



**INTERNATIONAL ELECTION OBSERVATION MISSION**  
**The former Yugoslav Republic of Macedonia**  
**Presidential and Municipal Elections, First Round - 22 March 2009**

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**STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS**

**Skopje, 23 March 2009** – The International Election Observation Mission (IEOM) for the 22 March 2009 presidential and municipal elections in the former Yugoslav Republic of Macedonia 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), who is only observing the presidential election, while the Congress of Local and Regional Authorities of the Council of Europe (the Congress) is only observing the municipal elections.

The election process is assessed for its compliance with OSCE and Council of Europe commitments and standards for democratic elections, as well as national legislation. This statement of preliminary findings and conclusions is delivered prior to the completion of the process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, including the tabulation and announcement of results, the handling of possible post-election day complaints and appeals, and the conduct of the second round of elections. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, approximately two months after the completion of the election process. The delegation of the PACE will present its report at the April 2009 part of the plenary session of the Assembly. The Congress will examine its report in its standing committee in June 2009.

The institutions represented in the IEOM thank the authorities and the people 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.

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**PRELIMINARY CONCLUSIONS**

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The first round of the presidential and municipal elections in the former Yugoslav Republic of Macedonia on 22 March 2009 met most OSCE and Council of Europe commitments and standards for democratic elections, as well as most requirements of domestic legislation, although some challenges remain. The elections were well administered and free of the violent incidents that clouded the parliamentary elections of 2008. Election day was peaceful and the voting process was generally well managed, although the counting process was assessed less positively.

The authorities and political party leaders made concerted efforts to ensure the elections took place in a calm environment. Stakeholders repeatedly and publicly expressed their commitment to peaceful and democratic elections. Campaign rhetoric was in most instances calm and measured, while parties and candidates sought to ease political tensions through agreements on codes of conduct, meetings among party leaders and candidates, and generally responsible behavior.

The atmosphere of distrust that was observed in previous elections persisted to some extent, as demonstrated by numerous, troubling allegations of election-related pressure on or intimidation of citizens, especially public employees, around the country during the pre-election period. Very late in the campaign, the authorities addressed the issue but in a way that did not fully address the lack of confidence.

The elections were preceded by a short but vigorous and highly visible campaign, with numerous

public rallies and a multiplicity of candidates and parties providing a genuine choice for the voters. Politicians and parties campaigned largely (often exclusively) among their own ethnic groups, reflecting the ethnic divisions in the country. Women were often in a small minority at political rallies and hold few decision-making positions in political parties.

The elections are widely regarded as a key opportunity for the former Yugoslav Republic of Macedonia to advance towards Euro-Atlantic integration, a goal shared by all major political parties.

Additional positive aspects of the election process included:

- A State Election Commission (SEC) that operated impartially and transparently despite insufficient qualified staff, and that enjoyed a high level of confidence among most candidates and political parties, as well as lower-level commissions that generally operated well in the pre-election day period;
- General respect for human rights, including freedom of expression and freedom of assembly, during the campaign;
- An independent media regulatory body, the Broadcasting Council, that performed professionally and effectively according to domestic law;
- A large number of national broadcast media that provided extensive and varied – if not always balanced – information to voters, including three television debates among all presidential candidates, enabling voters to make an informed choice;
- A requirement that at least one person of each gender be placed among every three persons on political party candidate lists;
- A large number of domestic election observers and party and candidate representatives.

Issues of concern included:

- Doubts about the accuracy of the voter lists, particularly in regard to the large number of citizens abroad whose names may not be marked as such on the lists;
- The slow pace of legal procedures against persons charged with election offenses in 2008 could hamper efforts to address the climate of impunity seen in previous elections;
- A lack of detailed election regulations to ensure clear and consistent practices and to compensate for the vagueness of some provisions of the Electoral Code, despite its recent revision;
- The absence of deadlines for some types of court decisions on election-related cases, which undermines the enforcement of election rules and could detract from the right of election participants to an effective remedy for complaints;
- A lack of adequate oversight of the campaign financing provisions of the law, and loopholes in the law that undercut the limits on campaign donations.

