three consecutive places, with an additional place within every group of ten candidates reserved for a candidate of the less represented gender.

To support independent candidacies, groups of voters must collect between 100 and 450 supporting signatures of voters residing in the respective municipality, depending on the size of the municipality's population, and at least 1,000 signatures for candidate lists at the level of the City of Skopje. For these elections, supporting signatures were collected between 16 and 30 August, in the presence of SEC officials at the SEC regional offices or at designated notaries' offices.²²

Nominating documents had to be submitted to MECs and the ECCS by 11 September. Upon receipt, MECs and the ECCS had 24 hours to verify the submitted documents. Submitters of candidate lists had two days to remedy any deficiencies identified in the nomination documents. Some MECs informed the

¹⁸ The first tender launched on 21 May 2021 was annulled by the Bureau for Public Procurement. The contract with the German company Dermalog was signed on 11 August 2021. Two local companies, Simboliko and Alphazet-Macedonia, are subcontracted for trainings and for uploading the voter lists to the devices, and for managing a call center for technical assistance, respectively.

¹⁹ As of 27 September, 1,180 out of 4,000 mobile units had been delivered to the SEC. The remaining shipments are expected in-country by 2 October.

²⁰ If a voter's fingerprint cannot be verified against the fingerprint in the electronic voter list, voter identification will be done by scanning the voter's ID or entering the personal unique identification number

²¹ The Electoral Code requires that the number of candidates on submitted lists equals the available seats in the respective municipality, which precludes candidates from running individually. All submitted candidate lists must be accompanied by political parties' registration certificates, as applicable; an irrevocable statement of consent with candidacy, statement of ethnic community affiliation, and copy of a valid ID or passport of each candidate; confirmation of a unique tax number from the Central Registry; confirmation of an open bank account dedicated only for campaign purposes; and an election symbol, if any, in digital form.

²² Of 69 groups of voters which intended to nominate candidate lists for municipal councils, 67 obtained the required number of signatures. For the nomination of mayoral candidates, 30 of 38 prospective independent candidates collected the number of signatures required for registration.

ODIHR EOM that they were not always able to comply with all deadlines, due to the late submission of data regarding candidates' criminal records by courts.²³

According to the SEC, within the legal deadline of 18 September, MECs and the ECCS registered a total of 10,649 candidates on 571 candidate lists for municipal councils submitted by 28 political parties, 6 coalitions and 58 groups of voters. Women comprise some 45 per cent of all councilor candidates and head 111 candidate lists (19 per cent). Mayoral elections will be contested by a total of 299 candidates (including 25 women, or 8 per cent) nominated by 22 political parties, 5 coalitions, and 25 groups of voters. The ODIHR EOM is aware of rejections of three mayoral candidates and nine candidate lists for municipal councilors by MECs on grounds of late submission or deficiencies in nomination documents.

VIII. CAMPAIGN ENVIRONMENT

The official campaign period started on 27 September and ends on 15 October at midnight.²⁴ The Electoral Code contains provisions banning the use of administrative resources in the campaign, including a moratorium, from the day elections are called, on announcing new publicly funded projects and the prohibition of the use of state offices, equipment or personnel for campaigning, as well as of pressure on public employees. From the announcement of elections, payments of salaries, pensions or welfare other than regular payments may not be made from budgetary funds. The September 2021 amendments complemented existing rules governing the campaign and aim to enhance the transparency of the use of public resources, such as vehicles, during the electoral campaign.

Competing in the upcoming local elections will be political parties and party-led coalitions, as well as a large number of independent candidates supported by groups of voters.²⁵ During the reporting period, the pre-campaign environment has generally been peaceful. Most parties announced that their campaign strategies will employ positive campaigning as a method to counteract the trading of accusations and personal attacks among political leaders which characterized previous campaigns. However, most ODIHR EOM interlocutors expressed concerns over negative rhetoric that surfaced prior to the official start of the campaign. Political parties also pledged to adhere to the rules governing the electoral campaign by signing a Code for Fair and Democratic Elections on 23 September, under the auspices of the SEC. All contestants met by the ODIHR EOM indicated that their campaign plans will be adjusted to address challenges posed by the COVID-19 pandemic, by prioritizing small community meetings over large rallies and conducting extensive online activities.

Political parties representing smaller ethnic communities, including Roma, Serbs and Turks, continue to align with stronger political forces in pre-election coalitions. For these elections, the Bosniak Democratic Union (BDS) will run independently for the first time, including for the position of Skopje city mayor. Parties representing Serbian and Turkish communities informed the ODIHR EOM that notwithstanding their participation in larger coalitions, they will also conduct separate campaign activities in their respective communities.

²³ For example, in the municipalities of Aerodrom, Butel, Centar, Petrovec, Sopishte, and Vinica.

²⁴ Some contestants started to engage voters in activities prior to the official start of the campaign. For example, billboards mentioning accomplishments by SDSM and criticizing the record of VMRO-DPMNE are in evidence in Skopje and several other municipalities. ODIHR EOM long-term observers were informed about the SDSM candidate for mayor meeting voters in Prilep and engaging them on his Facebook page, and of SDSM and VMRO-DPMNE candidates meeting with voters in Krushevo. In Skopje, the Green Humane City coalition held a public event with voters on 22 September.

