

Doc. 11647  
23 June 2008

## Observation of the Parliamentary elections in 'the former Yugoslav Republic of Macedonia' (1 and 15 June 2008)

### Report<sup>1</sup>

Ad hoc committee of the Bureau of the Assembly

Rapporteur: Mr Mevlüt ÇAVUŞOĞLU, Turkey, European Democrat Group

### Summary

- I. Introduction
- II. Political and legal framework, candidates' lists registration
- III. Voter registration
- IV. Election Administration
- V. The Media Environment
- VI. Complaints and appeals
- VII. The campaign
- VIII. Election Day
- IX. The re-run
- X. Conclusions and recommendations

### I. Introduction

1. The Bureau of the Assembly decided, at its meeting on 18 April 2008 and subject to receipt of an invitation, to set up an ad hoc committee to observe the Parliamentary elections in 'the former Yugoslav Republic of Macedonia', scheduled for 1 June 2008, and asked the President to appoint the Chairperson of the ad hoc committee to observe these elections. Following the receipt of an invitation from the President of the Assembly of 'the former Yugoslav Republic of Macedonia', the President appointed me as the Chairman of the ad hoc committee.

2. On 4 October 2004, a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law ("Venice Commission"). In conformity with Article 15 of the agreement: "*When the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser*", the Bureau of the Assembly invited an expert from the Venice Commission to join the ad hoc committee as advisor.

3. Based on the proposals by the political groups in the Assembly, the ad hoc committee was composed as follows:

---

<sup>1</sup> Approved by the Bureau at its meeting on Monday 23 June 2008.

**Mr Mevlüt ÇAVUŞOĞLU, Head of the Delegation**

**Socialist group (SOC)**

Mr Andreas GROSS, Switzerland  
Mr Denis MacSHANE, United Kingdom

**Group of the European People's Party (EPP/CD)**

Ms Ingrida CIRCENE, Latvia  
Ms Alma ČOLO, Bosnia and Herzegovina  
Mr Mladen IVANIČ, Bosnia and Herzegovina

**Alliance of Liberals and Democrats for Europe (ALDE)**

Mr Serhiy HOLOVATY, Ukraine

**European Democrat Group (EDG)**

Mr Mevlüt ÇAVUŞOĞLU, Turkey  
Mr Nigel EVANS, United Kingdom  
Mr Karol KARSKI, Poland

**Group of the Unified European Left (UEL)**

Mr Alessandro ROSSI, San Marino

**Venice Commission**

Mr Owen MASTERS, United Kingdom

**Secretariat**

Mr Vladimir DRONOV, Head of Secretariat, Interparliamentary Co-operation and Election Observation Unit  
Ms Rachel MOREL, Assistant, Political and Legal Affairs Directorate

4. The ad hoc committee worked as part of an International Election Observation Mission (IEOM), alongside the election observation mission (EOM) of the Parliamentary Assembly of the Organisation for Security and Co-operation in Europe (OSCE-PA) and the EOM of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR).

5. The ad hoc committee met in Skopje from 30 May to 2 June 2008, and held, *inter alia*, meetings with a representative cross-section of political parties, the Chairman of the State Election Commission (SEC), the Head of the EOM of the OSCE/ODIHR and his staff, as well as representatives of civil society and the mass media. The programme of meetings of the ad hoc committee appears in Appendix 1.

6. On Election Day, the ad hoc committee was split into 6 teams which observed the elections in and around about 90 stations. 3 teams were deployed in Skopje and surroundings and 3 teams were deployed in Tetovo, Kriva Palanka and Ohrid.

7. The IEOM concluded that the Parliamentary elections in "the former Yugoslav Republic of Macedonia", on 1 June 2008, failed to meet key international standards as organised attempts to violently disrupt the electoral process in parts of the ethnic Albanian areas made it impossible for voters in many places to freely express their will. The press release issued after these elections appears in Appendix 2.

## **II. Political and legal framework, candidates' lists registration**

8. On 12 April 2008, the Parliament voted to dissolve itself and call early elections for 1 June 2008. The decision was made after the opposition party - Democratic Union for Integration (DUI) -stated that new elections were needed to break the stalemate in the Parliament. The move was backed by the ruling parties: the Internal Macedonian Revolutionary Organisation-Democratic Party of Macedonian Unity (VMRO-DPNME) and the Democratic Party of Albanians (DPA). The decision was opposed by other opposition partners, such as the Social Democratic Party of Macedonia (SDSM) and the Liberal Democratic Party (LDP), as well as some coalition parties of the former government. Opponents of the move claimed that early elections would delay the reforms set as benchmarks by the European Union for the start of accession negotiations.

