

INTERIM REPORT
11 March – 2 April 2019

5 April 2019

I. EXECUTIVE SUMMARY

The presidential election will take place in North Macedonia on 21 April. To be elected in the first round, a candidate must receive the votes of a majority of all registered voters. A run-off, if necessary, will be held on 5 May to determine the winner, who must receive a majority of votes with a turnout of at least 40 per cent; otherwise, the election process is repeated.

The legal framework underwent several recent changes, including minor amendments to the Electoral Code introduced on 27 March. Certain provisions of the law, including on the campaign, campaign finance, and media, do not reflect a presidential election contest and their application is not always clear to stakeholders.

The election is administered by the State Election Commission (SEC), 80 Municipal Election Commissions (MECs), and 3,396 Electoral Boards (EBs). The SEC has so far carried out preparations in accordance with legal deadlines and held regular open sessions. The MECs visited by the ODIHR EOM to date are adequately resourced, have formed EBs, and have commenced training of EBs.

The voter register is administered by the SEC and includes some 1.8 million citizens who are at least 18 years of age and hold valid identification documents. Voters may verify data online and request changes throughout the year. Following a three-week period of public scrutiny, copies of the lists were provided to parliamentary political parties on a request basis.

Citizens who are at least 40 years of age, with residence in the country for at least 10 of the past 15 years, are eligible to stand for president. The SEC registered three candidates, including one woman and one ethnic-Albanian, each of whom collected the minimum 10,000 support signatures from voters. While non-partisan, each candidate was endorsed by political parties prior to registration.

The official campaign period began on 1 April, with all three candidates holding opening events. During the pre-campaign period, candidates did not campaign once registered on 21 March, but political parties were active throughout, criticising their rivals and supporting the presidential candidates they had endorsed.

Campaign donations and expenditures are conducted through designated bank accounts of candidates, and are subject to interim and final disclosure reports. There are no explicit regulations on third-party campaigning. Several institutions have overlapping mandates to oversee campaign finance rules.

The media environment is diverse with numerous sources, but within a limited advertising market. The legal framework details media obligations in the campaign, but the application of these provisions to the presidential election is ambiguous. The public broadcaster is obliged to air free political presentation, whereas other types of media, including Internet portals, are entitled to offer paid advertisements to be reimbursed from public funds.

The SEC handles most electoral complaints, while the State Audit Office and the State Commission for the Prevention of Corruption are tasked with handling complaints related to campaign finance and

misuse of administrative resources, respectively. To date, few election-related complaints have been filed, related to exclusion from the voter list, candidate registration, and campaigning.

II. INTRODUCTION

Following an invitation from the Ministry of Foreign Affairs of the Republic of North Macedonia, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) on 11 March. The EOM, headed by Ms. Corien Jonker, consists of an 11-member core team based in Skopje and 18 long-term observers deployed throughout the country since 20 March. Mission members are drawn from 19 OSCE participating States. ODIHR has requested participating States to second 250 short-term observers to observe early voting on 20 April and opening, voting, counting and tabulation on 21 April.

III. BACKGROUND AND POLITICAL CONTEXT

On 8 February 2019, the speaker of parliament called a presidential election for 21 April. The current president, Gjorge Ivanov, was first elected in 2009, endorsed by the then ruling party, the Internal Macedonian Revolutionary Organization – Democratic Party of Macedonian National Unity (VMRO-DPMNE), and re-elected for a second and final term in April 2014. A protracted political crisis in the following years led to early parliamentary elections in December 2016, which eventually resulted in a new government led by the Social Democratic Union of Macedonia (SDSM) in coalition with the ethnic-Albanian party with the most parliamentary seats, the Democratic Union for Integration (DUI), which had previously been in coalition with VMRO-DPMNE.¹

The political landscape has traditionally been divided largely along ethnic lines, with parties mainly competing for votes within their respective ethnic communities, while governing coalitions are formed across the ethnic divide, including ethnic-Albanian parties. In this election, two candidates, Stevo Pendarovski and Gordana Siljanovska Davkova, have been endorsed by the political blocs led respectively by SDSM and VMRO-DPMNE.² Mr. Pendarovski's candidacy has also been endorsed by the DUI and other ethnic-Albanian parties in the governing coalition. The third candidate, Blerim Reka, is endorsed by two ethnic-Albanian parties in opposition, the Alliance of Albanians (AA) and BESA.³ All three candidates are non-party figures.

