

Council of Europe
Conseil de l'Europe



Congress of Local and Regional Authorities of Europe

Congrès des pouvoirs locaux et régionaux de l'Europe

Strasbourg, 16 June 1997
s:\silver\obselec\croatie\rep42r.e

CG/BUR (4) 2 rev.

BUREAU OF THE CONGRESS

**OBSERVATION OF THE LOCAL ELECTIONS
IN THE REPUBLIC OF CROATIA
from 13 to 15 April 1997**

Rapporteur : Baroness Farrington of Ribbleton (United Kingdom, R)

*Report approved by the Bureau of the Congress
on 5 June 1997*

Table of contents:

- A. Participation
 - B. Programme
 - C. Background to the elections
 - D. Observations
 - Croatia
 - Eastern Slavonia
 - E. Conclusions
- Appendices

A. PARTICIPATION

The President of the Congress of Local and Regional Authorities of Europe (CLRAE), Mr Haegi, received invitations from the Croatian Government and the UN Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), to observe the local and regional elections held on 13 April 1997 (Appendix 1). In fact, the CLRAE is the competent organ within the Council of Europe for observing local and regional elections. The Bureau of the Congress decided to send a delegation.

The President of the Croatian Parliament and UNTAES had sent invitations to the Parliamentary Assembly of the Council of Europe which decided as well to send a delegation that would concentrate on observation in the territories under UNTAES administration.

Following these decisions, a multi-party delegation of the Council of Europe, composed by the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe, observed the local elections in the Republic of Croatia, including Eastern Slavonia, from 10 to 15 April 1997.

The delegation of the Congress of Local and Regional Authorities of Europe was composed by members from different European countries and political parties:

Mr Kieres, Vice-President of CLRAE, Chairman of the Delegation, (Poland, Independent, R), Ms Baroness Farrington, Rapporteur, (United Kingdom, SOC, R), Mr Chénard, Vice-President of CLRAE (France, SOC, L), Mrs Bennett (Ireland, EPP/CD, L), Mr Bernat (Slovakia, Independent, R), Mr Hallberg (Sweden, EPP/CD, R), Mr Lycourgos (Cyprus, Democratic, R), Mr Morgan (United Kingdom, EPP/CD, L), Mr Sonesson (Sweden, EPP/CD, R), Mr Szabo (Hungary, Independent, L), Mr Varga (Hungary, Liberal, R).

Experts : Mr Glimstedt (Sweden), Mr Friederich (French), Mr Despicht (French), Mr Dournel (French).

Secretariat : Mr Bohner (CLRAE Secretariat), Mr Silvestrini (CLRAE Secretariat), Ms Affholder (LODE programme).

The interlocutor for the Congress delegation on the Croatian side was Mr Torti, Head for the coordination for foreign observers at the election 1997 and Secretary to the Croatian Delegation to the Parliamentary Assembly, who assisted the delegation in carrying out its task.

The observers in Eastern Slavonia were assisted by the team of the local Democracy Embassy in Osijek and its extension in Vukovar.

The CLRAE's press releases on the observation of local elections are herewith enclosed in Appendix 2.

The information report of the Parliamentary Assembly on the local elections in Croatia - Eastern Slavonia, Baranja and Western Sirmium, is herewith enclosed (Doc. 7803 Addendum D).

B. PROGRAMME

Friday 11 April 1997

- 0900 Meeting with the members of the Croatian delegation to the Congress and representatives of the Association of Towns and Municipalities of the Republic of Croatia.
- 1100 Meeting with representatives of Croatian media at the "House of journalists"
- 1230 Lunch offered by the Association of Towns and Municipalities to the members of the CLRAE delegation
- 1500 Meeting with Mr. Plarić, Deputy Minister of Administration with a restricted delegation of the Parliamentary Assembly of the Council of Europe and the Congress of Local and Regional Authorities of Europe (Baroness Farrington, Mr Kieres, Mr Chénard, Mr. Glimstedt and Mr. Bohner)
- 1615 Joint meetings of the delegation of the Parliamentary Assembly and the Congress
- 1700 Meeting with the President of the Central Electoral Commission, Mr. Ivan Mrkonjic, and other members of the Commission
- 1800 Meeting with the Ambassadors of the member's states of the Council of Europe
- 1830 Cocktail hosted by President of the Parliament of the Republic of Croatia, Mr. Vlatko Pavletic, for the foreign monitoring delegations to be present at the Elections '97

Saturday 12 April 1997

- 0900 Meeting with the representatives of the Croatian political parties
- 1030 Departure of the observers

Sunday 13 April 1997

Observation of the elections in Croatia, including Eastern Slavonia.

Monday 14 April 1997

Teams in Eastern Slavonia :

- 0800 Observation of the elections
- 1800 Departure to Zagreb

Other teams :

- 1000 Return of the observers to Zagreb
Meeting of the members of CLRAE delegation, preparation of the press release

Tuesday 15 April 1997

0930 Press conference at the Parliament building

1200 Departure of the observers

C. BACKGROUND TO THE ELECTIONS

1. Parliamentary and local elections took place in Croatia on Sunday 13 April 1997. The citizens of Croatia elected members of the Croatian Parliament House of Counties (Croatian Upper House named Zupanijski dom) and members of county assemblies, municipal and town councils.
There were 422 municipalities, 121 towns and 20 counties in Croatia.
Zagreb, the capital, also had the status of a county.
2. Members of the Croatian Parliament House of Counties were elected by the proportional representation system, whereas members of local bodies of authority were elected by the combination of electoral systems.
In the Croatian Parliament Upper House, 63 deputies were elected by proportional representation. Each of Croatia's twenty counties elected three representatives, and the city of Zagreb, which had the status of a county, also had three representatives in the Upper House.
3. Members of 422 municipal and 121 city councils, and members of 20 county assemblies and the assembly of Zagreb, were elected by the combined electoral system; one quarter of candidates were elected in constituencies by the first-past-the-post system where the candidate with the most votes in a constituency wins; three quarters of candidates were elected from election lists by the proportional representation electoral system. That makes a total of 5 different ballots! Very complicated system, but also very democratic. It is also a very demanding procedure for voters and for PS committees
4. Elections were held at the same time in the Croatian Danubian area which is under the UN Transitional Administration (UNTAES). This area is a constituent part of two Croatian counties, the Vukovar-Srijem and the Osijek-baranja counties. This was contested by many Serbs who organised a referendum on 6 April requesting that there should be one county for the hole UNTAES area. This wish was not accepted by Croat authorities and UNTAES. After administrative and territorial changes carried out by General Klein, the area consists of 30 municipalities out of which two were established in the transitional status lasting for a year. Voting in the elections were residents of the regions who are citizens of Croatia, as well as deplaced persons of the Croatian Danubian area, living in other areas, and Serbs living in Eastern Slavonia who had left these areas of Knin and Glina after August 1996. In the Danubian area, they had to register for Croat citizenship which was granted to those who could prove that they lived there prior to 15 January 1996.

