



# **OSCE/ODIHR Election Observation Mission**

## **Preliminary Statement**

### **Second Round**

#### **The former Yugoslav Republic of Macedonia**

**2 November 1998**

This is the preliminary statement of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Election Observation Mission for the Second Round of the 1998 elections for the parliament of The former Yugoslav Republic of Macedonia. This statement is based upon the work of the long term observation mission which has been in the country since 17 September, and the 92 short term observers, representing 18 OSCE participating States, who observed the voting and counting processes in all electoral districts for the second round. The OSCE/ODIHR will issue a final report on the entire electoral process at a later stage.

This statement is preliminary, as it is issued prior to the completion of the claims period and the publication of the final results. The observation mission places fundamental importance on the vote tabulation and results process, with a particular emphasis on the need for a speedy, concise and transparent publication of the official final results, which enables all political parties, observers and media to carry out a verification of the results.

#### **SUMMARY OF CONCLUSIONS**

- **There was an unfortunate difference in interpretation of the article in the election law, which determines the criteria for a first round victory. For future elections it is imperative that all regulations and legislation are clear and concise, avoiding any possibility for misunderstanding and inconsistency in application.**
- **The publication of information on the results and claims processes following the first round was slow and somewhat chaotic. Voters were not able to get a clear understanding of results because the media was not given clear and timely information.**
- **For the second round of the election, the State Election Commission (SEC), as the national election authority, must take a leading role in ensuring the transparency of the process by providing full and prompt access to information, avoiding the need for conjecture in the media.**
- **The campaign for the second round was noticeably more negative in tone, but parties made an effort to meet the voters around the country. There were some complaints from parties regarding the media between the rounds.**
- **On election day a serious incident was reported in Kocani, where party activists appear to have been attacked, and a tense atmosphere prevailed. The authorities need to carry out a careful investigation into these incidents to determine responsibility.**

- **Based on a national assessment, the voting and counting procedures were generally carried out well, with some localised exceptions. Observers reports were largely complimentary of the work of the polling station officials and noted that they generally carried out their work according to the law.**

### **First Round Results and Claims**

Following the first round there was a difference of opinion regarding the interpretation of Article 88 of the Election Law, which determines the criteria for a first round victory in a district. It is extremely regrettable that the law was drafted in an apparently imprecise manner, as it is highly irregular for such a debate to have to take place after the first day of the election. In addition, it is imperative that a consistent interpretation is in effect for all districts. Thus it was proper and helpful that the SEC made a clear ruling on the interpretation. But it would have helped alleviate the situation if the authorities had met with political parties to clearly explain the issue.

The publication of the results for the single member districts was problematic. It proved difficult for the media, and thus voters, to get clear and accurate information regarding details of the results and pending claims. Whilst it may not technically have been the legal responsibility of the SEC to co-ordinate publication of the results, it would have greatly increased the transparency, efficiency and uniformity of the process if they, as the national electoral authority, had acted as a central point of reference.

Based on some of the complaints made against the first round process, it appears that some candidates sought to exert undue pressure on voters. Some of the alleged incidents in District 85, for example, such as the offering of inducements to voters, need to be guarded against. The electoral authorities need to ensure the law serves to protect vulnerable voters, and candidates found to be in violation of the law should be duly sanctioned as provided for in the election law.

### **Second Round Election Campaign and Media Coverage**

The campaign for the second round of the election was more negative in character. In some areas this led to some virulent verbal attacks against opponents, which served to increase tension in the lead up to election day. Equally, however, the parties should be congratulated for their attempts to meet the voters, increasing the access of the public to prospective representatives.

The observation mission again received complaints from some parties that candidates were using their position as heads of companies or heads of local administration to exert influence on voters. Parties and election authorities have a responsibility to ensure candidates do not act in such a manner.

A party requested the observation mission to consider the refusal by MRTV to accept one of their paid political programmes. MRTV claimed the paid political programme produced by the party was outside the agreed guidelines for such programming. The guidelines shown to the observation mission were not entirely clear, and to avert tension in future election campaigns it is advisable that guidelines avoid the need for subjective, and thus sensitive, decisions by the national broadcaster, which might be construed as partisan.

### **The Voting and Counting Processes**

The overall impression of observers was of a generally well conducted voting and counting process.

In general, observers reported that most polling station officials made a great effort in administering the process. Observers also reported that political parties also played their full role by having members on each PEB and observers in polling stations. This is a very positive aspect of the electoral process.

However, the incidents in Kocani created a tense situation in that town. In addition, the practice of party activists standing outside polling stations and checking voter cards, which was noted in a number of areas, represents an inappropriate pressure on voters. It needs to be ensured that voters are free from such pressure when going to vote.

Observers in District 66 raised serious questions about the process in that district, noting irregularities such as significant proxy voting resulting in a very high voter turnout rate in some polling stations. Observers were also concerned about some aspects of the process in District 85. These problems need to be addressed in what have been problematic districts in both rounds.

As in the first round, family voting and proxy voting were common in many areas. There remains a real need to address these practices, both through enforcement by polling station officials and through voter education.

Finally, the observation mission would like to re-emphasise the need for full transparency in the processing of results and a careful scrutiny of all claims against the process. We would urge the SEC to take a leading role and ensure all parties and media have full and prompt access to all necessary and relevant information. This will ensure the full confidence of all concerned in the final results.

**Skopje 2 November 1998**

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