

International Republican Institute

Final Report

Election Observation Mission

Republic of Macedonia

Parliamentary Elections

18 October and 1 November 1998

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I. SUMMARY

The October and November 1998 balloting marked the second parliamentary elections in the Republic of Macedonia since independence in 1991. Unlike the first parliamentary elections in 1994, when boycotts and allegations of widespread fraud marred the final outcome, the 1998 elections while not free of problems did constitute a much improved process and environment.

The International Republican Institute (IRI) sponsored a six team election observation mission for the first round of parliamentary elections on October 18, 1998. The second round of elections on November 1, 1998 was observed by two IRI teams. The IRI mission was funded by the National Endowment for Democracy.

IRI's election observation mission had the following primary goals:

- 1) IRI wanted to support a larger international effort to assist in maintaining an open and fully-participatory democratic electoral process in Macedonia;
- 2) IRI wanted to evaluate the administration of the elections; and,
- 3) IRI wanted to recommend ways in which the electoral process could be improved for future elections.

For the past year, IRI's resident program officer in Skopje monitored the development of the election law, preparations for the campaign and the official election campaign period. In the days immediately preceding the first round of elections, the IRI observation delegation met with election officials, political party representatives, members of the news media, and international officials. These meetings were held at both the national and local levels and were meant to familiarize election observers with the elections law, the campaign and identify any specific concerns or problems regarding the elections.

On election day, IRI observed the process of casting and counting ballots in five different regions of Macedonia. The delegation re-convened in Skopje on Monday, October 19 to issue a preliminary statement which summarized their initial findings. This final report contains the delegations conclusions and recommendations based primarily on the first round of elections but also on the findings of two teams that deployed in Skopje and the surrounding communities for the second round of elections on November 1. This report will be distributed by IRI to Macedonia's election authorities, government officials, political parties as well as US government officials, Members of the United States Congress, and media representatives in both the U.S. and Macedonia.

The IRI observers characterize the 1998 parliamentary elections in Macedonia as a substantial improvement in the process and implementation of a democratically-based electoral system from those elections that have come before. Observers found that most local election officials were conscientious, well-trained and committed to a fair and honest process. The organization of the polling sites were exemplary and , with a few isolated exceptions, order was maintained. The

higher voter turnout than experienced in local elections or previous national elections was a sign of widespread trust in the legitimacy of the election and the final results. There is no reason to believe that the final results reflect anything but the will of the voters of Macedonia.

IRI delegates believe that the single largest contributing factor to the success of these elections is the new election law, particularly those parts of the law allowing both opposition and governing parties to participate at every level of the election process. These measures increased confidence in the entire electoral process and improved transparency.

There were some problems with the election process that should be addressed before the next national election, currently scheduled for late 1999. However, it should be stressed that these problems are not severe enough to undermine the legitimacy of the election results.

The IRI observers noted the following problems:

- 1) Incomplete and inaccurate voter lists remain the single biggest problem in Macedonia. IRI observers note that since the voter lists are the single most important election information--determining whether a citizen can or cannot vote and whether they will receive a voter ID card--it is essential that they be accurate.
- 2) Voter ID card distribution was problematic. In some districts, thousands of cards remained undistributed on election day. This is primarily due to incomplete or inaccurate election lists, but also is a result of a faulty distribution system.
- 3) Citizens of Macedonia who are living in foreign countries are still not able to vote without coming back to Macedonia. This represents a large number of voters and disproportionately affects certain communities.

While the election process in Macedonia in 1998 is a vast improvement over 1994, there is still a need for greater attention to all aspects of building a strong democracy: an independent judiciary, better checks and balances, and more objective media outlets. These are essential for Macedonia's continuing development, and its further integration into Euro-Atlantic structures.

IRI Program Summary

[Kristen: insert program summary from observation guide.]

II. HISTORICAL BACKGROUND

Macedonia has had an almost continuous history of occupation by its larger and stronger neighbors. Greeks, Bulgarians, Serbs and Turks have been just some of the more recent occupiers. With the creation of a Yugoslav state after World War I, and continuing with Communist Yugoslavia after World War II, Macedonia was accorded the status of a Republic, albeit the smallest and poorest of those in the federation. When Yugoslavia began breaking apart in 1990, Macedonia alone among Yugoslav republics gained independence without armed conflict. However, Macedonia was left without a military and very little in the way of an independent economy or State structures. While the Macedonian economy has suffered from international sanctions against rump Yugoslavia and a two-year Greek embargo from 1993 until 1995, the State structures have steadily developed.

[Insert some background here on 1990 and 1994 elections. Also, add something about UNPREDEP, NATO and Kosovo.]

III. ELECTION BACKGROUND

Election Law

In all elections since 1990, including the parliamentary elections of 1990 and 1994, the law from the Socialist Republic of Macedonia was used. This law had numerous shortcomings that were detailed in IRI's observation reports from those earlier parliamentary elections. However in 1998, a new election law was passed that substantially improved the entire election process and increased confidence in the election results. In addition to the dedication of local election board members, the new election law was the single biggest factor in the successful parliamentary elections of 1998.