²⁵ The configuration on coalitions differs depending on the municipality. For example, in Skopje and some other municipalities, the SDSM-led coalition, "The Best for My Municipality", comprises DUI, BESA, and DPA as well as a number of smaller parties; the coalition led by VMRO-DPMNE, "The Renewal of Macedonia", includes AA and AlternAtiva; while the Democratic Renewal of Macedonia (DOM) and the Liberal Democratic Party (LDP) form the "Movement Determined for Change" coalition.

IX. CAMPAIGN FINANCE

Election campaigns may be funded from political parties' own funds and bank loans, as well as from donations. Donations from foreign, state, municipal, and anonymous sources, as well as from public, religious and charitable organizations are prohibited. Paid political advertisement in the broadcast, print and online media is funded directly by the state, through a separate fund (see *Media*). Political parties that received more than one per cent of the vote in previous parliamentary or local elections are entitled to public funding for their regular activities.²⁶

Donations, whether monetary or in-kind, are limited to EUR 3,000 for individuals and EUR 30,000 for legal entities (in MKD equivalent, in both cases). Any free or discounted goods or services must be reported at their market price. The campaign spending limit is MKD 110 (approximately EUR 1.8) per voter registered in a municipality, for each round of an election.²⁷ For campaign-finance purposes, the law does not distinguish between mayoral and council elections.

All campaign transactions must be administered through a dedicated bank account. Contestants must keep a registry of donations and must submit four financial reports on income and expenditures, two of which are due before election day.²⁸ The first post-election report is due within 19 days from election day, and the final report is due within 75 days from the announcement of final results. Campaign-finance reports must be submitted to the SEC, State Audit Office (SAO), and the State Commission for Prevention of Corruption (SCPC), and must be published on the websites of these institutions.²⁹ Only the final report must be audited by the SAO, which can only initiate inquiries and investigations based on these final reports. The SCPC, which can initiate *ex-officio* proceedings throughout the election period, informed the ODIHR EOM of plans to field 16 monitors during the campaign. The Electoral Code provides for fines of up to EUR 9,000 for violations of campaign-finance regulations, including for exceeding donation or spending limits or for failing to submit a financial report. Criminal sanctions for violations of campaign-finance regulations include fines and imprisonment.

X. MEDIA

A large number of media outlets, divided along political lines, operate in a small advertisement market. Television and online media are the main sources of political information. The public broadcaster, Macedonian Radio and Television (*MRT*), is financed from the state budget, which in the view of some ODIHR EOM interlocutors affects its editorial independence. Although ODIHR EOM interlocutors noted general improvements in the media field in recent years, they raised concerns about self-censorship, a low level of professionalism, cyber-harassment, especially against women journalists, and poor labour conditions in the media field.

The Electoral Code requires all media outlets, including online media, to cover the elections in a fair, balanced and unbiased manner. During the official campaign period, *MRT* is obliged to dedicate 30 per cent of its newscasts to general events, 30 per cent to the parliamentary ruling parties, 30 per cent to the parliamentary opposition, and 10 per cent to non-parliamentary parties and independent candidates.

²⁶ Under the Law on Financing of Political Parties, 0.15 per cent of the income portion of the annual state budget must be designated for subsidies to political parties. Of this, 70 per cent should be allocated to parliamentary parties proportional to the number of seats obtained, and 30 per cent should be allocated equally to all parties that received at least one per cent of votes in the last parliamentary or local elections. In 2021, some 58 political parties received state funding; of these, SDSM received MKD 49,956,552, and VMRO-DPMNE MKD 44,039,448 and (approximately EUR 818,000 and 722,000, respectively). EUR 1 equals approximately MKD 61.

²⁷ Depending on the population size of the municipalities, spending limits range from EUR 3,571 to EUR 169,174.

²⁸ The first interim report is due on 8 October, and the second on 16 October.

²⁹ No deadlines are specified in the law for publishing the reports.

MRT is also required to provide political contestants with free airtime during primetime.³⁰ Private broadcasters must provide equal airtime to all mayoral candidates, while submitters of councilor lists should also receive an equal amount of airtime in local broadcast media.³¹ National public and private broadcasters are obliged to supplement all electoral coverage with sign language.

Paid political advertisement in private broadcast, print and online media during the campaign period is funded directly from the state budget, which has been criticized by some ODIHR EOM interlocutors as potentially encouraging clientelism in the media.³² Media that plan to provide paid airtime to contestants must register with the SEC.³³ The September 2021 amendments to the Electoral Code *inter alia* prescribe that eight minutes of paid airtime and 90 per cent of funds are to be equally divided between the two largest ruling and the two largest parliamentary opposition parties, one minute and 7 per cent of funds are to be allocated to smaller parliamentary parties, and 30 seconds and 3 per cent of funds, to non-parliamentary parties and independent candidates.

