



**INTERNATIONAL ELECTION OBSERVATION MISSION (IEOM)
The former Yugoslav Republic of Macedonia
Presidential and Early Parliamentary Elections, 27 April 2014**

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Skopje, 28 April 2014 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE).

Christine Muttonen (Austria) was appointed by the OSCE Chairperson-in-Office as Special Coordinator to lead the short-term observer mission. Isabel Santos (Portugal) headed the OSCE PA delegation and Stefan Schennach (Austria) headed the PACE delegation. Ambassador Geert-Hinrich Ahrens (Germany) is the Head of the OSCE/ODIHR Election Observation Mission, deployed from 10 March 2014.

The assessment was made to determine whether the election complied with OSCE commitments and Council of Europe standards for democratic elections, as well as international obligations and domestic legislation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the election process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the count, the tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the election process. The OSCE PA will present its report on 28 June at its Standing Committee meeting in Baku. The PACE delegation will present its report on 23 May at its Standing Committee meeting in Baku.

PRELIMINARY CONCLUSIONS

As in the first round of voting, the 27 April 2014 presidential election and early parliamentary elections were efficiently administered, including on election day. Candidates were able to campaign without obstruction and freedoms of assembly and association were respected. However, the campaign of the governing party did not adequately separate its party and state activities, at odds with paragraph 5.4 of the 1990 OSCE Copenhagen Document and Council of Europe standards. Allegations of voter intimidation persisted throughout the campaign. The Albanian party in the government continued to boycott the presidential election and exerted undue pressure on ethnic Albanian voters not to take a presidential ballot. Before the counting began, the main opposition coalition announced that it would not recognize the results of these elections.

A lack of analysis and independent reporting in the media continued during the second round of the presidential and early parliamentary election campaigns. OSCE/ODIHR EOM media monitoring showed that the majority of monitored media was largely biased in favour of the ruling party and its presidential candidate and mainly negative against the main opposition party and its candidate. The media often failed to distinguish between the coverage of officials in their capacity as ministers and as candidates.

One hundred and twenty members of parliament were elected under a proportional representation system and three were elected in a majoritarian system in three out-of-country districts. The uneven distribution of voters in the out-of-country districts and the difference between the numbers of voters in the in-country and out-of-country districts do not fully ensure the equality of the vote as provided for by paragraph 7.3 of the OSCE 1990 Copenhagen Document and Council of Europe standards. In addition, the 40 per cent turnout requirement in the second round of the presidential contest may lead to cycles of failed elections if turnout is lower.

A number of Electoral Code provisions regulating the parliamentary elections were amended in January 2014 addressing some OSCE/ODIHR recommendations. However, inconsistencies and ambiguities impacting the early parliamentary elections remained, including the legal definition of campaigning and length of the campaign, and the provisions on the use of public resources during the campaign. The State Election Commission (SEC) issued several instructions, which effectively amended the law, in an attempt to regulate the overlapping campaigns for the two elections. The legal authority of the SEC to do this is questionable.

The SEC met almost all of its legal deadlines and held regular sessions, but continued to be divided along party lines on all politically contentious issues. Despite the late closure of the voter lists for the early parliamentary elections, the printing of the ballots and the voter list excerpts were concluded on time. As in the first round of the presidential election, the SEC did not communicate effectively with the Municipal Election Commissions (MECs) on several issues, causing some confusion regarding the procedures. However, MECs carried out their duties in a professional manner.

Gender representation criteria were respected in the election administration bodies. As per legal requirements, every third candidate on parliamentary candidate lists was reserved for the less represented gender. However, women were underrepresented in rallies observed by the OSCE/ODIHR EOM, and gender issues were not raised in campaign programmes.

There were two separate voter lists for these elections: 1,779,572 voters were registered for the presidential election and 1,780,128 for the early parliamentary elections. Concerns were raised by a number of IEOM interlocutors with regard to the accuracy of the voter lists, particularly large numbers of voters residing at the same address. Legal provisions that allow political parties to challenge entries in the voter lists are vague and do not clearly specify which agency is responsible for conducting an investigation; this undermined proper implementation.

