



ODIHR ELECTION OBSERVATION MISSION
FORMER YUGOSLAV REPUBLIC OF MACEDONIA
1999 PRESIDENTIAL ELECTIONS – SECOND ROUND RE-RUNS
5 DECEMBER 1999

PRELIMINARY STATEMENT

Skopje, 6 December 1999 – This preliminary statement is issued by the OSCE/ODIHR Election Observation Mission, prior to the completion of the entire election process.

This statement concerns the re-running of the second round of voting in 230 of the country's 2,973 polling stations, following the decisions by the State Election Commission (SEC) and Supreme Court to annul the election in those polling stations. It should be considered in conjunction with the previous statements issued by OSCE/ODIHR after the first and second rounds of voting.

SUMMARY OF CONCLUSIONS

- **The OSCE/ODIHR Election Observation Mission has some serious concerns about the election process in many of the re-run polling stations. Whilst the election proceeded fairly smoothly in some polling stations, it is clear that in others serious breaches of the law took place.**
- **The genuine participation of voters was visibly higher than for the previous round of the elections and in some polling stations officials have worked to improve the process. However, in other polling stations there was widespread ballot stuffing and multiple voting, resulting in voter turnout figures which appear to be unrealistic. There was also an over-presence of party activists around polling stations, leading to a tense atmosphere and at least two violent incidents, in Lipkovo and Struga, which are completely unacceptable. The irregularities committed undermine the credibility of the electoral process in these affected polling stations.**
- **The Social Democratic Union of Macedonia's (SDSM) withdrawal of their representatives from the polling stations added confusion, and deprived the process of the presence of opposition representatives, which is vital for the transparency of the election. Such a general withdrawal does not serve the interests of the election. Whilst it is clear that in some instances SDSM's representatives had grounds to be concerned for their safety, this was not the case in all polling stations.**
- **The election law only allows for complaints to be pursued on a polling station-by-polling station basis. Therefore, if political parties have credible complaints, they should be submitted through the relevant authorities, so that irregularities can be dealt with in the legally prescribed manner. The electoral and legal authorities are urged to carefully scrutinise reported irregularities in order to ensure the legitimacy of the results and full confidence in the process.**

BACKGROUND TO THE RE-RUNS

For the second round of the Presidential elections, the OSCE/ODIHR Election Observation Mission concluded that:

“ ... the electoral process was generally carried out satisfactorily, and ... according to the law in the vast majority of the country’s polling stations. [However,] a number of polling stations in the west of the country and around Skopje experienced irregularities. Moreover, extremely high voter turnout figures in some districts and some polling stations raise concerns that need to be addressed by the authorities. In order to verify the full legitimacy of these figures and to ensure full confidence in the results in all districts the election authorities need to carefully scrutinise any and all reported irregularities ...”

In view of such irregularities, the OSCE/ODIHR welcomes the decision of political parties to submit formal complaints to the relevant authorities after the second round, thereby using the existing legal remedies available under the law.

Further, the ruling by the Supreme Court, in addition to the earlier decision by the SEC, to re-run the process in a total of 230 polling stations appears to have reasonable grounds.

THE OSCE/ODIHR WELCOMES THE DECISION BY THE SUPREME COURT, IN THAT IT REAFFIRMS THE ILLEGALITY OF PROXY AND FAMILY VOTING AS STIPULATED IN THE ELECTION LAW, AND WHICH HAD BEEN REPORTED BY OSCE/ODIHR IN 1998 AND 1999. THIS DECISION SHOULD BE CAREFULLY NOTED BY ELECTION OFFICIALS AT ALL LEVELS, PARTICULARLY AT THE POLLING STATION LEVEL, IN ORDER TO IMPROVE ADHERENCE TO THE LEGAL PROVISIONS OF THE LAW.

THE VOTING AND COUNTING PROCEDURES

The conduct of the election in the 23 districts varied greatly.

In some polling stations observers reported a genuine effort by officials to try and ensure adherence to the voting regulations, as well as a large turnout of voters in the polling stations. In Debar, for example, observers reported an improvement in the process compared to the last round of voting. In some other areas in Tetovo and Gostivar, some polling stations were well administered whilst others experienced severe problems.

Observers also reported on polling stations where there was blatant ballot stuffing, and high levels of proxy voting, evidenced in part by the presence of stacks of ballots folded together in the ballot box. These types of irregularities continue to undermine the credibility of the electoral process in these polling stations.

For example: There were serious problems in the district of Struga (44). In Labunista, after the withdrawal of SDSM, VMRO-DPMNE activists entered the polling station and observers witnessed blatant ballot stuffing. Also in Struga, there were reports of a serious violent clash, which resulted in some SDSM activists being hospitalised.

In Studenicani (66) observers witnessed the VMRO-DPMNE representative filling out multiple ballot papers. The observers were later intimidated by the DPA representative into leaving the polling station.

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In Aracinovo (64) and Dolno Palciste (Tetovo – 56) observers saw voters being given extra voter cards enabling them to vote for a second time.

Observers witnessed widespread proxy voting, both for close family members and larger groups. Observers also noted widespread reports of non-adherence to the technical procedures. In many instances, ID cards were not checked and couples and families were allowed to vote together. Such poor adherence to the procedures by the polling station officials opens the process to wide abuse. Further, illegal acts by polling station officials and political party observers are unacceptable and should be addressed by the authorities, and the individuals concerned should be prosecuted.

On the afternoon of the election, SDSM gave an order for their representatives to withdraw from the polling stations, claiming this was to avoid conflict and to protect their representatives. Whilst it is clear that in some instances SDSM's representatives had grounds to be concerned for their safety, this was not the case in all polling stations.

The high prevalence of groups of party activists at or around polling stations was again noticeable. In most instances these groups were from the Democratic Party of Albanians (DPA) or SDSM. Such a practice increases tension, and serves to create an atmosphere of intimidation. All political parties have a responsibility to ensure that their activists do not behave in such a manner.

Mission Information

This assessment is based upon the reports of some 50 teams of international observers from 20 participating States of the OSCE. On election day, observers reported from over 200 of the 230 polling stations being re-run in 23 districts.

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