The primary mechanism for establishing greater confidence on the election process was the inclusion of opposition representatives at all levels of election administration. Also, allowing domestic election observers from the parties was another contributing factor. With both governing and opposition parties working at the national, district and local levels, all parties could be confident that any violations of the election law would be witnessed and reported. The lack of any widespread problems is testament to the success of this model.

However, the timing of the new election law was problematic. Because the government waited until the last possible moment to pass the election law, the opposition parties were put at a distinct disadvantage.

Political Parties

There were seven major political parties who participated in the parliamentary elections, and ten minor parties. The major parties were: Social Democratic Alliance of Macedonia (SDSM), the Internal Macedonian Revolutionary Organization for Macedonian National Unity (VMRO-DPMNE), the Socialist Party of Macedonia (SPM), The Democratic Party of Albanians (DPA), the Liberal Democratic Party (LDP), the Party for Democratic Prosperity (PDP), and the Democratic Alternative (DA). There were two electoral coalitions that need to be noted. The DPA and PDP had a joint list for the proportional ballot and had joint candidates for the majoritarian districts. VMRO-DPMNE and DA had separate proportional lists but did choose joint candidates for the majoritarian districts. There were other coalitions between minor parties, but they didn't have an impact on the final results.

Media Law and Guidelines

The government passed new guidelines on how the media should conduct itself during the course of the campaign. While some question the necessity for government guidelines, instead of industry standards and self-regulation, there was at least one major flaw with the new guidelines: the level of potential editorial control. While this provision did not appear to be abused during the 1998 campaign, it could be in the future and should be reexamined.

Access to Voter Lists

Another very bright spot in the campaign season was the decision to give political parties copies of the voter lists. While the government was at first reluctant to distribute this information, they ultimately relented, giving all parties the opportunity to directly contact voters. However, the decision not to give electronic versions of the lists, but only paper copies, was unfortunate.

IV. ELECTION OBSERVATIONS

Election lists and Voter ID Cards

Most of the pre-election complaints from the political parties concerned the accuracy of election lists and the distribution of voter ID cards. At least two of the political parties closely examined the voter lists to determine whether their members were all appropriately registered. They claimed that up to 10% of their members were not appropriately listed. Furthermore, there was widespread concern about names being on the lists that should not have been (i.e. the deceased). The problems with the distribution of voter ID cards (discussed below) are most likely due to the inaccuracy of the lists.

The larger problem was evident in the distribution of voter ID cards. In just one Ministry of Justice regional office (covering 10% of the election districts and 72,000 voters), there were still over 11,600 cards that had not been delivered four days before the elections. This represents approximately 1/7th of the listed voters in those districts, an unreasonably large number of undelivered and unclaimed voter ID cards. If these numbers held throughout the country, the election lists are very inaccurate and the process of delivering cards did not work. Allegations about the printing of false voter ID cards were never substantiated.

Media Access

Media access for political parties and candidates was generally good throughout the campaign. With a few rare exceptions, no party or candidates complained about being entirely excluded from any electronic or print medium. However there were complaints, and independent studies verified, that many media outlets are still closely aligning themselves to particular political parties. In fact, Macedonia Television (MTV) had the most biased reporting prior to the election of any electronic medium.

Campaign Finance

Campaign financing remains one of the murkier areas of the Macedonian elections. While the election law stipulated spending limitations, the process for disclosure and accountability was less than transparent. There are very few ways for the election officials to determine whether a party is exceeding the spending limits.

Ballot Secrecy and Security

In many polling stations, IRI observers noted that family and group voting was relatively common. Often this was due to the size and configuration of the voting screens which made it easy for more than one person to vote at the voting tables. Also, there were instances of people talking between voting booths as they were voting. Some polling stations actively prevented group and family voting while others made no effort to maintain ballot secrecy. The practice of shuffling ballots and turning the ballots face down was not followed uniformly in all polling stations. At least one IRI observer team also saw an incident that raised questions about ballot security. A truck delivering ballots to election boards on October 17 was left unattended in the street with bags of ballots piled in the open back end. Someone could have easily stolen bags of

ballots from the truck and used them for fraudulent purposes.

State Election Commission

The State Election Commission seemed genuinely interested in running a fair and problem-free election. For the most part they succeeded, mostly due to the able leadership of Judge Ristova. However, there were two major problem areas for the SEC. First, questions were raised about the transparency of the SEC by some opposition parties. On at least one occasion, opposition parties requested meetings with the SEC for a clarification of the election law. The meeting was denied. This obscured the decision-making process and gives the appearance that decision-making is not taking place in an open and transparent environment. Second, at least one of the staff members of the SEC (not a commissioner) was antagonistic toward foreign observers. The staff member refused to provide crucial election information and was otherwise obstructing the work of foreign observers. It should be noted as well that statements by the SEC regarding their role in “upholding the dignity of Macedonians” raises questions about whether the SEC truly understood its role.