The campaign was active with a large number of rallies and meetings with voters. However, a significant advantage in resources and therefore in political advertising meant that the governing Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity and its presidential candidate dominated both campaigns. In addition, the campaign of the governing party often did not adequately separate party from state activities. As in the first round of the presidential election, there was a steady stream of strong accusations of corruption within the ethnic blocs. The Democratic Union for Integration boycott of the presidential election resulted in the turnout in ethnic Albanian areas being significantly lower than in ethnic Macedonian areas.

The electoral dispute resolution mechanism remained ineffective. A lack of deadlines for courts to resolve several types of election-related cases combined with a limited right of voters to legal redress on every stage of the electoral process does not fully guarantee effective redress as required by paragraph 5.10 of the 1990 OSCE Copenhagen Document.

Election day was conducted in a smooth and professional manner with only some technical irregularities observed throughout the day. Election boards (EB) demonstrated a good knowledge of voting procedures. However, in some ethnic Albanian areas the IEOM observed that voters were discouraged by EB members from taking a presidential ballot. Most vote counts and tabulation processes observed by the IEOM were assessed positively, although some discrepancies were corrected on result protocols.

PRELIMINARY FINDINGS

Background

In line with constitutional and legal provisions, the first round of the presidential election was held on 13 April 2014.¹ Since none of the candidates received the required majority of the total number of registered voters to be elected, a second round was announced between incumbent President Gjorge Ivanov, affiliated with the Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE), who received 51 per cent of cast votes,² and Stevo Pendarovski, affiliated with the opposition Social Democratic Union of Macedonia (SDSM), who received 37.51 per cent of cast votes.³

The Democratic Union for Integration (DUI) boycotted the presidential election stating that its coalition partner VMRO-DPMNE ignored its calls to nominate a consensual presidential candidate who would represent both the ethnic Macedonian and ethnic Albanian communities. As a consequence the turnout in ethnic Albanian areas was significantly lower than in ethnic Macedonian areas.⁴ The use of visible ink to mark voters added to the pressure on ethnic Albanian citizens in the first round as their decision whether to vote or not was visible.

Parliament was dissolved on 5 March at the initiative of DUI. Early parliamentary elections were held together with the second round of the presidential election on 27 April.

Legal Framework and Electoral System

Elections are primarily regulated by the Constitution and the Electoral Code. The Electoral Code was last amended on 24 January 2014 and addressed some of the prior OSCE/ODIHR recommendations.⁵ However, implementation of the legislation revealed that a number of issues and inconsistencies remain unaddressed, including the definition of campaigning and the length of the campaign and the provisions on the use of public resources during the campaign. In addition, the safeguards for the separation of party and state remain insufficient. There is no legal requirement for ministers and other state officials to temporarily step down in order to run as candidates, leading to the misuse of state resources and conflicts of interest between the official actions of ministers and their roles as candidates.

¹ Statement of Preliminary Findings and Conclusions of the IEOM for the 13 April presidential election is available at <http://www.osce.org/odihr/elections/117636>.

² In order to be elected in the first round, a successful candidate has to receive the majority of votes from the total number of registered voters. Mr. Ivanov received 25.2 per cent and Mr. Pendarovski 18.3 per cent of votes of the registered voters.

³ Iljaz Halimi, the only ethnic Albanian candidate, affiliated with the Democratic Party of Albanians (DPA) received 4.49 per cent of cast votes; and Zoran Popovski, affiliated with the recently-formed Citizens Option for Macedonia (GROM), received 3.61 per cent of cast votes.

⁴ In those municipalities won by Mr. Halimi the average turnout was 12.85 per cent.

⁵ Previous OSCE/ODIHR reports are available at <http://osce.org/odihr/elections/fyrom>.

As an exception, Article 9 of the Electoral Code requires that “authorized officials” of the Ministry of Internal Affairs (MoI) and the Ministry of Defense temporarily cease their government duties once they have been confirmed as candidates. This provision is intended to prevent the misuse of state resources and to avoid conflicts of interests that are inherent in the dual role of being an official in a key ministry as well as a candidate during an election period. This provision is especially relevant to the Interior Minister who has authority over key aspects of the electoral process. Despite this legal provision, the Interior Minister did not step down despite running as a candidate.⁶

During the electoral process, the State Election Commission (SEC) issued several instructions that effectively amended the law in an attempt to regulate the overlapping campaign for the two elections. On 7 March, the SEC unanimously decided to start the parliamentary campaign two days earlier with a two-day interruption during the campaign silence for the presidential election. The legal authority of the SEC to do this is questionable.