9. Supporters of the move cited the lack of a qualified majority in the Parliament and the obstruction of legislative work, as well as challenges in the process of European Union (EU) and North Atlantic Treaty Organization (NATO) integration, and the unresolved issue of the country's officially recognised name, as factors necessitating early elections.

10. In these elections, 120 seats were contested through a system of proportional representation in six districts (20 seats per district).

11. The Election Code, enacted in 2006, provides the legal framework for the elections. In addition, several laws were passed recently, which affect the electoral process.

12. The new laws are not compatible with the Code in their provisions that regulate appeals. Under the Code, appeals from decisions of the SEC are taken to the Supreme Court. The newly adopted legislation on courts and administrative disputes reassigns jurisdiction over appeals against the election administration to a newly-launched Administrative Court.

13. The Election Code provides that that every third place on a candidates' list is to be assigned to a female candidate. Political parties met this requirement: out of the total of 1540 candidates, 35 percent were women.

14. Registration of candidates' lists was generally inclusive, with 18 lists totalling 1540 candidates.

15. One coalition was led by the governing VMRO-DPMNE and consisted of 19 parties. A second coalition was led by the SDSM and consisted of 8 parties, who ran under the title of the "Sun Coalition". The two largest ethnic Albanian parties, DUI and DPA, ran individual campaigns.

16. On 9 May 2008, the SEC drew lots to establish the position of contestants on ballot papers.

17. The SEC approved two lists with candidates who had been sentenced to prison for more than six months, which contravenes Article 7 of the Election Code.

## **III. Voter Registration**

18. The Ministry of Justice is responsible for updating the voters' list, based on information it receives from local authorities.

19. Public inspection and revisions of the voters' list was carried out between 22 April and 1 May 2008. Despite an awareness-raising campaign, only 715 changes were made to the list. The total number of voters on the list was established at 1 779 116, a 2 percent increase over 2006.

## **IV. Election Administration**

20. The country has a three-tiered election administration headed by the SEC, with 84 Municipal Election Commissions (MECs) and an Election Board (EB) for each of the 2976 polling stations (PS).

21. The SEC operated in a generally transparent and efficient manner and was able to meet almost all deadlines.

22. MECs only began to meet two weeks ahead of the voting day, due mostly to the fact that their members were not released from their civil service duties prior to this.

23. A number of EB members in areas of high political tensions asked to be excused ahead of elections for fear of Election Day violence. In Tetovo, for instance, 50 individuals, including ten EB presidents asked to be excused, citing "health problems".

24. The SEC ran a voter education campaign in the national media focusing on voter mobilisation, information on how to vote and warnings not to commit electoral violations. In addition, two national NGOs ran a voter education campaign on TV.

## **V. The Media Environment**

25. During the campaign, the media provided voters with a wide range of political views, allowing voters to make an educated opinion on the political positions of political stakeholders.

26. The Broadcasting Council monitored electronic media in the context of their compliance with existing legislation. In addition, the Council adopted specific guidelines for equitable access to media coverage for political parties during the campaign. However, the Parliament did not adopt those guidelines before its dissolution, and accordingly the document was not legally binding. As a result, the Council's recommendations concerning imbalances in media coverage could not be enforced and no sanctions could be taken with regard to the numerous infractions identified by it.

## **VI. Complaints and appeals**

27. Contestants had only limited access to effective remedies and recourse to appeal against alleged violations prior to the Election Day due to legislative gaps and inconsistencies, as well as due to the narrow interpretation of the complaints and appeals bodies, including the SEC. Judges of the Primary and Appeals courts are still largely unfamiliar with the role they are to play with regard to campaign violations, while the Supreme Court confined the appeals it accepted against the election administration to those that are explicitly described in the Code.

28. In the case of an appeal of the SDSM-3ed coalition against the registration of the candidates' list of Social Democratic Party of Macedonia (SDPM) which included lead candidates with names very similar to those of the leading SDSM candidates, the Supreme Court rejected the appeal on the grounds that the Election Code does not explicitly provide for such an appeal. As a result, the names of the candidates in question remained on ballot papers.

## **VII. The campaign**

29. The campaign period lasted 20 days ending on 30 May 2008, when the 24-hour campaign silence period started. While the VMRO-DPMNE coalition, the Sun Coalition, DPA and DUI organised very active and visible campaigns, the other 14 contestants were low profile during this period.