5. Thirty-eight parties out of a total of 68 parties registered in Croatia and independent candidates submitted a total of 175 lists for elections into the Croatian Parliament House of Counties. Forty-four were lists of coalitions of two or more parties, six were lists of independent candidates and party lists.
6. The Croatian Democratic Union (HDZ) submitted 20 party lists and one coalition list, the Croatian Peasant's Party (HSS) and the Croatian Social Liberal Party (HSLs) both submitted five party and 16 coalition lists, and the Social Democratic Party (SDP) submitted two party and 18 coalition lists for the Upper House.
7. Twenty-three parties had candidates running in local elections for the Zagreb City Council. The alliance of seven opposition parties in the Zagreb City Council had disintegrated. In the electoral units where a quarter of the candidates were to be elected by the first-past-the-post system, parties allied in various ways, while where three quarters of candidates were elected by the proportional electoral system, only three small parties joined and submitted a coalition list.
8. There were 537 town and municipal electoral commissions in Croatia, 2,677 electoral units and 7,458 polling stations. Displaced persons were to vote at 648 polling stations, while residents of the Croatian Danube river region were to vote at 181 polling stations. The Croatian Electoral Commission had been entrusted with the carrying out of the elections, and in the Croatian Danubian area, this was done by three-member commissions formed by General Klein. The commissions consisted of representatives of Serbs, Croatian and other national minorities in the Croatian Danubian area. More than 3.640.000 voters were registered in the whole of Croatia.
9. According to information of the Croatian Electoral Commission, political parties had announced that they would provide as many as 40,000 observers. The elections were monitored by the Croatian organisations Coordination of Opposition Parties (KOSPI), and the citizens' organisation GONG. Four hundred foreign observers were registered by 9 April. Registered are monitors of the Organisation for Security and Cooperation in Europe (OSCE), the Parliamentary Assembly of the Council of Europe, the Congress of Local and Regional Authorities of Europe (CLRAE), diplomatic corps in Croatia and others.
10. The Croatian Parliament consists of two houses - the House of Representatives and House of Counties. Regional interests of citizens are being expressed through the House of Counties. The House has the right to make suggestions on issues decided on by the House of Representatives and discuss them. The House of Counties has also the right to impose a suspension veto on acts voted for in the House of Representatives. The House of Counties consists of 63 elected members and 5 appointed members and in case the former President of the Republic. The members' mandate last for four years.
11. The House of Counties in its previous composition consisted of 68 members -63 elected from 20 counties and Zagreb. At the last elections four years ago, the ruling Croatian Democratic Union (HDZ) gained the majority of seats - 37, Croatian social Liberal Party (HSLs) 16 seats, Croatian Peasant's Party (HSS) 5 seats, Istrian Democratic Party (IDS) 3 seats, Croatian People's Party (HNS) one and Social Democratic Party (SDP) one seat.

D. OBSERVATIONS

Preparatory visit on 7-12 April 1997

Mr Glimstedt, CLRAE's expert, met in Zagreb Mr Torti (Head of the coordination for foreign observers at the election 1997) to get all possible electoral materials useful to the Council of Europe delegation to observe the local elections, such as; Laws on Local Administration and Self-Government, Election of Representatives to the Parliament, Electoral Registers, Mandatory Instructions, List of Polling stations, accreditation letters and badges.

In Eastern Slavonia the expert, accompanied by Mr Friederich (Delegate of the Local Democracy Embassy in Osijek), spoke with the local representatives from the following political parties (Appendix 3); Slavonian-Baranian Croatian Party (SBHS), Croatian Peasant Party (HSS), Social Democratic Party of Croatia (SDP), Croatian Social Liberal Party (HSLs), Social Democratic Party of Croatia (SDP) and Serbian People's Party (SNS). The meeting with the political representatives concerned their political point of view, their expectations, the access to the media, the financing of the electoral campaign, the polling system, what could possibly go wrong, etc.

In order to gather information on the local elections the CLRAE's delegation held several meetings in Zagreb on Friday 11 April, with ; the Deputy Minister of Administration, Mr Plarić, the members of Association of Towns and Municipalities of the Republic of Croatia, the President of the Central Electoral Commission, Mr Mrkonjic, the Croatian delegation to the Congress, the representatives of Croatian media, the Ambassadors of the member's states of the Council of Europe, and in Vukovar with representatives of UNTAES and with leaders of the local Serb community.

Polling days

On the polling days the delegation were deployed in pairs (teams), accompanied by one guide/interpreter and one driver, in the cities of Zagreb, Glina, Knin, Sisak, Petrinja, Pakrac/Lipik, Osijek and in the UNTAES region, in the cities of Vukovar, Vinkovci and Beli Manastir.

The composition of the CLRAE's teams and their distribution in the different areas of observation is in Appendix 4.

The summary of the observations on the voting proceeding, carried out by each teams of CLRAE's observers in different polling stations, is in Appendix 5.

CROATIA

The observation of the elections and the preparatory meetings of the CLRAE delegation were mostly facilitated by the efficient help of the Department for the co-ordination for foreign observers of the Croatian Parliament Secretariat, under the authority of Mr TORTI.

The CLRAE delegation emphasised that these elections constituted a challenge for Croatia. There were the first elections held in the whole territory of Croatia since 1991. 68 parties were registered, 44 of them taking part in the Upper House elections. The Croatian authorities had to cope with enormous population and structural changes that occurred during these last years, following the

recovery of the ex-Krajina (ex South Sector) and the Pakrac/Lipik/Okučani zones, and the still on-going process of peaceful reintegration of Eastern Slavonia. In many cases, this resulted in problems with electoral lists. Mostly, this could be remedied by certificates issued on polling day by the municipalities concerned which allowed missing voters to be added to the list. It was good to see that such certificates were collected and added to the minutes, and that they were valid only in conjunction with identity card. Although this may not have an influence on the results, this system may nevertheless create a lot of confusion and an uncertainty, e.g. about the total number of citizens entitled to vote. On the other hand, the presentation of voters' lists (computerized and in alphabetical order) was very professional. The system of encircling the serial numbers of those who voted rather than to have them sign the register might create confusion. It could also be envisaged to edit voters' cards that could be stamped as the voter asks his/her ballot.

The conditions to prepare and carry out the elections were challenging as well : difficult material conditions (broken windows, no heating, no electricity, no polling booths, etc) were experienced, especially in the zones that had recently returned under Croat authorities. The electoral procedures to carry out 5 votes at the same day were complicated. The lack of well trained staff and short notice of changes also increased the difficulty. Many people involved in the polling process had also difficulties in understanding the difference between party representatives and party observers at PS committees and at municipal and Zupanija-electoral committees. The fact that party representatives could take part in the work of committees and that both representatives and observers were entitled to receive copies of the committee's minutes is a step forward towards better involvement of the opposition in the voting procedure. Specific polling stations had to be established to enable displaced persons to vote for their political representatives in the UNTAES zone, and for Serbs living in that area but wishing to vote for their former place of residence in other part of Croatia.

The CLRAE delegation considered that these elections were successful : the vote was carried out quietly and calmly. No major incident was reported. New rights were granted to the opposition. The different political parties could send monitors and observers to the polling stations, and were promised to be given fair access to the media. The CLRAE delegation expressed its satisfaction on how the elections were carried out, even though many shortcomings were noticed :

During the pre-electoral campaign, however, heavy TV propaganda (e.g reports on political rallies or public meetings of the President of the Republic of Croatia) favoured the ruling party, which had an obvious, unfair access to the media (in particular to the TV). Congress members also deplored late publication of election results¹.

The Congress Secretariat received, on 28 May 1997, from the Ambassador, Permanent Representative of the Republic of Croatia, some results of the local elections held on 13 April 1997, concerning the second Chamber of the Parliament (Županijski dom Sabora), the counties' assemblies, including the town of Zagreb, the local authorities under transitional administration (UNTAES) and the towns of Rijeka and Karlovac.

¹ On 16 May 1997, results concerning local and regional elections have still not been received by the Secretariat in Strasbourg.

The Congress Secretariat was informed that these results were not yet official. In fact, the Electoral Commission has not received to date the results of all the electoral districts. Therefore, it cannot validate the results of the elections. In reality, results in a few electoral districts were cancelled due to irregularities and new elections were held at a later date. The Commission was therefore unable to complete the results of local elections for official publication.

The official publication of all electoral results will most probably be available from the second week of June 1997.

The Rapporteur wishes that all the results of the local elections be transmitted as soon as possible to the Congress Secretariat.

It is difficult to understand why polling station committees, municipal committees and Zupanija committees should not be requested, as in most other countries, to publish results immediately, at least on a provisional basis. This might request a change in the law. But such a measure would greatly contribute to create better transparency and thus to avoid any suspicions of manipulation concerning this very delicate part of the voting process (transmission of results). In many cases observed, it was felt that the polling station committees had no problems with the actual counting of the votes, but felt that the filling in of minutes was very complicated.

In some cases witnessed, the minutes were indeed not filled in at the polling station, but later, at the municipal election committee. Such practice could allow for manipulation of results if people had negative intentions. Candidates were appointed lately. The electoral staff was insufficiently trained, or there was a lack of competent persons. A lack of knowledge related to the filling out of the minutes of the electoral procedures was noticed. There were no sufficient guidelines to avoid speedy cancellation of votes where the intention of the voters could have been taken into account in a more appropriate manner. Polling stations were not always adequately set up. Voting booths in particular were sometimes unavailable, what affected the secrecy of the votes. Electoral lists were in some places incomplete, and a confusion arose from the possibility for political parties to send representatives and observers. The local and regional elected members of the CLRAE delegation also expressed their concern about the possibility for national political figures to interfere in the electoral campaign by being the "bearer" of the local electoral lists. This goes in particular for the President of the Republic, a situation that is unusual and unknown in most other countries.