Media compliance with legal requirements relating to electoral coverage is overseen by the state-financed Agency for Audio and Audio-visual Media Services (AVMS). The AVMS commenced its monitoring on 7 August and submits to the SEC weekly reports before and daily reports during the official campaign period.³⁴ In case the AVMS identifies violations in the broadcast media, it shall initiate a misdemeanor procedure with the competent court within 48 hours.³⁵

On 22 September, the ODIHR EOM commenced its quantitative and qualitative monitoring of election-related coverage on six nationwide television channels and four news websites.³⁶

XI. COMPLAINTS AND APPEALS

Under the Electoral Code, complaints can be filed with MECs, the SEC, and the basic courts. Complaints concerning campaign finance and misuse of administrative resources can be lodged with the SCPC. The jurisdiction of MECs is limited to complaints by voters regarding alleged violations of their rights during the voting procedure. Basic courts and the SEC review complaints against campaign violations, and their jurisdiction on these matters is not clearly delineated.

The Administrative Court is the final instance of appeals for the majority of complaints. While SEC decisions on violations of individual rights can be appealed to the Administrative Court, SEC regulations can only be challenged before the Constitutional Court, with no expedited procedure provided. The appellate courts are the final instances for reviewing challenges against election-related decisions of the basic courts.³⁷

As a general rule, the right to lodge complaints is granted to contestants and voters. Voters can only file complaints regarding voter lists and on violation of their right to vote. Citizen observers can have

³⁰ *MRT* provides its own studio for the recording of the free spots, which will be broadcast from 4 to 14 October.

³¹ The law prescribes that national and local broadcasters should follow the principle of proportionality, based on the number of confirmed lists of candidates.

³² The total budget allocated for media campaigns may not exceed EUR 2 per registered in-country voter, and an additional EUR 1 per registered voter during a second round. The average price for paid political advertising in each media outlet may not exceed the total average cost of advertising calculated for the last five election cycles. Pricelists should be submitted to and confirmed by the SEC.

³³ The SEC registered 35 television stations, 44 radio stations, 10 print media outlets, and 191 online news sites.

³⁴ Before the start of the official campaign period, the AVMS monitored seven national TV channels, while it intends to include some regional and local broadcasters during the official campaign.

³⁵ As of 24 September, no violations have been reported by the AVMS.

³⁶ These include the public *MRT 1* and *MRT 2*, private broadcasters *Alsot-M*, *Kanal 5*, *Telma*, and *Sitel*, as well as the election-related coverage of the websites kurir.mk, plusinfo.mk, tetovasot.com, and lajmpress.org.

³⁷ There are four appellate courts in North Macedonia, based in Skopje, Bitola, Gostivar and Shtip.

remarks on alleged irregularities entered in EB logbooks; these remarks are not treated as complaints but can serve as ground for contestants to file complaints. The deadlines for submitting and deciding on complaints are short: as a rule, applicants have up to two days to file a complaint, with one to three days provided for review of most complaints. Following the latest changes to the Electoral Code, election-day complaints by voters must be lodged within 12 hours (previously 24 hours) and must be reviewed within two hours. The ODIHR EOM was informed by the Administrative Court that the latest changes adversely affected the clarity of the deadlines.³⁸

As of 24 September, the SEC and the SCPS reported few complaints. The Administrative Court received and adjudicated 12 complaints concerning candidate registration; all were denied. Despite the legal requirement for a public hearing, hearings in the Administrative Court were held without the participation of the parties to the case, or the public.

XII. CITIZEN AND INTERNATIONAL OBSERVERS

The Electoral Code provides for citizen and international observation of the entire election process. Citizen associations and foreign organizations which have been registered at least one year before election day and whose charters incorporate the principle of protection of human rights may apply for accreditation to deploy observers with the SEC until 10 days before election day.³⁹ Expecting to deploy the largest group of citizen observers for these elections, CIVIL – Center for Freedom has conducted long-term observation activities across the country since mid-August, including monitoring of the media, social media platforms, and activities of political parties. Entities with registered candidates are entitled to appoint their authorized representatives to follow the election process at all levels of the election administration. Candidate representatives to lower-level election bodies can be registered with MECs until two days before election day.

XIII. ODIHR EOM ACTIVITIES

The ODIHR EOM commenced its activities in Skopje on 7 September. The Head of Mission has met with the SEC President, the Prime Minister, the Minister of Justice, the President of the Administrative Court, the Chairperson of the Legislative Committee of Parliament, and representatives of political parties. The ODIHR EOM has established regular contacts with the SEC, governmental institutions involved in the electoral process, the judiciary, political parties, candidates, civil society, the media, and the resident diplomatic and international community.

***The English version of this report is the only official document.
Unofficial translations are available in Macedonian and Albanian.***

³⁸ Following the amendments, the Administrative Court has filed an official request with the Ministry of Justice for clarification concerning the deadlines for review of election-day complaints.

³⁹ While the Electoral Code and the SEC calendar set ten days before election day as the latest date for submission of applications for accreditation, the SEC Code of Conduct indicates five days.