In the second round of the presidential election, a candidate who receives the highest number of votes cast gets elected provided that there is a turnout of more than a 40 per cent of the total number of registered voters. The OSCE/ODIHR and the Council of Europe’s Commission for Democracy through Law (Venice Commission) have previously criticized this requirement as it could lead to cycles of failed elections.⁷

Parliament is elected for a four-year term. Out of 123 elected members, 120 are elected under a proportional representation system in 6 electoral districts. The remaining three are elected in a majoritarian system in three out-of-country districts of Europe and Africa, North and South America, and Australia and Asia.⁸ The uneven distribution of voters in the out-of-country districts and the difference between the numbers of voters in the in-country and out-of-country districts do not fully ensure equality of the vote as provided for by paragraph 7.3 of the OSCE 1990 Copenhagen Document.⁹

Election Administration

The parliamentary elections, similar to the presidential election, were administered by a three-level election administration: the SEC, 80 Municipal Election Commissions (MECs), 3,480 Election Boards (EBs) established in-country and 34 EBs in Diplomatic-Consular Offices (DCOs). The SEC is composed of seven members appointed by the parliament for a four-year term: the president and two members are nominated by the parliamentary opposition parties, while the vice-president and three members are nominated by the governing parties.

⁶ Article 32 of the Law on Internal Affairs states that “the Minister, Deputy-Minister, State Secretary, the director of the Public Safety Bureau, the director of the Directorate for Security and Counterintelligence and employees in management positions in the Ministry of Interior have the status of authorized officials.”

⁷ See the 2013 Joint Opinion of the OSCE/ODHIR and the Council of Europe’s Commission for Democracy through Law (Venice Commission) on the Electoral Code which noted that “the continuation of a voter turnout requirement for a second round (requiring a majority of votes with a threshold of 40 per cent of registered voters) could lead to cycles of failed elections.” <http://www.osce.org/odihr/elections/102832>.

⁸ The number of voters registered for electoral district 7 covering Europe and Africa was 18,911, 3,337 registered in district 8 covering North and South America and 1,534 in district 9, covering Australia and Asia. In country, the average number of voters for each elected candidate was about 14,600.

⁹ Paragraph 7.3 of the 1990 OSCE Copenhagen Document provides that the participating States should “guarantee universal and equal suffrage to adult citizens.” In addition, see the 2011 Joint Opinion of the OSCE/ODIHR and the Venice Commission which noted that “the introduction of a different electoral system for out-of-country voting from the one used in-country does not seem to be justified.” <http://www.osce.org/odihr/84226>.

The MECs are responsible for administering elections in their respective municipality and for appointing the EBs. MECs have a president, four members and their deputies randomly selected from public service employees, for a five-year term. EBs are formed by MECs using a mixed professional-political model with one member nominated by the governing political parties, one by the opposition parties, and three members randomly selected from public service employees. The Electoral Code amendment that required EB presidents to hold university degrees and members to have secondary educations had a positive impact on the work of the EBs, although some MECs noted that identifying a sufficient number of qualified people was burdensome.

As in the first round of the presidential elections, the SEC sessions were generally open for accredited observers and media. Minutes of these sessions were published on the SEC website within 48 hours. However, the SEC sessions continued to be characterized by division among members and voting was along party lines on all politically contentious issues. Despite the late closure of the voter list for the parliamentary elections, the printing of ballots and voter lists excerpts was concluded on time.¹⁰ The SEC met its obligation to conduct a voter education campaign; however, it was not very visible and important aspects of the electoral process were not covered.¹¹ As in the first round of the presidential election, the lack of communication between the SEC and MECs on several procedural issues caused some confusion regarding the process. However, MECs carried out their duties in a professional manner.