EASTERN SLAVONIA

Please refer to the Doc. 7803 Addendum I of the Parliamentary Assembly.

E. CONCLUSIONS

Based upon the observation that was made in various regions of the country, and given the fact that the Croatian authorities had to deal with many difficulties related to the post-war conditions, the CLRAE delegation reported the elections to be fair and free, but insisted on possible improvements of the electoral procedures, some of them being listed in the different appendices of the press release. The peculiar situation in the UNTAES zone, and the important shortcomings noticed there, will require a special attention to be paid in the future.

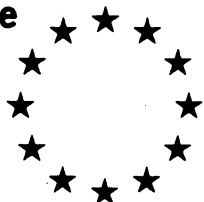
It must also be kept in mind that the electoral process is only a part of the democratic functioning. A lot will depend on the functioning of the newly elected bodies.

In particular, this will not be easy in Eastern Slavonia, where freedom of movement has not really been established yet. Mixed (Croat/Serb) councils, will have to meet regularly and take up their work in common. This will be a big challenge for all councillors elected, as well as for UNTAES, the Croat government and the international community. The LDE in Osijek/Vukovar will give its support for the development of local and regional democracy in the area.

In this area, but also in Pakrac/Okučani, Petrinja, Glina and Knin, reconstruction efforts will be a major preoccupation for local and regional authorities for the next years.

Furthermore, a lot will depend on the will of the Croat Government and President to fully respect, in all areas, the democratic will of the citizens expressed in the elections. This will be crucial for Zupans elected, in particular in opposition regions, and for the Mayor of Zagreb. The observations made in the Congress' press release of April 1996 (Appendix 2) therefore remain valid. The Congress is also expecting that the commitments made concerning the elaboration of a new law on local and regional government, in consultation with Council of Europe experts, will now finally be honoured.

It is regrettable that after fifty days from the elections, we have not yet received the complete results of the local elections, with the exception of the Zupanije under the UNTAES administration, and few other municipalities.



Congress of Local and Regional Authorities of Europe
Congrès des pouvoirs locaux et régionaux de l'Europe

Strasbourg, 7 April 1997
s:\delai.lt\bohner\croatie\docs\doc32e

CG/GT/HR (3) 2

**MISSION TO OBSERVE
THE LOCAL ELECTIONS IN CROATIA**

13 April 1997

**INVITATIONS TO OBSERVE THE ELECTIONS
TO BE HELD ON 13 APRIL 1997**

1. Ministry of Foreign Affairs - 13.02.1997
2. UNTAES - 12.03.1997

Information document

REPUBLIC OF CROATIA
MINISTRY OF FOREIGN AFFAIRS
41000 ZAGREB, Trg Nikole Šubića Zrinskog 7-8
Phone: (+385 1) 46 99 64 – Fax: (+385 1) 42 75 94, 45 17 95

No: 343/97/NM

The Ministry of Foreign Affairs of the Republic of Croatia presents its compliments to the Congress of Local and Regional Authorities of the Council of Europe and has the honour to inform that, according to the decision of the President of the Republic of Croatia, dr. Franjo Tuđman, the elections for the House of Counties of the Parliament of the Republic of Croatia will be held on Sunday, 13 April 1997. According to the decision of the Government of the Republic of Croatia, national elections have been called for delegates in local government bodies (municipal and town councils, county assemblies and the Zagreb City Municipality) to be also held on Sunday, 13 April 1997.

The Ministry of Foreign Affairs of the Republic of Croatia invites international observers to monitor these elections.

States and organisations willing to send observers to the elections are kindly requested to notify the Coordination for Foreign Observers on the Election '97 on the names of the observers. The Head of the Coordination for Foreign Observers on the Election '97 is:

Mr. Lavoslav Torti,
Phone: +385 1 4569 461; Fax: +385 1 443 313.
Trg Sv. Marka 6, Parliament building.

The Coordination for Foreign Observers on the Election '97 will assist the international observers in coordinating practical matters with the Electoral Commission of the Republic of Croatia. Logistics, travel and subsistence expenses will be the responsibility of the sender state or organisation.

The Ministry of Foreign Affairs of the Republic of Croatia avails itself of this opportunity to renew to the Congress of Local and Regional Authorities of the Council of Europe the assurances of its highest consideration.



**CONGRESS OF LOCAL AND REGIONAL AUTHORITIES
COUNCIL OF EUROPE
STRASBOURG**



UNITED NATIONS / NATIONS UNIES

UNTAES

'97 MAR 12 14:49

United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium

Headquarters Civil Affairs

Tel: (385-31)135-6076 - VSAT Ext: 153-6076

Fax: (385-31)135-6149 - VSAT Ext: 153-6149

12 March 1997

Madame,

On behalf of Mr. Klein, Transitional Administrator, I wish to inform you that based on his assessment that the basic conditions have been met by all involved parties, and in accordance with the Security Council Resolution 1037, pursuant to paragraph 12 of the Basic Agreement of 12 November 1995, and Letter of the Government of the Republic of Croatia on the Completion of Peaceful Reintegration of the Region, he announced yesterday the holding of elections for the Region of Eastern Slavonia, Baranja and Western Sirmium on 13 April 1997.

In this context, Mr. Klein would like to extend an invitation to the Council of Europe to observe the conduct of these elections which, as you may know, are simultaneous with the elections of Zupanje Assemblies for both Counties of Osijek-Baranja and Vukovar-Western Sirmium and the House of Counties of the Sabor.

We look forward to our continued collaboration in the effort of peaceful reintegration.

Please accept, Madame, assurances of my highest consideration.

Gerard Fischer
Head, Civil Affairs

Madame Leni Fischer
President of the Parliamentary Assembly
of the Council of Europe
F-67075 Strasbourg Cedex
France



INFORMATION AND INFORMATION TECHNOLOGIES
COMMUNICATION ET TECHNOLOGIES DE L'INFORMATION
F-67075 STRASBOURG CEDEX (FRANCE)
Tél : 03 88 41 25 60 Telefax : 03 88 41 27 90
E-mail: unit.press@dircom.coe.fr
Internet: <http://www.coe.fr>

Elections in Croatia

STRASBOURG, 01.04.97 - At the invitation of the Croatian Government and the UNTAES (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium), the Congress of Local and Regional Authorities of Europe (CLRAE) is sending a delegation of observers to Croatia, including the Danube area (Eastern Slavonia), to monitor the local and regional elections and the elections to the 2nd house of the Croatian Parliament scheduled for Sunday 13 April. The observers will work with a delegation of the Parliamentary Assembly of the COUNCIL OF EUROPE.

Claude HAEGI, President of the CLRAE, State Councillor and Head of the Interior, Environment and Regional Affairs Department of the Republic and Canton of Geneva, made the following statement on the subject:

"Sending these observers does not mean that at this stage the Congress is satisfied with Croatia's honouring of its commitments.

In particular, Croatia undertook to amend its legislation on local and regional authorities after consulting the Council of Europe experts, especially to bring the function of the prefect (Župan) in the Croatian counties into line with the European Charter of Local Self-Government.

The Congress also insists that the principles of elective democracy must be observed in Zagreb as in the other counties, which means that the majority democratically elected to the city council must in turn be able to elect the mayor of the city. While the current legislation empowers the President not to accept the Mayor of Zagreb and the Župan elected in this way, the Congress is convinced that the President of the Republic should not exercise that right if he wants to honour the commitments he himself made when Croatia joined the Council of Europe.

Lastly, the Congress intends to see to it that minority rights are respected, including those of the Serbian minority, and it hopes that in the future Croatia will encourage transfrontier co-operation between area-based authorities, in line with the Council of Europe conventions.

It is with those issues in mind that the Congress delegation will take part in monitoring the local and regional elections in Croatia. It hopes the elections will help to consolidate pluralist democracy in Croatia, which became the 40th member state of the Council of Europe in November 1996."

