

OSCE Office for Democratic Institutions and Human Rights
Observation Mission to the Referendum
7 November 2004

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International Observer Guide
November 2004
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1. WELCOME FROM THE HEAD OF MISSION

Dear Observers,

I am delighted to welcome you to ODIHR Observation Mission for the 2004 Referendum in the Former Yugoslav Republic of Macedonia. Together we face a great task. This referendum bears consequences to the Municipal Elections to be held next year. A genuine and peaceful referendum process here is also of key relevance to the region as a whole.

The role of the Mission is to observe the referendum process in the now classical way. We apply to the referendum the same methodology as to observation of elections. We are bound by our own Code of Conduct, a copy of which is found on page 16 of this manual, and the laws of the country. We are required to remain strictly impartial, not to interfere in the process, to base all of our conclusions on well documented and factual evidence and to avoid making personal or premature comments about our observations. The work of an election observer is challenging and rewarding and your work will be of vital importance in making a major contribution to the overall assessment that we will make of the entire referendum process.

Many of you bring a wealth of previous experience to the role, which will be of great value to us all. The country around you is attractive and of immense interest, with a fine tradition of hospitality. Nonetheless, one cannot always take one's circumstances for granted, and prudence and sound judgement are always good companions. Your own safety and well being are of paramount importance.

We have been working to a tight schedule for this referendum. Both the Core Team and the Long Term Observers around the country have made all efforts to prepare and equip you for your duty. If there is anything further you feel you need, please do ask. We are all here to support each other.

Once again, welcome to Skopje. We are very much looking forward to working with you.



Dr Friedrich Bauer
Ambassador
Head of OSCE/ODIHR Observation Mission to the Referendum

2. INTRODUCTION

This International Observer Guide provides Short-Term Observers (STOs) with a comprehensive overview of their role and duties during the Observation Mission to the Referendum (OMR) under the auspices of the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR). While the Guide cannot cover all situations that may arise in the field, it does provide the basic information and background necessary for STOs to perform effectively and to make a full contribution to the success of the OMR. STOs are expected to read and be familiar with the information of this Guide. The Annexes and other items that are included in your STO Briefing Pack provide additional useful information that can be consulted as needed. Other OSCE/ODIHR election publications provide more details and analysis of specific aspects of election observation.¹

OSCE/ODIHR STOs will be deployed in teams of two, one day before referendum day. Often, they will be assigned to cities far from the capital, where they may face difficult living and working conditions. They are assisted by an interpreter and a driver. The OMR Core Team – and in particular the Long-Term Observers (LTOs) – offer support as needed. In general, however, STOs operate with a considerable degree of independence, setting their own schedules and agendas within a general framework set out by the LTO. Serving as an STO is demanding and challenging, and can require a great deal of initiative and perseverance. At the same time, it is a rewarding experience that enables an individual to acquire knowledge of a country and its people, as well as its electoral process. The large majority of STOs greatly enjoy the experience, and most sign on for further elections.

¹ More detailed and specialized guidance for members of election observation missions is available in a number of other OSCE/ODIHR publications, including the *Election Observation Handbook*, the *Handbook for Monitoring Women's Participation in Elections*, the *Guidelines for Reviewing a Legal Framework for Elections*, the *Guidelines to Assist National Minority Participation in the Electoral Process*, the *Handbook on Election Dispute Resolution*, and the *Administration Handbook for Election Observation Missions*, as well as papers entitled 'International Standards and Commitments on the Right to Democratic Elections: A Practical Guide to Democratic Elections Best Practice' and 'Existing Commitments for Democratic Elections in OSCE Participating States, A Progress Report'. All of these publications are available either in hard copy from the OSCE/ODIHR or electronically on the OSCE/ODIHR website: www.osce.org/odihr.

3. INTRODUCTORY INFORMATION

3.1 Calendar for Short-Term Observers

Wednesday 3 and Thursday 4 November
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<i>R-Day – 4/3</i>

ARRIVAL

Upon arrival at Skopje airport, all Short-Term Observers (STOs) will be met and brought by bus to the Hotel Continental, where you will be accommodated until deployment to your areas of responsibility. It is mandatory to stay in Hotel Continental. Each STO will receive a comprehensive Briefing Pack. After registration at the Observation Mission desk, STOs have an evening free of duties.

Friday 5 November

<i>R-Day – 2</i>

BRIEFING

All STOs are required to attend a ‘Briefing for International Observers’, which will take place in the Hotel Continental. Registration is from 0830 to 0930 (for receipt of your accreditation and additional materials as required). The briefing begins at 0930 sharp. Lunch will be provided.

Following the briefing, each STO will meet with their team partner and a Long-Term Observer (LTO) from their area of observation. STOs will receive a regional briefing from the LTO team. The LTO team will advise on relevant issues such as specific political issues and the logistic arrangements.

The STO deployment plan for Referendum Day will be posted in the hotel lobby on Friday 5 November. This deployment plan is fixed and cannot be changed.

Saturday 6 November

<i>R-Day – 1</i>

DEPLOYMENT and FAMILIARISATION

STOs will depart to their respective regional centre. The schedule for departure will be posted in the hotel lobby on Friday. Details on regional accommodation will be provided by LTOs.

Upon arrival in the regions, STOs will meet with their driver and interpreter. LTOs will have made appropriate arrangements for accommodation in the regions. Some STOs may be deployed to a secondary deployment area.

All STOs will familiarize themselves with their deployment area.

Each STO team will, in consultation with the LTO team, prepare a draft movement plan for referendum day – including preliminary choices of polling stations for observation of opening and closing – that allows a cross-section of polling stations to be observed.

STOs should be aware of the general ‘electoral climate’ and take note of any incidents, or campaigning during the 48-hour campaign ‘silence’ period on the day before polling day. It is likely that STOs will meet municipal election commission members and/or election board officials preparing for Referendum Day, and it is usual to discuss how preparations are going.

STOs may be approached with information about electoral violations or other complaints. Detailed notes should be taken and the LTO team should be informed. Depending on the circumstances, observers may need to investigate further or take other follow-up action.

Sunday 7 November	Referendum Day
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OBSERVATION

See **Chapters 14 and 16** for detailed advice of referendum day observation. For security reasons, all STOs must report back to their LTOs upon return to their accommodation. All STOs are also required to debrief with their LTO team after finishing their observation on Sunday night / Monday morning.

Monday 8 November	E-Day + 1
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DEBRIEFING AND RETURN TO THE CAPITAL

STOs may be required to participate in an early regional group debriefing held by their LTO teams. The outcome of all debriefings will be consolidated and returned to the Head Office before finalization of the Statement of Preliminary Findings and Conclusions by the OSCE/ODIHR Observation Mission to the Referendum.

STOs will return to Skopje to Hotel Continental. A schedule and pick-up details will be provided by respective LTOs.

STOs are invited to attend the press conference which will take place in Hotel Holiday Inn at 1400.

At 20:00, STOs are invited for a farewell reception in Hotel Continental.

Tuesday 9 November	E-Day + 2
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DEPARTURE

STOs will depart from Skopje according to their flight schedules. Departure times will be posted in the lobby of Hotel Continental during the evening of 8 November.

<p>Note: The security and safety of observers is of the highest priority and will take precedence in all OMR activities, including the deployment plan. An ongoing security assessment will be conducted by the OMR Security Officer. An initial assessment has determined that there are no specific security concerns relevant to the identified areas of deployment other than those related to standard health and safety issues. All observers will receive a security briefing upon arrival and will be required to operate in accordance with security guidelines.</p>
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IMPORTANT: All STOs should ensure they arrive in the country with adequate insurance (inc. medical evacuation, accident and property) as this will not be provided by the OSCE/ODIHR.