The election takes place in the context of important developments for the country's relationships within the region and its ambitions for accession to the North Atlantic Treaty Organization (NATO) and the European Union (EU). On 30 September 2018, a consultative referendum was held on a bilateral agreement with Greece ("Prespa Agreement") which envisioned a change to the country's constitutional name. The referendum question was approved by 91.5 per cent of the vote, with a turnout of 36.9 per cent.⁴ The parliament proceeded to enact the constitutional amendments, which were adopted on 11 January 2019 with a qualified majority.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected by popular vote under a majoritarian system for a term of five years. The same person cannot stand for the presidency more than twice. To be elected in the first round, a

¹ In the ruling coalition, the SDSM-led bloc holds 49 seats, DUI – 10, AlternAtivA – 3, and Democratic Party of Albanians – 2. The opposition VMRO-DPMNE-led bloc holds 51 seats, Alliance for Albanians – 3, and BESA – 2. Forty-five members of parliament are women, and 23 identify as ethnic-Albanian.

² Mr. Pendarovski previously stood for president in 2014, at which time he was likewise endorsed by SDSM.

³ *Besa* means "pledge" in Albanian.

⁴ The referendum law envisages a participation quorum of 50 per cent, but also provides for consultative referenda.

candidate must receive the votes of a majority of all registered voters. If no candidate meets this requirement, a second round is held within two weeks between the two candidates who received the highest number of votes. In the second round, the candidate who receives the most votes is elected, provided that there is a turnout of at least 40 per cent of registered voters. Otherwise, the entire election process is repeated. ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) have previously criticized the turnout requirement as it could lead to cycles of failed elections.

The presidential election is primarily regulated by the 1991 Constitution and the 2006 Electoral Code.⁵ Several amendments to the Electoral Code in 2018 and 2019 adjusted the formula for the composition of the State Election Commission (SEC), decreased the number of commissioners, extended its mandate, and provided for reimbursement of paid political advertisement from the state budget. According to several ODIHR EOM interlocutors, the legal changes were approved hastily by the parliament, and without meaningful consultation with stakeholders.

Some prior ODIHR recommendations remain unaddressed, including those related to restrictions on the right to stand, deprivation of voting rights on the basis of legal incapacity, scrutiny of interim campaign finance reports, and limited legal standing to file complaints. Some provisions of the Electoral Code, including on the campaign, campaign finance, and media do not reflect a presidential election contest and, according to ODIHR EOM interlocutors, their application is unclear.⁶ Instructions adopted by the SEC for this election largely reproduce the Electoral Code and do not provide additional clarity.⁷ Minor amendments to the Electoral Code were introduced by the parliament on 27 March, which added the word "candidates" alongside political parties to certain campaign-related provisions. These last-minute legislative changes did not address all existing gaps in the regulation of the presidential election, and are not yet in force.⁸

V. ELECTION ADMINISTRATION

The presidential elections will be administered by a three-level administration, comprising the State Election Commission (SEC), 80 Municipal Election Commissions (MECs), and 3,396 Electoral Boards (EBs). Out-of-country voting will be conducted in 32 diplomatic and consular offices in 24 countries. Early voting will be administered with mobile ballot boxes for homebound voters, voters in penitentiary institutions, and internally displaced persons on 20 April.⁹

Following amendments to the Electoral Code in 2018, the SEC is composed of seven members nominated by parliamentary political parties: four by the ruling parties, including the vice president, and three by the opposition parties, including the president. Three of the SEC members are women,

⁵ The legal framework also includes the 2004 Law on Political Parties, the 2004 Law on Financing Political Parties, the 1996 Criminal Code, the 2013 Law on Media, and the 2013 Law on Audio and Audiovisual Media Services, and instructions of the State Election Commission.

⁶ Several of these provisions refer to contestants as members of the ruling or opposing parliamentary alliances and do not mention presidential candidates nominated by voters.