The observers are:

EASTERN SLAVONIA:

- Leon KIERES, Poland
- Carl SONESSON, Sweden
- Nils GLIMSTEDT, Sweden
- George LYCOURGOS, Cyprus
- François FRIEDERICH, France
- Gilbert DESPICHT, France
- Pedros PHILIPOU, Greece

CROATIA:

Zagreb:

- Jan HALLBERG, Sweden
- Alain CHENARD, France
- Philippe DOURNEL, France

Glina:

- Gyozo VARGA, Hungary
- Josephine FARRINGTON, United Kingdom

Knin:

- Olga BENNET, Ireland

Sisak (Petrinja):

- Stanislav BERNAT, Slovakia

Pakrac/Lipik:

- John MORGAN, United Kingdom
- Gellert SZABO, Hungary

The delegation will be headed by Leon KIERES, Vice-President of the Bureau of the CLRAE Chamber of Regions and President of the Voivode of Wroclaw (Poland). The Rapporteur will be Baroness FARRINGTON OF RIBBLETON, member of Lancashire County Council.

* * *

Press contacts: - **Wolfgang RÖSSLE**, Council of Europe Press Service
Tel.: +33/(0)3 88.41.29.83 - Fax: +33/(0)3 88.41.27.89/90
E-mail: wolfgang.roessle@dircom.coe.fr

- **Ulrich BOHNER**, CLRAE
Tel.: +33/(0)3 88.41.22.48 - Fax: +33/(0)3 88.41.27.51



INFORMATION AND INFORMATION TECHNOLOGIES
COMMUNICATION ET TECHNOLOGIES DE L'INFORMATION
F-67075 STRASBOURG CEDEX (FRANCE)
Tél : 03 88 41 25 60 Telefax : 03 88 41 27 90
E-mail: unit.press@dircom.coe.fr
Internet: <http://www.coe.fr>

For Information

Council of Europe Observers concerned about the irregularities on the first day of voting in Eastern Slavonia

VUKOVAR, 14.04.97 - The COUNCIL OF EUROPE delegations (*) (Parliamentary Assembly and Congress of Local and Regional Authorities of Europe) approved the decision of the U.N. Transitional Administration for Eastern Slavonia (UNTAES) to keep the polling stations in this region open a day longer in order to allow all eligible voters to cast their votes.

"We observed many difficulties with electoral lists prepared by the Croatian authorities. They were often incomplete and delivered very late. There were also problems with insufficient number of ballots. Many people who were eligible to vote were not able to do so", said Gunnar JANSSON (Finland, LDR), Chairman of the delegation.

"We approve the decision to extend the vote and also the agreement between UNTAES and the Croatian government to allow voting by those who were not on the lists but had Croatian identity card. A solution also has to be found for those who had applied for documents in due time but had not yet received them. We shall follow closely the conduct of the vote on Monday and assess the impact of the irregularities observed on the outcome of the elections in our final report", he added.

"We were encouraged by the number of voters who turned up to vote. They have to have their democratic rights guaranteed. These elections are a crucial step in the building of confidence, the reconstruction of the multiethnic character of the region and of its peaceful reintegration into Croatia", Mr Jansson concluded.

The Council of Europe delegations will continue to observe the vote on Monday 14 April, assisted by the Local Democracy Embassy (Osijek, Vukovar). A report will be presented to the Parliamentary Assembly during its Spring Session (21 to 25 April) in Strasbourg.

Press contact :

- **Christiane DENNEMEYER**, Council of Europe Press Service
Tel : +33/(0)3 88.41.25.63 - Fax : +33/(0)3 88.41.27.89/90
Email : christiane.dennemeyer@dircom.coe.fr
- **Francesc FERRER**, Parliamentary Assembly Secretariat
Tel : +33/(0)3 88.41.32.50 - Fax : +33/(0)3 88.41.27.32

Ref. 203(97)

(*) The members of the delegation are:

- PARLIAMENTARY ASSEMBLY : Wolfgang BEHRENDT (Germany, SOC) ; Pilar PULGAR (Spain, EPP) ; László BOGAR (Hungary, EDG) ; Gunnar JANSSON (Finland, LDR) ; Lisbeth HOLAND (Norway, UEL).

- CLRAE : Leon KIERES (Poland, Independent) ; Josephine FARRINGTON (United Kingdom, SOC) ; Alain CHENARD (France, SOC) ; Olga BENNETT (Ireland, EPP/CD) ; Stanislav BERNAT (Slovakia, Independent) ; Jan HALLBERG (Sweden, EPP/CD) ; George LYCOURGOS (Cyprus, Democratic) ; John MORGAN (United Kingdom, EPP/CD) ; Carl SONESSON (Sweden, EPP/CD) ; Gellert SZABO (Hungary, Independent) ; Gyözo VARGA (Hungary, Liberal).



INFORMATION AND INFORMATION TECHNOLOGIES
COMMUNICATION ET TECHNOLOGIES DE L'INFORMATION
F-67075 STRASBOURG CEDEX (FRANCE)
Tél : 03 88 41 25 60 Telefax : 03 88 41 27 90
E-mail: unit.press@dircom.coe.fr
Internet: <http://www.coe.fr>

FOR INFORMATION

The Council of Europe observers express hope after local and regional elections in Croatia

ZAGREB, 15.04.97 - The multi-party delegation of the COUNCIL OF EUROPE (Parliamentary Assembly and Congress of Local and Regional Authorities of Europe)* observed the local elections in Croatia including Eastern Slavonia.

Some teams observed in areas with the first local elections since the war and in Zagreb. Baroness Farrington (Lancashire County, England), Rapporteur, said : "Our monitors reported elections to be free and fair in those areas where observers were present. We make suggestions for assisting the democratic process, especially technical improvements. Our members particularly noted the positive atmosphere of support for democracy and would like to help with procedural advise (see appendix 2).

The teams monitoring the elections in Eastern Slavonia included Leon KIERES (Wroclaw, Poland), President of the delegation, who said : "We hope the extension of voting time helped problems to be overcome e.g. shortage of ballot papers and incomplete voters lists. We will continue to give support through the local democracy Embassy in Osijek and Vukovar, to the UNTAES, the Croatian Government, the newly elected Mayors and the local people. We hope all these parties wish to cooperate. We feel confident that many improvements can result if effective local democracy is the result of such cooperation."

The Council of Europe anticipates that positive progress can now be made to fulfill commitments given when Croatia became a member of the Council of Europe" (see appendix 1).

The delegation recognises the difficult physical conditions that exist following a war and hope reconstruction will create better circumstances in future.

* * *

Press Contact: **Christiane DENNEMEYER**, Council of Europe Press Service
Tel. +33/(0)3.88.41.25.63 ; Fax (0)3.88.41.27.89
E-mail: christiane.dennemeyer@dircom.coe.fr

Ref. 210(97)

(*) The observers were:

- PARLIAMENTARY ASSEMBLY :Wolfgang BEHRENDT (Germany, SOC) ; Pilar PULGAR (Spain, EPP) ; Lázsló BOGAR (Hungary, EDG) ; Gunnar JANSSON (Finland, LDR) ; Lisbeth HOLAND (Norway, UEL).

- CLRAE : Leon KIERES (Poland) ; Josephine FARRINGTON (United Kingdom, SOC) ; Alain CHENARD (France, SOC) ; Olga BENNETT (Ireland, EPP/CD) ; Stanislav BERNAT (Slovakia, Independent) ; Jan HALLBERG (Sweden, EPP/CD) ; George LYCOURGOS (Cyprus, Democratic) ; John MORGAN (United Kingdom, EPP/CD) ; Carl SONESSON (Sweden, EPP/CD) ; Gellert SZABO (Hungary, Independent) ; Gyözo VARGA (Hungary, Liberal).

APPENDIX 1
Croatian Government commitments

The Congress recalls certain commitments of the Croatian President and Parliament, made in the process of the accession to the Council of Europe, concerning in particular the situation of the Mayor of Zagreb and of the "Župan" (Governor and Chairman of County Council), the peaceful reintegration of Eastern Slavonia and the ratification of certain Council of Europe Conventions (such as the European Charter of Local Self Government and the European Charter for Regional or Minority Languages).

APPENDIX 2
Technical/Administration points

- Better training for new elections commission officials at all levels
- Clearer rules available in advance
- Up-to-date electoral lists
- Clear marking of voters on lists after voting
- Clear advise about invalid voting papers
- Right of party observers in election
- Adequate materials in polling stations including secure private voting facilities
- Immediate publication of results at each level, including polling station.