3.2 OSCE/ODIHR Observation Mission to the Referendum Core Team International Staff

Head of Mission	Ambassador Friedrich Bauer (AT)	Friedrich.Bauer@odihr.org.mk Room 207, Tel. Office + 389 (0) 2 32 19 825: Mobile: + 389 (0)70 965 284
Deputy Head of Mission / Political Analyst	Angela Bargellini (IT)	Angela.Bargellini@odihr.org.mk Room 206, Tel. Office + 389 (0) 2 32 19 836: Mobile: + 389 (0)70 975 342
Legal Analyst	Vanja Skoric (CRO)	Vanja.Skoric@odihr.org.mk Room 204, Tel. Office + 389 (0) 2 32 19 834: Mobile:+ 389 (0)70 965 282
Election Analyst	Rumen Maleev (BUL)	Rumen.Maleev@odihr.org.mk Room 204, Tel. Office + 389 (0) 2 32 19 827: Mobile:+ 389 (0)70 975 344
Media Analyst	Mirella Marchese (IT)	Mirella.Marchese@odihr.org.mk Room 209, Tel. Office + 389 (0) 2 32 19 823: Mobile:+ 389 (0)70 975 349
LTO Coordinator	Hannah Roberts (UK)	Hannah@odihr.org.mk Room 210, Tel. Office + 389 (0) 2 32 19 845: Mobile:+ 389 (0)70 965 352
Logistics Officer	Lex van Voorst (NED)	Lex.vanVoorst@odihr.org.mk Room 210, Tel. Office + 389 (0) 2 32 19 844: Mobile:+ 389 (0)70 965 350
Logistics Officer	Goran Petrov (MK)	goran@odihr.org.mk Room 210, Tel. Office + 389 (0) 2 32 19 843: Mobile:+ 389 (0)70 262 283
Security Officer	Torsten Jaeckel (SWE)	Torsten.Jaeckel@odihr.org.mk Room 204, Tel. Office + 389 (0) 2 32 19 833: Mobile:+ 389 (0)70 975 348
Finance Officer	Angela Ghilascu (MD)	Angela.Ghilascu@odihr.org.mk Room 213, Tel. Office + 389 (0) 2 32 19 826: Mobile: + 389 (0)70 965 355

3.3 OSCE/ODIHR Observation Mission to the Referendum – Long Term Observers

3.3.1 Role of Long Term Observers (LTO)

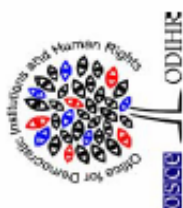
LTOs are sent by member states and by ODIHR to each ODIHR Election Observation Mission (EOM). In accordance with ODIHR observer methodology, it is important for each EOM to have a long-term approach, enabling a full and substantive analysis of the election.

In the case of the Observation Mission to the Referendum (OMR), there are twelve LTOs who have been deployed in seven regional centres.

LTOs are essentially used as the regional representatives of the OMR. LTOs will replicate at the regional level most of the tasks the core team carry out at the national level. For example, whilst the core staff will meet with the State Election Commission and political parties at the national level, LTOs will meet with Municipal Election Commissions and political parties in their regions.

LTOs are also responsible for deployment of STOs in their regional centre and managing their teams of STOs.

3.3.2 LTO Teams



LTO Deployment
OSCE/ODIHR Observation Mission to the Referendum
Former Yugoslav Republic of Macedonia 2004
Makedonija 19, Makosped building 2nd floor, 1000 Skopje. Tel: (+389) (0) 2 32 19 820.

Team No	Base	No of MECs	MECs	No of LTOs	LTO Name and Mobile No	LTO Name and Mobile No	Email
1	Skopje	5	Centar Chair Gazi Baba Veles Kisela Voda	1	Anna Owen (UK) 070 965 356		lto1@odlhr.org.mk
2	Tetovo	5	Debar Gostivar Karposh Mak. Brod Tetovo	2	Raphael Wuesthoff (US) 070 965 369	Lilian Skoglund (Sweden) 070 975 343	lto2@odlhr.org.mk
3	Struga	4	Kichevo Ohrid Resen Struga	2	Lucy Young (UK) 070 965 354	Matthias Dornfeldt (Germany) 070 965 299	lto3@odlhr.org.mk
4	Bitola	6	Bitola Demir Hisar Kavadarci Krushevo Negotino Prilep	2	Elaine Thro (USA) 070 975 345	Peter Egloff (Switzerland) 070 965 251	lto4@odlhr.org.mk
5	Strumica	5	Berovo Gevgelija Radovish Strumica Valandovo	2	Styllanos Kastrandias (Greece) 070 965 370	Klaus Selle (Germany) 070 965 296	lto5@odlhr.org.mk
6	Shkup	6	Delchevo Kochani Probitship Shkup Vinica Sveti Nikole	2	Tori Lund (Norway) 070 965 281	Patrick Pacaud (France) 071 588 479	lto6@odlhr.org.mk
7	Kumanovo	3	Kratovo Kriva Palanka Kumanovo	1	Max Oser (Switzerland) 070 965 351		lto7@odlhr.org.mk

4. Referendum Overview

Referendum issue:	In July 2004 the government proposed reducing the number of municipalities from 123 to 84 in a new Law on Territorial Organization. Both these changes and the process involved have been strongly criticized.
Referendum question:	Asks if voters wish there to be 123 municipalities (a return to the previous system of municipal districting as decided in 1996).
Requirement for passing of the referendum:	50% turnout and a simple majority. The turnout requirement has resulted in those opposing the referendum encouraging non-participation of voters. For a successful referendum, 854,769 voters are required to participate (the total voting population is 1,709,536).
Referendum initiated by:	The collection of 180,454 signatures (150,000 were required) initiated by the World Macedonian Congress - President = Todor Petrov.
The campaign:	The campaign is called 'propaganda'. There is no requirement for registration of campaign entities (and therefore no regulation of campaign finance).
Political Parties	
- SDSM	Social Democratic Union of Macedonia. Ethnic Macedonian. Won approximately 42% of the votes in the Presidential election (winning candidate = Branko Crvenkovski).
- VMRO-DPMNE	Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity. Ethnic Macedonian. Won approximately 34% of the votes in the Presidential election (candidate = Sasko Kedev).
- DPA	Democratic Party of Albanians. Ethnic Albanian. Won approximately 9% of the votes in the Presidential election (candidate = Zidi Xhelili).
- DUI	Democratic Union for Integration. Ethnic Albanian. Won approximately 15% of the votes in the Presidential election (candidate = Gzim Ostreni).
Ruling coalition: SDSM, and DUI and the LDP (Liberal Democratic Party).	
Prime Minister	Hari Kostov (close to SDSM)
Election Structure	SEC (State Election Commission) and 34 MECs (Municipal Election Commissions) and 2973 EBs (Election Boards).
Domestic Observers	MOST

5. THE OSCE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS

5.1 Background to OSCE and the Human Dimension

The Office for Democratic Institutions and Human Rights (ODIHR) is the principal institution of the Organisation for Security and Cooperation in Europe (OSCE) responsible for the 'human dimension'. This means that ODIHR works to help OSCE participating States 'to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and ... to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society' (the 1992 Helsinki Document).

OSCE commitments in the human dimension are unique since they extend far beyond the standard protection of human rights and fundamental freedoms, to include the promotion of the rule of law and democratic institution building. OSCE standards apply to all participating States; the fact that all decisions are made on the basis of consensus means that no participating State can claim that certain commitments do not apply to it. The OSCE approach to human dimension issues is strengthened by a co-operative approach to security that aims at assisting rather than isolating States that fail to live up to their commitments.

5.1.1 The Copenhagen Documents

The 1990 Copenhagen Document (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE) was the first of its kind to deal extensively with the human dimension. It remains the most important source of OSCE commitments in the human dimension. It established that the protection and promotion of human rights is one of the basic purposes of government and that their recognition constitutes the foundation of freedom, justice and peace. The OSCE standards relating to elections are contained in Articles (6), (7) and (8):

- (6) The participating states declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government.
- (7) To ensure that the will of the people serves as the basis of the authority of government, the participating States will:
 - (7.1) hold free elections at reasonable intervals;
 - (7.2) permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote
 - (7.3) guarantee universal and equal suffrage to adult citizens;
 - (7.4) ensure that votes are cast by secret ballot or by equivalent free voting procedure, and that they are counted and reported honestly....;
 - (7.5) respect the right of citizens to seek political or public office....;
 - (7.6) respect the right of individuals and groups to establish political parties....;
 - (7.7) ensure that law permits campaigning to be conducted in a fair and free atmosphere....;
 - (7.8) provide that no legal or administrative obstacle stands in the way of unimpeded access to the media....;

(7.9) ensure that the candidates who obtain the necessary number of votes ... are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.

(8) The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process....

5.2 Background to the OSCE/ODIHR

The ODIHR, which is based in Warsaw, Poland, has been growing steadily since its creation as the Office for Free Elections (OFE) under the Charter of Paris in 1990. In 1992, the original name of the office was changed in order to reflect the expansion of its mandate to include human rights and democratisation. Today it employs over 120 staff members and is active throughout Eastern and South-Eastern Europe, the Caucasus and Central Asia.

The Office for Democratic Institutions and Human Rights:

- promotes democratic elections, through a cycle of in-depth observations of national elections and assistance projects aimed at strengthening democracy and good governance, and enhancing stability;
- provides practical support in consolidating democratic institutions and the respect for human rights as well as strengthening civil society and the rule of law through targeted projects; it also assists OSCE Field operations in their human dimension activities;
- serves as the OSCE Contact Point for Roma and Sinti issues
- contributes to early warning and conflict prevention, by monitoring the implementation of human dimension commitments undertaken by the participating states.

Ambassador Christian Strohal is the Director of the ODIHR.

5.3 OSCE/ODIHR and Observation Missions to Referenda

The ODIHR promotes democratic elections throughout the OSCE area by observing elections and providing election training and assistance. Mr Gerald Mitchell is the Head of the ODIHR Election Section.