⁷ In applying these provisions of the Electoral Code, the SEC determined that commercial billboard space must be divided between the presidential candidates on the basis of their political party support, despite the fact that all three candidates registered as non-partisan nominees. The decision gave the candidate backed by the ruling parties 40 per cent of the overall space, with another 40 per cent divided between two candidates backed by opposition parties, and the remaining 20 per cent were to be distributed among the three candidates upon their agreement.

⁸ The legislation has not been signed by the president nor published in the Official Gazette; the president has refused to sign all laws since the February 2019 constitutional amendments that changed the name of the country.

⁹ For the first time, early voting will be available in one retirement home and one special hospital in Skopje. Early voting will be available from 18 April at the SEC for EB members who will administer voting abroad.

one of whom is the vice president. Initially set for six months to administer the 2018 referendum, the mandate of the current SEC was extended in November 2018 for up to two years.

The MECs comprise five members and their deputies, randomly selected by the SEC from among employees of the state and municipal administration for a term of five years. MECs supervise the administration of elections in the respective municipality, appoint and train EBs, and manage other technical preparations. The EBs are composed of three members, randomly selected by MECs from among public and civil servants for a four-year term, and two temporary members nominated by the parliamentary parties for each election.¹⁰ The current MECs and EBs were appointed in 2017. The composition of each election management body must respect legal requirements for gender and ethnic representation.¹¹ Contestants can appoint authorized representatives to all levels of election administration to monitor their work and all three have nominated representatives to the SEC.

To date, the SEC has carried out preparations according to the legal deadlines. The commission has held regular sessions which were open to the public and media, and the minutes of most sessions and the decisions adopted have been published on the SEC website.¹² However, in most cases, the sessions were not publicly announced in advance.

The SEC has introduced a pilot training programme for EB presidents and their deputies, in addition to the regular training sessions for all EB members delivered by MECs. The SEC informed the ODIHR EOM that the training materials will be developed in five languages.¹³ The SEC prepared a voter education campaign for broadcast, online and social media in five languages. According to the SEC, this educational campaign includes information on voter rights, voting procedures, and on reporting electoral offences.

According to the SEC, all MECs started their work on schedule. The MECs observed by the ODIHR EOM to date appear to possess adequate material and financial resources for the conduct of the election. Sessions of MECs have mostly been held on an *ad hoc* basis, and decisions have not always been posted in their premises.¹⁴ Most MECs have finalised the formation of EBs and have commenced trainings. The MECs appear generally to enjoy the confidence of local stakeholders.

VI. VOTER REGISTRATION

All citizens at least 18 years of age as of election day are eligible to vote, unless deprived of their legal capacity by a court decision. Registered residents in the country are included in the voter register if they possess a valid identification card or a passport. Voters whose identification documents expired or will expire prior to the election day have been automatically excluded from the voter lists, unless they renewed their document and notified the SEC regional office of the change before the voter list was closed. Several ODIHR EOM interlocutors expressed dissatisfaction with the automatic deregistration of voters whose identification documents had expired.

¹⁰ The ruling and opposition parties nominate one candidate and deputy each. Nominations to the current EBs were made by the ruling coalition of SDSM and DUI, and VMRO-DPMNE and BESA from opposition parties.

¹¹ Each gender is to 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.

¹² For the first time, some sessions of the SEC include Macedonian sign language interpretation.

¹³ In addition to the Macedonian language, the SEC plans to produce the training manual in Albanian, Romani, Serbian, and Turkish. According to the SEC, members of these ethnic communities are among the certified SEC trainers and are deployed to municipalities with a significant minority population.

¹⁴ For example, the MECs in Shtip, Gradsko, and Kavadarci.

The registration system for in-country voting is passive and continuous, based on information extracted from the civil and other national registries.¹⁵ The SEC is the responsible authority for maintaining and updating the voter register, in co-operation with the State Statistical Office, which administers the organisational, technical and methodological processing of data.

