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Municipal elections in “The former Yugoslav Republic of Macedonia” (24 March 2013)

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Summary

Following the invitation of the government of “The former Yugoslav Republic of Macedonia”, the Congress appointed a delegation to observe the municipal elections on 24 March 2013.

The delegation stated that, with a few exceptions, the elections were held in a calm and orderly manner without major incidents. It highlighted the active and competitive campaign in the run-up to these elections but said that partisan media coverage and a blurring of state and party activities did not always provide a level playing field for the contestants. Election Day was technically well prepared and the members of the electoral boards were largely aware of the procedures. On the whole, the electoral legal framework was assessed positively but there was mention of certain lacunae in the Electoral Code which still need to be addressed.

In particular, the Congress delegation referred to room for improvement in respect of: the accuracy of voters' lists; the secrecy of the vote and prevention of family and group voting; the counting process and the accessibility of polling stations for people with disabilities.

The situation of the media remains a matter of specific concern for the Congress delegation – in respect of these elections but also in the broader context.

The Congress stands ready to assist the authorities of “The former Yugoslav Republic of Macedonia” in developing programmes and strategies to address these matters.

¹ L: Chamber of Local Authorities / R: Chamber of Regions
EPP/CD: European People's Party Group in the Congress
SOC: Socialist Group
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Not registered

Municipal elections in “The former Yugoslav Republic of Macedonia” (24 March 2013)

RESOLUTION 360 (2013)²

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 recalls that “The former Yugoslav Republic of Macedonia” became a member of the Council of Europe on 9 November 1995 and ratified the European Charter of Local Self-Government ETS No.122 (“the Charter”) on 6 June 1997. Further to the entry into force of the Charter on 1 October 1997, the Congress has carried out two monitoring missions on the state of local and regional self-government in the country and its compliance with the Charter: in 2007 (see Rec217(2007) and CPL(14)2REP on Local Democracy in “The former Yugoslav Republic of Macedonia”) and in 2011 (see Rec329(2012) and CPL(23)2 Explanatory Memorandum on Local democracy in “The former Yugoslav Republic of Macedonia”).

2. The Congress reiterates that free and fair elections, at national but also at territorial level, constitute an integral part of democratic processes in Council of Europe member states and refers to its Resolution 306 (2010) on the strategy and rules for the observation of local and regional elections which underlines the importance of election observation at the grassroots level and its complementarity to the political monitoring process of the Charter.

3. The Congress takes note of Recommendation 345 (2013) regarding the findings of the Congress delegation which observed the municipal elections in “The former Yugoslav Republic of Macedonia” on 24 March 2013 and asks its Monitoring Committee to ensure the appropriate follow-up to this recommendation and to take it into account in the framework of its work programme to assess the progress made by the country in matters of local democracy and the honouring of commitments of the Charter.

4. In conformity with its Resolution 353 (2013)REV on post-monitoring and post-observation of elections, the Congress expresses its will and availability to participate in activities aimed at strengthening local democracy and electoral processes in “The former Yugoslav Republic of Macedonia” through continued political dialogue with the authorities and in co-operation with the Association of Units of Local Self-Governments (ZELS).

² 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\(25\)4PROV](#), explanatory memorandum, presented by Jüri LANDBERG, Estonia (L, ILDG), rapporteur).

Municipal elections in “The former Yugoslav Republic of Macedonia” (24 March 2013)

RECOMMENDATION 345 (2013)³

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. the Statutory Resolution CM/Res(2011)2 relating to the Congress of Local and Regional Authorities of the Council of Europe, 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 (“the Charter”) 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 the Congress’ 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 OSCE/ODIHR Election Observation Mission (EOM) which visited a number of polling stations around the country;⁴

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 Venice Commission’s Code of Good Practice in Electoral Matters);

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, one in each consecutive three places on candidate lists was reserved for the less represented gender.

³ 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\(25\)4PROV](#), explanatory memorandum, presented by Jüri LANDBERG, Estonia (L, ILDG), rapporteur).

⁴ Congress deployment areas appear in Appendix III of the explanatory memorandum.

5. The Congress is also pleased that – further to the European Union-brokered agreement 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;⁵

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:

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

b. for the further improvement of the accuracy of voters' lists and providing personalised information for voters indicating the address of their polling station;

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

d. for improving the counting procedures including provisions allowing members of the Electoral Boards to clearly distinguish between valid and invalid ballots and for the re-count of the ballots at polling stations;

e. to 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 Recommendation 329 (2012).

9. Generally speaking, there is need for the further strengthening of the multi-ethnic society in “The former Yugoslav Republic of Macedonia”, in order to consolidate the state and avoid that inter-ethnic relations are compromised by political party and power interests.

⁵ 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.

Municipal elections in “The former Yugoslav Republic of Macedonia” (24 March 2013)

EXPLANATORY MEMORANDUM

I. Introduction

1. Following an invitation by the government of “The former Yugoslav Republic of Macedonia”, the Congress decided to observe the municipal elections held on 24 March 2013. Jüri Landberg (Estonia, L, ILDG) was appointed Head of Delegation and Rapporteur.

2. In preparation, a pre-electoral assessment mission was deployed to Skopje on 25 and 26 February 2013. The main Congress mission took place from 21 to 25 March 2013 and comprised 15 members from 13 European states. It also included four representatives of the EU Committee of the Regions. On Election Day, seven Congress teams were deployed all around the country and observed the vote in more than 100 polling stations. The details of the delegation, programmes and deployment areas appear in the appendices.

The following Report focuses specifically on issues arising out of exchanges held with Congress interlocutors in the context of the 2013 municipal elections in “The former Yugoslav Republic of Macedonia” and on observations made by members of the Delegation on Elections Day. Additional studies and analyses can be found through other sources.⁶ The Congress wishes to thank all of those who met with the Delegation for their open and constructive dialogue. It also thanks the Association of Units of Local Self-Government (ZELS), in particular Executive Director Dusica PERISIC, for their support in preparing this mission. Special thanks go to the teams of OSCE/ODIHR for the good working atmosphere and fruitful co-operation during this mission.

II. Political and legal context

a. Political background

3. Further to a referendum on independence from the Socialist Federal Republic of Yugoslavia, held in September, the Parliament enacted a new Constitution defining the country as a sovereign and independent state in November 1991. Under this constitution, the country is a Parliamentary democracy. The President is elected directly for a term in office of five years and proposes a Prime Minister who forms a government. The legislature is unicameral and consists of 123 deputies (including three representatives of the diaspora elected out-of-country). The regular term of a Parliamentary mandate is four years. According to the Electoral Code, mayors and municipal councils for the 80 municipalities (84 in previous elections⁷) and the City of Skopje are to be held every four years.

⁶ Including the Council of Europe, OSCE/ODIHR, Transparency International, Reporters without Borders, Freedom House.

⁷ In 2012, the municipalities of Vranestica, Zajas, Drugovo and Oslomej became part of the municipality of Kicevo which reduced the number of local government units (LGU) from 85 to 81.

