

Citizen's Association MOST



Monitoring Report Parliamentary elections 2002

Contents

1. Introduction	1
2. Overview of the previous parliamentary elections	2
2.1.1990 and 1994 Elections with the Majoritarian Election Model.....	2
2.2.1998 Elections - Combined Election Model.....	2
3. Citizens Association MOST	4
4. Legal Framework	5
4.1.Election Laws.....	5
5. Election Administration	9
Campaign "Domestic Monitoring of Parliamentary Elections 2002"	
6. Voters List	11
7. Monitoring of the Pre-Election Campaigns of the Political Parties	14
7.1 Code for Free and Fair Elections	14
7.2 Monitoring of Party Rallies	15
7.3 Political Rhetoric	15
7.4 Posters	16
7.5 Incidents	16
7.6 Overall Evaluation	17
Campaign for the Recruitment of Volunteers and Poll-Watchers	
8. MOST Observers	18
8.1 Calls on the Free Telephone Line.....	19
9. Processing of Votes and Post-Election Stage	21
9.1 Objections and complaints	21
9.2 Repetition of voting	23
10. The PVT project (parallel vote tabulation)	24
11. Overall opinion	27

1. Introduction

The fourth Parliamentary elections in the Republic of Macedonia were held on September 15, 2002. These elections were perceived as the most important elections in Macedonia, because they were the first elections in the period after last year's crisis.

The most important novelty in these elections was the introduction and the use of the regional proportional representation model for electing representatives to the Parliament of the Republic of Macedonia; - territory of the country was divided into six election districts with 20 MP's in each district. There were 153 candidate lists in the election process; 111 of them were submitted by political parties, 37 were submitted by coalitions and five by groups of voters. Fifty-three a-political parties participated in the election process, and 26 of them participated individually, while 27 were divided into seven coalitions. Overall, 3,060 candidates were competing for the 120 seats in the Parliament.

1,222,711 citizens out of the 1,664,296 registered voters on the General Voters List, or 73.4% of the constituency of the Republic of Macedonia, exercised their right to vote.

On September 14th, voting was organized for special category citizens, including: internally displaced persons, persons serving a prison sentence, people serving in the military or out on military exercises, and indisposed or sick people. The displaced persons cast their vote in Kumanovo (1,731), Skopje (2,140), Tetovo (477), Vinica (2) and Bitola (1). In the penitentiaries, 862 voters could exercise their right to vote.

The elections were also unique in that they were followed by the greatest number of observers so far, foreign as well as domestic and, at the same time, by the greatest number of accredited journalists and media. There were a total of 847 accredited journalists, 167 of whom were foreign.

The right to observe the elections was given to 4,859 observers, 3,799 of which were domestic, and 1,015 foreign. Among the domestic accredited observers, 2,872 were accredited by the Citizen Association, MOST, which represents the greatest number of voluntary observers accredited by a domestic nongovernmental organization so far in Macedonia.

2. Overview of the previous parliamentary elections

2.1 1990 and 1994 Elections with the Majoritarian Election Model

The first democratic elections in Macedonia were part of general historic and political changes in Central and Eastern Europe at the end of the 1980's. The establishment of the democratically elected Parliament of the Republic of Macedonia in 1990 was a milestone of the new political system.

At the first multiparty Parliamentary Elections (November - December 1990), 24, or 20%, of the candidates for MPs were elected in the first round, and the remaining 96 MPs, or 80%, in the second round.

18 political parties participated in these parliamentary elections, one Social Organization and 43 independent candidates. Representatives from seven political parties and three independent candidates won seats in the Parliament. None of the political parties had an absolute majority, and during the mandate several MPs left their current parties and created new ones. Others changed the party to which they belonged, and still others became independent MPs. The election model did not result in a parliamentary majority, so there were several coalitions between several parliamentary groups (SKM-PDP, Union of PS, the Socialists' Party and PDP).

During the first round of the second parliamentary elections (October - November 1994) only 13 MPs were elected, while in the second round 107, or 89%, were elected. The small political parties did not win any of the mandates, although they had 80,000 votes. The independent candidates won 7 mandates. The majority election model in the second parliamentary elections resulted in a Parliamentary majority of the Union for Macedonia (Sojuz za Makedonija) and PDP, and the Parliament worked without opposition.

The use of the majority election model at the first and the second parliamentary elections resulted in a disproportion between the election results and the mandates in the Parliament.

In both cycles the unfairness of the majoritarian election model was perceived in Macedonia.

2.2 The 1998 Elections - Combined Election Model

The Parliamentary elections in 1998 were realized through a combined majoritarian-proportional presentation model, with 85 MPs being elected according to the majority model and 35 according to the proportional presentation model.

The voters could chose from the list of the parties for the whole territory of Macedonia, and also chose individual candidates for their electoral district. In order to pass in the second round, two requirements had to be met: to have the majority of the votes; and, the number of the votes that were won had to exceed 1/3 of the total number of voters in the Voters List for that election district. Only the two candidates with most votes could pass to the second round.

35 mandates were elected according to the proportional representation model, and the party lists were fixed. The vote was given for the parties and not for the candidates. The allocation of the mandates was done according to the D'Hondt formula, and the 5% census had to be reached.

In the 1998 elections, 29 parties participated as submitters of individual candidates and 9 as independent candidates. 24 Parties submitted 17 lists according to the proportional representation model, and one list was independent.

The parties of the Albanian bloc: PDP, PDPA and NDP decided to participate jointly on the proportional lists, while independently on the majoritarian list.

The combined election model resulted in 8 parties being elected, and the re-election coalition of VMRO-DPMNE and DA got an absolute majority and the possibility to form the Government. The Albanian political bloc PDPA-NDP, entered the Governmental coalition, even though there was an absolute majority.