The ODIHR has developed a methodology which reflects the understanding that election observation is not a one-day event and that an informed assessment of an election cannot be made if observation is limited to Election Day monitoring. The ODIHR therefore deploys its observation missions up to six weeks prior to Election Day to observe the entire process from beginning to end.

The ODIHR has seldom observed referenda. The most recent cases have been in 1998 for the Constitutional Referendum held in Albania and in 2004 for the Referendum held in Belarus. The observation methodology applied in such cases remains exactly the same as in observation missions deployed to observe any other election.

The final task of the observation missions is to offer an assessment of whether the election was held in accordance with OSCE election commitments and with national legislation and to submit recommendations on how to make improvements before future elections. In order to provide a systematic basis for evaluation, the ODIHR has published the ***OSCE/ODIHR Election Observation Handbook***, which sets out the OSCE standards for elections. A copy of this Handbook (4th Edition) is included with your briefing materials.

6. BASIC INFORMATION FOR Short-Term Observers: KEY POINTS IN A NUTSHELL

This chapter provides a quick overview of important information for STOs. It sets out their principal duties, explains what they should expect after their arrival in country, provides some general guidance on how to operate, and sets out the basic rules of conduct by which they will be bound. Subsequent chapters elaborate on these issues and provide more specific information to guide STOs in their work.

6.1 General Overview of STO Responsibilities

During the Observation Mission to the Referendum (OMR), STOs will be expected to fulfil the following duties:

- Observe, assess and report on the effectiveness and impartiality of the **election administration** at polling stations on referendum day;
- Observe, assess and report on other election-related issues, including the **handling of election complaints and appeals** by election administration bodies;
- **Manage personnel, financial and material resources** efficiently and in accordance with OSCE/ODIHR procedures and regulations.

6.2 Orientation and Briefing

After arrival in country, STOs will receive a briefing (5 November 2004) in the capital city before being deployed throughout the country to the areas where they will observe the referendum. During this briefing they will:

- Meet the Election Observation Mission Core Staff and the Long-term Observers;
- Be introduced to their STO partner and learn about their assigned region;
- Become familiar with the OMR's work, priorities and timetable;
- Receive a comprehensive briefing on the legal framework, election system, political background, media environment, minority and gender issues, and the general context of the referendum;
- Receive a security briefing;
- Receive a briefing pack with additional information and background documents;
- Be instructed about administrative tasks for which STOs are responsible; and
- Receive operational equipment.

STOs will be deployed to the regions as soon as possible after their initial briefing in the capital. The LTO in their region will pre-book temporary accommodation in their area of assignment, make arrangements for their travel, and ensure that a driver and an interpreter are available. Specific arrangements vary across different regions but STOs will be briefed accordingly.

Except in rare instances, STOs are assigned to work in teams of two, with each STO coming from a different participating State. Where possible, STO teams will be gender-balanced. Clearly, for STO teams to work effectively, partners should develop a strong and supportive working relationship. Any serious problems or difficulties should be reported to their LTO.

6.3 Personal Logistics and Operational Resources

The OMR Head Office will arrange for an **accreditation** document for each STO from the host government. Whenever possible, the accreditation will be provided to STOs before they are deployed to their areas of responsibility.

To a large degree, each STO team's success will depend on the competence of its **interpreter**, who is also their local assistant. Ideally, the individual will have a good general knowledge of the area and the political environment, but will not be politically active – the Election Observation Mission insists that interpreters forego any political activity during their period of employment.

As with the interpreter, the LTO will arrange for a **driver** for each STO team on a short-term contract. STO drivers are expected to use their own cars. LTOs will ensure that their driver has a license and insurance. The fee paid to drivers is inclusive of the use of his or her vehicle. Drivers will also be reimbursed for fuel.

6.4 Safety and Security

The OSCE/ODIHR attaches very high importance to the safety and security of its personnel. STOs should not take undue risks, and should avoid any events at which they might be caught up in violence or public disturbances. The Head Office will advise STOs about the general security situation in the country and any specific threats of which it may be aware.

With only occasional exceptions, the countries in which the OSCE/ODIHR observes elections are not dangerous. STOs should exercise the same safety and security precautions they would at home or in any other country. However, they should keep in mind that the security situation can change – particularly in a volatile election atmosphere – and they should follow any security guidelines issued by the Head Office.

Generally, STOs should follow these guidelines:

- Inform their LTO immediately of their contact details and of any changes to them;
- Be in direct contact with their LTO at agreed intervals;
- Carry their passport and accreditation document with them at all times;
- Carry Head Office contact numbers with them at all times;
- Make sure that the OMR is aware of any medical conditions they might have in case of an emergency;
- Always be discreet about carrying money. Use only official exchange offices and avoid 'street' moneychangers, and
- Use discretion in selecting social activities, where and when to be out and, as at home, use common sense about the use of alcohol.

The biggest safety hazard STOs are likely to encounter will be on the road. Road conditions in the country are poor, particularly in outlying areas. Driving at night requires extra caution and may not be advisable. It is each STO's responsibility to make sure that his or her driver always drives safely and obeys local laws and speed limits. OSCE policy is for all drivers and passengers to wear seat belts.

7. Code of Conduct for OSCE/ODIHR Observers

Listed below are general principles and rules to which all OSCE/ODIHR observers should adhere:

- Observers will maintain **strict impartiality** in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties, candidates, or with reference to any issues in contention in the election process.
- Observers will undertake their duties in an **unobtrusive manner**, and will not interfere with the election process, polling day procedures, or the vote count.
- Observers will **carry the accreditation** issued by the host government or election commission, and will identify themselves to any interested authority upon request.
- Observers will **not display or wear any partisan symbols**, colors, or banners.
- Observers may wish to bring irregularities to the attention of the local election officials, but they **must never give instructions or countermand decisions** of the elections officials.
- Observers will **base all conclusions on well documented, factual, and verifiable evidence**.
- Observers will **refrain from making any personal or premature comments about their observations to the media** or any other interested persons, and will limit any remarks to general information about the nature of their activity as observers.
- Observers **will participate in post-election debriefings**, by fax or telephone if necessary.
- Observers **must comply with all national laws** and regulations.
- Observers will show utmost **personal discretion** at all times during course of duties.
- Observers will respect **the direction and management of the observer team leadership**.

The Rights and Responsibilities of International Election Observers in the Former Yugoslav Republic of Macedonia

All OSCE/ODIHR international observers are accredited with the State Election Commission (SEC) of the Former Yugoslav Republic of Macedonia. Accredited observers have rights and responsibilities under Article 109 of the Law on Election of Members of Parliament. These can be found in ANNEX H SEC Code of Conduct for Observers on page 121.

The OSCE ODIHR will have no hesitation in asking the SEC to remove the accreditation of any international observer who fails to fulfill their obligations under the OSCE/ODIHR Code of Conduct or their duties under the relevant law. In such cases, the OSCE/ODIHR shall also give formal notice to the relevant government of any such person.

In addition, in line with OSCE requirements, STOs and all other OMR staff are prohibited from engaging in harassment, including sexual harassment, and discrimination on any basis. While in the host country, STOs must ensure that none of their personal or professional activities compromise the OMR's reputation as an objective, independent, and impartial institution.

7.1 Other General Guidelines for STOs

In addition to the OSCE/ODIHR Code of Conduct there are a variety of general guidelines to which STOs should adhere:

- While serving as an STO, do not engage in any business activity or pursue any prior or on-going professional activity in the host country.
- Seek the advice of the LTO before accepting gifts. These should be declared to the OMR immediately after being received.
- If you wish to scrutinize official documents always do so in the presence of an authorised person after first having asked permission. Never sign official documents or statements.
- Do not distribute any flyers, pamphlets or other written material that has not been specifically approved by the Head of Mission.
- STO reports should be balanced, including positive developments as well as irregularities or violations. In case of serious irregularities, STOs should investigate the circumstances carefully. When reporting, STOs should annex tangible evidence and corroborating data, testimony or copies of documents, where possible. STO reporting should always make a clear distinction between incidents STOs actually observed and those reported to them.

8. OSCE/ODIHR Election Observation Methodology

All OSCE participating States are committed to invite international observers to witness the conduct of their elections as a way of advancing electoral processes that adhere to international standards. Election observation provides an effective tool especially in new democracies or countries in transition to democracy. The presence of international observers helps to promote an open and transparent electoral process, raise public confidence, deter improper or fraudulent practices, reduce frivolous allegations of impropriety and provide recommendations for improving the process.

OSCE Summit and Ministerial Meetings have given the OSCE/ODIHR the primary responsibility for observing elections in the OSCE area. Since its establishment as the Office for Free Elections in 1991, the OSCE/ODIHR has been given increasingly broad responsibilities for election observation. Notably, in 1994, the Budapest Summit asked the OSCE/ODIHR to observe before, during and after elections, in recognition that elections are a process, not a one-day event. Subsequently, OSCE/ODIHR responsibilities have been expanded to include follow-up to elections and to include such issues as participation of women and the role of minorities as part of its observations. At the Istanbul Summit in 1999, all participating States committed themselves to follow up on the OSCE/ODIHR's recommendations stemming from election observation.