30. Campaign rhetorics were at times harsh, with personal attacks and reciprocal accusations peaking towards the end of the campaign period.

31. High visibility campaigns advertising government policies before the start of the official campaign period gave rise to public criticisms. They were discontinued on 16 May 2008. At the same time, while paid government political advertisements ended, government programmes such as free medical check-ups in public spaces and the opening of rural healthcare centres continued unabated. The State Commission for the Prevention of Corruption qualifies this as electoral bribery.

32. On the day prior to the Election Day, posters appeared in Skopje which appeared to seek to confuse voters. They called to vote for SDPM – name reminiscent of the leading opposition party SDSM - and the name of the 'leader' of that entity was almost identical to the name of the SDSM leader. Furthermore, the SDPM posters featured the ballot paper number that had been assigned to the SDSM. The SEC publicly condemned this as an attempt to 'manipulate voters'. In addition, the posting-up of these posters on the eve of the election was timed in such a way that any reaction could only be made during the campaign silence period, thereby making such a public reaction impossible.

33. The campaign period was marred by intimidation and violence in areas inhabited by ethnic Albanians.

34. While all contestants signed a code of conduct committing them to respecting the democratic conduct of elections, there were serious violent incidents in the North and the West of the country where the ethnic Albanians are predominant, in the run up to the elections, but also on the voting day. This created tensions and resulted in the intimidation of both voters and election administrators.

35. The police were unable to prevent violence in ethnic Albanian areas. Between 11 and 26 May 2008, the Ministry of the Interior received information about attacks on 14 party headquarters and two municipal branch offices (DUI suffered ten attacks, DPA suffered two, VMRO-DPNE and SDSM one each). Police response to campaign-related violence was clearly inadequate.

36. In addition to the officially recorded violent incidents, the IEOM received numerous reports about many more incidents, some relating to truckloads of armed men driving through villages at night and Kosovo Albanians illegally crossing the border to exacerbate security problems.

### **VIII. Election Day**

37. On Election Day, violence including the use of firearms were broadly reported in municipalities in the North and West of the country, areas with a predominantly ethnic Albanian community. One person was killed and several were injured. Two polling stations in Gostivar had to be closed after a group of armed persons overpowered the police and election administrators and stole the ballot boxes. Voting was also closed in Cucer Sandevo after approximately 30 persons entered the polling station, intimidated EB members and stole election materials. In two unrelated incidents, IEOM observers, as well as two SEC members, were expelled from polling stations by the police.

38. By contrast, voting in areas with a predominantly ethnic Macedonian community was mostly calm and orderly.

39. According to the IEOM statistics, while the opening of PSs was assessed in generally positive terms, the voting itself was assessed as bad or very bad in 8 percent of the PSs observed. This assessment was worse in predominantly ethnic Albanian areas, where the figures reached 22 percent.

40. Although voting was conducted in a mainly calm atmosphere, tensions and unrest were recorded in 4 percent of PSs visited nation-wide, with this figure reaching 12 percent in predominantly ethnic Albanian areas.

41. Procedural errors were recorded throughout the country, with family voting reaching 36 percent in predominantly Albanian areas (19 percent nation-wide).

42. The vote count was assessed as bad or very bad in 15 percent of PSs visited (32 percent in predominantly ethnic Albanian areas).

43. IEOM observers monitored tabulation in 71 out of the 84 MECs. The tabulation was assessed as good or very good in all but two MECs. Overall, tabulation was orderly and transparent. The only report of a deliberate falsification of results came from the Tetovo MEC.

44. The SEC announced that voter turnout was 58 percent. Of the 2741 PS results tabulated on the SEC database, 75 showed abnormally high turnout figures. Two polling stations in the predominantly Albanian municipality of Poroj, for instance, showed respectively 99 and 100 percent voter turnout, with almost all votes cast for the DPA.

45. The SEC announced it would cancel the results in 22 PSs. The Prime Minister announced that voting would be re-run in areas affected by violent incidents.

46. As Chair of the ad hoc committee, I observed the re-run which took place on 15 June 2008 as part of an IEOM with the OSCE-PA and OSCE/ODIHR.

## **IX. The re-run (15 June 2008)**

47. After violent incidents on 1 June 2008, which included intimidation, use of firearms, violence, ballot box stuffing and resulted in one person being killed and more than 10 others injured, the authorities of “the former Yugoslav Republic of Macedonia” decided to annul the elections in 183 polling stations, in predominantly ethnic Albanian areas and to organise a re-run scheduled for 15 June 2008.

