

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 345 (2013)¹ Municipal elections in “the former Yugoslav Republic of Macedonia” (24 March 2013)

1. Following the invitation of the government of “the former Yugoslav Republic of Macedonia” to observe local elections on 24 March 2013, the Congress of Local and Regional Authorities of the Council of Europe refers to:

a. Statutory Resolution CM/Res(2011)2 relating to the Congress of Local and Regional Authorities of the Council of Europe and the revised Charter appended thereto, adopted by the Committee of Ministers of the Council of Europe on 19 January 2011 and, in particular, its Article 2, paragraph 4, on the Congress’ role in the observation of local and regional elections;

b. the principles laid down in the European Charter of Local Self-Government (ETS No.122) which was ratified by “the former Yugoslav Republic of Macedonia” on 6 June 1997.

2. The Congress points to the importance of genuinely democratic elections and to its specific mandate and role in the observation of local and regional elections in Council of Europe member States.

3. It stresses that its election observation missions are carried out only upon invitation by the countries concerned. Similar to the monitoring process of the Charter, election observation missions are conceived in the spirit of co-operation activities.

4. The Congress notes with satisfaction that:

a. the municipal elections of 24 March 2013 were conducted in an overall calm and peaceful manner; election administration was carried out efficiently and the vote was preceded by an active and highly competitive campaign. The second round of elections held on 7 April 2013 in about 40 municipalities was not observed by the Congress but assessed by a reduced Election Observation Mission (EOM) of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) which visited a number of polling stations around the country;²

b. the legal framework was considered to be comprehensive and amendments to the Electoral Code – which were adopted in addition to amendments made in November 2012 – enjoyed cross-party consensus (though it has to be mentioned that amending the legal framework less than one year before an election is inconsistent with the Code of Good

Practice in Electoral Matters of the European Commission for Democracy through Law – Venice Commission);

c. the voters’ lists were revised and updated and, in order to increase voters’ confidence in electoral processes, some 119 000 citizens were removed from the lists as they did not possess a biometric identification card or passport;

d. in municipalities where at least 20% of the citizens speak an official language other than Macedonian, the ballot papers were consistently available in that language;

e. the criteria for gender representation were respected in election administration bodies and, in line with legal requirements, out of each consecutive three places on candidate lists, one was generally reserved for the under-represented gender.

5. The Congress is also pleased that – further to the agreement brokered by the European Union (EU) between the ruling Internal Macedonian Revolutionary Organisation/Democratic Party for Macedonian National Unity (VMRO-DPMNE) and the opposition Social Democratic Union of Macedonia (SDSM) – the boycott of parliament and the municipal elections ended on 1 March 2013 and the vote took place with the participation of the opposition. It recognises the will of the stakeholders to overcome the political crisis in view of the country’s overall goal to achieve EU membership, which has been a strategic priority of all the country’s governments since independence.

6. The Congress expresses concern that:

a. as a consequence of the present global economic crisis, some 25 municipalities in “the former Yugoslav Republic of Macedonia” reported – prior to Election Day – problems in organising the municipal elections due to the lack of financial resources;³

b. despite a free and competitive campaign, there was a blurring of State and party activities which did not always provide a level playing field for the contestants;

c. related to the coverage of the campaign by public and private broadcasters, there was bias displayed in favour of the governing coalition.

7. Taking into account the previous comments, the Congress invites the authorities of “the former Yugoslav Republic of Macedonia” to make the necessary provisions to:

a. address the gaps still existing in the Electoral Code, including provisions on campaign finance, candidate registration and complaints and appeals;

b. further improve the accuracy of voters’ lists and provide personalised information for voters indicating the address of their polling station;

c. train electoral staff to pay systematic attention to the secrecy of the vote and to actively address cases of family or group voting;

d. improve the counting procedures including provisions allowing members of the electoral boards to clearly

distinguish between valid and invalid ballots and for the recount of the ballots at polling stations;

e. ensure a pluralistic media landscape and appropriate working conditions for journalists.

8. Furthermore, the Congress encourages the authorities of “the former Yugoslav Republic of Macedonia” to further advance local self-government reforms and decentralisation, with regard to its Recommendation 329 (2012) on local democracy in “the former Yugoslav Republic of Macedonia”.

9. Generally speaking, there is a need for the further strengthening of multi-ethnic society in “the former Yugoslav Republic of Macedonia”, in order to consolidate the State

and avoid inter-ethnic relations being compromised by political party and power interests.

1. Debated and approved by the Chamber of Local Authorities on 30 October 2013, and adopted by the Congress on 31 October 2013, 3rd sitting (see Document CPL(25)4, explanatory memorandum); rapporteur: Jüri Landberg, Estonia (L, ILDG).

2. Congress deployment areas appear in Appendix III of the explanatory memorandum.

3. According to the State Election Commission (SEC), since September 2012 more than 20 letters have been sent to the government, parliament and mayors to request financial support for the 25 municipalities. Most municipal election commissions (MECs) encountered financial problems due to failure to receive the necessary funds in a timely manner – in some cases MEC members used their personal funds.