The objective of an Election Observation Mission (EOM) is to assess whether an election is held in accordance with international standards for democratic elections and with national legislation, and offer recommendations on how to improve the process. The following international standards form the essential basis for an assessment of an election process:

- OSCE commitments on elections and related issues, in particular those in the Copenhagen Document (29 June 1990);²
- The Universal Declaration of Human Rights (December 1948);
- The International Covenant on Civil and Political Rights (December 1966); and
- The European Convention for the Protection of Human Rights and Fundamental Freedoms (Protocol N° 1).

In drawing its conclusions, the OSCE/ODIHR will also take into account other international standards and best practices on democratic elections.

The OSCE/ODIHR formally announces its preliminary findings and conclusions on the election process by issuing a statement shortly after election day. This assessment is based on the findings of the Core Team, LTOs and STOs. The OSCE/ODIHR Final Report is issued approximately a month after the election process, including any post-election appeals, is completed.

Sometimes, the presence of international observers is perceived as legitimizing an election process. The OSCE/ODIHR does not subscribe to the view that the mere presence of observers adds legitimacy to an election process or to election results. In the first place, observers have no power to certify or legitimize an election. Secondly, the assessment of the election may or may not be positive; it would be hard to conceive that a negative assessment would add legitimacy to a process.

Although the Copenhagen Document and other OSCE commitments contain a standing invitation to the OSCE/ODIHR to observe all elections in the OSCE area, for practical reasons the OSCE/ODIHR deploys EOMs after receiving a specific invitation from an OSCE participating State. The invitation serves as an assurance that the OSCE/ODIHR observers will be accredited and will be able to perform their duties without hindrance or interference.

² The full text of the Copenhagen Document can be accessed at www.osce.org/docs. The Copenhagen Document covers a broad range of human rights issues, all of which are politically binding on participating States.

A first step before launching any observation mission is to send a Needs Assessment Mission (NAM) to the country to assess pre-election conditions and requirements of an observation mission. The NAM ascertains whether the legal framework governing the election process is in line with international standards and if conditions exist for a genuine and pluralistic election. It also examines the feasibility and desirability of deploying an OSCE/ODIHR EOM, taking into account the position of the host government and political parties and the existing security situation. The NAM will recommend whether to establish an observation mission and the size and type of mission to establish.

Most EOMs include a Core Team, LTOs and STOs. The Core Team is composed of a number of specialists based in the capital city, who focus on particular aspects of the election process (e.g., election administration, legal issues, political issues, media), as well as an LTO Co-ordinator who serves as the main point of contact between the Core Team and LTOs. LTOs establish the regional presence of the EOM, and carry out in the regions most of the same functions the Core Team undertakes in the capital. STOs arrive shortly before election day and focus on election day proceedings, including the conduct of voting and the vote count.

The methodology described above applies to observation missions deployed to observe any type of election, including referenda.

8.1 Dealing with Situations during the Short-Term Observation Process

STOs may well find themselves dealing with a number of different situations on referendum day, although each situation will be unique. Here are some guidelines for dealing with the most common situations which observers may face:

- **You are asked to do a TV interview**

We have no secrets. BUT **DO NOT GIVE A COMMENT ON THE PROCESS**. Explain to the journalist:

- who you are and where you are from,
- how you carry out your functions as an STO,
- explain how the observation mission is structured throughout the country,
- explain that we have had a long-term observation, covering the campaign, media and election administration process,
- explain that all the long-term and short-term observations will be considered and a preliminary press statement will be issued on Monday 8 November.

DO NOT give any comments on the quality of the electoral process. If the questioner wants a comment on a particular incident, e.g. a violent incident in your area, or a claim of fraud – explain that this is considered along with all other observations in the post-election statement. **Refer them to the OMR Headquarters in Skopje.**

- **A political party representative brings a complaint to you about the process**

Accept a copy and assure the representative that you will bring it to the attention of the main office of the observation mission and ask them to look into it. It is important to remind them that they should give the actual complaint to the relevant election commission. We are not election policemen; we are here to observe the process. Do not act as a go-between between the complainant and the election commission.

- **You drive into a town and there is a violent incident happening**

Do not get involved. You are here to observe an election, not local violence. You should not put yourself or your driver and interpreter in any danger at all. If possible, park a safe distance from the incident in order to ascertain whether it is election-related or not. If it is, observe from a safe

distance if possible and when the situation has calmed down attempt to get more information from the police or relevant local authority. You might also later approach the political parties in order to get their side of the story. **Do not put yourself or your driver and interpreter in a dangerous situation.** It is particularly unfair for your local assistants who might feel obliged to accompany you even if they are scared.

- **A polling station official asks you to give instructions on a referendum procedure**

Do not give interpretations of the referendum procedures or law. You might point out the relevant section of the rules if they apply. Do not give an interpretation because you are then taking responsibility for the outcome. We are not permitted to interfere in the process.

- **Your driver and/or interpreter is being too active and starts to get involved in the observation**

The role of the driver is clear: they are to drive and perhaps offer local advice. The interpreter provides the facility for your communication with the local authorities. They should not get involved in the observation or discussions with officials or the public. They certainly should not start arguing with officials or party representatives or other members of the public. If they start being too pro-active take them to one side and calmly explain the correct mode of behaviour. It is up to you to manage your local assistants – but do it in a polite but assertive manner. You do not want either of your staff to quit on election day as in reality there will not be time to find a replacement.

- **Your driver keeps driving too fast or in a dangerous manner**

The same advice applies as above. You have to give calm but assertive and clear instructions. You have to manage your driver, but again do not alienate him/her, just clearly state how you expect them to behave.

8.2 In Case of Serious Fraud

Serious Fraud is broadly defined:

- Any action, including intimidation, threat of, or actual physical violence which prevents the exercising of the electoral right by a group of voters or a single voter;
- Infringements of the Election and/or Referendum Law and/or regulations promulgated by the State Election Commission.

In case you encounter fraud matching such a description, please **do**:

- Determine as much as possible the facts of the case;
- Note the number of the polling station in full, the location and the time of the offence;
- If a voter or other citizen has made a complaint, note their name, ID number and address;
- Note names and official positions of those responsible for the process under the Election and/or Referendum Law;
- Report the following details to your Long-Term Observer as soon as possible;
- Confirm whether or not a complaint has been made.

However, please **do not**:

- Make any attempt to interfere in, stop, or resolve the issue yourself;
- Direct any the Electoral Board (neither members nor the President) in their duties;
- Advise voters on *any action* (other than to point out the channels for raising a formal complaint);
- Advise political parties or domestic observers on *any action* other than to raise a formal complaint. They will have mechanisms and means to raise concerns through the organization they represent;
- Make a complaint to the Municipal Election Commission (MEC) on behalf of a voter, a political party, a domestic organization or the OSCE/ODIHR.

9. Political BACKGROUND

9.1 General Overview

Key Data³

Population:	2.022.547 (2002 Census)
Capital:	Skopje (approximately 550,000 inhabitants)
Currency:	Macedonian Denar (exchange rate to 1 Euro = 60+ Denar)
Neighboring States:	Albania, Serbia and Montenegro (including Kosovo), Bulgaria, Greece
Terrain:	Mountainous with deep valleys (80%); Low lands (20%), three large lakes; the country is bisected by the Vardar River
Official Unemployment:	over 30%
Average Wage in 2003:	11,824 denars per month (approximately 197 Euro)

9.2 Political System

Under the 1991 constitution, the Former Yugoslav Republic of Macedonia has a parliamentary form of government. The powers of the President, who is elected directly by popular vote, are relatively limited. Most importantly, the President proposes a Prime Minister, who forms a Government. The term in office of the President is five years. There is no Vice-President; in the event of a premature termination of a presidential mandate, elections must be held within 40 days.

The Government operates outside parliament, and service in the Government (*i.e.*, as a minister) is incompatible with service as a parliamentarian. However, the Prime Minister and Government must enjoy the support of the Assembly of the Republic to be confirmed in office and continue in power. By tradition, the ruling coalition includes at least one ethnic Macedonian and at least one ethnic Albanian political party, although the posts of Prime Minister and President have always been held by ethnic Macedonians.

The Parliamentary Assembly is unicameral and consists of 120 deputies. Ordinarily, the term of parliamentary mandates runs for four years.