Election day was overall calm and peaceful, without instances of violence or major incidents. The SEC estimates voter turnout to be 58 per cent. Overall, IEOM observers assessed the voting process positively in 95 per cent of polling stations visited, with regional variations. However, IEOM observers noted a number of procedural irregularities. Family voting was observed as a problem, as in previous elections. Only limited instances of serious violations were reported, including three cases of ballot box stuffing. The vote count was assessed less positively, with many significant procedural errors and a few serious violations. The tabulation process in most Municipal Election Commissions (MECs) was conducted in an orderly and transparent manner, but in a few MECs the process was assessed as being disorganized and in one MEC figures were manipulated.

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## PRELIMINARY FINDINGS

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### Background

The former Yugoslav Republic of Macedonia is a parliamentary republic, with legislative powers vested in the 120-member Parliament and executive powers exercised by the Government, led by the Prime Minister. The powers of the President include serving as Commander-in-Chief of the Armed Forces and President of the Security Council, submitting the name of the Prime Minister-designate to the Parliament for a vote, appointing ambassadors, nominating judges, and promulgating laws. Incumbent President Branko Crvenkovski from the Social Democratic Union of Macedonia (SDSM), who has served one term, decided to not seek reelection.

The presidential and municipal elections were called on 10 January 2009. They took place less than a year after the 1 June 2008 parliamentary elections, which the OSCE/ODIHR in its final report concluded “as a whole [...] did not meet key OSCE commitments”, especially due to violence and irregularities. After these elections, the election coalition led by the Macedonian Internal Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO–DPMNE) formed a governing coalition with the ethnic-Albanian Democratic Union for Integration (DUI) and the Party for European Future (PEI); the coalition holds a majority of 82 seats in the Parliament.

### Election System and Legal Framework

The legal framework for both presidential and municipal elections is consolidated under a comprehensive Electoral Code adopted in 2006. In October 2008, Parliament adopted a number of amendments to the Code, some of which addressed recommendations put forward by the OSCE/ODIHR and the Venice Commission of the Council of Europe. However, not all the issues addressed in the recommendations have been resolved. For example, campaign financing regulations were improved but still lack effective enforcement and auditing mechanisms, as well as limits on donations of goods or services. In general, the Electoral Code still contains provisions which are imprecise and lack detail, leaving room for conflicting interpretations or inconsistent procedures, particularly in the absence of clear and detailed regulations.

The President is elected directly for a five-year term and can only be reelected once. To be elected in the first round of voting, a candidate must receive the votes of an absolute majority of the total number of registered voters. This provision makes it unlikely that a candidate can be elected in the first round. If no candidate meets this requirement, the two leading candidates go into a second round within 14 days. The candidate who receives the most votes in the second round is elected, provided at least 40 per cent of registered voters turned out. Otherwise, the entire election process has to be repeated.

Municipal elections took place in 84 municipalities and the City of Skopje. Municipal councilors are elected by a proportional representation system with closed lists, without a turnout requirement. A mayoral candidate is elected in the first round if he or she wins more than 50 per cent of the votes cast, provided that at least one third of the voters registered in that municipality turned out to vote. If there is no first-round winner, a second round takes place within two weeks between the two candidates who received the highest number of votes. The winner is the candidate who receives the majority of votes, regardless of turnout.

## **Election Administration**

The 2009 presidential and municipal elections were administered by a three-tiered election administration, comprising the State Election Commission (SEC), 84 Municipal Election Commissions (MECs), the Election Commission of the City of Skopje, and 2,976 Election Boards (EBs). The SEC in its current composition was appointed by the Parliament on 4 December 2008, just over one month before elections were called. In line with the new amendments to the Electoral Code, the SEC president and two members were nominated by the opposition, and the deputy and three members by the governing parties.

MEC members and most EB members and deputies were randomly selected by computer from among the employees in the state, municipal and public administration. In a change from the last election, EB composition reverted to a mixed professional-political model, with one member (and a deputy) of each EB nominated by the political parties in opposition and one member (and a deputy) nominated by the parties in government. This appears to have increased the confidence of the major political parties in the election administration, and also alleviated the difficulties in recruiting the large number of EB members (totaling some 30,000, including deputies) solely from within the administration.

Overall, preparations for the elections proceeded smoothly and were implemented within the legal deadlines, although the SEC was hampered in its work by the lack of sufficient, qualified support staff – an issue raised in previous OSCE/ODIHR and Venice Commission of the Council of Europe reports. The SEC operated transparently and in a spirit of consensus. It enjoyed the confidence of most candidates and political parties.