48. Given the importance of the re-run, the President of the Assembly requested the ad hoc committee to observe the re-run as well. Regrettably, I was the only member of the ad hoc committee available to observe this re-run. I worked as part of an International Election Observation Mission (IEOM), alongside the election observation mission (EOM) of the OSCE PA and the EOM of OSCE/ODIHR.

49. I worked in Skopje from 13 to 16 June 2008 and held meetings with the representatives of the two main Albanian political parties, DPA and DUI, as well as the ruling party VMRO/DPNME, the Chairman of the State Election Commission (SEC), high officials of the Ministry of Interior, as well as the Head of the EOM of the OSCE/ODIHR and his staff. The programme of the meetings appears in Appendix 3.

50. On Election Day, I observed the elections in the areas with a predominant ethnic Albanian population, *inter alia*, in Aracinovo, Cair and Gostivar, where the most violent incidents took place on 1 June 2008. I visited more than 15 polling stations and observed also the opening and counting procedure after the close of the polling stations.

51. The IEOM concluded that: “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”. The press release issued after the re-run parliamentary elections appears in Appendix 4.

52. At the Ministry of Interior I was informed that some 164 criminal charges brought against perpetrators of the 1 June Election Day violations, but that less than 25 people had been taken into custody. International observers reported cases where some people responsible for election offences on 1 June were seen around polling stations on 15 June.

53. According to the Ministry of Interior, 21 police officials from predominantly ethnic Albanian areas were suspended from their functions due to their involvement in the election irregularities of 1 June.

54. In this connection, I expressed my concern about the quality of policing in some areas. While recognising the progress made by the authorities to implement the Ohrid Framework Peace Agreement, and to increase the numbers of ethnic Albanians serving in the Police, I believe it is perhaps timely to examine not only the respective numbers serving in the police, but also the quality of the training received by all those currently serving in the police.

55. The SEC’s work in addressing the 1 June Election Day complaints, was effective, open and transparent. The SEC reviewed complaints about election irregularities and violence in 376 polling stations and the results of the vote in 197 polling stations were cancelled. Furthermore, the SEC members did not hesitate to make their own observations about irregularities.

56. Since 1 June, more than 90 complaints have been submitted to the Supreme Court regarding the decisions of the SEC on the cancellation of the results in numerous polling stations. The opposition DUI party submitted 4 complaints, the governing coalition member, the DPA party, submitted 89 complaints. The Supreme Court reversed 11 SEC decisions, contending that it did not find irregularities, even in cases where voter turnout dubiously exceeded 95 percent.

57. The SEC also dismissed six presidents of MECs in Brvenica, Tetovo, Bogovinje, Gostivar, Lipkovo and Saraj, where there had been the greatest number of problems on 1 June. This move caused some confusion in the preparations for the re-run. In addition the list of the polling stations in which the re-runs were to be held was only finalised on 13 June.

58. During the period prior to the re-run, the leaders of the two main Albanian political parties regrettably used harsh rhetoric in their campaigning.
59. The Voting Day was in general calm and non-violent. There were no cases of use of weapons or major irregularities. However, there were indications of procedural errors, including five cases of ballot box stuffing and the massive presence of unauthorised persons in the polling stations. The results of the voting were cancelled in 4 polling stations due to irregularities.
60. The police presence near to the 187 polling stations was much more significant than on 1 June and proved to be effective in preventing violent incidents. In this connection, I wish to stress that the secure and generally calm atmosphere on the day of re-run, just two weeks after violent incidents and electoral irregularities of 1 June, demonstrate that the tragic events of 1 June could have been avoided.
61. In a multiethnic society, the authorities, as well as the political stakeholders, have an important responsibility to ensure genuine conditions for the free expression of the will of citizens, regardless of their different ethnic origin, throughout the territory of the country.
62. The total number of eligible voters for the re-run of 15 June 2008 was 161.668 voters and the turnout was 48.90%. The opposition DUI party obtained 38.642 votes whereas the governing coalition member party DPA obtained 32.133 votes. According to the SEC, the preliminary cumulative results are: VMRO/ DPNME – 63 seats; Coalition SONCE – 27 seats; DUI – 18 seats; DPA – 11 seats and the Party for European Future (PEI) – 1 seat.
63. The Parliamentary Assembly of the Council of Europe, in the framework of its monitoring procedures, should follow closely the further development of the situation after the elections and remain ready to assist the country in its continuing democratic development.
- X. Conclusions and recommendations**
64. Key international standards were not met in the 1 June 2008 parliamentary elections in ‘the former Yugoslav Republic of Macedonia’.
65. While, technically, the elections were well organised in the greater part of the country, a sizeable proportion of the electorate was deprived of the right to express its will freely due to the irresponsible, violent and destructive actions of activists of the two major Albanian parties.
66. The security chaos witnessed in some parts of the country on Election Day undermined the declared intention of the authorities to conduct good elections.
67. The authorities of the country should look into the need to harmonise the Election Code with related legislation passed at a later date.
68. In the future, political stake holders’ access to effective remedies for alleged violations should be improved, not least through an education campaign among court officials concerned.
69. A detailed audit of the voters’ list should be conducted in time for future elections.
70. In the future, the Parliament should make sure that guidelines for broadcasting during the campaign are passed in a timely manner so as to enable the Broadcasting Council to effectively control media behaviour during campaign periods.
71. All instances of violence and electoral fraud should be thoroughly investigated and perpetrators should be brought to justice and sanctioned.
72. Political stake holders should abandon petty politicking, let alone violence, and engage in a meaningful dialogue in the greater interests of the stability of the country.
73. Many problems revealed in the run-up to the elections and on Election Day are of a systemic nature, rather than merely a matter of imperfections of electoral administration and electoral legislation. In this connection, the Bureau of the Assembly may wish to consider dispatching a post-electoral mission to the country, as provided for in the Rules of Procedure of the Assembly (Observation of Elections by the Parliamentary Assembly, Section C, § vi).