9.3 Historical Background

9.3.1 From 'the Macedonian Question' to Independence

The gradual retreat of the Ottoman Empire from the Balkan Peninsula through the 19th century opened 'the Macedonian question,' which intensively occupied states in the region and the great powers until the end of the first world war. The complex ethnic and religious set-up of the region allowed neighboring states, Bulgaria, Serbia, Greece as well as a Macedonian independence movement to lay claim to the area, with a view to the eventual withdrawal of the Ottoman Empire. Each side made claims based on ethnic, religious, historical or political arguments. The two Balkan wars (1912 and 1913) were largely fought over this territory. After the first world war the territory of the present day 'Former Yugoslav Republic of Macedonia' became part of the Kingdom of Yugoslavia. After World War II it became one of the six constituent republics of the Socialist Federal Republic of Yugoslavia. With the end of the cold war and in the context of democratization in Central and Eastern Europe, the first democratic elections were held in the Yugoslav Republic of Macedonia in 1990. A referendum on independence took place on 8 September 1991, in which nearly 75 % of votes cast opted for independence from Yugoslavia; however Albanians largely abstained from participating. On 17 November 1991 the Parliament proclaimed a new constitution, defining the 'Republic of Macedonia' as a sovereign and independent state.

9.3.2 Post-Independence Challenges

The new state faced a number of serious international and domestic challenges. The primary issue was the question of minority rights, particularly the status of ethnic Albanians. A second issue was that of the state's name and international recognition. Greece objected to the use of what it considered to be a Hellenic name

³ Data based on: Macedonian Agency for Information, State Statistical Office, National Bank of Macedonia, CIA World Factbook

and symbols, and after negotiation the state finally gained international recognition as the 'Former Yugoslav Republic of Macedonia.' A third issue was the instability in the former Yugoslavia; the Kosovo war and consequent refugee crisis in particular had a profound impact on the political situation in the country.

9.3.3 Post-Independence Elections

The first post-independence elections were held in 1994 and were won by a center-left coalition under the 'Social Democratic Union of Macedonia' (SDSM), including the ethnic Albanian 'Party for Democratic Prosperity' (PDP).

In the 1998 parliamentary elections, the center-right coalition between the 'VMRO-DPMNE' and the 'Democratic Alternative' won, and the Democratic Party of Albanians (DPA) joined them in the government. The 1998 elections were generally well conducted; however, more serious problems were observed by the OSCE ODIHR observation missions of the presidential elections in 1999 and the municipal elections in 2000.

Until 1999 the President was Kiro Gligorov, a popular and respected post-communist politician. The 1999 elections led, among much controversy and a repeat of the second round of voting in over 200 polling stations, to the election of the VMRO-DPMNE candidate Boris Trajkovski.

9.4 Political Background

9.4.1 The 2001 Conflict and the 'Ohrid Agreement'

Violence broke out in February 2001, starting with a number of isolated incidents between armed ethnic Albanian groups, fighting under the name 'National Liberation Army' (NLA) and the Macedonian police in the area of Tanusevci, near the Kosovo border. The conflict escalated in the following months, in particular in the mountains around Tetovo and in the area of the city of Kumanovo. It led to up to 100,000 persons being displaced within the country or fleeing abroad. In its statements the NLA declared as the objective of its attacks the forcing of constitutional change.

Under pressure from the international community, a new unity government was created in May 2001. The previous opposition Social SDSM and the ethnic Albanian Party for Democratic Prosperity (PDP) joined the government of the 'Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity' (VMRO-DPMNE) and the Democratic Party of Albanians (DPA). This encompassed the four most important parties in Parliament. The spring and early summer saw intermittent ceasefires punctuating armed conflict of various degrees of intensity and mostly without clear front lines.

The two main ethnic Albanian parties, at that time DPA and PDP, adopted a joint platform with the NLA known as the 'Prizren Declaration,' which opened the possibility of negotiating an end to the conflict. Subsequently, the international community managed to assemble the four main parliamentary parties for peace negotiations in Ohrid, and on 13 August a formal peace agreement known as the Framework Agreement or 'Ohrid Agreement' was signed.

In connection with the agreement, NATO was mandated to oversee the collection of weapons from the NLA. This operation, called 'Essential Harvest' was concluded in September 2001, but the mandate was extended with the objective of supporting a return to peace in the country under the name 'Amber Fox.' EU forces 'Concordia' replaced NATO forces in spring 2003.

After the ending of foreign military presence in the country with the conclusion of the Concordia mission in December 2003, an EU civil police mission, 'Proxima,' began operations in December 2003. Proxima's 200 unarmed law enforcement officers work on accelerating reforms within the local police force.

9.4.2 2002 Parliamentary Elections

The Ohrid Agreement called for parliamentary elections, which were eventually held in September 2002 with an extensive ODIHR observation effort. The elections were won by the opposition, a twelve party coalition centred around the SDSM and the LDP. Together with the new ethnic Albanian party 'Democratic

Union for Integration' (DUI), led by former NLA commanders, they formed a government headed by Prime Minister Branko Crvenkovski (elected President in April of this year).

The results of the 2002 Parliamentary election were as follows:

Parliamentary Election: 15 September 2002 (73.5 % participation)	Percentage of Vote	Seats (out of 120):
Coalition: 'Together for Macedonia' SDSM-LDP		
- Social Democratic League of Macedonia		
- Liberal-Democratic Party		
- Democratic League of Bosniaks		
- United Party of Romas in Macedonia		
- Democratic Party of Serbs	40.5	59
- Democratic Party of Turks		(LDP 13)
- Democratic Union of Vlachs		
- Labour-Agricultural Party		
- Socialist-Christian Party of Macedonia		
- Green Party of Macedonia		
VMRO-DMPNE – LP	24.4	34 (LP 5)
Democratic Union for Integration DUI	11.9	16
Democratic Party of Albanians PDS	5.2	7
Democratic Prosperity Party PDP	2.3	2
National-Democratic Party NDP	2.1	1
Socialist Party of Macedonia SPM	2.1	1

The present government has been implementing the Ohrid agreement since coming to power, although at a slower pace than many ethnic Albanians would wish. There has been varied progress in increasing the percentage of ethnic Albanians in the police and administration, decentralizing power to the municipal level, and legalizing the Albanian language university in Tetovo. The government has also focused on acceding to membership of the EU and NATO. However, there has been little improvement in the economy since 2002.

9.4.3 2004 Presidential Elections

Presidential elections had already been scheduled to be held in the fall of 2004 together with the municipal elections. However, the death of President Boris Trajkovski in a plane crash on 26 February 2004 caused the presidential election to be advanced. President Trajkovski had proved to be a moderate, and his untimely death caused shock and grief in the country. However, the institutions responded well to the crisis, with the Speaker of Parliament assuming the role of acting President, and the Parliament convoking a presidential election within the constitutionally required period of 40 days of the cessation of the mandate.

The early presidential elections took place in April 2004 in a much different environment than that surrounding the 2002 parliamentary elections. The security situation had improved; there was general internal consensus regarding the goal of integration in Euro-Atlantic structures; and some progress had been made on implementation of the Ohrid Agreement. There were four presidential candidates running in the first round of the presidential elections, none of whom received the required majority to win. Therefore, a second round took place on 28 April between Branko Crvenkovski (SDSM) and Sasko Kedev (VMRO-DPMNE). The results were as follows:

Presidential Elections 2004	First round %	Second round %
Branko Crvenkovski (SDSM)	42.47	60.5
Sasko Kedev (VMRO-DPMNE)	34.07	36.2
Gzim Ostreni (DUI)	14.79	-
Zudi Xelili (DPA)	8.67	-

9.5 Background on Main Political Parties

Political parties cover the whole of the political spectrum, ranging from far-left to the far-right and with varying degrees of nationalism. However, the system is largely based on ethnicity, and party competition takes place inside the main ethnic electorates. Programs often matter less than personalities. Few parties claim to be multi-ethnic, and there is generally very little voting across ethnic lines. The main political parties include the following:

- SDSM: 'Social Democratic Union of Macedonia'



SDSM is one of the two largest ethnic Macedonian parties. It is the most important successor of the former 'League of Communists of Macedonia' and has a centre-left orientation. The party was in power from 1992 to 1998 and from 2002 to the present. The current Prime Minister Hari Kostov succeeded Branko Crvenkovski after his victory at the last presidential elections. The party is without a leader since Crvenkovski assumed his functions as the President of the country. The party is currently headed by the three vice presidents, which include Vlado Buckovski, Radmila Sekerinska and Ilinka Mitreva.

- VMRO-DPMNE: 'Internal Macedonian Revolutionary Organization - Democratic Party for Macedonian National Unity'



VMRO-DPMNE (ethnic Macedonian) was the majority party from 1998-2002 and is now the main opposition party. In 2003 former Prime Minister Ljupco Georgievski resigned from the leadership position in the party, but remains its lifetime honorary president. The current party leader is Nikola Gruevski. VMRO-DPMNE defines itself as a centre-right party but has a pronounced nationalist current.

- DUI: Democratic Union for Integration



DUI, led by Ali Ahmeti, was founded by former leaders of the 'National Liberation Army' (NLA). Perceived by ethnic Albanians as the political successor to the NLA and as unspoiled by corruption, DUI won the 2002 elections among ethnic Albanians. DUI is part of the ruling coalition and holds several ministries, including the Minister of Education. The party advocates full implementation of the Ohrid Agreement and the integrity of the country.