The SEC adopted a Handbook for the Education of Electoral Bodies. However, the Handbook does not elaborate on election procedures in practical detail, and it does not include detailed instructions on the results reconciliation and tabulation procedures at the MEC level. The SEC also organized mandatory training for MECs and EBs, which, however, was delayed beyond the initial schedule.

The SEC launched a limited voter education program ten days before election day, including three TV and three radio spots aimed at motivating voters to participate, explaining the voting process and warning against election violations.

## **Voter Registration**

The Ministry of Justice is responsible for maintaining and updating the voter lists. The voter lists were made available for public inspection from 20 January to 3 February 2009. A total of 195,323 citizens checked their data and 1,525 changes were made. The voter lists were closed on 18 February, with a total of 1,792,082 registered voters out of a population estimated at 2.04 million.<sup>1</sup> Two identical voter list excerpts were prepared for each polling station, one for the presidential and one for the municipal elections.

Some 73,000 citizens registered as residing abroad are included on the voter lists, marked with an asterisk. However, many interlocutors told the OSCE/ODIHR EOM that they believe the real number of citizens abroad to be several times as high. Repeated OSCE/ODIHR and Venice Commission of the Council of Europe recommendations that a thorough voter list audit be undertaken remain to be acted upon.

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<sup>1</sup>

Data on the 2002 census and further estimates is available at: [www.stat.gov.mk/english/glavna\\_eng.asp?br=18](http://www.stat.gov.mk/english/glavna_eng.asp?br=18)

## Candidate Registration

Seven candidatures for president were submitted to and confirmed by the SEC. For the municipal elections, MECs and the Election Commission of the City of Skopje received a total of 374 mayor candidacies and 703 candidate lists for municipal councilors; of these, 364 and 702 were confirmed. The process for collection of signatures in support of candidates is quite restrictive and onerous, since citizens may sign for only one candidate per race and had to do so at a local office of the Ministry of Justice. Several candidates or prospective candidates complained that the system disadvantaged opposition candidates, in part because many citizens were reportedly afraid to visit a government office to register their support for an opposition candidate. In practice, however, this did not prevent the registration of a large and diverse slate of presidential and municipal candidates.

## Campaign Environment

Seven candidates contested the presidential election: Imer Selmani (New Democracy), Mirushe Hoxha (Democratic Party of Albanians), Nano Ružin (Liberal Democratic Party), Gjorge Ivanov (Macedonian Internal Revolutionary Organization – Democratic Party for Macedonian National Unity), Ljube Boškovski (self-nominated), Agron Buxhaku (Democratic Union for Integration) and Ljubomir Frčkoski (Social Democratic Union of Macedonia). Only two of the six candidates supported by political parties were active members of the nominating parties.

The official campaign period ran just 19 days, from 2–20 March. The legal provisions on what activities are allowed before the start of the official campaign period are vague. The OSCE/ODIHR EOM observed a number of instances of early campaigning, but there were no formal complaints about this and the authorities took no action on instances of early campaigning that occurred after the opening of the EOM on 13 February.

During the official campaign period, political parties and candidates engaged in a vigorous program of rallies. The OSCE/ODIHR EOM observed over 100 rallies, at which party leaders, presidential and mayoral candidates, and candidates for municipal councils frequently appeared together. A few instances of clashing rally schedules were resolved peacefully. Rallies proceeded without disruptions and were generally well attended, although predominantly by males.

The campaign was highly visible throughout the country, including extensive use of commercial billboards and posters. Activists of some parties engaged in removing posters of their competitors, which led to only a few minor incidents.

A peaceful and democratic election process was widely regarded as a key indicator for the country's progress towards Euro-Atlantic integration, a goal supported by all major political parties and featuring highly in their national campaigns. Throughout the electoral process, candidates and parties repeatedly expressed their commitment to holding democratic elections and pledged to avoid the kinds of violent incidents that negatively affected the 2008 elections. National and local codes of conduct were signed, in one case accompanied by a large-scale campaign for fair and democratic elections. However, a good election process frequently appeared to be equated with an environment free of violence, with far less focus on other elements essential for a democratic election process.