All citizens have the right to verify their data in the voter register online and to request changes throughout the year. Between 23 February and 14 March, voter lists were displayed for public scrutiny in the SEC regional offices.¹⁶ The ODIHR EOM observed several offices in which the voter list was not displayed. In accordance with the law, the SEC provided copies of the voter register to five parliamentary parties upon request after the conclusion of public scrutiny, and the parties' requested changes were considered within the legal deadline.¹⁷

The final voter register as of 29 March includes 1,808,131 voters. While some ODIHR EOM interlocutors pointed out improvements in the accuracy of the voter register, others expressed concerns that it includes deceased voters, as well as inconsistencies in address data that may lead to incorrect assignment of voters to polling stations. Others also noted that the significant number of citizens who reside abroad, and choose not to participate, may impact the threshold requirement.

Citizens with permanent residence in the country and a valid passport who are temporarily residing abroad are included in the voter register and are eligible to register for voting in designated diplomatic or consular offices. The SEC registered 1,781 voters for out-of-country voting.¹⁸

VII. CANDIDATE REGISTRATION

According to the Constitution, a citizen over the age of 40 who has been resident in the country for at least 10 of the last 15 years is eligible to stand for the office of president. Candidates can be nominated by at least 10,000 voters or 30 members of parliament. Voter support signatures must be collected in front of officials on the premises of regional offices of the SEC within a 15-day period.¹⁹ Voters could sign in support of more than one candidate.

Nine prospective candidates announced to the SEC their intention to collect signatures and three collected the required number within the designated period between 23 February and 9 March.²⁰ The SEC received and considered the nomination documents within the legal deadline, and three candidates were registered on 21 March, including one woman and one ethnic Albanian.²¹ While non-partisan, each of the three candidates was endorsed by political parties prior to their registration.

¹⁵ The Ministry of Internal Affairs provides the SEC with information on the citizens who reached voting age, and the issuance of identification and travel documents based on the records of citizenship and residency. The basic courts are required to inform the SEC about the citizens deprived of the legal capacity and those placed in pre-trial detention. The Ministry of Justice provides information about the deceased people.

¹⁶ According to the SEC, 53,972 voters visited regional offices to verify their data, including voters who came to sign candidate nomination lists. As a result of public scrutiny, 517 voters were included in the voter lists, 412 were excluded, and data of 129 voters were corrected.

¹⁷ The SEC reported that all parliamentary parties except for the DUI collected a copy of the voter register for inspection. Inclusion of 50 voters was requested by the VMRO-DPMNE and rejected by the SEC due to lack of valid documents or being already registered.

¹⁸ Voting abroad will be administered in 32 diplomatic and consular offices, where at least 10 voters were registered. According to the SEC, 1,826 applications were filed to vote abroad.

¹⁹ An additional 45 offices were temporarily opened by the SEC for the collection of signatures in some areas where the SEC does not have a regional office.

²⁰ Two unsuccessful candidates expressed their dissatisfaction to the SEC and to the ODIHR EOM alleging obstacles to signature collection including irregular working hours of the SEC regional offices.

²¹ According to the SEC, Mr. Reka was supported by 11,128 voter signatures, Ms. Siljanovska Davkova by 15,926, and Mr. Pendarovski by 31,729.

VIII. CAMPAIGN

In accordance with the Electoral Code, the official campaign period began on 1 April and will end 24 hours prior to election day. While the Code provides sanctions for contestants campaigning outside the designated period, it contains some ambiguities regarding early campaigning. Before the candidates were officially registered on 21 March they engaged in campaign activities, such as holding small-scale meetings with citizens around the country and giving media interviews. As envisaged by law, the candidates ceased campaigning after their formal registration, although political parties continued supporting the presidential candidates they have endorsed, presenting their programmes and criticizing their rivals.²² On 26 March, the leaders of SDSM and VMRO-DPMNE took part in a public debate aired by commercial broadcaster *Kanal 5*, during which they both supported the presidential candidates endorsed by their parties. All three candidates marked the start of the campaign period with opening events on 1 April. Billboard posters featuring the candidates appeared in many locations.