➤ DPA: 'Democratic Party of Albanians'



Formerly the strongest ethnic Albanian party, DPA was in the government with VMRO-DPMNE during the 2001 crisis and was very much weakened in its aftermath. The party was established in the 1990s by dissatisfied politicians from PDP ('Party for Democratic Prosperity,' initially the main ethnic Albanian party) and is led by Arben Xhaferi and his deputy Mendu Thaci. DPA took a hardline approach in the past two years. Its leaders speak of the lack of implementation of the Ohrid Agreement and were increasingly advocating partition in the event that the agreement 'fails'. However, the tone of their statements has been more moderate in the aftermath of the presidential elections.

10. The 7 November 2004 Referendum

After a successful collection of signatures to initiate the referendum process, the Parliament adopted a decision to hold a referendum and scheduled it for 7 November. The initiative for the referendum had been launched by the World Macedonian Congress (WMC) in January 2004. According to the WMC, this initiative was taken because authorities had disregarded the results of local referenda held at the beginning of the year to oppose to the new municipal boundaries as designed in the draft Law on Territorial Organization. Collection of signatures for the referendum initiative took place across the country in the offices of the Ministry of Justice between 23 February and 23 August 2004. While the initiative started in a rather quiet manner, receiving small public attention, it gained momentum after some opposition parties decided to support it. At the end of the process, 180,454 signatures were collected, a number well above the 150,000 required by the law for a referendum to be called. The signatures were validated by the State Election Commission and submitted to the Speaker of Parliament in accordance with the legal provisions.

The question to be decided by the voters in the referendum is whether they want to have 123 municipalities, as envisaged in the system of municipal districting established in 1996. Should the referendum succeed, this would mean that the new Law on Territorial Organization adopted in August 2004 would be repealed. This new Law has reduced the number of municipalities to 84 and it has been the object of fierce opposition by some sectors of the public opinion.

10.1 Political Parties and the Campaign on the Referendum

The campaign on the referendum officially started on 7 October 2004. It is referred to as 'propaganda' and not as an electoral campaign. There is no registration requirement for those wishing to participate. The two governmental coalition partners, SDSM and DUI, announced that they would call their voters to abstain from going to the polls and vote in the referendum. However, since the campaign has started, analysts have commented that the campaign of the Government has not been very visible. Prime Minister Kostov has clearly indicated that he would favour abstention and that he himself will not go to vote. He has also stated that if the referendum succeeds he will resign, which could lead to the formation of a new government and even to early parliamentary elections.

DUI has announced its opposition to the referendum by calling its voters to abstain, but its efforts to campaign against the referendum have not been too visible.

Amongst the opposition parties, VMRO-DPMNE has come out strongly in favour of the referendum, claiming that a YES vote is not against the Ohrid Agreement or decentralization, nor against Euro-Atlantic integration, but it is against a bad decentralization and territorial division. The referendum results could influence the outcome of internal turbulence within the party, where clashes between the current leader of the party, Nikola Gruevski, and the former leader and Prime Minister, Ljupco Georgievski, have resulted in the formation of two factions confronting each other and could lead to a possible split of the party. If the referendum is successful, VMRO-DPMNE could try to capitalize on the result and question the current Government's tenure, using this as a strong campaign tool in view of the next municipal elections, or even possible early parliamentary elections.

DPA has announced that it would boycott the referendum, although at first its leadership had asserted that they would call on voters to vote YES, to demonstrate dissatisfaction with the implementation of the Ohrid Agreement. DPA could benefit from the in-fighting within the ruling coalition that a successful referendum could result in.

Smaller ethnic Macedonian parties in the opposition have also been involved in the referendum campaign. In particular, the Liberal Party and the Third Way coalition (formed by the Democratic Union, the Democratic Alternative and the Socialist Party) have been actively involved in the YES campaign. A successful referendum would raise their profiles and their ratings among voters.

10.2 Minorities and their Participation

A Census was conducted in November 2002 and the results announced in November 2003. A Census Monitoring Mission, organised by the Council of Europe and the European Commission, observed the process. The 2002 Census shows an increase in the percentage of ethnic Albanians and a decline in the percentage of ethnic Macedonians. Once a sensitive political issue, the final results of the census have been widely accepted.

According to the 2002 Census the total population of the country is 2.022.547 (compared with 1,945,932 in 1994) with the following ethnic composition:

Ethnicity	Population 2002	Percentage 2002	Percentage 1994
Macedonians	1.297.981	64.18	66.6
Albanians	509.083	25.17	22.67
Turks	77.959	3.85	4.01
Romas	53.879	2.66	2.25
Vlachs	9.695	0.48	0.44
Serbs	35.939	1.78	2.07
Bosniaks	17.018	0.84	not counted
Other	20.993	1.04	1.87
Not stated			0.10

The rights and status of ethnic Albanians have been one of the most controversial and difficult questions since independence. Even before the 2001 fighting, there had been outbreaks of violence and unrest on issues such as flying Albanian flags on public buildings, the influx of ethnic Albanians from Kosovo and ethnic Macedonian domination of the security forces. Post-Ohrid, issues of concern to ethnic Albanians are being addressed, such as employment in public administration and security forces, and the establishment of an Albanian-language university in Tetovo. Implementation of the Ohrid agreement comes too slowly for many ethnic Albanians but too quickly for many ethnic Macedonians.

Other minority groups tend to be concerned that they are neglected due to the focus on ethnic Macedonians and Albanians. Their interest is in an improvement of the situation for all minorities, rather than the emergence of a bi-national state. There are a few minority representatives in the parliament – 3 ethnic Turks, 2 Bosniaks, 2 Serbs and one Roma deputy.

The position of political parties representing smaller minorities with regard to the referendum has presented some nuances. Most parties are members of the governmental coalition and as such they have taken the same stand as the Government to oppose the referendum. However, they have also expressed a certain degree of discontent regarding the way the laws on territorial organization were passed without broad consultation.

10.3 Participation of Women

The participation of women in the political process is at a relatively low level. In the Parliament, women hold 21 seats (approximately 18%). This is, however, an improvement over the previous legislature in which only 9 women held mandates. The election laws require inclusion of at least 30% of women on the candidate lists, but do not specify their place on the lists. There are two women serving in the government in the positions of Vice-President of the Government for Euro-Atlantic Integration (Ms Radmila Sekerinska) and Minister of Foreign Affairs (Ms Ilinka Mitreva).

There is only one woman out of 9 members in the SEC. The representation of women in municipal election commissions and election boards is higher but should be monitored by LTOs and STOs. STOs should be aware that the practices of open and proxy voting can effectively lead to the disenfranchisement of women voters.

11. THE MEDIA SYSTEM AND THE REFERENDUM

11.1 Media Landscape

The Macedonian media system is characterized by a huge number of outlets operating in the country. After independence in 1991, hundreds of private newspapers and TV stations sprung up changing the media scene rapidly. The media have a reasonably high level of structural differentiation. However the controversial association of the media with powerful businesses groups and political parties, has resulted in questionable independence of editorial policies.

One of the features is the existence of the so-called parallel market that arises from its linguistically and culturally diverse communities. Several regulations including the Constitution guarantee the rights of the ethnic communities to freely express and define the manner in which those rights should be implemented and developed.

11.1.2 Electronic media

According to the Broadcasting Council⁴ there are 163 broadcasters in the country:

- 1 national public broadcaster with three TV channels, 3 radio channels, and one satellite channel
- 29 local public radio stations (12 of which also run TV studios)
- 7 nationwide private broadcasters
- 126 local private broadcasters

In addition to its Macedonian-language radio and TV broadcasts, the state-owned Macedonian Radio and Television (MRTV) also broadcasts in the Albanian language and, to a minor extent, in Turkish, Vlach, Romany, and Serbian.

The general director of the state Macedonian Radio (MR) and television (MTV) is appointed by the Parliament.

This year the Government, based on a Broadcasting Council proposal, allocated three new national concessions (for permission to broadcast). Along with *TV Sitel* and *TV AI* which were national concessionaries before, *Kanal 5*, *TV Telma* and *Alsar TV* (a satellite program in the Republic of Albania) became new concessionaries.

11.1.3 Print media

There are nine main daily newspapers circulating in the country. Two of them, *Fakti* and *Flaka*, are in Albanian language, while all the others are published in Macedonian language

In August 2003, the German WAZ (Westdeutsche Allgemeine Zeitung) media group bought a controlling stake in the country's three major dailies, *Dnevnik*, *Utrinski Vesnik*, and *Vest*.

A new daily *Vreme* was established in January 2004. The paper came as a result of a defection of 20 members of the country's largest daily, *Dnevnik*, after the paper had been taken over by WAZ in the summer.

The previously state-owned dailies *Nova Makedonija*, and *Vecer*, together with the private *Makedonija Denes* have minimal circulations.

⁴ Broadcasting Council, Addresses of the Public and Commercial radio and TV stations in the Republic of Macedonia, October 26, 2004.