Additional points
Political party observations from Croatians

The delegation heard concerns about :

- the presidential role in local elections
- media coverage.

Through these suggestions for improvements and concern the Congress reaffirms the need for local elections to support local autonomy, choice and candidates without national interference.

APPENDIX 3_/ANNEXE 3_

PARTIS POLITIQUES REPRESENTES AU PARLEMENT
Political parties represented in Parliament

1. Hrvatska demokratska zajednica (HDZ)
Croatian Democratic Union
2. Hrvatsko socijalno liberalna stranka (HSLŠ)
Croatian Social Liberal Party
3. Hrvatska seljačka stranka (HSS)
Croatian Peasant Party
4. Socijaldemokratska partija Hrvatske (SDP)
Social Democratic Party of Croatia
5. Hrvatska stranka prava (HSP)
Croatian Party of Rights
6. Demokratski savez Rijeke (DSR)
Democratic Alliance of Rijeka
7. Hrvatski nezavisni demokrati (HND)
Croatian independent democrats
8. Istarski demokratski sabor (IDS)
Istrian Democratic Assembly
9. Srpska narodna stranka (SNS)
Serbian People's Party
10. Hrvatska narodna stranka (HNS)
Croatian People's Party
11. Akcija socijaldemokrata Hrvatske (ASH)
Action of Social Democrats of Croatia
12. Hrvatska kršćanska demokratska unija (HKDU)
Croatian Christian Democratic Union
13. Slavonsko-Baranjska Hrvatska stranka (SBHS)
Slavonian-Baranian Croatian Party
14. Nezavisni zastupnici (NZ)
Independent Representatives
15. Hrvatska čista stranka prava (HČSP)
Croatian Pure Party of Rights
16. Istarski Demokratski Forum (IDF)
Istrian Democratic Forum
17. Hrvatska stranka (HS)
Croatian Party



Congress of Local and Regional Authorities of Europe

Congrès des pouvoirs locaux et régionaux de l'Europe

**TEAMS FOR THE OBSERVATION OF LOCAL ELECTIONS
IN THE REPUBLIC OF CROATIA**

10 - 15 April 1997

EASTERN SLAVONIA

Osijek:

Mr KIERES President of the delegation and Vice-President of the CLRAE (Poland)
Mr SILVESTRINI CLRAE Secretariat

Vukovar:

Mr SONESSON County Council Commissioner of Malmöhus County Council (Sweden)
Mr DESPICHT Consultant

Vinkovci:

Mr LYCOURGOS Mayor of Larnaka (Cyprus)
Mr FRIEDERICH Consultant

Beli Manastir:

Mr BERNAT Mayor of Martin (Slovakia)
Mr GLIMSTEDT Consultant

CROATIA

Zagreb:

Mr CHENARD Municipal Councillor delegate of Nantes (France)
Mr DOURNEL Consultant

Glina:

Mr VARGA Vice-President of Komárom-Esztergom County Council (Hungary)
Baroness FARRINGTON OF RIBBLETON Councillor, Member, Lancashire County Council
(United Kingdom)

Knin:

Ms BENNETT Councillor, Dublin Corporation (Ireland)
Mr BOHNER CLRAE Secretariat

Sisak/Petrijnja:

Mr HALLBERG Member, Board Federation of the Swedish County Council (Sweden)
Ms AFFHOLDER CLRAE Secretariat

Pakrac/Lipik/Okučani:

Mr MORGAN Councillor, Test Valley Borough Council (United Kingdom)
Mr SZABO Mayor of Szentkirály (Hungary)

OBSERVATION OF LOCAL ELECTIONS IN THE REPUBLIC OF CROATIA

Name of the members of the team

Mr Leon KIERES (President of the CLRAE's observer delegation, Vice-president of the CLRAE and President of Wroclaw Voivodeship).

Mr Gianluca SILVESTRINI (CLRAE Secretariat).

Towns visited

Osijek, Josipovac, Bilje, Kopačevo, Darda, Dalj, Bijelo Brdo and Trpinja.

Total number of polling stations visited and the names of the communities

Total number of polling stations visited : twenty-one (21).

In Osijek we visited the polling stations for the displaced persons which voted for the communities in Eastern Slavonia: Vukovar, Ilok, Lovas, Tovarnik, Tordinci, Nijemci, Stari Jankovci, Sarvaš and Borovo.

Contacts with Electoral Commissions and other organisations

- President for the Electoral Commissions of the County Council of Osijek-barajna.
- Mr Klein, Transitional Administrator and Mr Gerard Fisher, Head of the Civil Affairs, of the United Nations Transitional Administration for Eastern Slavonia (UNTAES).
- Mr Jan Hult and Mr Anders Eriksson, co-ordinators of the OSCE/ODIHR.

Summary of observations

The main difficulties observed were in the polling stations where displaced persons and refugees voted for the municipalities in Eastern Slavonia, such as:

- voters list not completed;
- opening time of the polling stations not respected ;
- lack of materials to vote (ballot papers, candidates list, voters list);
- no secrecy guaranteed for voting (lack of space and booths in many polling stations);
- some people were not registered on the voters list although they received the notice to vote;
- for many couples the wife was allowed to vote and the husband not, for other couples the situation was the opposite;
- some observers from political parties were not allowed to observe, together with the members of the Electoral Commission, the voting procedure of patients in the Hospitals.

Despite these organisational problems the elections were carried out without any incidents.

In order to overcome the shortage of ballot papers and the incomplete voters lists, General Klein (UNTAES) allowed voters to vote on presentation only of the Identity Card from 14h00 on Sunday 13/04/1997 and extended the voting time until Monday 14/04/1997 at 19h00.

Lund den 21 april 1997

Here will follow some facts and some impressions from the observations i Eastern Slavonia. My team contzined of myself and Mr Gilbert Despicht.

We observed the local elections mainly in Vokuvar but even in the Bobota and ILok, two small villages situated in the neighbourhood. The observations were made the 13:th of april and during the extended election day the 14:th of april. We visited total about 20 polling stations.

Here will follow a short report from the first day.

Polling station id, 440 Bobota 8.40-09.00.

At best 15% of the votees were not in the votes register. Long que to the polling station. Upset people.

Polling station id 9 09.40-10.15, Vukuwar. More than 20% are not in the voters register. One observer belives that 50 are not in the voters register.

Polling stations id. 3A, 6, 461, 2 o 4.

Vokuvar 10.00-12.00 same observations. Many people are not in the voters register. Long ques, many people are very upset.

We are at eleven o'clock in Untaes headquarter and we got the information there that 80 polling station of the 160 in Vokuvar area had not opened yet at 10.30, because they have not got the materials for the election.

At 14.00 general Klein declare that everybody with Croatian Id card had their right to vote.

After that the election run very calm and silent, which the observations in the following polling stations confirm Id number 8, 11, 13, 14, 15, 16.

At 17.00 Unteas informed that the elections will continue to 21.00 and between 10-19.00 the 14:th of april.

We made five observations during the 14:th. Three in Vukovar and two in Llok. The situation was very calm and silent. Few voters but still some problems with the materials.

The election was very badly organized. Too many people were not in the voters register. The materials were delayed and not complete. The people however showed a great eager to vote and were villing som wait for their turn.

Best regards


Carl Sonesson

**Monitoring of local elections
in Eastern Slavonia, Baranja and Western Srijem**

Report by François Friederich, representative of
the Osijek Local Democracy Embassy

Following the request to assist Mr Glimstedt, an expert appointed by the Congress of Local and Regional Authorities in Europe, on his visit prior to the official visit for the monitoring of local elections, the undersigned organised a series of meetings with the representatives of political parties and of the UNTAES in Osijek and Vukovar on 9 and 10 April. These meetings made it possible to discuss with the various parties concerned the manner in which the election campaign had been conducted, just a few days before the election.