4. The armed conflict between the Albanian “National Liberation Army” (NLA) and state security forces was terminated by a formal peace agreement known as the OHRID Framework Agreement (OFA), signed in August 2001. It became the new basis for organising the cohabitation of Macedonian, Albanian and minority populations in the country and included the use of Albanian as well as other minority languages as official languages in areas where ethnic Albanians or other minorities make up more than 20 % of the population. It also provided for higher funding for Albanian-language education, amendments to the constitution to raise the standing of ethnic Albanians and other minorities and increased ethnic Albanian representation in government structures and police forces.

5. Following the country’s first post-independence Parliamentary elections held in 1994, a centre-left coalition government led by the Social Democratic Union of Macedonia (SDSM) was formed and included the ethnic Albanian Party for Democratic Prosperity (PDP). A centre-right coalition led by the Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity (VMRO-DPMNE) and the Democratic Alternative (DA) formed the government with the Democratic Party of Albanians (DPA) following the elections organised in 1998. Parliamentary elections held in 2002 resulted in a coalition of ten parties led by the SDSM and the Liberal Democratic Party (LDP). Together with a new Albanian party, the Democratic Union for Integration (DUI), a government was formed. The next Parliamentary elections were held in July 2006 and brought a VMRO-DPMNE-led coalition government. In June 2008, a VMRO-DPMNE-led coalition government and a new coalition agreement with DUI emerged from early parliamentary elections. The current VMRO-DPMNE-led coalition government resulted from the second successive early Parliamentary elections held in June 2011.

6. In the last municipal elections held in 2009, 35 mayoral candidates were elected in the first round; in 43 municipalities (including the City of Skopje), a second round was held because no candidate received the required majority in the first round. Concerning the majority of mayoral positions, the situation was as follows: 56 mayoral and 460 councillor positions for VMRO-DPMNE (Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity), 15 Mayoral (one within the coalition) and 179 Councillor positions for DUI (Democratic Union for Integration), 7⁸ mayoral and 282 councillor positions for SDSM (Social Democratic Union of Macedonia), one mayoral and 52 councillor positions for DPA (Democratic Party of the Albanians). Besides these parties, each of the following won one mayoral position: New Democracy, Democratic Party of the Turks in Macedonia, Union of the Roma, Radical Party of the Serbs in Macedonia as well as two independent Mayors.⁹ All in all, among the 1,314 municipal councillors elected in 2009, 460 came from the VMRO-DPMNE-led coalition, 282 from SDSM, 179 from DUI and 52 from DPA.

7. In December 2012, a breakdown in parliamentary procedures led to the forced ejection of opposition members and media representatives from the parliament building during a vote on the budget proposal for 2013. Citing the alleged unconstitutionality of this vote, the SDSM and several other opposition parties began a boycott of the parliament. On 2 January 2013, the SDSM announced that it would also boycott the municipal elections called for 24 March, unless a number of requirements were met (e.g. early parliamentary elections in conjunction with the municipal vote, electoral reform and review of the voters’ lists, resignation of different Ministers and the Executive Director of the public broadcaster Macedonian Radio and Television). The two-month political stalemate which followed affected the functioning of Parliament which continued to operate without opposition presence and with the organisation of the municipal elections. The parties were able to overcome the deadlock through an agreement reached on 1 March 2013 which enabled a return to normal functioning of Parliament and also the holding of municipal elections on 24 March.

⁸ At the end of the mandate in February 2013, due to disobeying the decision to boycott the elections and submitting candidacy under the Serbian Advanced Party, one of the seven mayors was excluded from SDSM.

⁹ OSCE/ODIHR Office for Democratic Institutions and Human Rights. The former Yugoslav Republic of Macedonia Presidential and Municipal Elections 22 March and 5 April 2009. OSCE/ODIHR Election Observation Mission Final Report. Warsaw, June 2009.

b. Legal framework

Municipalities

8. Administratively, the country has a single tier system of local self-government, with municipalities as the basic unit. It is composed of eight regions, 80 municipalities plus the capital City of Skopje - which is subject to its own regulations under the Law on the City of Skopje and comprises 10 municipalities - and 1776 settlements. The organs of the municipality are the council and the mayor. The number of councillors depends on the number of inhabitants of the municipality (not less than nine if the population is less than 5.000 and not more than 33 members if the population is above 100.000). The only exception is the city council of Skopje which comprises 45 members. Councillors are elected by proportional voting, according to the D'Hondt method, without any minimum turnout requirement. The President of the Council is elected with the majority votes of the total number of councillors. The council can be dismissed by a majority of the total number of its members. The mayor is an executive body in the municipality and responsible to the citizens. Mayors are elected in the first round if they win more than 50% 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 is held within two weeks between the two candidates who receive the highest number of votes (no minimum turnout requirement). In the City of Skopje, voters elect the mayor and the members of the city council of Skopje as well as the mayor and the members of the municipal council of their individual municipality.

Municipal elections

9. On 24 March 2013, the fifth local elections took place in "The former Yugoslav Republic of Macedonia". In total, 350 lists for mayor and 480 lists for councils were submitted by 16 political parties, eight coalitions and 97 groups of citizens by the revised registration deadline of 8 March 2013. The legal framework for municipal elections is regulated by the Constitution and a comprehensive Electoral Code, adopted in 2006 and amended several times (in addition to recent amendments adopted, against the background of lack of political consensus, in November 2012,¹⁰ the Code was further amended in the weeks before the elections to extend the deadline for candidate registration. While it is not a good practice to amend the legal framework less than one year before elections,¹¹ the latter amendment enjoyed cross-party consensus). In addition to the Constitution and the Electoral Code, other legal instruments relevant to municipal elections include: the Law on Broadcasting Activity, on Political Parties, on Civil Servants, the Criminal Code, the Law on Administrative Disputes, on Local Self-Government and the Law on Territorial Administration of Local Self-Government.

¹⁰ In the Draft Joint Opinion on the Electoral Code of "The former Yugoslav Republic of Macedonia" of 24 May 2013, the Venice Commission and OSCE/ODIHR state that the amendments introduced follow some recommendations previously made by the Venice Commission and the OSCE/ODIHR, changing certain provisions which were not in accordance with democratic standards: "The amended Code is therefore an improvement over the previous Code."

¹¹ The Venice Commission Code of Good Practice in Electoral Matters recommends that "the fundamental elements of electoral law...should not be open to amendment less than one year before an election."

Campaign finance provisions

10. The Electoral Code and the Law on Political Party Financing regulate the financing of campaigns and oblige organisers to register a unique tax number and to open a separate bank account “for election campaign” within 48 hours of confirmation of the candidate lists. All campaign expenses must be covered from funds deposited in this account. Eligible private persons are allowed to donate the equivalent of 5.000 Euros in national currency, legal entities may donate five per cent of their total income from the previous year.¹² A campaign organiser may not spend more than 180 Macedonian Denar/MKD (three Euros) per registered voter in any given election.¹³ Contestants have to submit financial reports, at different stages, to the State Election Commission (SEC), the State Audit Office, the State Commission for Prevention of Corruption and the Assembly (in case of municipal elections to the Council of the LGUs) which are published on the websites of these institutions. Since campaign organisers are obliged to submit a unified report for all their lists - not broken down by municipality¹⁴ – it is difficult to determine in detail if the limitation of expenditures was respected.