Voter Registration

As presidential and parliamentary elections were announced on different dates, the deadlines for public scrutiny and for closing the voter lists were different. This resulted in two separate voter lists with 1,779,572 citizens registered to vote in the presidential election and 1,780,128 in the early parliamentary elections.¹² Out of some 83,500 citizens registered with the MoI as temporarily working or residing abroad, 8,332 registered to vote in the presidential election and 23,782 in the early parliamentary elections.¹³

The issue of large numbers of voters residing at the same address where they do not appear to live remained an issue raised by several OSCE/ODIHR EOM interlocutors. Like in the first round of the presidential election, the DUI and the SDSM filed complaints with the SEC requesting deletion of voters from the parliamentary voter lists, alleging that they were registered at fictitious addresses (*See Complaints and Appeals Section*). The MoI, which maintains the population database, stated that it was not their responsibility to verify these allegations. Legal provisions that allow political parties to challenge entries in the voter lists are vague and do not clearly specify which agency is responsible for investigating challenges. This undermined proper implementation.

¹⁰ The voter list for parliamentary elections was closed on 17 April 2014, eight days after the legal deadline.

¹¹ The voter education campaign did not cover the new rules applying for homebound voting. It also did not inform voters that they could choose whether or not to vote in both elections on 27 April.

¹² Citizens who are over 18 years old on election day, have residency in the respective electoral district, have a valid biometric identification card (ID) or passport and have not been deprived of their legal capacity by a court decision are included in the VLs for in-country voting.

¹³ On 16 March the SEC announced that 70,305 voters were registered with the MoI as temporary living or working abroad. For the second round of elections, the SEC provided a different number of 83,503 voters living abroad.

Candidate Registration

Parliamentary elections may be contested by candidates nominated by political parties, coalitions of political parties, or by independent candidates nominated by groups of voters. Every citizen with voting rights is eligible to stand as a candidate in parliamentary elections, provided that they are not serving a prison sentence of at least six months for a criminal offence. The same candidate may appear only on one candidate list. In an effort to encourage the participation of women, and according to the legal provisions, one in each consecutive three places on candidate lists is reserved for the less-represented gender.

The SEC registered nine political parties and five coalitions in an inclusive process. All ethnic Albanian parties ran separately, including the DUI and the Democratic Party of Albanians (DPA). Although allowed by law, no independent candidate lists were submitted.

The Campaign Environment

The campaign for the second round of the presidential election commenced on 14 April. The campaign for the early parliamentary elections started on 5 April with a two-day interruption during the campaign silence period for the presidential election. The candidates were able to campaign without obstruction. The campaigns for both the presidential and parliamentary contests were dominated by the VMRO-DPMNE. In addition, the campaign of the governing party did not adequately separate party from state activities, at odds with paragraph 5.4 of the 1990 OSCE Copenhagen Document.¹⁴ Allegations of voter intimidation and misuse of state resources persisted throughout the campaign.¹⁵ The OSCE/ODIHR EOM received a number of credible allegations of pressure on voters, especially public sector employees, which included pressure to attend campaign events,¹⁶ sometimes during working hours,¹⁷ pressure not to attend opponents' events,¹⁸ and promises of or threats to state employment.¹⁹ Other allegations included threats to withhold social welfare benefits and vote-buying among economically disadvantaged groups.

Campaign methods included the use of billboards, posters and leaflets. A large number of rallies for the major coalitions and parties running for parliament also took place. Billboards and posters for the two remaining presidential candidates were visible throughout most cities. For the parliamentary campaign, promotional materials were most prevalent for the leaders and list carriers of the major coalitions and parties – VMRO-DPMNE, SDSM and DUI – with fewer for

¹⁴ Paragraph 5.4 of the 1990 OSCE Copenhagen Document provides for “a clear separation between the State and political parties; in particular, political parties will not be merged with the State.” Also see paragraph I.3.1.a of the Venice Commission Code of Good Practice in Electoral Matters. See <http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD%282002%29023-e>.

¹⁵ In addition, the OSCE/ODIHR EOM received many reports that police were not investigating allegations from opposition parties.

¹⁶ At a GROM rally in Gjorce Petrov on 8 April, the OSCE/ODIHR long-term observers were approached by civil servants looking to sign for their attendance. A teacher in Gostivar reported that colleagues had been told by their supervisor to participate in a DUI rally in Skopje and that the mayor wanted to see the list of people participating in the rally.

¹⁷ During a VMRO-DPMNE rally in Konče on 15 April at 13:00-14:30 (working hours), OSCE/ODIHR long-term observers observed that the municipal building was locked.

¹⁸ The OSCE/ODIHR long-term observers were informed of pressure on public sector employees not to attend the campaign event of Mr. Pendarovski in Valandovo municipality.

