

INTERNATIONAL ELECTION OBSERVATION MISSION
RE-RUN OF EARLY PARLIAMENTARY ELECTIONS,
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, 15 JUNE 2008

Re-runs held free of violence, but overall process falls short of some key commitments, say observers in Skopje

SKOPJE, 16 June 2008 – Yesterday's re-run elections gave voters in areas affected by serious irregularities on 1 June the opportunity to express their will in a secure and generally calmer environment, which represents considerable improvement over the 1 June election. Despite the efforts made by state institutions to ensure successful re-runs, cases of tensions and intimidation remained evident in the run up to and on 15 June. Notably, many of those responsible for previously committed election related offenses and violence remain to be held accountable.

Significant improvements in security for the re-run elections enabled most people to freely cast their vote, but this does not alter the assessment that while well administered, certain key OSCE and CoE commitments were not met in the overall parliamentary election process. This statement should be read in the context of the international election observation mission (IEOM) statement of 2 June.

"Yesterday's elections showed remarkable improvement with regard to the key issue of security. I hope and expect that this indicates that the country is willing to address the range of democratic challenges that remain. This is crucial when it comes to fulfilling the country's wishes to participate on an equal footing with other democratic countries. Hopefully this re-run marks that they are back on track," said OSCE PA Vice President Pia Christmas-Møller, Special Co-ordinator of the OSCE short-term observers.

"In a multi-ethnic society, the authorities and political stakeholders have a responsibility to ensure genuine conditions for citizens to freely express their will throughout the country regardless of their ethnic origins. The secure and generally calmer atmosphere on the day of re-runs, only two weeks after violent incidents and electoral irregularities, makes it clear that the tragic events of 1 June could have been avoided. The PACE, in the framework of its monitoring mechanisms, will closely follow the further developments and remains ready to assist the country in its continuing democratic development," said Mevlüt Cavaşoğlu, Head of the PACE delegation.

"More needs to be done by the state institutions to hold accountable those responsible for violence and election related offenses, including the removal of party activists from senior police functions. Otherwise the culture of impunity which prevails in the ethnically Albanian areas will continue, and an overwhelming police presence will be required to prevent a repeat of the events of 1 June in future elections," said Ambassador Robert Barry, Head of the OSCE/ODIHR long-term election observation mission.

On the day of re-runs, the police presence at the 187 polling stations where voting was repeated was much heavier than on 1 June and was effective in preventing violent incidents. However, intimidation by party activists in and around polling stations was in a few cases not dealt with effectively by the police. While opening and voting was overall assessed positively there were indications of procedural errors and violations during voting, most notably five cases of ballot stuffing and unauthorized persons present in 24 per cent of polling stations visited. Voting was cancelled in four polling stations. Of 30 observed counts seven were evaluated negatively, and deliberate falsification was observed in four cases. There were pressures to impose fraudulent results in two Municipal Election Commissions

(Tetovo and Saraj), but the presence of police, higher level election officials and international observers prevented possible fraud.

The international observers' preliminary conclusions of 2 June stated that "an overall assessment will depend in part on whether the authorities will thoroughly investigate...serious violations of the law and take remedial steps". The Ministry of Interior reported that 164 criminal charges were brought against perpetrators of election day violations but less than 25 people had been taken into custody as a result of these efforts as of 14 June. Notably, none of these were made in the Tetovo region, despite being the municipality with the highest number of annulled polling stations. While efforts were made by the government to hold those responsible for the 1 June violence and irregularities accountable for their actions, their impact has yet to be determined. Some of the same people responsible for election offenses on 1 June were seen around polling stations on 15 June.

The State Election Commission (SEC) was effective in addressing election day complaints arising from the 1 June elections. In an open and transparent process, the SEC reviewed complaints of violence or election irregularities against 376 polling stations, examining election materials and basing decisions not only on submitted complaints but also on their own observations. The SEC members acted in a decisive manner, voting to annul the results in 197 polling stations.

Three of the four Supreme Court panels upheld nearly all SEC decisions, adding just one polling station to the list of annulled results. The fourth panel, however, reversed 11 SEC decisions contending that it had not found irregularities – including in cases where voter turnout exceeded 95 percent and where IEOM observers reported irregularities on 1 June.

In an effort to hold election officials accountable for election day violations, the SEC also dismissed the chairpersons of six Municipal Election Commissions where there had been the greatest number of problems on election day. While well intentioned, the move caused confusion in preparations for the re-runs. The list of polling stations where re-runs would be held was only finalized on 13 June, two days before the voting was to take place.

The leaders of the two main ethnic Albanian parties used harsh rhetoric early in the period before the re-runs, although the tone moderated on the eve of elections. Activists were out in force around polling stations, in some cases behaving in an intimidating manner towards election officials as well as domestic and international observers.

The international election observation mission is a joint undertaking of the OSCE Office for Democratic Institutions and Human Rights, the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe. On election day, the IEOM deployed 39 observer teams to cover all 160 polling stations and 18 Municipal Election Commissions holding re-run elections.

The institutions represented in the IEOM thank the authorities of the former Yugoslav Republic of Macedonia for their co-operation, and stand ready to continue to support them, and the civil society of the country, in the conduct of democratic elections. The OSCE/ODIHR will issue a final report, including recommendations for potential improvements, approximately two months after the completion of the election process. The OSCE PA will present its report at its Standing Committee meeting on 29 June 2008 and the PACE will present its report at its June 2008 Part Session.

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