11.2 Media Regulations

The Constitution

The 1991 Macedonian Constitution in Article 16, 17, 18 and 25 states freedom of expression and access to information. The first of these articles (16) is particularly relevant:

The freedom of personal conviction, conscience, thought and public expression of thought is guaranteed.

The freedom of speech, public address, public information, and the establishment of institutions for public information is guaranteed.

Free access to information and the freedom of reception and transmission of information are guaranteed.

The right of reply via the mass media is guaranteed.

The right to a correction in the mass media is guaranteed.

The right to protect a source of information in the mass media is guaranteed.

Censorship is prohibited.

The Criminal Code

The 1996 Criminal Code regulates other principles about freedom of expression and disclosing of information, in particular defamation, insult, offending the reputation of the Republic of Macedonia, ridiculing the Macedonian people and the nationalities.

The Broadcasting Activity Law

The Broadcasting Activity Law has been approved in April 1997 and establishes the Broadcasting Council (BC), a regulatory body that, according to Article 23 of the Law, represents the interests of citizens of the Republic of Macedonia in the area of broadcasting. The Parliamentary Assembly elects the nine members of the Council for a term of six years (Article 23 and 26), while the President is elected inside the Council. Article 22 defines the basic competencies of this authority:

‘A Broadcasting Council is founded for the purpose of reviewing issues regarding the broadcasting activity; for the preparation of proposals for allotting and revoking concessions; for proposing a distribution of funds from the broadcasting tax from Article 77, Items 4 and 5, of this Law; for monitoring the implementation of concession contracts; for giving an opinion and proposals for promotion and development of the broadcasting activity; and for performing other activities in the domain of the broadcasting activity’

The establishment of the BC is the beginning of the regulation of the chaotic media environment, characterized by the presence of many pirate stations broadcasting illegally. On the other hand the Council has been considered mainly an advisory body; for example, the final decision on granting or revoking of licenses for the broadcasting trade companies remains with the Government (Article 13).

The BC performs among its activities also a media-monitoring project of the referendum coverage to review irregularities, if any, of the provisions of the Broadcasting Law and of specific regulations for fair and balanced informing on candidates' activity during the campaign.

11.3 Legal Framework for the Media Coverage of the Referendum

The **Law on Broadcasting Activity** requires the broadcasters to provide the opportunity to any political party for the promotion of its political programs and policies, under equal terms, in compliance with the election regulations.

The **Law on Referendum** does not contain legal provisions on the campaign except for the 48-hour moratorium on campaigning prior to voting day; instead, relevant provisions of the Law on Election of the

Members of the Parliament should be applied to the Referendum, according to Article 41 of the Law on Referendum.

On 7 October the BC adopted the **Recommendations for Electronic Media Coverage of the 2004 Referendum** defining the guidelines for covering the referendum. The BC Recommendations set up basic principles for the electronic media to conform to. All electronic media when reporting on the referendum shall comply with the principles of balanced and impartial coverage and provide equal opportunity for access to the different positions. The Recommendations define the way to place paid propaganda programs, including offering equal rates for paid advertisements.

11.4 Media monitoring

In order to assess the conduct of the campaign in the media outlets, OSCE/ODIHR OMR is conducting media monitoring of three national television stations: the public broadcaster *MRTV1* and the private *TV A1* and *TV Sitel*. In addition the monitoring team undertakes analysis of the prime time news in Albanian language on *MRTV3*. The media team is also monitoring the most important daily newspapers in Macedonian and Albanian languages.

The media unit analyses the programs and daily publications, assessing and producing findings on the space allocated to the referendum and to all the relevant political subjects as well as assessing the tone of the coverage.

The mission will also be monitoring all media coverage of the OMR.

The methodology used has been employed in other countries in the OSCE area during previous OSCE/ODIHR election observation missions.

12. LEGAL FRAMEWORK

Overview

The legal framework for the referendum includes the Constitution (namely article 22) and the 1998 Law on Referendum and Civil Initiative (LRCI) combined with the 2002 Law on the Election of Members of Parliament (LEMP). **Article 41 of the LRCI specifies that provisions of the LEMP should be applied for those issues not included in the law.**

Along with that, several other laws and provisions regulate the referendum: Law on Voters Lists, Law on Polling Stations, Law on Registration of Residence, Recommendations for Electronic Media Coverage of the 2004 Referendum, State Election Commission (SEC) Instructions and Code for the Observers.

This referendum is a 'legislative referendum', which can be announced for issues that need to be regulated by law (previous referendum) **or for re-estimating a law that has previously been passed (additional referendum).**

The territory of the Former Yugoslav Republic of Macedonia is one referendum unit.

According to the Referendum Law, a referendum will be adopted if **more than 50 per cent of the voters on the voter list cast ballots** (approximately 850,000 voters) **and more than 50 per cent of the ballots cast are for a yes vote.** The decision on the referendum is binding for the Parliament for one year since the referendum.

Voting Right

Every citizen of the Former Yugoslav Republic of Macedonia at the age of 18, who is not deprived of working capability by the court and who has residence in the country, has the right to vote in the referendum.

The voting in the referendum shall be secret.

Each citizen shall have a right to only one vote in the referendum.

The citizen may vote only in person. There is no possibility of absentee voting.

Media regulations

There is a 30 day propaganda period, starting from October 8 and ending 48 hours before referendum day. The SEC adopted a decision not to apply all regulations on election campaigning stated in the LEMP, as there are no defined campaign organizers. It is still not clear who can act as a campaign organizer for the referendum – according to the SEC, anyone can campaign for or against. There are Broadcasting rules issued by the Broadcasting Council which only state general guiding principles of non-bias, rules for different types of programs (debates etc), referendum silence and reply and correction rights.

SEC Instructions

The SEC has issued several instructions for conducting the referendum. They cover issues such as: determining the way of handling and keeping the election material, conduct of voting for general and special groups of voters, conducting opinion polls, securing polling stations by the police, etc. The SEC also issued a new Code for Observers.

Conduct of voting

Voting will be conducted on 7 November for regular voters and will last from 7 hours till 19 hours in polling stations. On 6 November special groups of voters will cast their votes (IDPs, military personnel, prisoners, and the ill and disabled). These ballots will be counted together with the rest of the votes on 7 November.

Protection of voting rights

Each citizen shall have the right to submit a complaint for irregularities in the voting procedure in polling stations and the work of the electoral board to the Municipal Electoral Commission within 72 hours of the day of holding the referendum. The Municipal Electoral Commission shall be obliged to reach a decision within 24 hours of the receipt of the complaint. An appeal against the decision of the Municipal Electoral Commission may be submitted to the Appellate Court, whose local authority applies in

the area of the electoral unit. The Appellate Court is obliged to reach a decision on the appeal within 48 hours.

Announcement of results

The State Election Commission shall determine and announce the result of the referendum within 48 hours from the receipt of the results of the voting on the referendum. The State Election Commission shall publish the result on the referendum in the 'Official Gazette of the Republic of Macedonia' within 15 days following the day of holding the referendum.

12.1 CRIMES AGAINST ELECTIONS AND VOTING

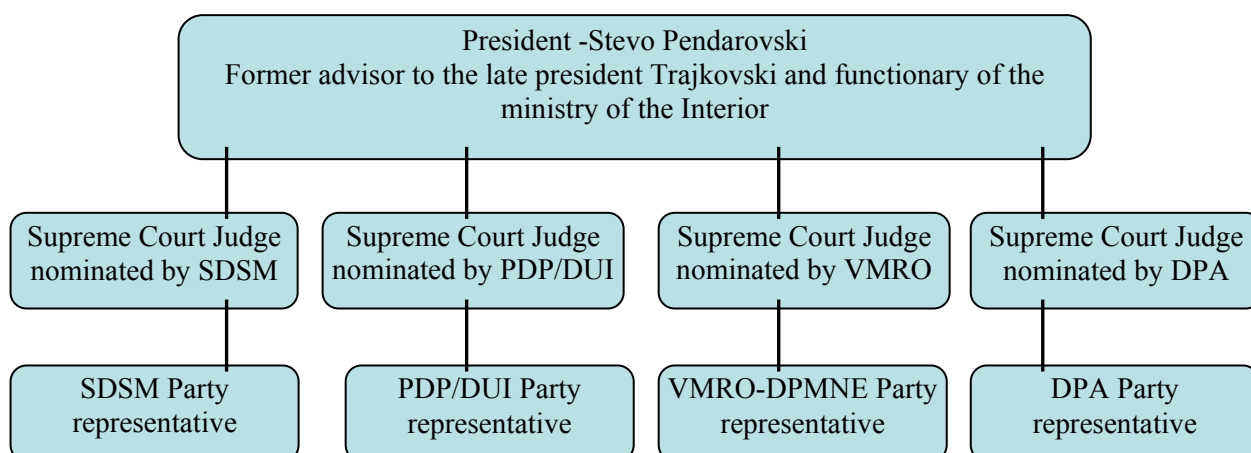
Who	Action	Punishment
Preventing elections and voting		
Any person	Using force, serious threat Makes impossible or prevents the holding of elections or voting Makes impossible or prevents the determining or publication of the results from the voting	Imprisonment of six months to five years.
	If an organized manner, on the territory of two or more electorates	Imprisonment of one to ten years.
Violation of the voting right		
Member of an Electoral Board (EB), electoral commission (EC), board for conducting a referendum, or some other official person who is performing his duty in connection with elections or voting	Intention of making it impossible for another to execute his electoral right, unlawfully does not register him in the voting list or in the list of candidates, or erases him from a voting list or from a list of candidates, or in some other way deprives the voter of the right to elect, to be elected, or to vote	Fine or imprisonment of up to one year. The attempt is punishable.
	Enables another in an unlawful manner to use the voting right, even though knowing that this person does not have such a right	Fine or imprisonment of up to one year. The attempt is punishable.
Violation of the voter's freedom of choice		
Any person	Who by using force, serious threat, deceit or in some other manner forces or prevents another from realizing or not realizing his voting right.	Fine or imprisonment of up to one year.
A member of an EB, an EC, a board for conducting a referendum, or some other official person, when performing his duty in connection with the elections or voting		Imprisonment of three months to three years. The attempt is punishable.
Misuse of the voting right		
Any person	Who, at elections or in voting, votes instead of another or votes more than once	Fine or imprisonment of up to one year.
A person who participates in elections or voting even though he knows he does not have a voting right		Fine or imprisonment of up to one year. The attempt is punishable.
Bribery at elections and voting		
Any person	Who offers, gives or promises a present or some other personal benefit to a person with voting right, with the intention of attracting this person to perform or not to perform the voting right, or to perform it in a certain way.	Fine, or imprisonment of up to three years.

