



**ORGANIZATION FOR SECURITY AND CO-OPERATION
IN EUROPE**

Office for Democratic Institutions and Human Rights

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PRELIMINARY STATEMENT

First Round of Hungarian Parliamentary Elections in Line with International Standards, Although Specific Issues Should Be Addressed

Budapest, 8 April – The first round of the 7 April 2002 parliamentary elections in Hungary was in line with international standards and commitments for democratic elections, although specific issues should be addressed, concluded the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

These elections, in which a record 70,52% of voters participated, have special significance since the newly elected Parliament is likely to see through accession of Hungary to the European Union. These elections demonstrated the consolidation and polarization of the political landscape with only three political groupings passing the 5% threshold from a field of 8 qualifying for the national list. Twelve parties fielded national lists in 1998. Based on first round preliminary results announced by the National Election Office, only 51,848 votes gave a narrow lead to the Hungarian Socialist Party (MSZP) with 42,03%, over the joint list of the Alliance of Young Democrats-Hungarian Civic Party (Fidesz) and the Hungarian Democratic Forum (MDF) at 41,11%. The Free Democratic Party (SZDSZ) followed just passing the threshold with 5,56%. Furthermore, 45 single mandate district candidates were elected by a majority of the votes in their districts in the first round, whereas only one candidate managed to win in the first round in 1998.

The election system in the Republic of Hungary and its supporting administrative structures provide the basis for a generally transparent, accountable, free, fair, and equal process, allowing opportunities for opposing political parties to compete and have their representatives on election commissions and at polling stations, which promoted public confidence in the results. The relevant legislation establishes a framework for the holding of democratic elections. The deliberative character of the National Election Committee's (NEC) work enhances the credibility of the electoral process. The integration of sophisticated information technology and the swift and transparent reporting of results by the Election Office have strengthened accountability within the system. Voters have access to information about the elections and campaigns of the parties on a broad spectrum of public and private media.

Nonetheless, certain issues must be addressed to ensure that the positive elements of the electoral system can be sustained over the longer term. The OSCE/ODIHR has identified several issues that warrant reconsideration by lawmakers and election professionals before the next elections.

The OSCE/ODIHR expresses concern over the early establishment of the NEC by a simple majority of the Parliament, without seeking the approval of opposition parties, and contrary to practices in past elections. The early formation of the NEC in this manner has raised questions about decisions taken prior to the addition of party delegates, in particular a decision to limit the NEC's competence relative to complaints regarding actions taken by government bodies during the election period. The NEC ultimately reached its full strength after all parties competing on the national lists were able to appoint their delegates. The NEC has demonstrated itself to be a

professional and fully deliberative body in which all members have a voice in the decision making process.

The OSCE/ODIHR continues to raise concerns about the lack of authority of the NEC to issue binding instructions to lower level election commissions. The lack of such authority has the potential of leading to inconsistent implementation of electoral procedures. Likewise, although the Electoral Offices under the Ministry of Interior demonstrated efficiency and professionalism in their work, the OSCE/ODIHR recommends that certain administrative tasks for which they are responsible require approval by the NEC. Tasks requiring approval should include the design of the ballots and other administrative decisions that may have a political consequence.

Legislation calling for the submission of coupons in support of nomination of candidates should be re-evaluated. Evidence demonstrates that the coupons, as they are currently administered and used by political participants, are so vulnerable to abuse as to render them inappropriate as a meaningful eligibility requirement.

Campaign coverage in both public and commercial media focused predominantly on the joint list of Fidesz-MDF on the one hand, and MSZP on the other. Bias in favor of the government and Fidesz was evident in public television while private television generally provided neutral or critical coverage of all contestants.

The appeals procedures for complaints related to the media during the campaign period were delayed and inadequately resolved since they were frequently transferred back and forth between the NEC and the Complaints Committee of the National Radio and Television Commission. Both bodies deferred competence to the other body resulting in a process that compromised the right of complainants to an effective remedy.

Perceptions about the blurring of the government's advertising and the political advertisements of the ruling party in both thematic content and appearance became the focus of the political debate in the media, and resulted in two complaints being submitted to the NEC, both of which were dismissed as outside the NEC's competence. The marked increase in government advertising in the weeks preceding the election, and allegations about the linkages of the agencies producing the government's advertisements, the ruling party's political campaign ads, and the voter education campaign devised by the Election Office, fueled these concerns.

In spite of the Constitutional Court's rulings in 1992 and 1994 regarding the obligations of Parliament to enact legislation covering parliamentary representation of minorities, and a provision in the 1993 Law on the Rights of National and Ethnic Minorities referencing such a law, no such legislation has been enacted. The OSCE/ODIHR also notes that the current system of representation limits opportunities for parties with regional or minority support.

***This Preliminary Statement is also available in Hungarian.
The English version of this Preliminary Statement is the only official version.***

Mission Information & Acknowledgments

The 10-member OSCE/ODIHR Election Observation Mission was deployed in Budapest, Pecs and Debrecen in the month preceding the elections in response to an invitation from the Ministry of Foreign Affairs. The OSCE/ODIHR will issue a comprehensive report on its findings and recommendations within one month. This Preliminary Statement is based on the Mission's observation of the pre-election period. The Mission did not deploy short-term observers to monitor the election day proceedings.

The OSCE/ODIHR wishes to express appreciation to the Hungarian Ministries of Foreign Affairs and Interior, the National Election Committee, electoral administration bodies and other authorities of Hungary for their assistance and full cooperation during the course of the observation.

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