11. Campaigns can neither be financed directly from the state budget - nor from budgets of the Local Government Units. However, elected candidates for Presidents, members of Parliament, mayors and councillors are entitled to receive compensation from the state budget (15 MKD per vote) if they win at least 1.5% from the voters' turnout at central level, local level or in the electoral unit. These resources are transferred no later than three months after filing the consolidated financial report for the election campaign. The final campaign finance report has to be submitted no later than 30 days after termination of the electoral campaign.

III. Election administration

12. The electoral bodies in charge of elections in “The former Yugoslav Republic of Macedonia” are: the State Election Commission (SEC), 80 Municipal Election Commissions (MECs) and the Election Commission of the City of Skopje, 2,976 Electoral Boards (EBs/polling stations) as well as the Electoral Boards in the diplomatic and consular offices. The SEC is the main body responsible for conducting elections. The MECs and the Election Commission of the City of Skopje are responsible for their Local Government Units and EBs are in charge of conducting the elections at the polling stations.

13. The Electoral Code envisages that the President and two members of the SEC are nominated upon recommendation of Parliamentary opposition parties while the Vice-President and three members are recommended by the ruling parties. If the political parties fail to submit their recommendations to the Assembly, the Elections and Appointments Parliamentary Committee proceeds with this matter. The SEC is responsible for entries to the voters' lists (extracted from the permanent civil register kept by the Ministry of Internal Affairs) which include all citizens over 18¹⁵ with a permanent address in the territory of “The former Yugoslav Republic of Macedonia” and also those who temporarily live abroad. For these elections, all citizens eligible to be registered and vote were required to have a valid biometric identification card or passport.

¹² In the Draft Joint Opinion on the Electoral Code of “The former Yugoslav Republic of Macedonia” of 24 May 2013, the Venice Commission and OSCE/ODIHR state the challenges remaining after the November 2012 amendments of the Electoral Code, in respect of the discrepancy in the nature of thresholds for campaign donations between individuals and legal entities, a lack of detail regarding the itemisation of campaign finance expenditures, the lack of auditing of campaign finance reports prior to the Elections Day and the absence of a deadline for auditing annual political finance reports.

¹³ In the same Draft Joint Opinion clarification is requested whether or not this limit applies to expenditures made in both rounds of elections.

¹⁴ In the same Draft Joint Opinion it is proposed that the Minister of Finance should develop a report template for municipal elections, breaking down expenditures by municipality.

¹⁵ Except those deprived of their voting right by a final court decision.

14. MECs are professional bodies whose five members (the President and four members as well as their deputies) are randomly selected from civil servants (employees in the state and municipality administration who have a graduate diploma). The mandate is five years and the selection is made by the SEC.

15. EBs – comprise in total five members and are mandated for four years - are composed using a mixed professional-political model (employees of the public administration plus representatives from political parties, ruling parties as well as opposition, according to the results of the last Parliamentary elections) with one member nominated by the governing political parties, one by the opposition parties and three randomly selected from civil servants. The random selection of members of the EBs is conducted by the MECs and the Election Commission of the City of Skopje – in their respective areas – following a legal act by the SEC. In line with the Electoral Code, certain principles for ethnic and gender composition have to be respected.¹⁶

Complaints and appeals

16. According to the Electoral Code, there are different kinds of complaints that can be filed to protect electoral rights including: complaints on voter registration issues; on the right to vote; on a candidate's right to registration; on campaign offences and on voting and tabulation. Both the SEC and MECs are mandated to resolve election related complaints. In addition to election administration bodies, the Basic Courts and the Administrative Court are tasked to resolve election related disputes. Decisions of the latter are final. Voters who wish to challenge decisions concerning their voter registration have the right to appeal to the SEC and if their appeal is not satisfied may pursue a further lawsuit with the Administrative Court which has to decide within three days. Every citizen whose electoral rights have been violated in the election procedure may submit a complaint to the SEC within 24 hours. The SEC has to decide within four hours of receiving it and its decision may be appealed before the Administrative Court within 24 hours. Each submitter of a list of candidates has the right to submit a complaint concerning voting, tabulation and results to the SEC within 48 hours after the publication of the initial results. The SEC shall decide within 48 hours receiving the complaint. This decision can be further appealed before the Administrative Court within 48 hours.

17. In general, the law provides short deadlines for the resolution of complaints and appeals with regard to the protection of the rights of voters and candidates. It does not allow submission of a complaint by post and all complaints have to be submitted by using the template developed by the SEC. Also, the Electoral Code does not specify what internal procedures (e.g. use of documentary evidence etc.) the SEC should use when deciding upon complaints. Contrary to a recommendation by OSCE/ODIHR, the SEC can decide on complaints made on Election Day about the election materials only if at least two complaints have been submitted for the given polling station.¹⁷

¹⁶ According to Article 21 of the Electoral Code, in municipalities with at least 20% minority population, the principle for equal and just representation has to be applied for the composition of the MEC and the EBs; the law prescribes that at least 30% of members in all electoral bodies should come from each gender.

¹⁷ In the Draft Joint Opinion on the Electoral Code of "The former Yugoslav Republic of Macedonia" of 24 May 2013, the Venice Commission and OSCE/ODIHR conclude that the requirement that two complaints filed in a given polling station are needed before the SEC examines the election material should be deleted as it undermines the right to effective legal remedy.

18. With regard to the vote on 24 March 2013, eleven complaints were filed with the Administrative Court during the candidate registration period disputing the rejection of candidates' lists by MECs – of which four were accepted. With the extension of the candidate registration deadline, three lists of candidates which were initially rejected by MECs because of late submission were re-submitted and accepted. The SEC received over 400 complaints related to early campaigning, but did not act on these before Election Day. OSCE/ODIHR also referred to the lack of clear procedures for the handling of pre-election complaints by the SEC.¹⁸ In general, members of the OSCE/ODIHR Election Observation Mission were informed that some representatives of political parties did not file complaints because they lacked confidence in the complaints procedures of the courts.

19. Following the elections on 24 March, eight political parties and coalitions filed more than 400 complaints with the SEC challenging results in 476 polling stations. Six of these complaints were accepted, but the majority were dismissed on procedural grounds or because of no evidence was submitted.¹⁹ According to the OSCE/ODIHR Final Report following these elections, “the SEC took decisions on first round election day primarily based on political considerations rather than the legal merit of the complaint, with members voting in line with their party affiliation...This resulted in inconsistent and contradictory decisions being made on complaints alleging the same irregularities.” The public hearings conducted by the Administrative Court – that heard 142 appeals against SEC decisions out of which 141 were rejected – were described by OSCE/ODIHR observers as “formalistic and not providing an opportunity for the complainants to submit evidence.”

20. Following the second round of elections held on 7 April, 387 complaints were filed with the SEC by political parties and coalitions. The SEC adopted 189 decisions concerning challenges to 368 polling stations, of which two were accepted and one was partially accepted.²⁰ According to OSCE/ODIHR, “the majority of complaints were dismissed on the same technical grounds as those filed in the first round.” The Administrative Court heard 136 appeals from SEC decisions – it rejected 95 and accepted 41. Out of these appeals 36 were submitted by the ruling VMRO-DPMNE party concerning polling stations in Struga and Centar and five by SDSM concerning polling stations in the City of Skopje and in Gjorce Petrov. On 14 April 2013, the President of the Administrative Court resigned after the publication of the decisions on Struga and Centar municipalities, stating that he had resigned for moral reason due to the ethnic division among the judges of the court. Following the Administrative Court's decisions a repetition of the second round voting was conducted in 29 polling stations in Centar, nine polling stations in Struga and in one polling station in Gjorce Petrov on 21 April 2013. In addition, the second round of voting took place in Dolneni in all its 39 polling stations on the same day.²¹

¹⁸ The 1990 OSCE Copenhagen Document provides that “everyone will have an effective means of redress against administrative decisions, so as to guarantee for fundamental rights and ensure legal integrity.