District Election Commission

IRI observers who visited District Election Commissions on election day found them to be chaotic and crowded. Bags with used ballots were scattered throughout the facilities and no discernible process for moving people through the system seemed to be in effect. This level of election administration was by far the worse and many district commissioners seemed unable or unwilling to organize the process more effectively.

Local Electoral Boards

Local Electoral Boards almost without exception proved to be the strongest link in the entire election chain. The commissioners took their responsibilities seriously, were well informed about their roles and managed the election process well. The addition of opposition and governing party representatives ensured that the local boards had legitimacy in the eyes of local party leaders and the voters. The local boards deserve a great deal of credit for the generally trouble-free elections.

Domestic Observers

The addition of domestic observers to the election process was another important component for building confidence in the election results. In virtually every polling station, party representatives observed the preparation of materials, the voting and the count. Their presence insured that in most instances the election boards had people double checking to make sure that the voting process followed the election law. There were, however, allegations from some parties that they were not allowed to have observers in some polling sites.

Counting Process

In most cases the counting process went according to the law without any major incidents or problems. However, one observer team noted that the local board did not follow the appropriate process and, in fact, may have not accurately counted the number of voters or the ballots.

Majority and Article 88

The most substantial problem during the first and second rounds of the election were a result of the interpretation of Article 88 of the election law. The problem revolved around the meaning of the term "majority." Thankfully, the parties involved in the dispute followed the procedure for appealing the results of the first round of the elections and accepted the judgement of the courts. This potentially disastrous situation was resolved in the way the drafters of the bill intended.

V. RECOMMENDATIONS

ISSUE 1 Voter Lists

The voting lists continue to be a source of problems for the elections process and undermine confidence in the electoral system. The problems with the lists were most apparent with the large number of voter ID cards that were not delivered and the crowds at Ministry of Justice offices on election day. IRI observers are particularly concerned when people who would like to exercise their democratic right to vote are unable to because of bureaucratic mismanagement or error.

Recommendation

All efforts should be made by the Ministry of Justice to improve the process of maintaining and updating the election lists. These election lists should be revised and updated immediately in order to provide accurate information for the planned presidential elections in 1999.

ISSUE 2 Voter ID Cards

The distribution of voter ID cards was incomplete and marred by problems. In some districts, a large percentage of IDs remained in the possession Ministry officials, a potential source of future problems.

Recommendation:

A better system for the distribution of voter IDs needs to be established. Also, a consistent policy should be established regarding the disposition of voter cards that have not been delivered or picked-up.

ISSUE 3 Voter Education

Chaos in Roma community

Recommendation:

Improved and targeted voter education for all communities, particularly Roma.

ISSUE 4 Foreign Voters

Because Macedonia is a small country with a relatively high percentage of citizens who live and work abroad, many people who would like to vote cannot because they are unable to fly back to Macedonia just for election day.

Recommendation:

Establish a process whereby Macedonian citizens who are resident in foreign countries can vote. This could be done through embassies to ensure ballot security and safety.

ISSUE 5 District Commission

Chaos

Recommendation:

Establish procedures for the processing of results through the District Election Commissions. Also, train District commissioners on methods for crowd control and expediting the process.

ISSUE 6 Domestic Observers

While there was good participation from domestic observers, some parties complained that they were not able to observe polling sites where their parties did not have a candidate running in the majority district.

Recommendation:

Allow any party with a list of candidates for the proportional seats to have observers at any polling station anywhere in the country. While, party observers for candidates of majoritarian seats should only be allowed in the districts where the party has candidates.

ISSUE 7 State Election Commission

Unavailable by phone and unhelpful staff.

Recommendation:

Training for all SEC staff and commissioners on their roles and transparency. SEC staff and commissioners should understand that they are there to ensure the process works. They need to be available for parties and the public to answer questions and address concerns. Also, they need to have enough staff so that phones can be answered.

ISSUE 8 Media

ISSUE 9 Campaign Finance

ISSUE 10 Voting Booth

The secrecy of voting could not always be insured because of the lack of adequate and private voting booths. Many instances of group or family voting could be aided through better

APPENDIX I: Election Results

[Forthcoming. Not complete until second round voting on November 15 in six polling stations.]

APPENDIX II: Map

[Kristen: Try to find a clean map of MK to include here. Call Vesna if you don't have one.]

APPENDIX III: Observation Team Meetings and Deployment

[Kristen: Please use master schedule to fill out this information.]

APPENDIX IV: Election Law

[Kristen: Please attach copy of election law.]

APPENDIX V: Voter ID Card

[Kristen: Vesna will fax a copy of an ID card.]

APPENDIX VI: Political Parties of Macedonia

[Kristen: Attach party information from observation guide.]

APPENDIX VII: Proportional Lists and District Candidates

[Kristen: Attach complete lists and candidates for districts. Your observation packet had the full lists. Please don't use the incomplete versions that were in the observation guide.]