3. Citizen Association MOST

The Citizen Association for Development of Democratic Institutions (MOST) is a non-governmental and non-partisan organization, established in May 2002. The founders of MOST are the representatives of 20 Macedonian nongovernmental organizations which acted as coalition partners in the Monitoring the Local Elections 2000 program. In the framework of the project "Domestic Monitoring of the Parliamentary Elections 2002", three separate stages were realized, and each of them was presented as a separate campaign:

- Citizen inspection of the Voters List,
- Monitoring the Code of Conduct for Free and Fair Elections,
- Recruiting volunteers to monitor the elections.

All the activities were directed towards raising the awareness of citizens and encouraging their participation in the election process, in order to make it more transparent and to increase citizens' confidence in the institutions of the system.

For the successful realization and organization of the campaign a network of 16 regional offices of MOST was established in the following cities: Skopje, Tetovo, Gostivar, Kicevo, Ohrid, Bitola, Prilep, Veles, Kvararci, Gevgelija, Stip, Kocani, Delcevo, Kumanovo and Veles. The offices were located in the nongovernmental organizations of the coalition partners and, for the realization of this project, one coordinator and assistant were employed in each of the regional offices.

A media campaign for each of the projects was developed, in order to introduce to the public the activities of MOST. The free-of-charge telephone line 0800 was introduced, as a service through which the citizens could get all the necessary information; in addition, it was used as a line through which the citizens applied to become voluntary observers.

This final report is based on the processed reports received from the observers at the polling stations, as well as from the reports for the critical incidents, which were received and confirmed by the regional offices of MOST and the reports received from the calls of the citizens, who revealed their identities.

4. Legal Framework

The election legislation, which sets the rules for election of MPs in the Parliament of the Republic of Macedonia, is determined by:

- A) Constitutional provisions referring to the election system;
- B) Law on Electing MPs in the Parliament;
- C) Law on the Voters List;
- D) Law on the Election Districts;
- E) Law on the Polling Stations;
- F) Law on the Political Parties;
- G) Criminal Code;
- H) Provisions of SEC.

With the ratification of the Framework Agreement, one of the resultant obligations was the passage of the new package of Election Laws. The most important laws that should have been changed in the package of election legislation were the Law on the Election of MPs and the Law on the General Voters List.

4.1 Election Laws

Regarding the Law on the Election of MPs, the comments of legal experts, politicians, policy makers, theoreticians, and OSCE pointed out that it contains a number of provisions which are incomplete, ambiguous and unclear. The issue of whether the election model for Electing MPs should be changed raised dilemmas. The Draft Law was preliminarily passed in the Parliament on April 2002, and the Government started to incorporate and introduce the changes, which were suggested by the Parliament and other sources (political parties, representatives of the international community). The draft law contained contradictory provisions both from the combined and the proportional representation model.

Respecting the model and its implementation, legal experts believed that, in order to change the model, at least several election cycles should pass for the model to prove that it is ineffective, which was not the case with the majority model that was used in the parliamentary elections in 1998. One of the explanations why the combined model should be used, and not only the proportional, was that the proportional model strengthens the power of the party leader, while the majority model gives the citizens the opportunity to vote for a person, not just for the party.

However, legal experts supported the change of the model with a regional proportional representation model. According to Professor Dr. Gordana Siljanovska-Davkova, "The proportional Election model in the Republic of Macedonia as a single district, having in mind the patronage model of candidacy, will bring about party councilism and will leave behind regional interests and needs to the detriment of those in the centre; it will also marginalize the citizens. The Regional Proportional Model is a better option because of the above mentioned reasons."

The parties were also divided concerning this view. The governing party wanted a proportional model with one election district; the opposition coalition stood for the proportional representation model with several election districts, or the current majority model, but with only one round of elections. This raised many doubts among people, above all, because these were supposed to be early elections and the model for electing MPs was to be changed in a very short period.

The large number of suggestions, the conduct of the Elections, and the constant change of the date brought about confusion, uncertainty and distrust among people. The prolonged debates concerning legal regulations resulted in a lack of time.

After an intensive negotiation process and discussions among the leading political parties, often facilitated by the representatives of the international community, on June 14th, the new Law on the Election of MPs was passed, and published in the Official Gazette on June 25th; it became effective as of July 3rd 2002. The new law presents important progress in respect of the previous Election Regulations, because it clarifies a number of ambiguities in the previous law.

According to the new law on Electing MPs, the Parliament of the Republic of Macedonia consists of 120 MPs elected through use of the proportional representation model. The territory of Macedonia is divided into 6 election districts, and 20 MPs are elected in each district. The allocation of the mandates is being done using the D'Hondt method and there is no electing threshold. The territory of the election districts is regulated by the Law on Election Districts, which was passed on June 18th 2002. The number of voters in each of the districts is equal (+/- 3%). The election districts do not divide the 123 municipalities, and at the same time they are in accordance with the previously established 34 municipalities, which will continue to be the centers of the Municipal Election Commissions. Although the new law presents important progress in the legal regulations, it has significant deficiencies.

- The provisions which refer to the police do not accurately and precisely regulate the location of the police; i.e., it is not clearly defined that the police should not be present at the polling station;
- The roll of security in the election process is not clearly defined (i.e., the safety of the materials during the different phases of their presentation);
- It is not clearly stated as to who is allowed at the vote counting;

- The procedure for collecting the evidence, and the manner of conducting the investigation by the Ministry of Internal Affairs in the event of criminal actions, are not precisely defined;
- The manner of canceling and repeating the voting is not precisely defined.
- The time frame for forming the election commissions are too short;
- It is not clearly defined which ballots are considered as valid during the voting, i.e., when the choice of the voter is not clearly stated;
- Judges are being proposed as presidents of the election commissions by the political parties.