¹⁹ OSCE/ODIHR Election Observation Mission, Final Report on Municipal Elections of 24 March and 7 April 2013 in “the former Yugoslav Republic of Macedonia”, 9 July 2013.

²⁰ *idem*

²¹ In Centar, the candidate of the opposition (LDP/SDSM) won the mayoral contest with 54% against the VMRO-DPMNE candidate. According to observers from the Citizens Association MOST, the voting on 21 April was conducted efficiently but in a tense atmosphere inside and outside certain polling stations. As in the previous round, at certain polling stations in Centar, there were allegations about non-residents who are nonetheless registered at various addresses in Centar and bussed in on Election Day in order to vote.

IV. Election campaign, socio-political and media environment

21. According to the Electoral Code, the election campaign commences 20 days prior to Election Day and ends 24 hours before it (in this case, from midnight on 22 March 2013). Campaign rallies are permitted on the basis of a 48 hour notification given to local offices of the Ministry of Internal Affairs. Opinion polls may be published up to five days before Election Day. According to the November 2012 amended version of the Electoral Code, the order of candidates and the lists of candidates were determined by the drawing of lots. This was a positive step so that all candidates were treated equally in terms of positioning on the ballot paper.²²

22. Mayoral or council candidates must be eligible voters and resident in the municipality where they will contest the election. Candidates may be nominated by registered political parties, coalitions of parties and there may be independent candidates nominated by groups of voters. Overall, candidate registration was inclusive and provided voters with distinct choices. However, the decision to extend the candidate registration deadline only applied to political parties and coalitions and not to groups of voters.²³ Because of the extended registration deadlines, parties in the SDSM (Social Democratic Union of Macedonia) coalition started to campaign before their lists were verified by the Municipal Election Commissions.

23. Candidates were able to campaign freely and access to public space was provided without limitations. According to the long-term observer teams deployed by OSCE/ODIHR, the campaign was active and increased significantly during the last two weeks before Election Day. Billboards, posters and banners were prevalent in cities and along main roads, with, overall, ruling VMRO-DPMNE (Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity) enjoying the highest visibility. OSCE/ODIHR teams also observed several cases of government officials attending campaign events during working hours and using government vehicles, even when not warranted by security concerns.

24. The Congress's interlocutors made allegations of intimidation and coercion of voters, especially of public sector employees and civil servants.²⁴ The delegation also heard allegations of misuse of state resources with regard to cases of vote-buying. All in all, there was blurring of state activities and party campaigning which led to the joint conclusion by the International Election Observation Mission of OSCE/ODIHR and the Congress, presented at the press conference on 25 March in Skopje, that these elections did not always provide a level playing field for the candidates.²⁵ More generally speaking, the political, media and social domains in the country are largely divided along ethnic and political lines, which constitute an impediment to the consolidation process.²⁶

²² Draft Joint Opinion on the Electoral Code of "The former Yugoslav Republic of Macedonia" by the Venice Commission and the OSCE/ODIHR, 24 May 2013.

²³ In November 2012, amendments to the Electoral Code were adopted against the background of lack of political consensus and co-operation between the government, the opposition and various other interested groups. The SDSM demanded, among other things, new amendments to the Electoral Code otherwise they would boycott the municipal elections. The Electoral Code was subsequently amended twice a few weeks before the elections to extend the deadline for candidate registration. Altering the legal framework so close to an election is not consistent with good electoral practice –however, the latter enjoyed cross-party consensus.

²⁴ At briefings with the Citizen Association MOST and other NGO representatives it was mentioned that there was a "list system" in place for obtaining votes (to provide 10 names of people who will vote for "x").

²⁵ Statement of Preliminary Findings and Conclusions of the International Election Observation Mission (OSCE/ODIHR, Council of Europe Congress), e-link: <http://www.osce.org/odihr/elections/100311>

²⁶ In his Report [COMMDH\(2013\)4](#), the Human Rights Commissioner of the Council of Europe makes clear that much has been done over the last decade concerning fair representation of the different ethnic groups but politics and party circles have limited the effects of this progress.

Minority rights and multi-ethnic issues

25. According to the census conducted in 2002, the total population of the country was 2,022,547, with the following ethnic composition: Macedonians 64.18 %, Albanians 25.17%, Turks 3.85%, Roma 2.66%, Serbs 1.78%, Bosniaks 0.84%, Vlachs 0.48%, other 1.04%.

26. The rights and status of ethnic Albanians have been among the most difficult questions since independence. Since the Ohrid Framework Agreement (OFA), issues of concern for the ethnic Albanian community, including employment in the country's security and administrative bodies, have been addressed – but the pace of the reforms has not always been consistent. Decentralisation and the reform of municipal boundaries were key elements of the OFA. According to the 2004 Law on Territorial Organisation, a number of small municipalities have been merged into bigger ones and new urban and local communities were established within towns and settlements. At the same time, neighbourhood self-governments lost their legal status which some citizens perceived as negative.²⁷ Despite the achievement of some important results in the decentralisation process, several problems remain such as the great wealth and development disparities among the municipalities, and in their capacity to perform specific functions.²⁸ The Congress delegation observing the municipal elections heard objections from representatives of the ethnic Albanian community who perceived an unequal appropriation of funds.

27. In 2013, the municipality of Kicevo merged with neighbouring municipalities, including two predominantly ethnic Albanian municipalities. This became an issue for the demographic profile of Kicevo and led to an increase in inter-ethnic competition in the race for the mayor and council since it gave rise to the possibility of an ethnic Albanian winning the mayoral post for the first time since independence.²⁹

28. Also, ethnic minority groups other than ethnic Albanians have raised complaints about alleged neglect of their rights and status. There was discontent among representatives of some smaller minorities, such as the Turks, at the perceived lack of consultation with regard to the Law on Territorial Organisation. They especially feared that the merger of municipalities could result in a potential loss of language rights (if ethnic composition in a given area were to fall below the 20% threshold).³⁰

Participation of women

29. Despite provisions in the Electoral Code to promote the participation of women – one in each consecutive three places on candidate lists have to be reserved for the less represented gender – in general, women remain under-represented in political life. Compared to the last municipal elections in 2009 (with no women mayors), there was some progress in the municipal elections held on 24 March 2013, with 32 women standing as mayoral candidates. Two women were elected mayors in the first round and two additional women competed in the second round. According to the law, each gender should also make up a minimum of 30% of the electoral administration and these criteria were respected.

²⁷ Congress Report on Local Democracy in “The former Yugoslav Republic of Macedonia”, adopted at the October 2012 Session.

²⁸ By Recommendation 329(2012), the Congress invites the authorities of “The former Yugoslav Republic of Macedonia” to take into account the diverging interests of urban and rural municipalities and develop distinct strategies in order to reduce these disparities.