The main criticisms of the parties we interviewed concerned the manner in which the media, in particular television channels, had covered the campaign; it appears that priority had been given to President Tudjman's party, the HDZ. Although each party represented in Parliament was entitled to the same amount of time on the air, the smaller parties could not afford to pay the fees charged by television. Moreover, the national and local news broadcast by Croatian television, HRT, and by the local channel, Slavenska Televisija, during the last few weeks before the elections had not been in keeping with the requirements of objectivity and neutrality normally fulfilled in countries with a more deep-rooted democratic tradition. Only a very small portion of the news had been devoted to the opposition parties, whereas every possible opportunity had been seized to illustrate the achievements of the government and of the party in power. The number of official events had increased as the elections drew nearer and the pictures broadcast had shown crowds waving not only Croatian flags but also the slogans and symbols of the party in power, ie the HDZ, thus causing confusion between official events and the HDZ's election campaign. The opposition was highly critical of the HDZ's use of the army and the machinery of state for election purposes.

The press, which supports the HDZ, had followed the example of television and faithfully reflected, both at national level and at local level in Osijek, the HDZ's campaign and the activities of its candidate with the strongest media impact, Branimir Glavas, the *Zupan* (district governor) of Osijek-Baranja. The HDZ's main opponent at local level, the outgoing Mayor of Osijek, Zlatko Kramaric, had not been entitled to the same treatment as his opponent since the press had done no more than announce his meetings, whereas it had commented broadly and favourably on all the declarations made by HDZ candidates, who had not hesitated to make full use of the Croatian language to launch a scathing attack on the opposition, criticising them in outrageous terms beyond the imagination.

The Croatian parties complained that it was impossible to organise an election campaign in the region under transitional administration; the HDZ had, however, been able to hold a press conference in Vukovar that had been interrupted by hostile protests on the part of the Serb inhabitants of Vukovar.

All of the parties we interviewed also complained that they had not had access to the electoral rolls in time, that the Electoral Provisions Act had been passed with undue haste and that the changes in the said act prior to each election meant that it was difficult to decide on an appropriate election strategy.

Some people also claimed that the local election committee, the members of which were all either members of the HDZ or at least people who supported the party, had been biased. Finally, cases had been noted in which pressure had been exercised and physical threats had been made to candidates who were standing against the HDZ in a number of small municipalities. In some cases these candidates had quite simply stood down out of fear for their lives and their property.

Since there are no rules concerning the financing of the election campaign, all types of practice are possible and the pressure exerted on heads of companies can be compared to that exerted by the mafia. In view of such practices, the small parties had had the same difficulties in obtaining financial backing as the independent press, which has the greatest difficulty in securing the support of companies.

On polling day and the following day (Mr Jacques Paul Klein prolonged the elections in the region governed by the UNTAES by 24 hours), the undersigned visited the municipalities of Bilje, Darda (accompanied by Mr Lycourgos), Kopacevo, Dalje, Bijelo Brdo and Sarvas (accompanied by MM Kieres and Silvestrini), all of which are situated in the UNTAES region. Right from the start a number of problems arose which indicated that the outcome of the election was not likely to be in keeping with democratic norms: a large number of voters' names were not on the electoral rolls whereas they had been registered; in some polling stations there was a shortage of ballot papers which meant that they were late in opening; there was a confusion among the different categories of voters (those who had been residents prior to the war, refugees voting in respect of the UNTAES region and refugees voting in respect of the municipality from which they originated) and uncertainty as to the type of identification required.

Towards midday, the UNTAES announced that the polling stations would remain open until 10 pm and that the polling would continue the following day. By then a large number of people had been refused the right to vote and only a small number of them came back to cast their vote. The reason given was that there had been interference on the wave-lengths of Radio Vukovar, Radio Beli Manastir and the local TV channels that Sunday afternoon. The announcement was, however, welcomed with relief by the Serb voters we met, as was the news that General Klein had decided to allow all persons whose names were not on the electoral rolls drawn up by the Croatian authorities to vote, provided they could prove their Croatian nationality. Although the voters were normally required to produce their Croatian identity card and be registered on the electoral rolls, the UNTAES announced that, in view of the difficulties, anyone in possession of the *Domovnica* could vote and that his/her name would be added to the bottom of the roll.

As a result 85% of the Serbian voters in the UNTAES region cast their votes (the final figures and the results of the election are not yet known).

François Friederich, Osijek, 18 April 1997

Election report - Croatia - 11 - 15 April 1997

Consigner: Ing. Stanislav Bernát - Mayor of the City of Martin, Slovakia

Addressee: CLRAE, Monitoring Committee /Mr. Nils Glimstedt, Baroness Farrington/

The elections for House of Counties /Sabora/, Regions /Županija/ and Municipality /Općina/ were held on 13 April 1997 in Croatia. The political parties and candidates were elected for regions and municipalities. Therefore, there were five votes.

The first day 11/04/1997

I arrived from Martin to Zagreb, took part in program meetings /4 - 9 p. m./ obtaining information that 21 political parties are elected for regions and municipalities in Zagreb. Totally 44 parties were registered for elections. The number of polling stations was 615 and of the voters registered until that time it was 3.641,199. However, the voter lists were not enclosed especially on the UNTAES territory.

The second day 12/04/1997

The opposite political parties of Croatian Parliament announced that the elections campaign was not correct mainly by HDZ on TV. I am not sure if I have understood but 12 deputies of Croatian Parliament are from Bosna and Herzegovina. In this case I do not think it is a correct solution. I have learnt that Vukovar - Srijen region had had 157 839 registered voters, Medzimursko region 97 282 and Slavonsko - Požeško region 69 093 ones. Then we went to Osijek and stayed at Osijek Hotel. In Vukovar we had meetings with Mr. J. P. Klein - transitional administrator of UNTAES, Mr. Gerald Fischer - head of civil affairs of UNTAES and Mr. Vojislav Stanimirovič - president of the Serbian executive council. After these discussions we returned to Osijek. Mr. Vojislav Stanimirovič informed us that Serbian independent party has been founded a month ago and had intention to provide franchise for all people who lived in UNTAES area before the year 1991. They installed 610 candidates for the elections. Then our delegation was divided into 7 work groups and interpreter Mr. Ž. Sirka was allotted for Mr. Glimstedt and me. We were the group No. 4 and observation place was in the city of Vinkovci and its surroundings.

The third day 13/04/1997

The Election day. We have visited 20 polling station in the city of Vinkovci and its surroundings. Mr. Nils Glimstedt has the exact records. In the end of elections at 7 p. m. we were in the village of Černa. There we could observe counting votes and proclaiming results. Please, find enclosed forms. Counting report of polling stations observed by Mr. Glimstedt and me was given to UNTAES at about 9.30 p.m. Returning to Osijek we have learnt that the elections have not finished. In this case it was necessary to do the observation in the town of Beli Manastir the next day..

The fourth day 14/04/1997

Prolong elections in the UNTAES zone. We visited three polling stations. One was in the village Beli Manastir and two in the village Petlovac. The elections started at 1 p. m. after distribution ballots by UNTAES. The numbers of polling stations in Petlovac were 25 and 27 and there were nearly 350 and 90 voters. Unfortunately, the ballots for municipality were missing. Through Osijek we came to Zagreb at 7 p.m.

Mission to observe the local elections in Eastern Slavonia

Mr Bernat and I mr Glimstedt have decided to leave a report from each one of us. We were observers in the district of Vinkovci and visited most of towns and villages in the district.

First of all we had to go to the cityhall to get name and adresses to all pollingstations in the region. The material we got the day before was not complete. First visit was at 9.35. The three first pollingstations had observers from UNTAES and other organisations. Then we decided to find other unobserved pollingstations because it could not be of value to deliver identical reports from different observers. Totally in the region we visited 20 pollingstations from which we have specially reports and 5 without report.

The conclusion is that the electioncommittees were competent and followed the rules, they were enthusiastic. Nowhere was any intimidation observed.

Overall evaluation is that 16 registered pollingstations are satisfactory and 6 are verry well.

As fare I can see the election in "our" pollingstations has been fair and free.

April 14 mr Bernat and I went to the district of Beli Manastir where the election should start again.

First we contacted the local police to find out what was wrong. Then we decided to visit three pollingstations.

Narodni univerzitet, Beli Manastir, had 2 360 registred voters. The organization was excelent but the number of voters too many in order to allow all to vote in one day. Should bee divided

Petlovac 25 and 27, primary scool had not opend because of lack of votingballots. At 11 oclock we were told that the ballots were at Belcam for counting and distribution. We went their immedielly and found that the ballots in about 40 boxes were distributed to the pollingstations in district of Beli Manastir.