There were different views respecting the inclusion of judges in the election process:

- Judges are unbiased, and they should handle the election process as such.
- Judges are not always a good election administration; and, on the other hand, this means their politicization.

The article, according to which the judges were to be appointed as presidents and deputies of the election commissions by the political parties, was exposed to criticism. It means party labeling of the judges, although they are unbiased and do not participate in any of the parties. On the other hand, it can mean ruining the reputation of the judiciary. A number of judges gave their objections to this article, so MOST suggests that these objections should be taken into consideration in further corrections of the Law.

There were opposing views regarding the role and the presence of police in the elections. The representatives of the Albanian bloc perceived that the presence of the police in front of the facilities where the voting takes place could result in uncertainty and fear among the voters. Nevertheless, the day of voting showed that the citizens accept this solution and that they perceive the presence of the police as a guarantee for the safety and the security of the Election Process.

One of the biggest deficiencies of the new law is the inability to establish a professional State Electoral Commission, regardless of the numerous suggestions by legal experts and international consultants.

This law also provides for political parties, submitters of the lists, domestic nongovernmental organizations, foreign organizations and the media to observe the election process, which contributes to the enhancement of the transparency of the election process.

One novelty in the voting procedure is the following: the voters will not be identified by a voting identification card, but by an ID card or passport; and the possibility for double voting is eliminated by marking the voters by applying a spray on their right thumb, and authorizing their signature. The police are responsible for the regularity of the voting, and they are present in front of every facility where the voting takes place, which is different from the previous

elections when the police were not allowed to be present within a 100-meter radius. Respecting procedure, all the necessary measures of precaution were taken, which limits the possibilities for manipulations and irregularities.

A progression in the regulation is especially achieved with the new **Law on the Voters List**, which was passed on June 14th, and published in the Official Gazette on June 25th 2002; it is more precise and clear than the old law. The Ministry of Justice has the authority to maintain the voters list, while the Ministry of Interior Affairs and the Bureau of Statistics are responsible for updating it - and this should be performed every three months. All citizens over the age of 18 with a permanent address in the territory of the Republic of Macedonia and having a valid ID card or passport are entered on the voters list. This provision limits out all people who have moved out of the Republic of Macedonia and have not lived in the territory of R. Macedonia for a longer period; it also excludes people who do not have a valid ID card or passport, which is the category of citizens that was often the basis for Election manipulations in the previous Election processes.

The possibility of voting for people who have moved out of their residences has been denied this time around as well. This means that, once again, immigrants could not vote in the consulates; it also ensured that citizens could not vote outside the community where they live. One exception was provided for internally displaced people, and this was specified with a special provision of the SEC and the special category of people voting on September 14th.

Yet, in the new Law, the term for public inspection of the voters list remains 15 days, which is not enough (having in mind that public scrutiny could be done during the summer vacations).

The Law on Polling Stations is unchanged, and their number remains 2,973, and the number of voters voting in one polling station still remains at 1,000.

The majority of the above mentioned deficiencies in the legislation, and the inconsistencies and ambiguities, were confirmed in the reports of the MOST observers.

5. Election Administration

The Law did not professionalize the SEC, although this was often suggested by various experts. With the introduction of the Proportional Representation Model, there are 4 levels of Commissions for carrying out the elections: the State Electoral Commission (the highest body for conducting the elections), the Regional Electoral Commission (one formed for every ED, with headquarters in Kisela Voda, Kumanovo, Stip, Strumica, Bitola and Tetovo), Municipal Electoral Commissions (34) and Electoral Boards (2973).

The State Election Commission observed all the terms in regard to appointing the Commissions and passing the regulations. There were no problems in the acceptance of the candidate lists, apart from the list of DPA in Election District 5, which was submitted late to the Regional Election Commission. However, it was determined that, although there was a delay in submitting the list, it was sent within the legally prescribed term, and thus it was accepted.

SEC is responsible for the passing of the following acts:

- Code for the establishment of the rules and procedures for observing Elections by domestic and foreign observers;
- Voting instructions;
- Instructions for applying Article 52, paragraph 3, which refers to Opinion Poll Research;
- Voting instructions for people in military service or on military exercises, people serving a prison sentence, and internally displaced persons.
- Instructions for applying Article 81, paragraph 4, for proving personal identity.
- Instructions for the use of police authorization during the Election;
- Calendar or time table for execution of election activities.

These regulatory laws regulate the legal provisions in a more precise way, as well as a precisely formulate inconsistencies. MOST considers that there should be legal regulation of the essential issues that are solved through the introduction of additional regulations.

The novelty in the Election Law is that the President of the State Electoral Commission should be appointed by the President of the country, which was also a subject of debate. Another novelty is that the State Electoral Commission now has its own spokesperson.

The State Electoral Commission worked in various committees and rarely worked in open sessions; and, all the decisions were conveyed by the spokesperson, which significantly reduced the transparency of the workings of the State Electoral Commission.

There was a lack of transparency in the work of the Regional Electoral Commissions, and the Municipal Electoral Commissions, as well; they did not cooperate with our coordinators in the regional offices, denying their presence and not allowing them to observe their work.

Having in mind that this is not regulated by law, MOST recommends a prompt establishment of the secretariat, which would be an expert service of the State Electoral Commission and would work permanently during the period between two election cycles, thereby increasing the quality of the work of the election administration.