Most participants in the presidential and municipal elections appeared to make a discernable effort to use civil and measured campaign rhetoric and promote a calm election environment, although there were some instances of excess, including some use of nationalist or ethnically divisive language. Several meetings of the leaders of the main political parties took place during the pre-

election period, aimed at promoting a peaceful and co-operative approach to the elections. In an effort to promote a civil campaign atmosphere, presidential candidates took initiatives to bring their opponents together for joint meetings. These gatherings contributed to a generally calm atmosphere before and during election day. Although some contenders reached out across ethnic lines, most parties and candidates campaigned predominantly – and in many cases exclusively – among their own ethnic communities, reflecting ethnic divisions.

The OSCE/ODIHR EOM observed tensions in some areas, for instance in Gostivar, Debar, Plasnica, Strumica and the Skopje municipality of Šuto Orizari, where candidates leveled strong accusations against each other. Several incidents, mostly of a minor nature, were reported to the EOM, which included instances of minor damage to party offices, cases of scuffles between political activists, and threats against party activists, especially in the Gostivar area. The Ministry of Interior (MoI) initiated a few misdemeanor procedures in response to these incidents.

During the pre-election period, the OSCE/ODIHR EOM received numerous, troubling allegations from all over the country of pressure on or intimidation of citizens in connection with the elections. The EOM followed up on these allegations and found some of them to be credible. Interlocutors asserted that public sector employees, who are reportedly subject to politically motivated recruitment, were particularly vulnerable to pressure to support the parties in control at both the national and municipal levels. There were also allegations of pressure on pensioners, as well as reports of business owners pressuring their employees or themselves being pressured through threats of tax audits. The Broadcasting Council informed the EOM that it came under government pressure to alter its findings, which it refused to do.

In the final days before election day, the Prime Minister issued public statements and notified public officials that such activities would not be tolerated. Nonetheless, the extent of these allegations was widespread, and they appeared to be believed by much of the population. This indicated that the atmosphere of distrust stemming from the tensions and intimidation observed in previous elections persisted to some extent in these elections. The Government's response was thus insufficient to create a climate free from intimidation or fears of retribution.

Prior to the calling of the elections, the Government engaged in extensive and high-profile publicity campaigns in support of its policies and programs. Although discontinued once the elections were called, opposition parties and media representatives asserted that the campaigns were so widespread and pervasive that they had a continuing effect on the campaign and that they had made much of the media dependent on revenues from Government advertising.

The State Commission for Prevention of Corruption actively reminded state and local bodies to refrain from new investments or contracts, new hiring of personnel, or use of public funds and extraordinary payments during the election period, prescribed by the Law on Preventing Corruption. The Commission notified the public prosecutor's office regarding two cases of alleged vote buying and took action to look into a complaint submitted by the New Social Democratic Party (NSDP) claiming misuse of resources by the Government.

The MoI developed a general police deployment plan for election day, provided training for all police personnel deployed for the election and instituted some new procedures, including a requirement that all police personnel wear identification on election day.

Prosecutions of and court cases against persons charged with offences in connection with the 2008 elections continued during the pre-election period. However, the slow pace of proceedings could

hamper efforts to address the climate of impunity seen in previous elections.<sup>2</sup> The leaders of two opposition parties told the OSCE/ODIHR EOM that they believed that cases were being handled differently depending on the political affiliation of the accused. This charge was supported by others, including civil society groups, but was denied by the Government. Interlocutors have also pointed out that one of the major obstacles in processing some of these cases is that some witnesses are afraid to testify or to uphold their previous testimonies.

### **Participation of Women**

Mirushe Hoxha was the only female candidate in the presidential election and is the country's first woman to run for President. There were just 14 women candidates for mayor, running in 11 municipalities (3.8 per cent of the 364 candidates). Article 64 of the Electoral Code, which specifies that one in every three places on candidate lists for municipal council and parliamentary elections must be occupied by the "less represented gender", was properly implemented; in a few instances, women made up more than the required minimum number of candidates.

Although Article 64 has led to an increase of women's participation in politics, they remain under-represented in leadership positions in political parties and government. Women do not participate as actively in politics as men, as evidenced by the much smaller number of women attending political rallies. Political parties generally did not appear to make special efforts to attract the votes of women. Thirty-eight women are currently Members of Parliament (32.7 per cent), three are mayors (3.5 per cent) and 309 are members of municipal councils (21.7 per cent).

There is a legal requirement that all election management bodies include at least 30 per cent of each gender. This provision was respected at MEC level and the SEC informed the OSCE/ODIHR EOM that the requirement had also been met at EB level. On election day, IEOM observers reported that in the polling stations visited, women accounted for 46 per cent of EB members and served as chairpersons in 44 per cent of EBs.

