



## **OSCE Election Observation Mission Hungary 1998**

### **Joint Preliminary Statement 11 May 1998**

This is the preliminary statement of the Organisation for Security and Co-operation in Europe's (OSCE) Election Observation Mission for the 10 May first round of the Hungarian parliamentary elections. This statement is only preliminary, as it is issued prior to the publication of the final official results and prior to the completion of the process. The OSCE Election Observation Mission will also be observing the second round of voting.

The report is based upon the findings of the 8-person long-term observation mission of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), which has been present in Hungary since 10 April. It also incorporates the election day observations, in accordance with ODIHR methodology, of some 80 observers, operating in teams of 2-persons, who covered 18 of Hungary's 20 territorial units. International observers represented 21 OSCE participating States, and included a 23-person delegation from the OSCE Parliamentary Assembly as well as members of the diplomatic community representing OSCE States.

The OSCE Election Observation Mission would like to thank the Hungarian Ministry for Foreign Affairs for its invitation to observe the elections, and the head of the National Election Office and his staff for providing the utmost support and a highly constructive working relationship.

#### **Summary of Conclusions**

The Hungarian electoral system and the supporting administrative structure have ensured that the May 10 parliamentary elections were carried out in a highly professional and transparent manner and in line with OSCE commitments.

The Hungarian election authorities are to be congratulated for establishing such a strong electoral process, which enjoys the confidence of the people after only the third multi-party elections since 1989. They are also to be congratulated for their wholehearted embracing of information technology. This has served to increase the efficiency and transparency of the electoral process and thus further increase confidence in it.

The campaign was characterised as low-key, and this may have had some impact on the voter turnout rate of approximately 57%. The reported bombing incidents in the lead up to the election are of concern, and the exact nature of these incidents should be determined by the authorities.

The voting and counting processes were carried out in a correct and efficient manner, and thanks to the information system established by the election authorities results have been made available shortly after the count was completed. Observers reported full adherence to the voting procedures, ensuring ballot security.

The electoral system ensures the value of most votes cast, but does serve to limit the possibilities for the representation of smaller or regionally based political forces.

It can be stressed again that the transparency and overall professionalism of the electoral organisation are of great credit to Hungary.

#### **Electoral Procedures**

The provision for political parties to appoint representatives on Election Commissions at all levels is a very positive attribute of the electoral structure, increasing both transparency and confidence. The political parties themselves should be congratulated for taking up this opportunity.

The creation of a professional non-partisan technical organisation responsible for the preparation and conduct of the election constitutes a further positive attribute of the Hungarian electoral system. The separation between the political function of the Election Commissions and the administrative functions of the Election Offices serves to greatly increase the confidence of the political parties in the process.

The definition in the Election Law of what is and is not an invalid ballot is not comprehensive enough. The law should not allow for the possibility of a lack of consistency in interpretation. This issue serves to highlight the need for the National Election Office to be able to issue binding administrative instructions to polling stations, in order to clear up any uncertainties in the process.

The Election Law does not obligate people to vote in the polling booth. Whilst in this election there were no reported cases of intimidation, the law should seek to protect the vulnerable and avoid any possibility for problems. Voting in a booth is the surest way of ensuring the voter's right to a secret ballot.

The law does not allow Hungarian citizens abroad at the time of the election to vote. Such a provision allowing for overseas voting by citizens, or voting by post, could be seriously considered for future elections.

With regards the presence of both international and domestic observers for elections, the law needs to reflect Hungary's commitments as an OSCE participating State. The OSCE Election Observation Mission welcomes the instruction given by the National Election Office to polling station officials regarding the rights of observers, however, it is not sufficient that the activities of international observers are dependent upon such a non-binding provision.

## **Electoral System**

The stipulation that two parties forming an electoral coalition must both pass the 5% threshold at the national level, serves to further restrict the options for smaller parties attempting to enter parliament. Allowing two such coalition partners to pass the threshold by having an aggregate of 10% of the vote, regardless of the individual percentage scored by any one party, would act as an incentive for any parties wanting to form a coalition.