Campaign "Domestic Monitoring of Parliamentary Elections 2002"

6. Voters List

Within the frames of the campaign for the checking of the citizens and their data on the **Voters List**, MOST conducted several activities:

- Research of the procedure for checking the Voters list by the citizens;

This procedure was conducted in 14 towns in the Republic of Macedonia, in the regional departments of the Ministry of Justice.

Each voter can exercise his/her right to vote based on whether he/she is entered on the Voters list. This deserves special attention in advance since our law does not allow for corrections and entrance of data on the Voters list on Election Day. The civil association MOST started the realization of the "Voters List" campaign on the basis of Article 18 from the law on voter lists and voters' identification, which states:

"The citizen may demand, throughout the course of the year, to have access to the General Voters list in the offices of the competent body for maintaining the General Voters list, and to demand the entrance, addition or deletion of data for him/herself or for another person by submitting the adequate documentation".

The examination was being performed orally while, for the purposes of entering, adding and deleting data, special written requests had been prepared, which were standardized for all of the regional offices.

There was a total of 172 citizens who took part in this action for the examination, entrance, deletion and/or addition of data in the Voters list.

The regional departments of the Ministry of Justice in fourteen towns of the Republic of Macedonia conducted the procedure for 53 different cases, while the oral requests for the examination of the Voters List was approved, and the examination of the data was conducted, in 40 cases. These 40 citizens that demanded an oral examination of the Voters List had already been entered on the list and their data was correct.

The examination of the entrance, addition, and deletion of data on the Voters List was conducted, upon written request, in 13 cases. The authorities replied that in 7 cases the change had already been done in the line of duty while, in 5 cases, the procedure for changing the data was conducted and the data was changed according to the citizens' requests.

The procedure was not conducted in 119 cases, i.e., in 69% of the cases. In 27 cases of oral requests made by the citizens, the data on the Voters list was not examined. In 33 cases, the written requests for entering, adding and deleting the data were not accepted at all by the incumbents on the regional departments; while 47 of them were accepted, but the citizens received no reply.

The most frequent answers of the incumbents of the regional departments concerning those cases were: it is still early for checking, we do not have the

updated lists, the data was sent to Skopje, the best time to check the list is when it is put at the public's disposal for inspection, there is no need for such demands for adding, entering or deleting data since it is done in the line of duty, we are not competent to do that, a new commission will be established...

One of the facts concerning the examination of the Voters List that should not be omitted is the fact that, during the examinations of the Voters List, it was determined that five deceased persons were included on the list. The procedure for the deletion of the deceased persons was not conducted immediately by the regional departments; instead, they answered that these persons would be deleted according to the prescribed regulations. The persons that reached 18 years of age after the Local Elections in 2000 also had not been entered on the Voters list. This data illustrates the fact that the mechanism for updating the Voters List is not functional.

The regional coordinators, activists, and volunteers that conducted this field check pointed out that the greatest number of regional departments of the Ministry of Justice have excerpts of the Voters List that date from 1999.

- Mass civil campaign for checking citizens data entered on the Voters list

Citizens' Association MOST, on July 20th, 2002, conducted a mass campaign for orally checking the citizens' data on the Voters List in 15 towns in the Republic of Macedonia. This was the first campaign of this type to be conducted in our country. The campaign included around 500 citizens throughout Macedonia who conducted the check of their data on the Voters List on their own. In contrast to the first time, the regional departments of the Ministry of Justice were open for cooperation and allowed the citizens to inspect the list. The campaign failed in three towns due to the absence of the authorities.

The conducted civil campaign presented a positive step in the improvement of the relation between the citizens and the democratic institutions, and an opportunity for engaging the citizens.

- Campaign for the examination of the Voters List while the list was put at the public's disposal for inspection

As part of this stage, a complete media campaign to motivate and inform the public was developed. MOST opened a free telephone line that provided the citizens with the opportunity to obtain information on where and how they could examine and change their data.

The Ministry of Justice put the Voters List at the public's disposal for inspection from 20/07/2002 to 03/08/2002.

According to the Ministry of Justice, around 30,000 citizens checked their data. Taking into consideration the fact that the activities of MOST started much earlier than the public inspection, we believe that MOST made a significant contribution to the motivation and engagement of the citizens.

In the period that followed the public inspection of the Voters List, the Ministry of Justice found that the Ministry of Interior Affairs entered an additional 3,500 persons with valid identification documents on the Voters List; however, with no

permanent residence in the Republic of Macedonia. The Ministry of Justice deleted these persons from the Voters list, but the citizens' suspicion and distrust in relation to the correctness of the list remained. Some deficiencies were noticed by the citizens regarding the precise entry of data, which was also reported to MOST headquarters on Election Day.

MOST hopes that, once the census was taken, all persons that had not regulated their status would be deleted from the list, and that the mechanism for updating the list would start to function properly.

7. Monitoring of the Pre-Election Campaigns of the Political Parties

The elections do not start and end on Election Day. The electoral process is longer than that, and one may say that the electoral race starts with the start of the election campaigns of the political parties. The behavior of the political parties during the pre-election campaigns in the past electoral processes was, to a great extent, not democratic, fair, or correct towards their political opponents; and this behavior certainly jeopardized the organization of fair and democratic elections. MOST believes that monitoring the pre-election period would be of great importance, because one can get a clear picture of the entire electoral process only by examining all of its stages.

7.1 Code for Free and Fair Elections

The pre-election campaign of the political parties for the Parliamentary Elections 2002 officially started on August 15, exactly one month before Election Day. Before the official start of the campaign, the National Democratic Institute, NDI, in cooperation with the largest political parties in the Republic of Macedonia, developed the Code for Free and Fair Elections, through which the parties promised to organize fair campaigns and to refrain from intimidation and violence.