²⁹ The election of Fatmir Dehari from DUI (Democratic Union for Integration) on 24 March 2013 introduced an ethnic Albanian City Mayor in Kicevo.

³⁰ By Recommendation 329(2012), the Congress invites the authorities of “The former Yugoslav Republic of Macedonia” to draw up a law establishing the procedure, in the light of Article 5 of the Charter of Local Self-Government, for consultation of local authorities through their associations on modalities of modification of local authority boundaries.

Media

30. The Constitution of “The former Yugoslav Republic of Macedonia” provides for freedom of speech and prohibits censorship; however, according to recent reports by international organisations assessing the level of press freedom worldwide, there has been a deterioration in the conditions for press freedom over the last few years.³¹ While there is a diverse media landscape with numerous active media outlets, “most private media outlets are tied to political or business interests that influence their content, and state-owned media tend to support government positions”.³² The media climate has changed significantly, after the closure of the most popular opposition-leaning TV station, A 1, as well as the closure of several leading national dailies further to the investigations into the tax evasion case against the owner of these media. In 2012, the Broadcasting Council (BC) also withdrew A 2’s licence (a branch of A 1). The Congress delegation heard at meetings with representatives of the “Association of Journalists of Macedonia” that this has led to a situation which undermines independent editorial policy of the media and provokes self-censorship of journalists. In addition, a relatively large number of media outlets compete in a rather small and fragile market which also has a negative effect on independence of the media and the quality of journalism.

31. The coverage of electoral campaigns in “The former Yugoslav Republic of Macedonia” is governed by the Electoral Code and the Law on Broadcasting Activity. The Broadcasting Council (BC) – the state supervisory body for the broadcast media which is obliged to monitor television and radio broadcasts during campaigns – also adopted a “Rulebook for equitable access to the media presentation during the election campaign” and a “Rulebook for the conduct of Broadcasters in the period before the start of election campaign.” Based on this regulating framework,³³ all broadcasters should facilitate balanced coverage of elections and are required to be open to diverse political views and positions in order to provide objective and unbiased presentation of events, with equal treatment of diverse views and opinions, enabling the free creation of a public opinion on individual events and issues. There are also provisions in place for free airtime and paid advertisements.³⁴ Based on its media monitoring, the BC initiated 24 misdemeanour charges against 17 television channels and their editors-in-chief for violating rules on paid political advertisements and airing advertisements paid from the state budget.³⁵

32. As a positive step, the provisions on defamation and libel were removed from the Criminal Code in 2012. With regard to the new Media Law currently under examination in “The former Yugoslav Republic of Macedonia”, the “Association of Journalists of Macedonia” asked for an open debate on the scope and contents of the bill and recognised the prolongation of the evaluation process by the Minister of Information Society and Administration as a positive step. On 22 May 2013, the Association of Journalists of Macedonia published an analysis by the British media expert Peter Noorlander who considered that parts of the draft law were not in conformity with European standards established by the Council of Europe.

33. Television is the key media and major source of information for citizens in “The former Yugoslav Republic of Macedonia”. The public broadcasting company “Macedonian Radio-Television (MRTV) consists of three TV stations with nationwide coverage (plus one satellite channel) and three national radio stations. In addition, there are four private TV channels and three radio stations operating at national level. A total of 56 TV stations and 74 radios operate in the regions.

³¹ Reporters without Borders, Freedom House, IREX.

³² Freedom House – Freedom of the Press 2012.

³³ In the Draft Joint Opinion on the Electoral Code of “The former Yugoslav Republic of Macedonia” of 24 May 2013, the Venice Commission and OSCE/ODIHR further harmonisation between Electoral Law and the Law on Broadcasting Activity is requested.

³⁴ Every broadcaster may sell up to 15 minutes per hour of paid political advertisements and every contestant may purchase up to 10 minutes of such time.

³⁵ Statement of Preliminary Findings and Conclusions of the International Election Observation Mission (OSCE/ODIHR, Council of Europe Congress), <http://www.osce.org/odihr/elections/100311>

34. According to the media monitoring carried out by the experts of the OSCE/ODIHR Election Observation Mission during the campaign for the municipal elections on 24 March 2013, the media provided extensive campaign coverage in the news, however, the coverage was characterised by bias in favour of the governing parties both in terms of quality and content of the coverage. All, with the exception of one private broadcaster, covered government activities but failed to distinguish between state activities and party campaigning. The OSCE/ODIHR monitoring showed that while the VMRO-DPMNE (Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity) coalition used paid advertisements extensively, advertisements from other contestants were significantly less frequent. Also the monitoring carried out by the Broadcasting Council (BC) revealed a lack of balance in the news coverage in favour of the ruling parties in most national broadcast media, as well as violations of rules for presentation of opinion polls by some outlets.³⁶

V. Election Day

Materials

35. The State Election Commission (SEC) prepared a comprehensive Handbook on Education of Electoral Boards' Members providing detailed information on the implementation of the procedures stipulated by the Electoral Code and practical arrangements at polling stations. Election materials used for the municipal elections in "The former Yugoslav Republic of Macedonia" of 24 March 2013 included ultra-violet ink in the form of sprays for the marking of voters who have already voted and UV lamps to check the finger-inking (right thumb). For the duration of the voting, the Electoral Board member in charge for the UV lamp was placed near the entrance. The UV lamp-check was followed by: authentication of the documents (valid biometric ID-card or valid biometric passport), control and signing of voters' lists, issuing of the ballots, marking with UV spray and eventually the voting in the booths. The Handbook also contained information on actions to be taken by default.

Opening

36. The voting began at 7:00 and was supposed to last continuously until 19:00 hours. On the whole, opening of polling stations was organised in a proper manner, Commission members arrived on time and were largely familiar with administrative procedures, however, seventeen of the polling stations visited by the international election observers opened with short delays which did not prevent voters from casting their ballot.³⁷

Voting and counting

37. With the exception of some incidents and technical irregularities, Election Day was calm and the elections were conducted in an orderly manner, with members of the Electoral Boards managing the voting process efficiently. However, some irregularities were observed by members of the deployment teams in several of the 123 polling stations visited by the Congress, in particular in respect of group voting and family voting as well as with regard to the secrecy of the vote. Also, Congress observers became aware of voters not listed in the voters' lists of a particular polling station who were turned away or directed to the web page in order to verify the address of the correct polling station. This caused problems, in particular, for the elderly. In addition, Congress observers noted ballot boxes which were missing the security plastic bands and there was occasionally confusion about regulations concerning the sealing of spare boxes.

³⁶ Statement of Preliminary Findings and Conclusions of the International Election Observation Mission (OSCE/ODIHR, Council of Europe Congress), <http://www.osce.org/odihr/elections/100311>

³⁷ Idem

38. Also, several parties raised concerns about large numbers of diaspora citizens returning to the country for the purpose of voting on Election Day and members of the Congress team deployed to the areas of Ohrid, Struga and Kicevo reported cases of voters bussed (in smaller buses and coaches) over the Albanian border. In several places, the Congress observers noted large groups of people outside the polling stations.