¹⁹ A teacher in Gostivar reported to LTOs that she was threatened by her supervisor to resign as a candidate for the NDR and defect to the DUI or lose her job. A DPA representative in Lipkovo informed LTOs that he had been relocated from his place of work (as a public sector employee) for what he claimed was “to get him out of town during the elections due to his political affiliation.”

the Citizens' Option for Macedonia (GROM), the DPA, the National Democratic Revival (NDR), and the Coalition for a Positive Macedonia.

The VMRO-DPMNE and the SDSM each held joint rallies for their presidential and parliamentary candidates. All parties and coalitions also concentrated on holding smaller events and meetings and door-to-door campaigning as the main tactic to communicate with the voters, discuss their programmes and present flyers and brochures. Rallies observed by the OSCE/ODIHR EOM proceeded without disruption²⁰ and were generally well-attended, although predominantly by men.²¹ However, the number of instances of damage to campaign offices increased as election day approached.²² In the course of the campaign, the SDSM submitted evidence to the prosecutor alleging that the prime minister received a bribe for the privatization of "*Makedonska Banka*". In response to this accusation, the prime minister announced that he would file a defamation lawsuit against the SDSM leader.

The main issues and priorities of presidential and parliamentary candidates reflected in coalition and party programmes included economic development, foreign investment, the alleviation of poverty, youth employment, the elimination of ethnic divisions, the resolution of the name issue and accession to the European Union and North Atlantic Treaty Organization.

Speeches at DPA rallies continued to feature inflammatory language about the DUI, particularly its leader Ali Ahmeti.²³ Continuous unproven accusations of personal cases of corruption within the ethnic blocs lowered the level of discourse and took the focus away from concrete issues and party platforms. A disagreement within the DPA between the party headquarters and its Struga branch over the candidate list in electoral district 5 resulted in the branch's boycott of the early parliamentary elections in this municipality.

In addition, the two parties in the ruling coalition, VMRO-DPMNE and DUI, increasingly appealed to their respective ethnic communities to give them the necessary mandates to strengthen their leverage and avoid having to make concessions in any future negotiations on forming the government. The prime minister repeatedly called on ethnic Macedonian voters to give the party a clear majority of at least 62 seats to avoid any further pressure, influence or blackmail from its coalition partner, the DUI.²⁴ Meanwhile, the DUI asked its supporters to turn out in large numbers for the early parliamentary elections so that the party could win a maximum number of seats in order to improve their negotiating position. As in the first round, the DUI announced that it would continue its boycott in the second round of the presidential election and exerted undue pressure on its voters to refrain from taking a presidential ballot.²⁵

²⁰ One exception included an altercation between VMRO-DPMNE and SDSM supporters after a street rally with Mr. Pendarovski in Lisiče on 15 April.

²¹ The OSCE/ODIHR EOM observed 48 rallies during the campaign period between the two election days. The average attendance rate of women at the rallies the OSCE/ODIHR long-term observers attended was 20 per cent, with significantly lower rates at DPA and DUI campaign events.

²² Damage to the following offices was reported to the police: four SDSM offices, three VMRO-DPMNE, one GROM, one DUI and one Alliance for Positive Macedonia. Damage to the SDSM office in Čair was not reported to the police.

²³ At a rally on 15 April, DPA leader Menduh Thaci claimed that Mr. Ahmeti and DUI taught ethnic Macedonians how to blackmail the ethnic Albanians.

²⁴ For example, at a rally in Štip on 11 April, Mr. Gruevski stated that the party would need 62 seats to respond to the blackmail flung by the DUI radical wing. At a rally in Valandovo on 15 April, Mr. Gruevski said that it is already clear who will win these elections, but it is not the same whether it is more or less than 62 seats in parliament. At a rally in Kumanovo on 23 April, the Interior Minister said that every vote has a value because "we don't want to be blackmailed by anyone in achieving national issues."