The Code was signed by 28 political parties by the end of July, and it was popularized with the realization of a widespread media campaign, which included the publication of the Code in the six daily newspapers with the largest circulation, as well as daily TV broadcasts and radio clips during the pre-election campaign. Through the media campaign, the citizens were informed of the responsibilities that the political parties had taken, in relation to their behavior during the campaign, through signing the Code.

The respect and application of the Code for Free and Fair Elections was monitored by MOST, through its 16 regional offices in Macedonia. Starting from the Code Preamble, which states that fair and free elections represent the cornerstone of Democracy, MOST believes that the respect of the Code by the political parties is of extreme importance for the elections. The Code neither replaces the existing rules nor is above positive legislation or the Constitution; it only helps in concretely focusing on those issues that proved to be problematic during previous elections.

By signing the Code for Free and Fair Elections, 28 political parties morally committed themselves to respect the citizens and their political opponents during the pre-election campaign and throughout the electoral process. The pre-election campaign was monitored and attention was focused on each separate campaign segment:

7.2 Monitoring of Party Rallies

The regional offices of MOST monitored more than 110 party rallies, public events, meetings with citizens, and other party activities. MOST visited the rallies and meetings of those political parties that submitted, through their election headquarters, information to MOST about their electoral activities; as well as those meetings and rallies for which our coordinators received direct information. These parties were: the coalition of VMRO-DPMNE and LP, the coalition "For Macedonia", VMRO-Real, VMRO-Macedonian, Democratic Party of Albanians, Democratic Alliance, Democratic Union for Integration, National Democratic Party, Party of Democratic Prosperity, Republican Party of Macedonia, Social Democratic Union of Macedonia, and the Socialist Party of Macedonia.

In this election campaign hundreds of citizens actively demonstrated their political will for democratic elections, and for the first time went out in the streets in great numbers and participated at party meetings and rallies throughout Macedonia. This was proof that, this time, the citizens were seriously interested in their future and in the party programs and truly wanted free and fair elections.

Due to the agreement that the political parties reached, we witnessed well-organized meetings and a peaceful election campaign. The rallies were well organized, while the party people and the police kept public order. On several occasions, the political parties cooperated so as to avoid overlapping of the rallies, which contributed to the avoidance of incidents between party supporters. This was a positive step on the part of the political opponents. We should also applaud the agreement that the coalition of VMRO-DPMNE and LP and the coalition "For Macedonia" reached, not to put party posters over the posters of their opponents in Tetovo. Another positive example was the initiative of the four political parties of Albanians in Macedonia - PDP, DPA, DUI, and NDP - who, on August 30, 2002, signed a declaration condemning the use of violence during the election campaign, and appealing for fair and democratic elections.

On several occasions, just before the beginning of the party rallies, the political parties were distributing packages of food products, so as to motivate the citizens to cast their votes for that party.

7.3 Political Rhetoric

The political vocabulary that was used at the rallies contained a lot of insults and accusations. The parties had committed themselves not to publish or state accusations with insulting and provocative contents directed toward other parties, candidates, or persons. But they did not observe this in their public appearances. The observers of MOST were present at the rallies, public events, and other public appearances of the political parties throughout the country, and recorded 16 cases of verbal assaults, mostly directed toward the political parties in power. MOST regrets the fact that the political parties and their representatives in the election campaign dealt with the private lives of their opponents, continued to use hate speech, and did not observe the Code of Conduct that they had signed.

7.4 Posters

The greatest number of violations of the Code is related to the placement of posters, and the overlapping of posters and other election materials. Also, it was noted that a great number of municipalities did not adopt decisions for the designation of places for putting up posters.

The political parties that had greater funds on disposal violated the Code more often than the others did. Thus, the coalition between VMRO-DPMNE and LP, the coalition "For Macedonia", Democratic Center, Socialist Party of Macedonia, and VMRO Macedonian committed the greatest number of such violations. In general terms, Article 8 of the Code and the provisions referring to party behavior, were mostly violated during the election campaign. In the village of Debreše, Prilep, an activist of DUI was attacked physically while he was putting up posters. In addition, many cases of the destruction and damaging of billboards were recorded. The Code of Conduct, as well as the election silence, was also violated on Election Day when, in the morning, the immediate surroundings of the polling stations were covered with leaflets of indecent and vulgar contents, directed toward the leader of SDSM, the rest of the parties of the coalition "For Macedonia", and DUI.

7.5 Incidents

The regional coordinators of MOST confirmed the authenticity of some of the incidents that were covered by the media. The incidents in the initial stage of the campaign, such as breaking of store windows, writing of graffiti, shootings, etc., were only isolated incidents; still, one could easily interpret them as incidents with a political background, because they happened during the pre-election period.

A lot of incidents also took place in the last week of the election campaign. The regional office of MOST in Prilep reported a violation of the codex that took place on September 8. Barricades were put up on the road to Prilep, which violated the conditions for free campaigning of several political parties that were organizing meetings and rallies in that region, namely the rallies of the coalition "For Macedonia", the Democratic Alliance, and VMRO-Macedonian.

On September 8th, before the start of the meeting of the coalition "For Macedonia", a large group of citizens, who were not activists of this coalition, chanted insulting slogans and obstructed the workers that were setting the stage for the rally. On two occasions, before and after the meeting, automatic firearm shots were fired in the air in the immediate vicinity of the city square where the rally took place. The meeting that DUI planned to hold in Skopje was prevented from happening by roadblocks on the Tetovo-Skopje road.

The activists and volunteers of MOST recorded the following incidents: two cases of brawls, two cases of shooting firearms during public events, 11 cases of recorded violation of the Code of Conduct and other provocations, and three cases of the abuse of children for political purposes.