Despite campaigns by numerous international and national organizations, including the SEC, aimed at enhancing women's participation and at preventing family and proxy voting, such practices were observed by IEOM observers as in previous elections.

### **Participation of National Minorities**

Some 33 mayoral candidates represented communities other than ethnic Macedonians or ethnic Albanians. Two-thirds of these belong to parties representing their ethnic groups. In general, the political influence of ethnic communities has risen with the ongoing decentralization and the increase in competencies for municipalities. The legal requirement for "adequate and equitable" representation of ethnic communities in the election administration was met. In practice, the implementation of the legal provisions worked to the disadvantage of smaller ethnic communities.

At the national level, the vast majority of political parties representing the smaller ethnic communities are in coalition with the ruling VMRO-DPMNE and supported the coalition candidate for president. At the municipal level, a complex patchwork of coalitions and trade-offs emerged, whereby the parties of ethnic communities entered pre-election agreements mostly with VMRO-DPMNE or with its ethnic Albanian coalition partner DUI. Increasingly, the support was linked to promised action on local issues. There were persisting reports of intimidation and attempts to buy

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<sup>2</sup> The total number of individuals convicted for such offenses is 32 of over 200 initially charged. Another 76 are awaiting trial, while 14 indictments have been rejected.

votes from members of socially disenfranchised communities, especially Roma. Roma organizations continued to address the issue in local awareness campaigns.

## The Media

There is a diverse media landscape consisting of some 150 TV and radio stations and a variety of print media, which are competing in a limited advertising market. National private TV channels dominate the market, and television is the key media and source of political information.

The Electoral Code and the Law on Broadcasting Activity form the basic legal framework governing the campaign in the media. The Broadcasting Council (BC), the media supervisory body, operated independently and performed professionally and effectively. The BC adopted regulations for the official campaign period, under which the broadcast media should provide all presidential candidates with equal coverage, while coverage of candidates in the municipal elections by national media should be proportional to the number of mayoral candidates and councilor lists of each party. While the regulations aim for balanced campaign coverage, they somehow challenge the idea of editorial freedom. Under the BC's guidelines for the pre-campaign period, the media could present election-related activities within their news only, and had to abstain from airing election-related coverage such as interviews with prospective candidates and political leaders.

Broadcast media generally complied with the guidelines for the pre-campaign period, particularly after the BC initiated warnings and procedures against broadcasters. During the official campaign period, the BC issued a number of warnings reminding the media to comply with the legal requirements and instituted legal procedures against four broadcasters. The BC also instituted legal procedures against three broadcasters for violation of the campaign silence period. Although the BC actions were sharply criticized by some media, its decisions appeared to be justified and well-founded according to domestic law. Overall, the BC enforced its guidelines and regulations impartially and in good faith.

From 16 February, the OSCE/ODIHR EOM conducted quantitative and qualitative analyses of the prime-time broadcasts of two public TV channels, MTV-1 and MTV-2, and four national private TV channels – A1, Alsat-M, Kanal 5 and Sitel, as well as of the evening news programs of TV Alfa. The contents of five daily newspapers, *Dnevnik*, *Koha*, *Lajm*, *Nova Makedonija* and *Vreme*, were also monitored. In addition, the EOM conducted short-term monitoring of a number of local and regional TV channels to assess their coverage of the campaign.

Taken as a whole, the broadcast and print media provided voters with a variety of political views, allowing them to make an informed choice. Three televised and two radio debates among all presidential candidates, along with further debates among some of the candidates, gave voters a chance to compare the contestants.

The public broadcaster provided each presidential candidate with 70 minutes of free airtime, and all mayoral candidates were given an opportunity to use three minutes of free airtime. Furthermore, the public broadcaster aired election programs focusing on the Skopje City mayoral candidates and mayoral candidates running in predominantly ethnic-Albanian municipalities. However, both MTV channels frequently aired news on governmental projects and initiatives that depicted support for the Government. Of the total coverage of political actors and election contestants in the news programs of the public TV channels, about one third was dedicated to the Government. While MTV-1 provided extensive coverage of the campaign, it failed to provide an equal amount of coverage to all presidential candidates in its informative programs. However, this was, to an extent,



a result of differing levels of campaign activity by parties and candidates. The MTV-2 coverage of all presidential candidates in its informative programs was more balanced, although also not equal.