²⁵ The OSCE/ODIHR EOM received credible allegations of the DUI pressure on ethnic Albanian voters in the first round including: a text message sent on the evening of 12 April urging ethnic Albanians not to vote the

Campaign Finance

On 12 April, the four presidential candidates submitted their second financial reports, which were publicly available in a timely manner. Mr. Ivanov declared a total income of MKD 29,337,922 from 1,615 donors and expenses of MKD 41,378,871.²⁶ Mr. Pendarovski declared a total income of MKD 6,638,409 from nine donors and other sources and expenses of MKD 6,157,282. The first financial reports of the parties running in the early parliamentary elections were submitted on 17 April and published in a timely manner. The VMRO-DPMNE declared a total income of MKD 52,233,654 million and expenditure of MKD 43,907,166. The SDSM declared a total income of MKD 8,054,000 and a total amount of expenditures of MKD 8,028,077. The DUI declared a total income of MKD 12,699,597 and expenditure of MKD 18,957,018, and the DPA declared a total income of MKD 60,000 and expenditure of MKD 130,626.

Overall, the campaign finance system as currently implemented is not adequate to ensure transparency, integrity and accountability of the process. The template for the financial reports does not require contestants to declare itemized incomes and expenditures. The law does not provide for auditing of the pre-election financial reports or for sanctions for non-submission. The State Audit Office does not have the means to investigate whether contestants had any undeclared incomes or expenditures.

The Media

A lack of analysis and independent reporting continued during the second round of the presidential and early parliamentary campaigns. The results of the media monitoring conducted by the OSCE/ODIHR EOM showed that the majority of monitored media was largely biased in favour of the ruling VMRO-DPMNE and its candidate Mr. Ivanov, and mainly negative against the SDSM and its candidate.²⁷ In addition, the Albanian language media also favoured the DUI over the other ethnic Albanian contestants. During the parliamentary campaign, media outlets were focused on the activities of the two main political coalitions, VMRO-DPMNE and SDSM, devoting limited attention to the second round of the presidential campaign.

The Electoral Code obliges broadcast media to cover the candidates for parliamentary elections in a fair, balanced and unbiased manner. In addition, the public broadcaster, “Macedonian Radio and Television” (*MRT*) had an obligation to devote one third of the time in the newscasts to local and international events; one third to the activities of the ruling political parties; and one third to the activities of the political parties in opposition based on the results of the previous parliamentary elections. These legal requirements do not fully comply with paragraph 7.8 of the 1990 OSCE Copenhagen Document as they do not ensure time for other contestants.²⁸ Based on a recommendation from the Agency for Audio and Audiovisual Media Services (AVMS), *MRT* allocated additional time in their newscasts to non-parliamentary parties. The Albanian language

next day; the presence of the DUI supporters outside polling stations on 13 April telling people not to vote; and the presence of the Association of Citizens for Democratization and Raising Collective Awareness (VEPRO) observers inside the polling stations taking photos and writing down the names of those who voted.

²⁶ These amounts cover both rounds of the presidential election. EUR 1 equals MKD 61.

²⁷ The OSCE/ODIHR EOM monitored the campaign coverage of *MRT-1*, *MRT-2*, *Sitel*, *Kanal 5*, *Alfa*, *Telma* and *Alsat-M* during prime time (18:00 to 24:00). On *Vesti 24* the two main newscasts (20:00 and 22:00) were monitored.

²⁸ Paragraph 7.8 of the 1990 OSCE Copenhagen Document requires that “no administrative or legal obstacle stands in the way of unimpeded access to the media on a nondiscriminatory basis for all political groupings and individuals willing to participate in the election process.”

channel, *MRT-2*, devoted more coverage than legally required to the ethnic Albanian parties, also based on a recommendation of the AVMS.

The AVMS presented their media monitoring results for the first round of the presidential campaign on 17 April. These results contained quantitative findings, largely omitting qualitative monitoring results.²⁹ This prevented the agency from identifying potential violations of the legal requirement for all broadcasters to provide fair and unbiased coverage. In addition, the monitoring report indicated a lack of quantitative balance on several broadcasters; however, the AVMS did not react to this.³⁰

According to the OSCE/ODIHR EOM media monitoring results the ruling parties were covered in a more positive manner on *MRT*. While all contestants were covered largely in a neutral manner, the VMRO-DPMNE had an advantage by receiving positive coverage highlighting its achievements and future projects. *MRT-2* displayed a similar approach by providing positive and neutral coverage to DUI activities, and mainly neutral coverage to other election contestants.