MOST most strongly condemned the murder of the two police officers in Gostivar, the roadblocks, and the prevention of several party meetings. During the election campaign, MOST witnessed daily kidnappings in the crisis areas, and we deeply regret the murder of the police officer in the vicinity of Tetovo. Certain groups disturbed the campaign with cowardly acts directed towards achieving their own interests. The shootings, the assaults on party headquarters in several towns, and the kidnapping of civilians are seen by MOST as attempts to intimidate the voters and deprive the political parties of their right to organize normal and peaceful campaigns.

7.6 Overall Evaluation

The overall evaluation of MOST is that the violation of the Code was present in the election campaign of the political parties. Despite a positive start, as the campaigns progressed, certain events and incidents violated the democratic right to a fair campaign, and therefore, to fair and democratic elections.

However, this election campaign was different from all of the previous campaigns. For the first time, the citizens went out onto the city squares in all of the towns in Macedonia to follow the meetings of the political parties. The great numbers of citizens at the party meetings indicated that the citizens understand the great importance of the elections and wanted democratic campaigns, i.e. democratic elections. MOST believes that the independent report of the Broadcasting Council on the media coverage of the election campaign contributed to the increase in citizens' confidence in the institutions of the state. The massive response of the citizens is also due to the numerous civil initiatives of the NGO's, led by MOST, which activated its projects long before the official start of the election campaign.

Campaign for the Recruitment of Volunteers and Poll-Watchers

8. MOST Observers

After the media campaign (several campaigns for the recruitment of volunteers; and several other activities for raising interest among the citizens and engaging them as domestic observers), 2,872 citizens in total were accredited as observers of MOST.

MOST covered 1,524 of the total number of 2,973 polling stations, i.e. 51.26%. Of a total of 2,872 accredited observers, 2,650 were present at the polling stations throughout the entire Election Day, and their basic task was to report on the course of the voting process. 2,154 of them were stationary observers, while the rest were engaged in mobile teams, coverage of PVT places, and in the regional offices of MOST. All of the MOST observers who were positioned at the polling stations had no problems with the Electoral Boards, with the exception of one polling station (No. 0504 Chegrane), where the observers were told that they were not allowed to observe the elections because they were coming from another municipality, despite the fact that they had the proper credentials, personal identification documents, and the authorization of MOST.

The observers of MOST notice that all of the conditions for a secret and free vote were met during the course of Election Day. On Election Day itself, the domestic observers pointed out that the electoral process was organized well and in compliance with relevant laws and regulations.

Although the elections passed in a free and democratic ambience, the observers noticed some irregularities that were not as small as we would have liked them to be. Irregularities were noticed in the following cases:

- 16.07 % of the voting was proxy voting; in 11.14% of the cases, evident activities of the political parties were determined; and in 9.61 % of the cases, the observers noticed the presence of propaganda materials in the vicinity of the polling stations.
- Because of the new manner of carrying out the elections that arose from the new electoral legislation, several technical omissions were made: the voting did not start and end at the designated time, and there were problems with the registration and identification of the observers. The common indicator of the above-mentioned remarks is not larger than 5%. At 5.24% of the polling stations, there were no police present.

The domestic observers got the impression that the majority of the members of the Electoral Boards were well-informed and trained. We may state that progress had been achieved in this segment, and the recommendation of MOST is that the training of the Electoral Boards should be institutionalized. By doing so, the Electoral Boards, which are the most important links in the chain of the electoral

process, would be adequately trained and qualified to conduct the electoral procedure.

The problems with the Voters List were not so numerous this year, with the exception of the 6th Electoral District in the municipality of Gostivar. Some of the citizens were not included on the list, while others were transferred to other polling stations. This confused a lot of the citizens, and many of them were not able to cast their votes.

The counting of the votes at the polling stations was carried out in the best possible order, and the observers of MOST did not notice any irregularities.

8.1 Calls on the Free Telephone Line

During the course of the Election Campaign, as well as on Election Day, a large number of citizens called the free telephone line 080 080 080 and gave their comments and reactions as related to the electoral process. On Election Day around one hundred calls were registered. The citizens called most frequently to complain that they were not included on the Voting List, predominantly in Gostivar and Skopje. The citizens also reacted to the violations of the election silence, especially about the putting up of posters in the morning hours, the distribution of leaflets with indecent and vulgar content, and about party activists agitating in several polling stations. There were also many citizens who called to express their satisfaction with the manner of voting, the good conduct of the members of the Electoral Boards, and the presence of the MOST observers at the polling stations.

Statistical data: for Electoral Districts 1 to 6

Total number of stationery observers: 2,154 (each observer filled in the form given below, and the processed data is based on the forms that the observers submitted)

Data expressed in numbers and percents	Yes		No	
	Nr	%	Nr	%
1. Did you have problems during the registration as a observer?	96	4,45	2058	95,54
2. Did the voting started at 07:00 a clock?	2014	93,50	140	6,49
3. Were all three members of the Election Board present during the voting?	2137	99,21	17	0,78
4. Did the voting box was empty before the opening of the polling station?	2154	99,99	0	0
5. Was there any propagand material in or out the polling station?	207	9,61	1947	90,38
6. Was it clearly placed: voting instruction, party lists and number of the polling station?	2099	97,44	55	2,55
7. Do the Election board has all the materials?	2139	99,30	15	0,69
8. Did voters are properly registrated and identified ?	2121	98,46	33	1,53
9. Was the voters' right big finger noted with transparent oil?	2138	99,25	16	0,74

9. Processing of Votes and Post-Election Stage

MOST recorded mistakes in the tabulation of the votes, as well as tardiness in the submission of the election materials to the Regional Election Commissions by the Municipal Election Commissions. The tabulation mistakes were particularly prominent in the minutes of the Regional Election Commissions, where the votes were not processed correctly and many differences existed. There was also some disagreement between the data of the regional election commissions and the unofficial results that were published by SEC. Namely, the primary and unofficial results that were published on the web page of SEC did not correspond to the results in the minutes of the regional election commissions.