The Electoral Code contains detailed provisions regulating the campaign, intended to provide a level playing field for election contestants through the equitable use of public space and by prohibiting the abuse of state resources. Election participants are required to notify the authorities at least 48 hours in advance of holding a campaign event in a public place.²³ The Code foresees a moratorium on announcing new publicly-funded projects and prohibits the use of state offices, equipment or personnel. On 27 March, the Ministry of Information Society and Administration introduced an online tool through which public employees can report any instances of pressure. As required by the Electoral Code, on 31 March the candidates signed a code of conduct pledging not to exert pressure on public sector employees.

North Macedonia is home to several ethnic communities, including Bosniacs, Roma, Turks, Serbs, and Vlachs, as well as the significant ethnic-Albanian population. Among the key issues dividing the presidential candidates is a new law which extends the official status of the Albanian language throughout the country.²⁴ This law is strongly supported across the spectrum of ethnic-Albanian parties and by SDSM. In line with VMRO-DPMNE, Ms. Siljanovska Davkova opposes the law, whereas the other two candidates favour it.

In general, women are under-represented in public life. For example, only four out of 26 government ministers are women, and only six out of 81 mayors. Women's rights and gender equality have not yet emerged as prominent campaign issues. Ms. Siljanovska Davkova has experienced negative stereotypes on social media on the basis of her gender, for example comments about her appearance.

IX. CAMPAIGN FINANCE

Campaign finance is regulated by the Electoral Code and the Law on Financing of Political Parties. Parties are eligible for public funding if they received at least one per cent of the vote in the previous

²² The SEC rejected three complaints alleging early campaigning by Ms. Siljanovska Davkova and by Mr. Pendarovski.

²³ Some buildings may not be used for campaign events, including religious buildings, hospitals, schools, retirement homes and other public institutions, unless no other appropriate venue is available.

²⁴ This law, as well as the ratification of the Prespa Agreement, was promulgated in January 2019 despite the refusal of the outgoing president to sign it.

parliamentary or local elections.²⁵ Presidential candidates do not receive direct public funding but expenditures for political advertisement will be reimbursed from the state budget.

Electoral contestants are obliged to register unique tax numbers and to open separate bank accounts through which all campaign-related financial transactions must be conducted. Donations are limited to EUR 3,000 for individuals and EUR 30,000 for legal entities, including in-kind contributions.²⁶ There are no explicit regulations on third-party campaigning and no requirements for accounting of expenses incurred by political parties supporting candidates nominated by a group of voters. All three candidates informed the ODIHR EOM that they will rely on political party infrastructure and logistical support. The campaign spending limit is MKD 110 per registered voter (amounting to some MKD 198 million or some EUR 3.2 million).²⁷

The State Audit Office (SAO) is the primary supervisory body for political and campaign financing. However, various institutions have overlapping mandates to investigate and enforce campaign finance rules.²⁸ Electoral contestants are required to submit two interim reports and a final report on their income and expenditure to each of the SEC, the SAO, and the State Commission for the Prevention of Corruption (SCPC).²⁹ The law obliges these institutions to publish the interim campaign finance reports from each contestant, however, there is no requirement to scrutinize them. The final reports should be submitted within four months of the election and audited by the SAO.³⁰

The newly appointed SCPC commenced its work in February 2019 following the adoption of the new Law on the Prevention of Corruption and Conflict of Interest.³¹ The SCPC is mandated to monitor the legality of campaign financing, receive complaints on violations of the separation between the state and political parties, the abuse of state resources, vote-buying, and pressure on voters. The SCPC informed the ODIHR EOM that its resources are limited and a number of procedures required by law are not yet in place.³² The SCPC signed an agreement with the Platform of Civil Society Organizations (CSOs) Against Corruption to monitor and provide information on abuse of state resources and other violations. However, some of these CSOs informed the ODIHR EOM and the SCPC that they do not plan any activities for this election due to a lack of resources.

X. MEDIA

The media environment is diverse, comprising some 250 media outlets, including 58 television channels (15 national), 70 radio stations, 20 print publications and 100 online news portals; however, the actual operation of a number of these outlets is rather limited.³³ Television remains the most

²⁵ Pursuant to 2018 amendments to the Law on Financing of Political Parties, the amount of public funding for political parties increased from 0.06 to 0.15 per cent of the total income of the state budget.