During the campaign private TV *Sitel*, *Kanal 5* and *Alfa* devoted in their newscasts 46 to 51 per cent of mainly positive or neutral coverage to the activities of the VMRO-DPMNE. By contrast, the SDSM received from 22 to 27 per cent of coverage, mainly negative in tone. In the course of the campaign the public broadcaster and private *Sitel*, *Kanal 5* and *Alfa* also devoted considerable coverage to the activities of ministers who were running as candidates, often in a favourable and positive manner. The media largely failed to distinguish between the coverage of these officials in their capacity as ministers and as candidates.

Private TV *Telma* and *Vesti 24* provided more balanced coverage of the campaign activities of the two main contestants in the newscasts and devoted similar proportions of coverage to VMRO-DPMNE and SDSM.³¹ While the tone of the coverage was largely neutral on *Vesti 24*, TV *Telma* displayed a critical approach in the coverage of the government and the ruling VMRO-DPMNE. TV *Alsat-M* devoted 26 per cent to DUI, 21 per cent to VMRO-DPMNE, 18 per cent to SDSM and 17 per cent to DPA. The tone of the coverage was mainly neutral with the DUI receiving more positive coverage than other parties.

On all private broadcasters monitored, about 40 hours of paid political advertisements aired were purchased by VMRO-DPMNE and their presidential candidate; some 7.5 hours by GROM, 6.5 hours by DUI, 3.3 hours by SDSM and 2 hours by the Internal Macedonian Revolutionary Organization – People’s Party (VMRO-NP).³²

Complaints and Appeals

The electoral dispute resolution mechanism remained ineffective. A lack of deadlines for courts to resolve several types of election-related cases combined with a limited right of voters to legal

²⁹ A number of AVMS members criticized the absence of qualitative analysis in the report, even though such analysis is required by the media monitoring methodology adopted by the AVMS.

³⁰ The media monitoring report of the AVMS indicated that Mr. Ivanov received more coverage in the newscasts on TV *Sitel* than all other presidential candidates combined, however the AVMS did not initiate a misdemeanour procedure but explained that such coverage was a result of a “strategic approach of VMRO-DPMNE [...] to constantly accompany the presidential candidate, Gjorge Ivanov”.

³¹ VMRO-DPMNE and SDSM received 30 and 26 per cent respectively on TV *Telma* and 29 and 30 per cent respectively on *Vesti 24*.

³² SDSM and VMRO-NP indicated to the OSCE/ODIHR EOM that they attempted to purchase more time on TV *Sitel* and *Kanal 5*, but were informed that the available time had already been purchased by other contestants.

redress on every stage of the electoral process, does not fully guarantee effective redress as required by paragraph 5.10 of the 1990 OSCE Copenhagen Document.³³

The SEC rejected 791 applications by voters requesting to be included in the voter lists for the early parliamentary elections in the Tirana DCO.³⁴ Of these, 640 individually appealed to the Administrative Court which overturned the SEC decision, ruling that since the SEC had already confirmed that these voters met the criteria for voting out-of-country for the presidential election they could not now exclude them from the voter lists for the early parliamentary elections. After the inspection of the voter lists for the early parliamentary elections, DUI filed a complaint with the SEC requesting that these same voters be removed from the voter lists because they were permanent residents in Albania. This complaint was rejected by the SEC and the Administrative Court based on the earlier rulings. A complaint by the SDSM to remove voters was also rejected at both levels.

Complaints on the abuse of state resources and requests for approval of new budgetary allocations are filed with the State Commission for the Prevention of Corruption (SCPC). SCPC sessions were not open to the public or the complainants. There is no right to appeal its decisions, which are not published. The SCPC informed the OSCE/ODIHR EOM that it dealt with some 1,200 requests by state institutions to increase or alter budgetary allocations after the elections had been called, mostly having to do with the extension of employment contracts of public employees.³⁵

Citizen and International Observers

A total of 610 international observers were registered with the SEC for the early parliamentary elections and the second round of the presidential election.³⁶ Citizen observer groups deployed slightly higher numbers of observers than in the first round of the presidential election. The two non-governmental organizations with the longest tradition in observing elections in the country, MOST and CIVIL, registered 2,413 and 113 observers respectively. The Association for Humanitarian Activities (SINERGIJA) registered 5,050 observers and the Association of Citizens for Democratization and Raising Collective Awareness (VEPRO) from Struga 2,321 observers.³⁷

The DPA filed a complaint with the SEC requesting that the accreditation of VEPRO be annulled alleging that VEPRO observers had instructed voters not to vote and wrote down the names of those who voted on 13 April. The complaint was rejected for lack of proof.