We went back to Petlovac to controll the opening. There we directly interfered. The new pollingmaterial was still not complete. 200 ballots in one election was missing. In another election had the two pollingstations different names on some of the ballots.

Petlovac had got four boxes and had two stations. After opening the outhter two boxes we could repair the differences of name but not the lack of 200 ballots.

The representant from UNTAES got directly orders to find out which pollingstations who schould have our extra material and find our missing 200 ballots.

I spice of the incidence with the missing of ballots is the summary as we understood it that the election has been fair and free.

Pollingstationsreports from Vinkovci is an appendix.

April 9-10 I had meetings in Osijek and Vukovar with local representatives from SBHS, HSS, SDP, HSLs, SDSS, SNS and people responsible for the election at UNTAES.

Yours sincerely


Nils Glimstedt

OBSERVATION OF LOCAL ELECTIONS IN THE REPUBLIC OF CROATIA

Name of the members of the team

Mr Alain Chenard (Vice-president of the CLRAE and Municipal Councillor delegate of Nantes)
Mr Philippe Dournel (Delegate of the Local Democracy Embassy of Brtonigla-Verteneglio)

Towns visited

Zagreb

Total number of polling stations visited

Thirty (30) polling stations were visited in the town of Zagreb

Contacts with Electoral Commissions

- Zagreb towns
- Zagreb zupanija
- Samobor

Summary of observations

The main technical problems observed in the voting procedures were:

- absence of the voters signature on the list of voters
- absence of electoral document
- complexity of voting procedures which involved 5 different ballots paper
- only one list of voters for 3/5 different votes
- absence of a clear methodology for the counting of the ballots
- the ballot boxes were not sealed after the counting
- too many polling stations to enable a wide representative presence of observers from political parties

The contact with the local electoral commissions was very good as well as the reception in the polling stations, with the exception of only one polling station.

OBSERVATION OF LOCAL ELECTIONS IN THE REPUBLIC OF CROATIA

▶ **MEMBERS OF THE TEAM :**

Olga BENNETT (Councillor, Dublin Corporation) - Ulrich BOHNER
12-14 April 1997 - KNIN-SIBENIK - Zupanija XV
Car (Europcar) Zagreb-Knin + on the spot - Zagreb
Hotel : Motel Mihovil

▶ **MEETINGS :**

Saturday afternoon: ODIHR/OSCE : Jörgen BACKLUND - Dr Oskar LEHNER

▶ **MUNICIPAL ELECTORAL COMMISSION KNIN**

(closed on Saturday afternoon) - on Sunday morning and evening (0h00 - 0h45)

▶ **ZUPANIJA ELECTORAL COMMITTEE : SIBENIK**

President + 2 members + 1 party representative (HDZ)
Sunday: 12h30 - 13h40

▶ **POLLING STATIONS VISITED : 6H45 - 24H00**

5	ZGRADA "STARA GIMNAZIJA" (opening 6h45 - 7h50)	KNIN
6	GRADSKI POSLOVNI PROSITOR U KNINU	
7	OSNOVNA SKOLA	KNIN
10	ZGRADA "OPCE BOLNICE KNIN" (closing 18h40 - 24h00)	
16	ZADRUZNI DOM U URBNIKU GORNJEM	VRBNIK (ORLIC)
39	ZGRADA OSNOVNE SKOLE U DRNISU	DRNIS
40	ZGRADA ZUPANI UREDA I GRADA DRNISA	DRNIS
43	ZGRADA OSOVNE SKOLE U BADINJU	BADANJ (DRNIS)
46	ZGRADA OSOVNE SKOLE ZITNIC	ZITNIC (DRNIS)
47	KUCA MLADENA ZDRICA U PAKOVU SELU	PAKOVO SELO (DRNIS)
118	PROSTORIJE MJESNOG OD STARI GRAD	SIBENIK
119	PROSTORIJE MJESNOG ADB STARI GRAD	SIBENIK

▶ **MILITARY POLLING STATION**

21 (special numbers) KRALJ ZVONIMIRA KNIN

▶ **DEPLACED PERSONS POLLING STATIONS**

OSJECKO - BARANJSKE ZUPANIJA

48	GRAD BELI MANASTIR	SIBENIK
126	OPCINA CEMINAL	SIBENIK

▶ **VUKOVARSKO - SRIJEMSKE ZUPANIJA**

149	GRAD VUKOVAR	SIBENIK
193	OPCINA BOGDANOVCI	SIBENIK
348	OPCINA BOROVO	SIBENIK
378	OPCINA NIJEMCI	SIBENIK

The team operated in the Zupanija Knin-Sibenik (no. XV). Many parts of the area and in particular the area around Knin itself had returned under Croatian authority only in August 1996. There have been major population changes in the area, in particular the number of Serbs has significantly decreased in the Knin area (from 30,000 to 2,000) whereas the number of Croats has increased considerably (from 4,000 to 9,000). This increase is mainly due to the fact that there are displaced persons from Eastern Slavonia and refugees from Bosnia. However, most of these people were on voters lists and have Croatian ID cards. It was also significant that the total population of the Knin area has decreased from nearly 35,000 in 1991 to 10,700 in 1996.

It is obvious that these population changes, whatever the reasons for them have been, have created enormous difficulties for the authorities in order to establish voters' lists. It is therefore not surprising that these lists have not been perfect and that, in many cases, people turned up with a Croatian ID card at the polling station without being on the list. In some cases, they found out at the Town Hall that they had been registered in a different polling station, in others, a certificate was issued allowing them to be added to the voters' list in the polling station concerned. In that case, the certificate was appended to the minutes of the polling station. Nevertheless, other cases remained unresolved, for instance when the person was Croat but living abroad or when he/she was living in another town. In that case, he/she may have come too late to be able to vote. In some cases also, people could not get the certificates in time in order to be able to vote. One could not argue however that this would have had an incidence on the results of the vote or that any particular category of voters would have been turned down. All those involved seemed to do their best to find appropriate solutions.

After the population changes, the number of Serbs remaining in the cities seems to be extremely low. One must also take into consideration that some people may not dare any longer declare themselves as Serbs and pretend either to be Croat or to be citizens with unidentified ethnic profile. Nevertheless, in certain villages around Knin, Serb voters were a majority on the voters' register. They also participated fully in the vote which seems to indicate that the Serbs who remained in the area do wish to participate fully in the democratic process.

Physical conditions for polling stations were often very bad. One has to take into account that the villages around Knin and around Drnis have been nearly totally destroyed during the war. We therefore found some polling stations in completely abandoned buildings without windows, without heating (temperatures in the morning were around 0° C), and without electricity. Many places were also very small and in places where minefields might not be far from the polling station concerned. In many cases, material was also missing, including booths which would allow people to cast a secret vote. This was less of a problem in big polling stations because people could go and sit in a corner without being observed. In some small polling stations, there has certainly been a problem about the secrecy of the vote. In general and as far as we could observe, however, there was no attempt to intimidate voters by observing them too closely. Amongst the voters, nobody seemed to bother about these aspects of the vote. Apart from the villages, the polling station committees did not even seem to know the voters because many of them had come to these cities only more recently.

Questioned about the absence of booths, the Chairman of the Knin electoral committee replied that electoral committees were responsible for the organisation of the voting but that they had no financial resources of their own. They had therefore to rely on the services of the municipalities or of the Zupanija who had not been able, for lack of financial resources, to provide them with the necessary material. He seemed to be aware that this was a shortcoming, but admittedly, the general conditions of living in the area after of the war seem to be very difficult.

It should also be stressed that the Knin area has been integrated into a different Zupanija only very recently (in 1997). It belonged previously to the Zadar Zupanija and was now incorporated into the Sibenik Zupanija. We were trying to understand why this had happened. The Chairman of the Zupanija electoral committee and the members of that committee whom we met were not able to give us a clear reply or did not wish to do so, indicating that this was a political question which was not on them to comment on. We were however led to understand that, as had been the case with other political decisions (it was referred to the Zagreb reshuffle) the decisions may not always benefit those who hope that they will gain something out of it. At any rate, and seen from outside, the decision may not be unreasonable, from a geographical point of view.