With reference to the country's national and ethnic minorities, it is important that the new Hungarian parliament agrees, in good time before the next elections, on what is meant in the Constitution by the term "representation", with regards to the possibilities for parliamentary representation.

## **Electoral Campaign**

The bombing incidents in the lead up to the elections are of concern. Whilst the exact nature of these incidents is not yet clear, it should be stated that such acts can not be tolerated in a democratic society. In general, however, no substantial problems were reported during the campaign period, and any complaints received up to this point appear to have been properly dealt with by the Election Commission.

The alleged theft of ballot papers prior to the election was regrettable. It is obvious that security for election materials needs to be assured. However, given the provisions in place for the issuing and counting of ballots in polling stations this incident could have no bearing on the result of the election.

The National Election Commission determined that the publishing of an opinion poll on the Internet in the week before the election did constitute a breaking of the law. This incident serves to highlight the shortcomings of existing electoral legislation regarding penalties for violations of the law. It is important that the election law should have a provision for an appropriate penalty for any violation.

## **Media**

In its report on the 1994 parliamentary elections in Hungary, OSCE/ODIHR expressed its concern regarding the bias in the state media in favour of the ruling party and to the detriment of other parties. During the 1998 elections such media bias does not appear to have been characteristic of the campaign.

One noticeable feature of the general media coverage of the campaign was a fairly lacklustre approach to campaign events. It is not possible to conclude whether this reflected the relatively quiet campaign or contributed to it. However, it seems that restrictions agreed between the parties and the media served to minimise the impact of the campaign in the media. Parties and the media should be encouraged to fully use the media in order to ensure the electorate is fully informed and motivated to participate in the election.

The OSCE/ODIHR Election Observation Mission carried out a limited media monitoring project for two weeks prior to the election. On MTV1, the ruling parties, and particularly the MSzP, did have more coverage than the other parties, largely by virtue of their status as the incumbent government. It was noted however, that the coverage for all parties was largely neutral and impartial.

In the print media, parties on the national list all got coverage, to varying degrees. Most newspapers offered a variety of coverage of a wide range of parties, which on the whole was fair and put no party at a real disadvantage.

## Voting and Counting Processes

Observers have reported that polling station officials carried out the voting and counting processes correctly and with a dedication to duty. Observers also reported that on the whole polling station officials were very welcoming to them. All election officials at all levels are to be commended for this.

From reports received by observers, who visited close to 600 polling stations in 18 territorial units the voting and counting processes were administered to a very high standard.

Observers overwhelmingly reported that the procedure for issuing ballots to voters was fully enforced, ensuring the security of the ballot process.

As mentioned earlier in this statement, the OSCE Observation Mission is concerned over the failure of the law to obligate people to vote in polling booths, although there were no reported instances of intimidation against voters. The reports from observers show that voting outside booths was prevalent in many areas. Observers also reported many instances of more than one voter being in a polling booth at a time, which is in contradiction to existing legislation. It is clear that the procedures regarding the physical use of polling booths needs to be addressed for future elections.

Observations of the counting process highlight the fact that the law on the definition of invalid ballots needs to be clarified. Whilst observers reported no significant problems they did report inconsistencies between polling stations on what type of ballot markings were permissible.

The speed at which information on the voter turnout and results was made available by the central election authorities is highly commendable and is symptomatic of the professionalism and transparency, which have characterised the 10 May parliamentary elections in Hungary.

**OSCE Election Observation Mission  
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*Mr. Mark Power-Stevens was appointed by ODIHR as the On-site Co-ordinator of the Election Observation Mission. Mr. Dzsingisz Gabor, a member of the Dutch parliament and Head of the Dutch delegation to the OSCE Parliamentary Assembly, was appointed by the Chairman-in-Office as a Special Co-ordinator to the Election Observation Mission.*

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