39. On the whole, the vote counting was assessed positively but Congress deployment teams also observed disorganised and sometimes chaotic counting procedures and procedural errors were noted by the OSCE/ODIHR election observation teams in 18 counts.³⁸ Frequently observers noted problems related to different interpretations by members of the Electoral Boards concerning the validity or invalidity of ballot papers. According to the Electoral Code, a voting ballot is valid if the voter gives his/her vote by circling the ordinal number in front of the candidate's name and also if "it can be determined with certainty and without a doubt which candidate has received a voter's vote". Despite these regulations, there was confusion in some of the polling stations visited by the Congress observers which led to lengthy and sometimes even fiercely-disputed procedures.

Domestic observers

40. National civic organisations that enshrine human rights protection in their statute and are registered at least one year prior to the elections can be granted observer status by the State Election Commission (SEC). The MOST Citizens' Association had more than 3000 domestic observers, and together with CIVIL and the Institute for Democracy, was amongst the groups who deployed the greatest number of monitors. On Election Day MOST covered approximately half of the total number of polling stations (approximately the same percentage of polling stations was covered in each municipality). Based on the reports from the observers and regional co-ordinators, the 24 March 2013 municipal elections were assessed as peaceful by MOST, who stressed that most of the members of Electoral Boards, even newly elected, performed effectively during the Election Day. Frequent irregularities reported by MOST included group/family voting, incorrect use of the UV lamp, photographing of ballot papers and registering the name of the voters by parties' observers. "However, the decreased intensity of some of these irregularities, such as proxy voting and multiple voting is to be underlined, and the increased intensity of cases of group and family voting to be stressed."³⁹

Disabilities

41. In almost 40% of the polling stations visited by members of the Congress delegation, despite the fact that special booths were provided for wheelchair users in many locations, these polling stations were to a great extent not accessible for people with disabilities.

VI. Election results

42. According to the State Election Commission (SEC) of "The former Yugoslav Republic of Macedonia", there were 1,743,403 voters registered for the municipal elections held on 24 March and 7 April 2013 (2nd round). The total number of people who voted in 2,976 Election Boards amounts to 1,129,840 and there were 1,091,053 valid ballots. The turnout of these elections was 64.81%. In Skopje, there were 444,259 registered voters who had the opportunity to vote in 536 Election Boards. The number of valid ballots for the Mayor of the City of Skopje was 200,845 (209,696 ballots in total) and the voter turnout was 47.2%. The number of valid ballots for the Council of the City of Skopje was 268,331 (284,120 ballots in total) and the voter turnout was 63.95%.

³⁸ idem

³⁹ Citizen Association MOST, preliminary statement of 25 March 2013

43. In the second election round on 7 April 2013, VMRO-DPMNE (Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity) confirmed its win in the municipal elections by adding 14 more municipalities and the capital city of Skopje to the 40 municipalities won in the first round on 24 March. The opposition led by SDSM (Social Democratic Union of Macedonia) won four municipalities. Ethnic Albanian party and junior coalition partner DUI (Democratic Union for Integration) in the VMRO-DPMNE led government won eight new mayors, the DPA (Democratic Party of the Albanians) two. Few municipalities were won by independent candidates. A detailed presentation of election results can be found at:

<http://217.16.84.17/Results.aspx?RaceID=1&UnitID=1&IsPS=0&Turnout=0&LangID=2>.

VII. Conclusions

44. In general, the municipal elections held in “The former Yugoslav Republic of Macedonia” on 24 March 2013 were well-prepared, efficiently administered, conducted in an orderly manner and carried out in accordance with the standards for democratic elections developed by the Council of Europe and the international community. With a few exceptions, Election Day was calm, peaceful and passed off without major incidents, preceded by an active and highly competitive election campaign. In this respect, due to the deep politicisation of the country along party lines there was a blurring of state and party activities during the campaign and a lack of a level playing field for the candidates.

45. Following the recommendations made by the Congress in 2009 (resulting from the observation of local elections of 22 March 2009), progress was made, in particular with respect to further education and training of members of the Electoral Boards, increased participation of women in political life as candidates for Mayors and Municipal Councillors and inspection of the voters’ lists. However, further improvement of procedures for compiling and maintaining these lists is necessary to increase voters’ confidence. From Congress observers’ perspective, voters should receive personalised information indicating the address of their polling station.

46. Also, the members of the Congress delegation consider it necessary to improve the counting process, in order to make it more systematic and to specify certain regulations to avoid, in particular, confusion about the validity or invalidity of ballot papers. Due to the increased intensity of cases of group/family voting observed by the teams deployed by the Congress and by domestic observers, the awareness of electoral staff should be raised and this issue should be more actively addressed during future elections. In general, more detailed provisions on campaign financing, misuse of public resources and campaign activities of candidates, as well as the complaint and appeal procedure could fill the gaps in the Electoral Code. Also, as recommended by the Venice Commission’s Code of Good Practice in Electoral Matters, it would be desirable for the right to vote and stand for local elections to be extended to long-standing foreign residents after a certain period of residence (currently, the Electoral Code does not allow foreigners to vote or stand for elections as Mayors and Municipal Councillors).

47. The detailed media monitoring carried out by the OSCE/ODIHR Election Observation Mission showed that campaign coverage in the news – both by public and several private broadcasters – was biased in favour of the governing coalition. There was no distinction between state activities and party campaigning. Furthermore, two broadcasters and several print media have been closed since the last elections. The Congress delegation believes that such developments have contributed to a deterioration in media coverage over the past few years. On a more general note, the Congress underlines the importance of pluralistic media and framework conditions which allow journalists to fulfil their functions in a democratic society.

Appendix I – Members of the Congress observation delegations

DELEGATION - PRE-ELECTORAL MISSION

**THE CONGRESS
ELECTION OBSERVATION MISSION
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"
24 MARCH 2013**

PRE-ELECTION MISSION (24 – 27 FEBRUARY 2013)

CONGRESS

Jüri LANDBERG, Member of Rägavere Local Council, Estonia (L, ILDG)
Head of Delegation / Rapporteur

Matej GOMBOSI, Mayor of Beltinci, Slovenia (L, EPP/ CCE)

Andrée BUCHMANN, Regional Councillor, Alsace, France (R, SOC)

Hana RICHTERMOCOVA, Deputy Mayor, Horice, Czech Republic (L, ERC)

CONGRESS SECRETARIAT

Renate ZIKMUND – Head of the Congress Local and Regional Election Division

Jane DUTTON-EARLY – Assistant to the Congress Election Observation Mission

DELEGATION - ELECTION OBSERVATION MISSION

THE CONGRESS ELECTION OBSERVATION MISSION
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"
24 MARCH 2013

ELECTION OBSERVATION MISSION (21 – 25 MARCH 2013)

CONGRESS

1. **Jüri LANDBERG**, Member of Rägavere Local Council, Estonia (L, ILDG) - Head of delegation /Rapporteur
2. **Andrée BUCHMANN**, Regional Councillor, Alsace Region, France (R, SOC)
3. **Antonio EROI**, President, Provincial Council of Reggio Calabria, Italy (L, EPP/ CCE)
4. **Matej GOMBOSI**, Mayor of Beltinci, Slovenia (L, EPP/ CCE)
5. **Vitaliy OLUYKO**, Councillor, Khmelnytska Regional Council, Ukraine (R, SOC)
6. **Pearl PEDERGNANA**, Municipal Councillor Winterthur, Switzerland (L, SOC)
7. **Hana RICHTERMOCOVA**, Deputy Mayor, Horice, Czech Republic (L, ECR)
8. **Jean-Louis TESTUD**, Deputy Mayor, Suresnes, France (L, EPP/CCE)
9. **Jan VAN ZANEN**, Mayor of Amstelveen, The Netherlands (L, ILDG)