²⁶ Anonymous donations are prohibited, as well as those from public institutions or foreign sources, citizens' associations, and religious groups.

²⁷ EUR 1 equals approximately 61 Denars (MKD).

²⁸ By law, both the SAO and the State Commission for the Prevention of Corruption can initiate cases related to violations of campaign finance regulations. While the Electoral Code (Article 74-a) mandates the SAO to hear complaints related to campaign finance violations, the SAO informed ODIHR EOM that it has no jurisdiction to consider such complaints.

²⁹ On 4 March 2019, these three institutions signed a memorandum on the exchange of information on irregularities in financial reports and subsequent measures to be undertaken.

³⁰ According to the SAO, based on its audit of campaign finance reports of the 2016 parliamentary and 2017 local elections, no violations were found.

³¹ The new SCPC was appointed by the parliament following a public call and selection procedure; the previous commission members resigned in early 2018.

³² Including access to databases of public institutions for the prompt exchange of information.

³³ Data according to the [IREX Media Sustainability Index 2018](#).

important source of political information, with numerous political programmes daily. In addition, the role of online media and social networks as platforms for political discourse is gradually growing.

At the end of 2018, the government introduced subsidies for newspapers with the aim of supporting this media segment. The media legislation was amended to stop the longstanding practice of public institutions using public funds for their own advertising through the broadcast media. The public broadcaster is financed exclusively from the state budget since 2017. Many ODIHR EOM interlocutors remarked that such a practice may undermine independence of the public broadcaster.

Most ODIHR EOM interlocutors highlighted improvements in overall media freedom in recent years. At the same time, these stakeholders noted an oversaturated media environment within a limited advertising market, low salaries, and decreasing interest in the journalistic profession, which poses a concern for the quality of reporting. A number of private outlets remain financed by businesses close to different political groups, and several interlocutors alleged that these outlets are used as political leverage. There are only a few self-sustainable media, in particular major private TV channels.

The legal framework provides detailed regulation of the conduct of the media during the election campaign. The Electoral Code stipulates that broadcasters covering the election are obliged to do so in a fair, balanced and unbiased manner in their overall programming. Despite the latest amendments of 27 March, some provisions refer only to the coverage of political parties or their presentation, rather than contestants. According to decisions of the Agency for Audio and Audiovisual Media Services (AVMS) and the public broadcaster, these provisions either do not apply to the presidential election or shall apply to both contestants and political parties.³⁴

The public broadcaster is obliged to air free political presentation, whereas other types of media, including Internet portals, are entitled to offer paid advertisements.³⁵ Numerous ODIHR EOM interlocutors questioned the newly introduced practice of reimbursement of political advertisements in the private media with public funds.³⁶ On 9 February, the AVMS began to monitor media compliance with campaign requirements, based on its methodology adopted on 7 February. Thus far, it has issued one comprehensive monitoring report.³⁷

On 18 March, the ODIHR EOM commenced its media monitoring with quantitative and qualitative analysis of eight TV channels as well as four online and three print media.³⁸ The media have generally

³⁴ The Electoral Code (Article 76-a (2)) defines specific division of the election campaign news coverage of the public broadcaster amongst national, global daily events (30 per cent), ruling parties (30 per cent), opposition parties (30 per cent) and parties not represented in the parliament (10 per cent). The Agency for Audio and Audiovisual Media Services in its public session interpreted this provision as not applicable for the current presidential campaign. Another provision (Article 76-a (11)) requires the public broadcaster to organise debates of the main parties as well as other participants in the electoral process. The Guidelines for Media Presentation issued by the public broadcaster on 14 February preserve this requirement.

³⁵ According to the SEC website, there are 92 broadcasters (43 TV channels and 49 radio stations) and 6 newspapers that met the deadline to announce their pricelists for paid advertisements. In addition, 83 online media registered with the SEC for the purposes of paid advertising.

³⁶ This practice was introduced in the July 2018 amendments to the Electoral Code.

³⁷ The AVMS plans to issue one report during the campaign. It conducts 24/7 monitoring of 15 TV channels prior to the campaign and 32 channels during the campaign, and includes assessment of the tone of coverage.