Among private TV channels, Alsat-M provided extensive coverage of both the presidential and municipal elections. Both Alsat-M and Kanal 5 presented well balanced coverage both in terms of time and tone. TV A1 gave fairly even amounts of time to all presidential candidates. Private TV channels Sitel and Alfa covered the presidential candidates of SDSM and VMRO–DPMNE more heavily than other candidates. TV Sitel also aired extensive presentations of Government activities, which amplified the advantage of the incumbency.

Local and regional TV stations covered election-related information primarily in their news programs. A number of local TV channels aired special election programs, and a few also organized debates. In Gostivar, the broadcast of a TV debate among candidates for mayor was interrupted briefly, leading to complaints by opposition candidates.

The monitored newspapers provided a diversity of views. Overall, the tone of newspaper coverage of political players was more critical than in the broadcast media. *Dnevnik*, *Vreme* and *Nova Makedonija* focused their coverage on the presidential candidates considered to be frontrunners. The Albanian-language dailies *Koha* and *Lajm* gave more coverage to ethnic-Albanian parties, and while their portrayal of political actors differed, both dailies gave the New Democracy candidate almost half of their coverage of presidential candidates, with his portrayal generally positive.

Only a few contestants used paid political advertisement extensively, with the VMRO–DPMNE campaign being most dominant in most of the media monitored.

### **Complaints and Appeals**

The SEC resolves complaints from candidates and voters regarding election procedures, including voting, counting and tabulation. The SEC adopted instructions regarding how it should resolve complaints brought before it. However, some procedural aspects of submitting such complaints were not fully addressed and remain unclear. Lawsuits against SEC decisions can be submitted to the Administrative Court. Complaints by candidates and parties regarding their rights during the official campaign period must be submitted to first-instance courts, whose decisions can be appealed to the Court of Appeals.

The SEC and the BC initiated several misdemeanor procedures for campaigning outside the official campaign period (breach of Article 74.1 of the Electoral Code). However, some court hearings were delayed until after election day. Such delays in court action on time-sensitive election cases undermine both enforcement of election rules and the right of election participants to an effective remedy. A substantial number of candidates and others told the OSCE/ODIHR EOM that they did not have confidence in the courts to act independently in resolving complaints.

No lawsuits were lodged regarding registration of presidential candidates. The Administrative Court did adopt, within the legal deadlines, 12 decisions on lawsuits related to candidate registration for the municipal elections. The Court upheld four lawsuits – thus reinstating candidates disqualified by MECs – and rejected six, while two were withdrawn by the plaintiffs. Five of the six rejected lawsuits were dismissed on procedural grounds, which could indicate that some candidates were not fully aware of all procedural requirements.

Despite several trainings organized for first-instance court judges on the implementation of the procedure for protection of candidates' rights provided by Article 73 of the Electoral Code, several courts told the OSCE/ODIHR EOM that such protection was not within their competence.

### **Domestic Observers**

The Electoral Code provides for domestic and international election observation. Eleven non-party domestic observer groups accredited a total of 6,981 observers with the SEC. The largest observer group was MOST, which accredited 4,520 observers. MOST also conducted a parallel vote tabulation (PVT) exercise for the presidential election and the City of Skopje mayoral and council elections. Daja, a Roma women's organization, accredited 212 observers throughout the country, with a focus on municipalities with a significant Roma population. Domestic non-party observers were present in 77 per cent of polling stations visited by IEOM observers. In addition, political parties and candidates fielded authorized representatives, which were present in 96 per cent of polling stations visited by IEOM observers on election day.

### **Election Day**

Election day was overall calm and peaceful, without the kind of incidents which marked the 2008 elections. Only limited instances of more serious electoral irregularities were noted. Due to severe weather conditions, 134 polling stations could not open, affecting 12,556 voters. Preliminary figures announced by the SEC put voter turnout at around 58 per cent. The SEC started announcing preliminary results on election night and posted them on its website, but not by polling station, as it had previously indicated it would.

IEOM observers assessed early voting on 21 March positively; the main issue reported was the frequent lack of secrecy for homebound voters. Most IEOM observers also assessed the opening of polling stations in generally positive terms. Problems were noted in particular with regard to the proper sealing of ballot boxes, in part because some seals did not appear to work properly, and the recording of the serial number of the seals.