**AD HOC COMMITTEE FOR THE OBSERVATION OF THE PARLIAMENTARY ELECTIONS IN  
« THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA »**

**30 May to 2 June 2008**

**Programme**

**Thursday 29 May and Friday 30 May morning**

Arrival of the members of the delegation.

Participants met at the airport and provided with transfers to the hotel Aleksandar Palace

**Friday 30 May 2008 afternoon**

*Meetings venue: Aleksandar Palace*

- 13:00 PACE ad-hoc committee meeting
- 14:00 Opening  
- Ms Pia Christmas-Møller, Vice-President of the OSCE PA,  
OSCE Special Co-ordinator  
- Mr Andreas Gross, Vice-President of the PACE PA
- 14:15 Background by OSCE presence in Skopje  
Ambassador Giorgio Radicati, Head of the OSCE Spillover Monitor Mission
- 14:45 OSCE/ODIHR Briefing by Ambassador Robert Barry and core team
- 16:30 Meeting with Mr Jovan Josifovski, President of the State Election Commission
- 17:15 Roundtable with NGOs  
- Mr Darko Aleksov, Director of MOST, Domestic Observer group  
- Ms Daniela Dimitrievska, Executive Director of MWL GTF (Women's Lobby)  
- Mr Chris Hanshaw, Country Director, National Democratic Institute

**Saturday 31 May 2008**

- 09:00 Meetings with political parties
- 09:00 VMRO-DPMNE, Mr Ilija Dimovski, Director of Communication Centre  
09:30 Turkish Democratic Party, Mr Kenan Hasipi, President  
10:00 DUI, Mr Musa Xhaferi, and Mr Agron Buxhaku, members of presidency  
10:30 DOM, Ms Liljana Popovska, President  
11:15 DPA, Mr Imer Selmani, Vice-President and Chief of Election Headquarters  
11:45 SDSM, Ms Radmila Šekerinska, President, Mr Boris Kondarko, Head of Legal  
Department and Mr Tihomir Ilievski, member of the Central committee
- 12:15 Roundtable with the press  
- MTV1, Ms Lidija Bogatinova, Editor of Daily Programme  
- Atsat M, Mr Muhamed Zehiri, Editor in chief  
- A1, Ms Irina Gelevska, Journalist
- 13:00 Briefing on deployment and meeting with drivers and interpreters



**Sunday 1 June 2008**

OBSERVATION OF THE PARLIAMENTARY ELECTIONS

**Monday 2 June 2008**

08:30            Debriefing

14:30            Press Conference

Afternoon        Departure of the delegation



## **Violence in parts of the country tarnishes parliamentary elections, observers in Skopje say**

SKOPJE, 2 June 2008 – Key international standards were not met in yesterday's elections, as organized attempts to violently disrupt the electoral process in parts of the ethnic Albanian areas made it impossible for voters in many places to freely express their will, said the international election observation mission for the parliamentary elections in the former Yugoslav Republic of Macedonia in a statement released today (attached).