³⁸ The monitoring is conducted daily from 18:00 until 24:00 of public *MRT1* and *MRT2* (Macedonian and Albanian languages, respectively) and private *Alfa* (Macedonian language), *Alsat-M* (bi-lingual), *Kanal 5*, *Sitel*, *Telma*, *24 Vesti* (Macedonian language). Politics-related articles of the private papers *Koha* (Albanian language), *Nezavisen* and *Nova Makedonia* (Macedonian language), as well as of online media www.kurir.mk (Macedonian language), www.lajmpress.org (Albanian language), www.plusinfo.mk and www.sdk.mk (Macedonian language) are also monitored.

respected the non-campaign period between registration of candidates and the official start of the campaign, as programmes did not feature candidates.

XI. COMPLAINTS AND APPEALS

The SEC handles most administrative disputes related to elections, while the SAO and SCPC handle complaints related to campaign finance and abuse of state resources, respectively.³⁹ The basic courts have jurisdiction over electoral offences.⁴⁰ Most of the deadlines for the submission and resolution of complaints, including complaints related to voter and candidate registration, and election day irregularities, are short. Meanwhile, cases of violations of campaign regulations are to be handled by the SEC within a seven-day deadline.

While the SEC's decisions on complaints and the annulment of results can be reviewed by the Administrative Court, which is the final instance in almost all cases, other decisions and actions are not subject to judicial review. Complaints by voters are limited to the violation of their right to vote. Citizen observers do not have the right to file complaints, and only contestants may challenge voting irregularities and election results.

An electronic system for case and complaint management by the SEC, required by the Electoral Code, has been developed but is not yet operational. To date, few election-related complaints have been filed.⁴¹ Complaints of two unsuccessful candidates regarding the signature collection process were not accepted by the SEC because the law does not entitle voters to file such complaints. Written responses of the SEC are not considered official decisions and cannot be appealed.⁴²

XII. CITIZEN AND INTERNATIONAL OBSERVERS

The Electoral Code provides for observation of the entire election process by both citizen and international observers. To be accredited, domestic associations and foreign organisations must have been registered at least one year before election day, and their foundational statutes must include the principle of protection of human rights. The largest citizen observation effort is expected to be launched by the Citizens' Association MOST, who informed the ODIHR EOM that it had deployed long-term observers to all 80 municipalities and plans to field over 1,500 short-term observers for election day. Several associations of persons with disabilities also plan to observe the upcoming election.

XIII. ODIHR EOM ACTIVITIES

The ODIHR EOM commenced its work on 11 March. The Head of the ODIHR EOM met with the Minister of Foreign Affairs, the State Election Commission, the State Commission for the Prevention of Corruption, the State Audit Office, the Agency for Audio and Audiovisual Media Services, the Administrative Court, candidates and party leaders, representatives of OSCE participating States and

³⁹ The law provides that MECs make decisions on complaints but does not specify which complaints fall under their jurisdiction. The SEC informed the ODIHR EOM that in practice MECs will not handle complaints.

⁴⁰ While the Electoral Code (Article 73) gives candidates the right to directly lodge a case with the relevant basic court if their campaigns are interfered with, in practice, according to ODIHR EOM interlocutors, individuals have to first initiate the case with the prosecutor's office and cannot directly address the court.

⁴¹ The SEC received and rejected one complaint related to voter registration and three related to early campaigning. The Administrative Court upheld the SEC's decision not to include a voter in the voter list due to lack of valid documents and official residence. Other administrative bodies and courts have not received any election-related complaints.

⁴² The Administrative Court dismissed two such appeals by a media outlet, which missed the deadline to announce its price list and was therefore not approved by the SEC for paid political advertising.

international organisations. The ODIHR EOM has also established contacts with civil society, representatives of the media, and other electoral stakeholders.

The OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) intend to deploy delegations for election day observation. Ms. Sereine Mauborgne has been appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the OSCE short-term observer mission. Election day observation will be the result of a common endeavor involving ODIHR and delegations from the OSCE PA and PACE.

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