The most striking example was the mistake in tabulation that was made in the record of the Regional Election Commission in electoral district No. 6, where 14,000 votes were missing. Mistakes were made also in the other districts. Such differences in the number of votes led to confusion and blunder and, what is most important, such mistakes could have meant mistakes in the calculation of the number of mandates for the separate political parties. MOST submitted its comments and notes to the SEC in due time and informed the public at a press conference.

The State Election Commission kept publishing the results, and the distribution of the mandates changed frequently; while, at the same time, there was no insight in the results, which led to additional suspicion and citizens' distrust in the work of SEC. The work of the SEC was thus made insufficiently transparent and open, and the work of the regional commissions was insufficiently professional. The computer center of SEC proved to be inefficient in the processing and the tabulation of the data.

9.1 Objections and complaints

Due to the above-mentioned mistakes, many political parties filed complaints regarding the published results.

In the legally prescribed period, a total of 11 parties and coalitions filed complaints related to incorrectly entered data and voting results to the SEC.

The coalition "Za Makedonija" filed complaints for violations of the secrecy of the vote, as well as complaints for incorrectly entered data from the minutes for the primary results in electoral districts 1, 3, 4 and 6. Complaints of mistakes in the tabulation of votes were also filed by SPM and NDP. DPA filed a complaint on polling station No. 2348 where, instead of 450 votes, 0 votes had been entered in the record. The SEC accepted this complaint. The greatest number of complaints was accepted; i.e., the mistakes and the conflicting results were confirmed, and the results were corrected on the basis of these complaints.

The second instance for solving electoral disputes is the Supreme Court of the Republic of Macedonia. A total of 8 complaints were filed to the Supreme Court, and 7 of those complaints were referring to the results that were determined by the SEC.

On September 27, SEC published the final results, according to which the coalition "Za Makedonija" won 60 mandates, the coalition of VMRO-DPMNE and

LP won 33 mandates, the Democratic Union for Integration 16, the Democratic Party of Albanians 7, the Party for Democratic Prosperity of Albanians 2, and the Socialist Party of Macedonia and the National Democratic Party won 1 mandate each. SEC noted that there is a possibility for eventual changes in the number of mandates after the repeated voting in the villages of Lesok and Orkuse, ED 6, scheduled for September 29.

The following tables contain the tabulation errors discovered by MOST during the data processing of the Regional election committee reports and the results posted on the SEC web-page. These tables were also submitted to SEC.

Election District 1		
REC	SEC	difference
voted	voted	
208 564	208 564	0
invalid	invalid	
3 242	?	?
valid	valid	
205 322	?	?
sum of votes	sum of votes	
206 401	206 401	0
difference	difference	
(+) 1 079	(-) 2 163	

Election District 4		
REC	SEC	difference
voted	voted	
	214 277	
invalid	invalid	
	?	?
valid	valid	
	?	?
sum of votes	sum of votes	
210 644	210 779	135
difference	difference	
	(-) 3 498	

Election District 2		
REC	SEC	difference
voted	voted	
205 273	203 555	1 718
invalid	invalid	
5 810	?	?
valid	valid	
199 463	?	?
sum of votes	sum of votes	
	204 191	
difference	difference	
	(+) 636	

Election District 5		
REC	SEC	difference
voted	voted	
189 896	189 484	412
invalid	invalid	
2 999	?	?
valid	valid	
186 897	?	?
sum of votes	sum of votes	
187 265	186 940	325
difference	difference	
(+) 368	(-) 2 544	

Election District 3		
REC	SEC	difference
voted	voted	
217 680	217680	0
invalid	invalid	
4 893	?	?
valid	valid	
212 787	?	?
sum of votes	sum of votes	
205 762	205 762	0
difference	difference	
(-) 7 025	(-) 11 918	

Election District 6		
REC	SEC	difference
voted	voted	
196 862	189 151	7 711
invalid	invalid	
2 356	?	?
valid	valid	
194 506	?	?
sum of votes	sum of votes	
180 069	180 349	280
difference	difference	
(-) 14 437	(-) 8 802	

9.2 Repetition of voting

After the procedure was completed, the elections were repeated only in two polling stations, PS 2009 in the village of Lesok (repeated because of theft of the ballot box) and PS 0504 in the village of Orkuse (where there was no voting at all on September 15 because the owner of the house where the polling station was supposed to be located did not give his approval).

The observers of MOST monitored the voting on September 29, which passed in a peaceful ambience without any problems. SEC confirmed the primary results at a press conference on September 29, and thus confirmed the 60th mandate for the coalition "Za Makedonija".

On September 30th, SEC held a press conference and confirmed that 135 completed ballots and 108 unused ballots were missing. 785 voters were entered in the voters' list of this polling station, and 404 citizens cast their votes on September 15. Only 269 ballots were found in the ballot box, while 273 ballots remained unused in the election material. However, SEC pointed out that these votes would not influence the final results in the electoral district 2 where this polling station belongs. Nevertheless, reporting a theft of ballots 15 days after the elections, as far as MOST is concerned, creates a great deal of unclearness about the theft.

10. The PVT project (parallel vote tabulation)

Parallel Vote Tabulation, PVT, is a project that was implemented successfully by MOST within the frames of the campaign "Domestic Monitoring of the Parliamentary Elections, 2002". This campaign was organized for the purpose of achieving full transparency in the election process by increasing the citizens' participation and, most importantly, for the purpose of determining the regularity of the elections. The goal of the PVT project is to provide an independent overview of the election results.