The observers noted that while the elections were well administered procedurally, the law was only enforced selectively and the authorities failed to prevent violence and intimidation in ethnically Albanian areas. On election day, one person was killed and several injured. Voting and counting was marred by numerous serious irregularities, in particular in parts of the ethnic Albanian areas, including cases of intimidation, unrest, ballot box stuffing, and tampering with results. Few incidents and irregularities were reported in the rest of the country.

Political parties were permitted to campaign freely throughout most of the country, and voters were offered a variety of choices during a vigorously fought election campaign. However, the largest opposition party had its campaign manipulated through the activities of a party with similarly named candidates. The media generally enabled voters to make an informed choice, although public broadcasters showed bias in favour of the governing parties.

"Violence and attempts to manipulate the campaign sadly cast a shadow over otherwise well-run elections that gave most voters a real choice between an array of political forces. The violence we noted in ethnic Albanian areas is an unacceptable breach of peace and peoples' democratic rights," said OSCE PA Vice President Pia Christmas-Møller, Special Co-ordinator of the OSCE short-term observers.

"While technically the elections were well organized in the greater part of the country, it is most unfortunate that a sizable proportion of the electorate was deprived of the right to express its will in these elections due to the irresponsible, violent and destructive actions of activists of the two major Albanian parties. Such actions are not conducive to the democratic process and the integration of this country in European and transatlantic structures," said Mevlüt Çavuşoğlu, Head of the PACE delegation.

"We were concerned from the outset that these elections could be marred by violence in some areas. Unfortunately, the lack of response to the numerous violations reported during the campaign did little to prevent the serious incidents of violence that took place on election day. The OSCE will monitor whether the authorities seriously address the violations and take remedial steps, and we will observe reruns," said Ambassador Robert Barry, Head of the OSCE/ODIHR long-term election observation mission.

The international election observation mission is a joint undertaking of 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).

*For further information contact:*

Jens-Hagen Eschenbächer, OSCE/ODIHR, +389 (0) 72 651653 or +48 603 683 122,  
[jens.eschenbaecher@odihhr.pl](mailto:jens.eschenbaecher@odihhr.pl)

Andreas Baker, OSCE PA, mobile: +45 60108030, [andreas.baker@oscepa.dk](mailto:andreas.baker@oscepa.dk)

Vladimir Dronov, PACE, mobile: +33 663493792, [vladimir.dronov@coe.int](mailto:vladimir.dronov@coe.int)

APPENDIX 3

**OBSERVATION OF THE RE-RUN OF PARLIAMENTARY ELECTIONS  
IN « THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA »**

**14-16 June 2008**

**Programme**

Members of the IEOM:

Ms Pia Christmas-Møller, OSCE-PA  
Mr Christian Miesch, OSCE-PA  
Mr Josy Dubie, OSCE-PA  
Mr Mevlut Çavuşoğlu, PACE

Mr Chemavon Chahbazian, PACE secretariat  
Mr Andreas Baker, OSCE-PA secretariat

**Saturday 14 June 2008**

10:45 – 11:45	VMRO DPMNE – Mr Andrej Lepavcov, President of the Foreign Relations Committee
12:00 – 13:00	Ministry of Interior - Mr Ljupco Todorovski, Director of the Bureau for Public Security, Mr Toni Stankoski, Assistant to the Director of the Bureau for Public Security, Mr Razmoski Jordan, Chief of Central Police Services
13:15 – 14:00	SEC – M. Jovan Josifovski, President
15:30 – 16:15	EOM briefing
16:30 – 17:15	DUI – Mr Musa Xhaferi, member of presidency and Mr Agron Buxhaku, member of presidency
17:20 – 18:15	DPA - Imer Selmani, Vice-President and Chief of Election Headquarters

**Sunday 15 June 2008**

OBSERVATION OF THE RE-RUN ELECTIONS



**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 offences 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 Cavuşoğlu, Head of the PACE delegation.

“More needs to be done by the state institutions to hold accountable those responsible for violence and election related offences, 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 offences 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.

For further information contact:

Jens-Hagen Eschenbächer, OSCE/ODIHR, mobile: +48 603 683 122, [jens.eschenbaecher@odihr.pl](mailto:jens.eschenbaecher@odihr.pl)

Andreas Baker, OSCE PA, mobile: +45 60108030, [andreas.baker@oscepa.dk](mailto:andreas.baker@oscepa.dk)

Chemavon Chahbazian, PACE, mobile: +33 6621 39351, [chemavon.chahbazian@coe.int](mailto:chemavon.chahbazian@coe.int)