IEOM observers assessed the voting process as good or very good in 95 per cent of polling stations visited and described it as overall well organized, calm and orderly. However, the assessment differed between predominantly ethnic-Albanian municipalities (8 per cent negative) and the rest of the country (3 per cent). No instances of violence or major incidents were reported, with tensions evident in only a few places. EBs' performance during voting was assessed positively in 91 per cent of polling stations visited and their understanding of procedures in 93 per cent. In some cases, the presence of more than one representative from a single party may have detracted from the atmosphere in polling stations. Police were observed outside of 66 per cent of polling stations visited, and were assessed as being generally well organized and discreet.

Despite their positive overall assessment, IEOM observers noted a number of procedural irregularities during the voting process. Family voting was observed as a problem, especially in predominantly ethnic Albanian municipalities, as in previous elections. Other problems observed included: proxy voting (33 cases), the same person "assisting" numerous voters (41 cases), attempts to influence voters (46 cases), intimidation of election officials and voters (eight cases), series of seemingly identical signatures on the voter lists (19 cases) and multiple voting (seven cases). In 5 per cent of polling stations visited, the ballot boxes were not properly sealed. IEOM observers reported three cases of ballot box stuffing, in Strumica and Tetovo. In 10 per cent of polling stations visited, the secrecy of the vote was not ensured, mainly due to poor layout, space constraints or overcrowding; only a few reports of people taking pictures of marked ballots were reported. Inking

procedures were generally followed. Unauthorized persons were observed in 3 per cent of polling stations visited; in five cases, they were interfering in or directing the process.

The vote counting, however, was assessed negatively in 14 per cent of polling stations visited. Basic procedures were frequently not followed, including reconciliation of figures. One in five IEOM observers reported significant procedural errors. Seven cases of serious irregularities, including one case of deliberate falsification were reported. One half of EBs where the count was observed did not post copies of the results protocols for public familiarization, as is required.

IEOM observers followed the tabulation of results in 41 of 84 MECs and evaluated it positively in all but four MECs. In most MECs, the process was conducted in an orderly and transparent manner. Frequently, only IEOM observers were allowed to observe the digitalization of data, and in a few MECs the process was assessed as being disorganized. In Šuto Orizari, IEOM observers reported that the MEC was manipulating figures to make them reconcile. In Demir Hisar, IEOM observers were asked by the MEC chair to leave the premises.

*This statement is also available in the Macedonian and Albanian languages.  
However, the English version remains the only official document.*

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#### MISSION INFORMATION & ACKNOWLEDGEMENTS

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The OSCE/ODIHR Election Observation Mission opened in Skopje on 13 February with 39 experts and long-term observers deployed in Skopje and 11 regional centers. The Parliamentary Assembly of the Council of Europe (PACE) conducted a pre-election visit from 26–27 February 2009. On election day, some 320 short-term observers were deployed in an International Election Observation Mission (IEOM), including an 18-member delegation from the OSCE Parliamentary Assembly (OSCE PA), a 14-member delegation from PACE, and a 13-member delegation from the Congress of Local and Regional Authorities of the Council of Europe together with the EU Committee of the Regions. In total, there were observers from 40 OSCE participating States. The IEOM observed voting in over 1,045 polling stations out of a total of 2,976, and counting in some 116 polling stations. The IEOM also observed the tabulation process in 41 MECs.

Ms. Pia Christmas-Møller (Denmark), Vice-President of the OSCE Parliamentary Assembly and Head of the OSCE PA delegation, was appointed by the OSCE Chairperson-in-Office as Special Coordinator to lead the short-term OSCE observer mission. Ms Marietta de Pourbaix-Lundin (Sweden) headed the delegation of the Parliamentary Assembly of the Council of Europe, and Ms Ludmila Sfirloaga (Romania) headed the delegation of the Congress of Local and Regional Authorities. Mr. Peter Eicher (United States) is the Head of the OSCE/ODIHR Election Observation Mission.

The IEOM wishes to thank the authorities of the former Yugoslav Republic of Macedonia for the invitations to observe the elections, the State Election Commission for its continuous cooperation and for providing accreditation documents, and the Ministry of Foreign Affairs and other state and municipal authorities for their assistance and cooperation. The IEOM also wishes to express appreciation to the OSCE Spillover Monitor Mission to Skopje and other international institutions for their co-operation and support.

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