EU COMMITTEE OF THE REGIONS

1. **Arnoldas ABRAMAVICIUS**, Mayor of Zarasai District Municipality and Member of the Municipal Council, Lithuania (LT/EPP)
2. **Joseph CORDINA**, Mayor of Xaghra (Sindku, Xaghra), Malta (MT/PES)
3. **Jens Arne HEDEGAARD** Council (Byrådsmedlem), Denmark (DK/ALDE)
4. **Stewart MAXWELL**, Member of the Scottish Parliament, United Kingdom (UK/European Alliance)

CONGRESS SECRETARIAT

1. **Renate ZIKMUND** – Head of the Congress Local and Regional Election Division
2. **Jane DUTTON-EARLY** – Assistant to the Congress Election Observation Mission

Appendix II - Programmes

PROGRAMME OF CONGRESS PRE-ELECTORAL MISSION

CONGRESS ELECTION OBSERVATION MISSION "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"

PROGRAMME 25 AND 26 FEBRUARY 2013

Sunday, 24 February 2013

Arrival of members of the Congress pre-electoral delegation.

Hotel Holiday Inn, Mosa Pijade N2, 1000 SKOPJE

Tel: + 389 (0) 2 329 29 29 / Fax: + 389 (0) 2 311 55 03

hiskopje@holiday-inn.com.mk

Monday, 25 February 2013

- 09:00 - 09:30 Briefing of the delegation by Renate Zikmund, Head of the Election Observation Division, Congress of Local and Regional Authorities
Venue: Holiday Inn, Skopje
- 10:00 – 10:45 Meeting with the Minister of Local Self-Government, Tahir Hani; Mjellma Mehmeti, State Councillor for EU affairs; Afrodita Shalja-Plavjanski, Advisor to the Minister and Slavica Jakimovska, Head of Department for Balanced Regional Development, "The former Yugoslav Republic of Macedonia".
Venue: Ministry -St. Mito Hadzi Vasilev Jasmin, 1000 Skopje
- 11:00 - 12:00 Briefing of the delegation by Ambassador Ralf Breth of Germany / Head of the OSCE Mission to Skopje, Domenico Albonetti, Chief of the Political and Reporting Unit.
Venue: OSCE Mission to Skopje, Hyperium Blgd., 3rd floor Blvd. 8 September No 16, Skopje. Mihajlo Lahtov, Senior Public Information and Media Assistant: mob + 389 70 358 920 (Office: + 389 2 323 46 15)
- 12:30 – 13:30 Meeting with the Minister of Justice, Blerim Bexheti, "The former Yugoslav Republic of Macedonia", Secretary of State Mr Rizovski, Advisor Mr Ademye, Spokesperson from the Ministry of Justice.
Venue: Ministry- Jurij Gagarin 15, 1000 Skopje
- 14:00 - 15:00 Meeting with Darko Aleksov, Executive Director of the Citizen Association MOST, on the preparation of the elections and campaign,
Venue: Citizens Association MOST, "Vanco Mickov" 18b, Skopje
- 15:15 – 16:00 Meeting with Boris Kondarko, President of the State Election Commission (SEC) and Biljana Ovanovska, Spokesperson, on the preparation of the municipal elections.
Venue: SEC Office, St.Kiril and Methodious nr.54, 1000 Skopje

16:15 – 17:00 Meeting with Naser Selmani, President of the Association of Journalists of Macedonia and Dragan Sekulovski, Executive Director, on the role of the media in the election campaign / elections.
Venue: Association of Journalists of Macedonia, club of Journalists: bul. Partizanski odredi No. 13 blok 4 (behind the Cathedral) Skopje
Dragan Sekulovski mob: 00 389 070 365 585 (Tel. 00 389 (02) 3298-139)

26 February 2013

12:00 – 14:30 Meeting with Dusica Perisic, Executive Director, and other representatives of the National delegation to the Congress and the Association of Units of Local Self-Governments (ZELS) including:
 Enver Pajaziti - Mayor of Brvenica, DUI party, Prof. Dr. Sadi Bexheti, Mayor of Tetovo, DPA party and Mayor of Gjorche Petrov, Skopje, VMRO-DPMNE party.
Venue: office of ZELS, st. Zenevska bb p. fah: 32. Dusika Perisic, Office: + 389 (2) 30 99 033

15:00 – 16:00 Briefing on election administration, campaign and election context
 Ambassador Geert-Hinrich Ahrens, Head of Mission, Donald Bisson, Deputy Head of Mission, Tamara Otiashvili, Election Adviser, ODIHR Election Observation Mission to Macedonia, Ovidiu Craiu (Election Analyst), Stefan Szwed (Political Analyst), Angeles Mohedo Perez (Legal Analyst), Iegor Tilpunov (Media Analyst).
Venue: OSCE/ODIHR office, 76 Boulevard Ilinden, Skopje.
Tamara Otiashvili – Election Adviser and Desk Officer : + 48 22 5200 680. Nicola Schmidt, OSCE/ODIHR, Election Department, Warsaw, Mobile: + 48 695 808 822

16:30 – 17:30 Briefing with the Delegation of the European Union to "The former Yugoslav Republic of Macedonia", Skopje. Aivo Orav, Head of the Delegation of the EU. *Venue: Mito Hadzivasilev Jasmin 52v, 1000 Skopje. Telephone: (+389) 2 3248 500, Fax: (+389) 2 3248 501*

27 February 2013

Departure of the delegation

<p>Contact: Ms. Olgica Vasilevska MFA: Department for Multilateral Relations, St. "Philip II Macedonian" 7, 1000 Skopje. phone nr.: +389 2 3110 333 ext. 110 fax: +389 2 3115 790 e-mail: olgica.vasilevska@mfa.gov.mk</p>	<p>Mr. Nazim Reçi phone nr.: +389 2 3110 333 ext. 111 fax: +389 2 3115 790 e-mail: Nazim.Rechi@mfa.gov.mk</p>
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PROGRAMME OF THE CONGRESS ELECTION OBSERVATION MISSION

CONGRESS ELECTION OBSERVATION MISSION
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"
PROGRAMME
20 – 25 MARCH 2013

Wednesday 20 March

Arrival of the Congress delegation
Hotel Holiday Inn, Mosa Pijade N2, 1000 SKOPJE
Tel: + 389 (0) 2 329 29 29 / Fax: + 389 (0) 2 311 55 03 /
hiskopje@holiday-inn.com.mk

Thursday 21 March Venue: Meeting Room Millenium I Hotel Holiday Inn

09:00 -10:00 Welcome and introductions. Overview of the mission by the Head of Delegation and Congress secretariat.

10:30 -11:30
 confirmed

BRIEFING WITH THE OSCE MISSION TO SKOPJE

Ambassador Ralf BRETH, Head of the OSCE Mission to Skopje
 Domenico ALBONETTI, Chief, Political and Reporting Unit
 Pierre OLDONI, Chief Monitoring Unit.