Election Day

Election day was conducted in a smooth and professional manner, although some technical irregularities were noted throughout the day. The SEC started announcing results on election night and posted them on its website broken down by district and precinct; this is a positive

³³ Paragraph 5.10 of the 1990 OSCE Copenhagen Document provides that “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” Also see paragraph II.3.3f of the Venice Commission Code of Good Practice in Electoral Matters.

³⁴ These voters reside in Pustec, Albania, and are holders of dual citizenship.

³⁵ New budgetary allocations after the call of elections are prohibited by Article 8-a of the Electoral Code and Articles 11 and 12 of the Law for the Prevention of Corruption.

³⁶ This includes embassies represented in the country, as well as Danish NGO Support Initiative for Liberty and Democracy (SILBA).

³⁷ Many OSCE/ODIHR EOM interlocutors alleged that SINERGIJA was associated with VMRO-DPMNE and VEPRO with DUI.

measure to further increase transparency. Preliminary figures announced by the SEC put voter turnout at 54 per cent for the presidential election and 64 per cent for the early parliamentary elections. Before counting began, the main opposition coalition announced that it would not recognize the results of these elections.

Early voting took place on 26 April for homebound voters and prisoners. Generally early voting proceeded in a transparent manner and procedures were followed. The overall assessment by the IEOM was positive. However, the secrecy of the vote was not ensured in 16 out of 95 cases. As in the first round of the presidential elections, the IEOM observed several instances of prisoners with valid IDs denied the right to vote because they were not included on the voter list.

IEOM observers had unrestricted and full access during the opening of polling stations. The process was assessed positively in 88 out of 92 observations. Some procedural irregularities included: ballot boxes not shown to be empty in 15 cases and opening protocols not filled out before the polling station opened in 14 cases.

In a positive overall assessment of voting by IEOM observers, the process was evaluated as good or very good in 96 per cent of observations. The performance of the EBs and their understanding of voting procedures as well as the transparency of the process were assessed positively in 95 and 97 per cent of observations, respectively. However, many EBs did not follow the SEC instruction to advise voters that they could vote in both or only one of the elections taking place. A difference was noted between ethnic Albanian areas where voters were discouraged by EB members from taking a presidential ballot and ethnic Macedonian areas where voters were automatically given both ballots. The most frequent irregularity was group voting, observed in some 9 per cent of the polling stations. Observers were not obstructed and could clearly observe procedures in 99 per cent of polling stations.

The overall assessment of counting was good in 83 out of 98 counts observed. However, procedural irregularities were reported in 17 cases. The process was transparent and IEOM observers had an unrestricted view of the count in all observed polling stations. In 8 of the observed polling stations some EB members refused to sign the protocol. In addition, in 37 polling stations the EB did not publicly display a copy of the results protocol, as required by law.

The IEOM observed tabulation in 76 out of 80 MECs and assessed the process as good or very good in 69 observations. Serious discrepancies in EB protocols were noted in 11 observations but were corrected by the MECs. Authorized representatives of political parties and candidates were in 98 per cent of polling stations and MECs visited by the IEOM, while citizen observers were present in 68 per cent of polling stations and 92 per cent of MECs.

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

MISSION INFORMATION & ACKNOWLEDGEMENTS

Skopje, 28 April 2014 – The OSCE/ODIHR EOM opened in Skopje on 10 March, with 11 experts in the capital and 20 long-term observers deployed throughout the country.

On election day, 252 observers from 32 countries were deployed, including 206 long-term and short-term observers deployed by the OSCE/ODIHR, as well as 31 parliamentarians and staff from the

OSCE PA, and 15 from the PACE. Voting was observed in 889 polling stations across the country. The tabulation process was observed in 76 MECs.

The institutions represented wish to thank the authorities for the invitations to observe the elections, the State Election Commission for its co-operation and for providing accreditation documents, and the Ministry of Foreign Affairs and other authorities for their assistance and co-operation. The institutions also wish to express appreciation to the OSCE Mission to Skopje and other international institutions for their co-operation and support.

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