The parallel vote tabulation, also known as fast counting, in combination with regular monitoring, helps us discover potential election frauds and deficiencies in the tabulation, even at poll stations that are not monitored. If we exclude the related preparations, the PVT project is basically reduced to two main parts: preparation of a sample from the polling station, and the collection and processing of results on Election Day.

MOST realized its project using a sample of 10% of the polling stations. The good preparation of the sample, together with adequate expert opinion, provided for limit values - i.e., minimal mistakes. It must be stated that the results of the project are not the final results in terms of the distribution of the mandates. However, the level of precision of the projected distribution of the mandates gives us assurance that, in case of a large discrepancy between the projected and the official results, there is a great probability that election frauds were committed.

The sample of MOST is divided in 6 parts, i.e., there are separate samples for each of the electoral districts. This selection from the polling stations in the sample according to the probability system allowed for minimal mistakes in the results. The good arrangement of the polling stations according to their geographic distribution also contributed to this fact.

ED	Num. Of Polling stations	Num. Of Polling stations in the sample	Number of voters	Number of voters in the sample
1	429	50	279593	34832
2	381	54	279717	39027
3	625	51	277236	24487
4	558	51	277126	27274
5	547	50	272842	28095
6	433	52	277782	33883
total	2973	308	1664296	187598

MOST covered the greatest number of the PVT polling stations, but had problems covering those polling stations that were located in the ethnically clean Albanian places in the crises regions of western Macedonia.

MOST established a special data processing PVT centre. The necessary data for the completion of the PVT projection were gathered and processed by 12 PM on Election Day, which gave the primary picture of the distribution of the mandates. In the following few hours we received the rest of the reports and got the full picture of the distribution of votes per electoral district. The following tables provide a review of the lists of candidates who would enter the Parliament with an appropriate number of votes (percentage) won for each separate district.

On September 15, after receiving the data from the PVT observers, MOST published the results on its web page. The results from electoral district No. 1 were not published due to the incompleteness of data and results, mainly from the Albanian polling stations. The PVT results from ED 1 did not have sufficient samples from the votes of the Albanian population. All percentages of the results of MOST have only slight deviation, except for those referring to ED 1. According to MOST's analysis, all of the mandates that were distributed in each of the ED's are inaccurate by only 1 mandate each; except for ED 1, where two mandates were distributed inaccurately.

		SEC	seats	MOST	seats
District 1	Coalition "ZA"	48.11	13	53,35	14
	VMRO/LP	18.48	4	21,13	5
	DUI	9.05	2	3,77	1
	NDP				
	DPA	5.46	1		
	PDP SPM				
District 2	Coalition "ZA"	40.46	11	42,12	11
	VMRO/LP	18.14	4	18,97	4
	DUI	10.7	2	8,29	2
	NDP	6.22	1	5,49	1
	DPA	5.52	1	5,36	1
	PDP SPM	4.09	1	4,51	1
District 3	Coalition "ZA"	48.46	11	50,26	12
	VMRO/LP	35.85	8	34,83	8
	DUI			0	
	NDP				
	DPA				
	PDP SPM	4.06	1		
District 4	Coalition "ZA"	49.91	11	51,12	12
	VMRO/LP	38.22	9	36,49	8
	DUI			0	
	NDP			0	
	DPA			0	
	PDP SPM				

District 5	Coalition "ZA"	42.08	10	45,8	11
	VMRO/LP	30.88	7	30,09	7
	DUI	10.13	2	8,5	2
	NDP				
	DPA	4.56	1		
	PDP				
	SPM				
District 6	Coalition "ZA"	17.29	4	17,49	4
	VMRO/LP	6.35	1	6,81	1
	DUI	46.47	10	43,04	9
	NDP			4,52	1
	DPA	17.45	4	18,45	4
	PDP	4.93	1	5,51	1
	SPM				
TOTAL	SDSM coalition		60		64
	VMRO/LP		33		33
	DUI		16		14
	NDP		1		2
	DPA		7		5
	PDP		2		2
	SPM		1		1

The PVT program also enabled the detection of the above-mentioned mistakes in the tabulation of the votes, certainly supported by the minutes of the regional election commissions.

11. Overall opinion

In the opinion of MOST, the election process, taken as a whole, was satisfactory, and the very act of voting on Election Day was very positive. The elections passed in a peaceful and democratic ambience. We may say that progress in all elements of the election process was achieved during these elections, as compared to the previous elections.

The citizens were well informed of the course of the procedure and of the separate stages of the elections. However, the educational level of some of the members of the Electoral Boards was insufficient.

In terms of the adoption of the Electoral Law, the constitution of the election administration, and the election materials, everything was organized well and in due time. The large number of candidates and lists of candidates, political parties, accredited media, international and foreign observers, as well as the good turnout of the voters, speak in favour of the level of public awareness regarding the importance of these elections.

Nevertheless, MOST also considers the election process to be far from stable. It is difficult to say what would have been the outcome of the election process if it had not been for the permanent assistance of the international community. The newly elected electoral administration is faced with the difficult task of building a sustainable and stable election process. MOST can confirm that there is a political will to achieve this, coming from the SEC; however, it will take a lot more to make the citizens of the Republic of Macedonia feel proud of the elections.

MOST would like to express its gratitude to all of the donors that supported its campaign (NDI, the Canadian Embassy, Norwegian Embassy, IOM-CBI, the Westminster Foundation, OSCE, USAID), and to express its special gratitude to the citizens, who are to credit for the most successful and comprehensible monitoring in Macedonia so far.