It was a sunny, but (at least in the mountain areas) cold day. People seemed to be keen to participate in the vote and there seemed to be, at first sight, no irregular procedures in significant numbers. There was no shouting, no violence in the areas we could look at.

The military polling station we visited seemed to be well organised. Secrecy of the vote was guaranteed by the fact that the voters went to the other side of a very large hall where nobody could normally see how they voted. In this case, a big photograph of President Tudjman was on the wall but we were explained that he was of course the commander in chief of the army. We had no problems to get into this polling station which was not inside military barracks, but in a house used by the military as club and canteen.

In Sibenik, we visited, amongst other polling stations, many polling stations set up for displaced persons from Eastern Slavonia. These polling stations were divided according to the municipalities for which the DPs were to vote. It appeared that in some cases there were several hundred voters, in others, there was only one voter registered and the five members of the polling station committee waited the whole day long for this voter to turn up. One may therefore wonder whether this procedure is really reasonable. But it was of course prompted through the fact that no real freedom of movement has been established by UNTAES allowing displaced persons to return to Eastern Slavonia and to cast their vote on the spot.

The voters seemed to understand rather well the very complicated voting procedure in which five different ballots had to be cast. Ballot papers were of different colours and these colours were indicated on the ballot boxes. They were then counted separately. Only very few errors (ballot paper in wrong box) occurred. In such a case, they were added to the other papers counted.

In the polling station we visited, the counting went rather smoothly, even though it took several hours in a place that was very poorly heated in a big central hall of the local hospital. When walking around in the hospital, we also found that in places that could not be seen directly from the polling station, there were a great number of electoral propaganda posters from the HDZ. The counting took several hours.

Things got really complicated at the end of this procedure, when the counted results should have been filled into the minutes that were to be separately established for each of the five ballots. It appeared that the members of the polling station committee were not sufficiently trained to fill in these minutes. They were therefore very hesitant and, after long discussions, decided not to fill in the figures which had however been noted down by all of them. They therefore signed the minutes, but the figures had not been filled in and some of the members of the polling station committee went with these uncompleted minutes to the municipal electoral committee where they were told how to fill the figures in. One can only hope that no manipulation was made at that stage of the procedure, but it is reassuring that the party observers did also note the results at the polling station before leaving.

Apparently, in other polling stations, there had been the same problem. Some of them seemed to have been more clever by going first to the municipal electoral committee in order to consult on how to fill in the figures and then going back to the polling station to fill in the figures in the presence of all its members.

These hesitations about the actual preparation of the minutes is disturbing, as the problem of the minutes had been a key issue in previous discussions. It was greeted as a great step forward in democracy that party representatives and party observers should be able to make observations to these minutes and that they should be able to get a copy of them. Although there has been no indication as to actual manipulations, it must be stressed that, if people would have liked to manipulate, it could have happened at this crucial stage of the procedure.

Our recommendation would therefore be that an important aspect of the treatment of the results should be seriously changed. In the name of transparency, polling station committees and municipal committees should be not only authorised but obliged to make provisional results of the votes public immediately after the counting. This would not prevent a recounting or adjustment of the results in cases where irregularities could have occurred, but such corrections to the results should then be equally transparent and their justification should be clearly indicated. Early publication of the results is in all cases a good guarantee against manipulations and a confidence building measure towards the voters.

Another serious shortcoming was the late designation of party representatives and party observers and the fact that people did not understand the difference between the two. Indeed, at the Zupanija committee in Sibenik, we were informed that some representatives in polling station committees had been designated only on 12 April at midnight, that is on the eve of the election. The HDZ representative indicated to us that they had chosen the same persons to act as party representative and party observer. One may therefore wonder whether this distinction does really serve any useful purpose. The limitation of numbers of observers may certainly have been justified for practical reasons in quite a series of small polling stations. However, in other polling stations, there would have been enough room to host observers from any party that would like to nominate such observers.

Other problems observed by us were the fact that the control of voter participation was not easy by the fact that it was only a small circular sign applied by the polling station committee on the voters' list, around the serial number. One might wonder whether it could not be useful to ask the voters to sign the list and to stamp his identity or voter's card in case such a card were to be established. It also seemed to us that there was an excessive annulation of ballots when the voters' will was not expressed in the way expected by the committee. However, the committee did apply this rule equally to all votes, for whichever party they had been cast. One cannot argue therefore that it had a bearing on the results, but the principle of the respect for the voters will whenever this will has been clearly expressed should be a guiding principle in all elections.

We had some contacts with the local OSCE staff who seemed to be well organised on the spot, but who covered from Knin a very large area going up to Zadar and down to Dubrovnik. We agreed with them to avoid being present at the same polling station for opening or closing and we did not run into their observers during that observation, except in one case. They gave us some background information about the political and population situation in the area. At the polling station where we stayed for the counting, a Dutch observer from ECMM was also present for some time. He had previously been with IFOR in Srebrenica (BIH).

We also agreed with OSCE that we would fill in their polling station reports. We did this and delivered them early on Monday morning to the local OSCE representative. However, it was too early in the morning to have a debriefing with them and we had to go back to Zagreb to have the general debriefing organised by the Congress. No specific local debriefing was therefore organised.

A list of the number of voters in the different municipalities was also given to us. This number was 43,000 in Sibenik, 6,000 in Knin and 8,000 in Drnis.

OBSERVATION OF LOCAL ELECTIONS IN THE REPUBLIC OF CROATIA

Name of the members of the team

Mr Jan HALLBERG, Deputy-Mayor of Gothenburg
Mrs Sylvie AFFHOLDER (CLRAE Secretariat)

Town visited

Sisak, Petrinja, Kutina, Novska, Jasinova, Seliste, Mikeuliste

Total number of polling stations visited and the names of the communities

Total number of polling stations visited : fourteen (14)

In Sisak, Petrinja and Kutina, polling stations for the displaced persons voting for the communities of Eastern Slavonia were visited for the following communities : Vukovar, Ilok, Tordinci

Contacts with electoral Commissions and other organisations

- President of the Electoral Commission of the County of Sisak
- Mr Peter HEIBERG and Mr Jean SMEULDERS, Regional Office of ODIHR in Sisak
- President of the Municipal Electoral Commission of Kutina
- Local representatives of political parties : HDZ, HSLs, SDP, HSS, etc

Summary of observations

No main difficulties were observed. The elections were carried out without incidents. The electoral boards were well informed about how problems should be handled. Some difficulties arose due to the fact that five ballots took place at the same time. Members of the electoral boards were not always aware of the differences between political party *representatives* and political party *observers* at the polling stations. The main complaints from political party representatives concerned the pre-electoral campaign. The general impression of the election procedure was positive, however some shortcomings were noticed, in particular

- lack of space and insufficient secrecy guaranteed in some polling stations
- lack of indication of the polling stations
- difficult material conditions for the newly freed areas
- wrong spelling of a name of one candidate, of the first name of another one on the voters' lists
- lack of information of the members of electoral boards about how to fill out the minutes, what resulted in delayed reviewing of electoral results by the municipal electoral commission

OBSERVATION OF LOCAL ELECTIONS IN THE REPUBLIC OF CROATIA

Name of the members of the team

Mr John MORGAN (Councillor, Test Valley Borough Council,)
Mr Gellért SZABO (Mayor of Szentkiraly, Hungary)

Towns visited

Brestovac, Vilic Selo, Boricevci, Orljavac, Lipik, Spanovica, Stari Majur, Prekopakra, Donja Obrijez, Plostine, Veliki Banovac, Pakrac, Okucani, Ladevac and Benkovac.

Total number of polling stations visited

Twenty-three (23) polling stations were visited in the Counties of Pozesko-slavonska and Brodsko-posavska

Summary of observations

In the county of Pakrac it was noticed the unusualness to fill in five (5) returns with a pencil by the local electoral commission. They were only and quite rightly, sent one return for each of the five elections and until the rejected or spoilt papers were agreed by the observers the total could not be finalised.

All the elections were carried out very efficiently and fairly and we were quite satisfied that all the staff and observers at each of the 23 polling stations we visited had done an excellent job.

We noted with interest at one polling station, the number of Serbs that came by car and van to that polling station, the village having been destroyed to register their vote.

We can say that the elections in the area of observations were free and fair.