12:30 – 13:30

Lunch

14:00-15:00

Debrief from the morning meetings. Prepare afternoon meetings

15:00 – 16:00
 confirmed

THE BROADCASTING COUNCIL

Mr.Zoran TRAJCEVSKI, President,
 Mrs. Emilija Janevska, Head of the programme monitoring department, Andriana Skerlev-Cakar, Head of department

15:30 confirmed

MINISTER OF LOCAL SELF GOVERNMENT

Sub-delegation

Mr Tahir HANI, Minister
 Venue: Ministry St. Mito Hadzi Vasilev Jasmin, 1000 Skopje.

Congress sub- delegation 4 members + FR interpreter
 Testud, Buchmann, Pedernana, Dutton-Early

16:30-17:30 **DELEGATION OF THE EUROPEAN UNION TO "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", SKOPJE**
Mr Aivo Orav, Head of the Delegation of the EU

Friday 22 March

09:00 -10:30 **THE MAYOR OF THE CITY OF SKOPJE**

Full delegation or sub-delegation to be confirmed. Mr. Koce TRAJANOVSKI
Venue: City Hall, Ilindenska b.b.

10:30-11:30 confirmed **BRIEFING WITH THE OSCE/ODIHR ELECTION OBSERVATION MISSION MUNICIPAL ELECTIONS 2013**

Ambassador Geert-Hinrich Ahrens , Head of Mission
DeputyHead of Mission, Don Bisson
Stefan Szwed, Political Analyst
Ovidiu Craiu, Election Analyst
Egor Tilpunov, Media Analyst

12:00 – 13:00 confirmed **THE STATE ELECTION COMMISSION (SEC)**

Mr Boris KONDARKO, President
Venue: Hotel Holiday Inn

13:00 – 14:30 **CANDIDATES FOR MAYOR OF THE CITY OF SKOPJE**
13:00 - 13:30 Artan Grubi DUI
13:30 - 14:00 (tbc) Jani Makraduli SDSM
14:00 - 14:30 (tbc) Bekim Fazliu DPA

16:00 confirmed **TRANSPARENCY INTERNATIONAL, MACEDONIA**

Mr. Fidan DASKALOV-Legal Adviser and Project Coordinator on the Project "ALAC"-Advocacy and Legal Advice Centers

Ms. Frosina DONINOVSKA-Project Assistant on the Project "CRINIS"-Shining a light on money in politics

17:00 confirmed **THE ASSOCIATION OF JOURNALISTS OF MACEDONIA**

Naser Selmani, President on the role of the media in the election campaign/ elections.

Saturday 23 March

tba Possible briefing meeting for Observers at the SEC

11:00 tbc Briefing with interpreters and drivers

Afternoon tbc Teams 5, 6, 7 deploy to their areas and hold local meetings

The other teams hold meetings in and around Skopje

Sunday 24 March

ELECTION DAY

Teams deploy in their areas for the opening of the polling stations.

23:00 approximately Return to Skopje, debrief at Hotel Holiday Inn

Monday 25 March

15:00 confirmed Joint press conference with OSCE/ODIHR
Head of Delegation and rapporteur: Jüri Landberg

Venue: Alexander Palace Hotel,
Blvd. 8 September BB, 1000 Skopje.
Tel: + 389 2 3092 392 Fax: + 389 2 3092 152

25 and 26 March Delegation leaves
(See separate schedule)

Appendix III

CONGRESS ELECTION OBSERVATION DELEGATION – DEPLOYMENT

Team	Deployment Areas	Team Composition
1	Skopje and environs, Kumanovo	Jüri LANDBERG Pearl PEDERGNANA Renate ZIKMUND
2	Veles and environs	Vitaliy OLUYKO Arnoldas ABRAMAVICIUS
3	Stip and environs	Andrée BUCHMANN Jean-Louis TESTUD
4	Strumica and environs	Matej GOMBOSI Jens Arne HEDEGAARD
5	Bitola and environs	Antonio EROI Joseph CORDINA
6	Struga, Ohrid, Kicevo	Stewart MAXWELL Jan VAN ZANEN
7	Tetovo, Brvenica, Gostivar	Hana RICHTERMOCOVA Jane DUTTON-EARLY

Appendix IV

Press Release (Ref. CG-PR057(2013))



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Ref. CG-PR057(2013)

“The former Yugoslav Republic of Macedonia”: Municipal elections efficiently administered and highly competitive, but playing field was not always level, observers say

Skopje, 25 March 2013 – The municipal elections in “The former Yugoslav Republic of Macedonia” were highly competitive and efficiently administered, but partisan media coverage and a blurring of state and party activities did not always provide a level playing field, international observers from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Council of Europe's Congress of Local and Regional Authorities concluded in a statement issued today.

“The elections provided candidates with the opportunity to campaign freely and the campaign itself was active,” said Ambassador Geert-Hinrich Ahrens (Germany), the Head of the OSCE/ODIHR election observation mission. “At the same time, our mission received credible allegations of voter intimidation and misuse of state resources throughout the campaign.”

“With a few exceptions, in the polling stations visited by Congress observers, the elections took place in a calm and orderly manner, without major incidents,” said Jüri Landberg (Estonia), the Head of the Congress delegation. “There are concerns related to the media situation, not just with respect to these elections, but also in the broader context. Pluralistic media and journalists who can fulfill their function in society are vital for democracy.”

The electoral legal framework is comprehensive, although further reform is necessary to address gaps in the Electoral Code, the statement said. The State Election Commission worked efficiently and transparently and met electoral deadlines, but sometimes voted along party or ethnic lines, negatively impacting on its impartiality and collegiality.

The removal of some 119,000 citizens from the voter lists prior to the elections for lack of a biometric identification card or passport was supported by all major parties. Although there was enhanced confidence in the accuracy of the lists, complaints persisted, including on election day. Further improvement to procedures for compiling and maintaining the lists would be of benefit.

Many stakeholders told observers that they lacked confidence in the complaints procedures and the courts, and there were a minimal number of complaints filed with the courts. The absence of clear procedures for handling pre-election complaints by the State Election Commission does not guarantee effective redress for complainants.

Election day was calm, although some procedural irregularities were observed, including cases of group voting. Most instances of vote counting and tabulation observed were assessed positively.

[Statement of preliminary findings and conclusions](#)

For further information contact:

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The Congress has two chambers, the Chamber of Local Authorities and the Chamber of Regions. It brings together 318 full and 318 substitute members representing more than 200 000 European territorial communities.

President of the Congress: Herwig Van Staa (Austria, EPP/DC), President of the Chamber of Regions: Nataliya Romanova (Ukraine, IDLG), President of the Chamber of Local Authorities: Jean-Claude Frécon (France, SOC)

Political Groups: Socialist Group (SOC), Group of the European People's Party – Christian Democrats (EPP/CD), Independent and Liberal Democrat Group (ILDG), European Conservatives & Reformists Group (ECR)

Appendix V

Result of the vote for municipal elections

The second round was held on 7 April 2013 and in several polling stations repeat second round voting was conducted on 21 April.

A detailed presentation of election results can be found at:

<http://217.16.84.17/Results.aspx?RaceID=1&UnitID=1&IsPS=0&Turnout=0&LangID=2>.