A person with voting right	Who requests for himself a present or some other benefit, or who receives a present or some other benefit, in order to perform or not to perform the voting right, or to perform it in a certain way.	Fine, or imprisonment of up to three years.
<i>Violation of the confidentiality of voting</i>		
Any person	Who violates confidentiality at elections or at voting	Fine, or imprisonment of up to six months.
A member of an EB, an EC, a board for conducting a referendum, or some other official person, when performing his duty in connection with the elections or voting	Who violates confidentiality at elections or at voting	Fine or imprisonment of up to three years.
Any person	Who by using force, serious threat, or by using the official, work or economic dependence and in some other manner, obtains from another to tell him whether he had voted, or how he had voted.	Fine or imprisonment of up to three years.
<i>Destruction of electoral documents</i>		
Any person	Who destroys, covers up, damages, changes or in any other way makes unusable a document, book or papers which serves in the elections or in the voting.	Fine or imprisonment of up to one year.
A member of an EB, an EC, a board for conducting a referendum, or some other official person, when performing his duty in connection with the elections or voting		Fine or imprisonment of up to three years.
<i>Electoral deceit</i>		
A member of an EB, an EC, a board for conducting a referendum, or some other official person, when performing his duty in connection with the elections or voting	Who during elections or voting changes the number of the cast votes by adding or subtracting one or more voting papers, or changes the number of votes during counting or when announcing the results from the elections or voting, by adding or subtracting one or more votes.	Imprisonment of three months to five years.

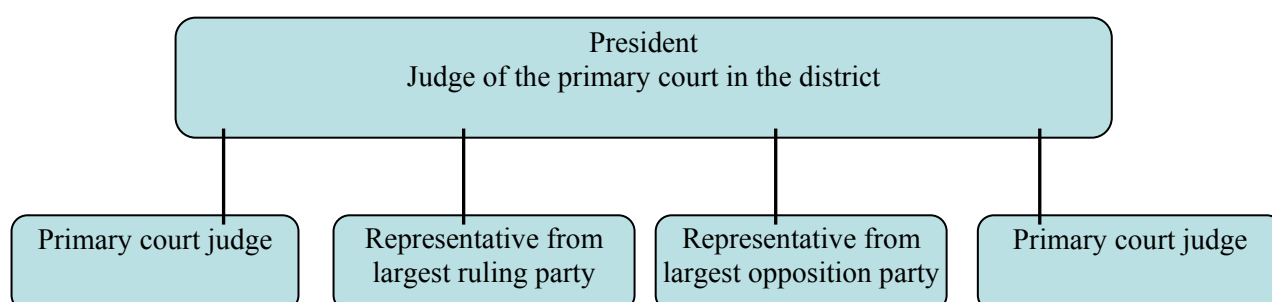
13. Election Administration

13.1 Composition of Election Commissions

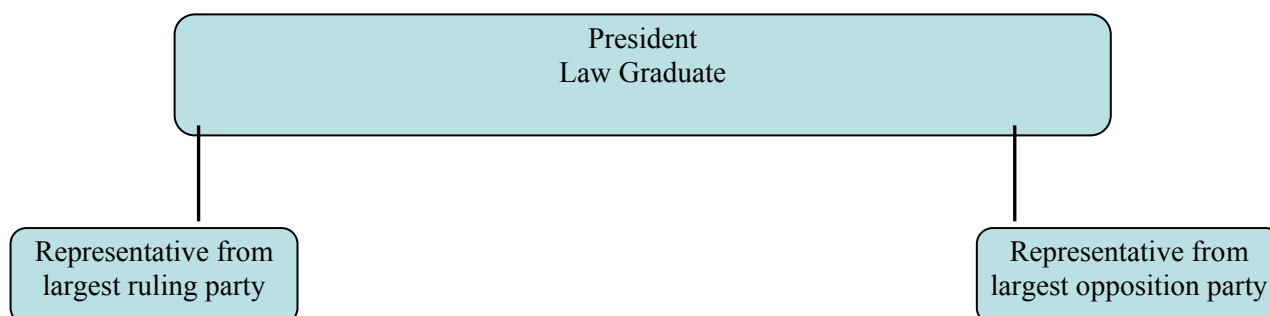
State Election Commission - SEC



34 Municipal Election Commissions - MECs



2973 Election Boards – EBs Each board runs one Polling Station



13.2 State Election Commission (SEC)

MEMBERS of the SEC (9):

Chair - Stevo Pendarovski

Deputy Chair – Safet Aliu (*Supreme Court Judge*)

4 Supreme Court judges, agreed with SDSM, DUI, VMRO-DPMNE, DPA, appointed for terms of 5 years;

4 Party representatives (SDSM, DUI, VMRO-DPMNE, DPA), appointed for terms of 4 years;

All members have deputies who vote on their behalf in their absence.

Secretary – Biljana Stojanovska

The Functions of the State Election Commission (SEC):

- Appoints members of the Municipal Election Commissions (MECs) and their deputies
- Adopts rules for monitoring elections by foreign and domestic observers and provides them with identification documents
- Sees to the legitimacy in the preparation and conduct of the referendum;
- Coordinates the work and gives instructions to the electoral commissions;
- Prescribes the forms for the conduct of this law;
- Determines the unique standards for the conditions for conduct of the referendum;
- Adjudicates on complaints against decisions or irregularities in the work of the MECs;
- Determines and announces the result of the referendum;
- Performs other duties.

13.3 Municipal Election Commissions (MECs)

For the purpose of conducting referenda the country is divided into 34 electoral units. One MEC is established in each unit in the areas where offices of government agencies are located.

MEMBERS OF MECs (5):

Chair – judge of the primary court in that district;

2 members are primary court judges, agreed with the largest ruling and opposition parties, appointed for 5 years term;

2 members are party representatives from largest ruling and opposition parties, appointed for 4 years term;

All members have deputies of similar standing, who vote on their behalf in their absence.

Functions of the 34 MECs:

- Appoint and instruct the Election Boards (EBs);
- Handle the logistics of getting materials out to EBs;
- Receive election materials from EBs by midnight on election night;
- Consolidate the results and hand over results to the SEC;
- See to the legitimate conduct of the referendum;
- Adjudicate on complaints against decisions or irregularities in the work of EBs;
- Perform other duties.

13.4 Election Boards (EBs)

(Each EB runs one a polling station)

MEMBERS OF EBs (3):

President – Law graduate (*when possible*),

1 member appointed by the largest ruling party;

1 member appointed by the largest opposition party.

Each member has a deputy of similar standing who may stand in for her/him during breaks on referendum day. An instruction issued by the SEC entitles EBs to task the deputies with regular members' duties on referendum day (while the EB members are also present in the PS).

Functions of the 2973 Election Boards (EBs):

- Manage voting at the polling stations;
- Ensure regularity and secrecy of the voting;
- Provide for free and peaceful conduct of the voting;
- Sum up the result at the polling station;
- Prepare minutes for the result (Minutes Form n5) and display it in the polling station (Minutes Form n5);
- Submit the election materials to the MEC by midnight on election day (Minutes Forms n4 and n5).

13.5 Other aspects of election administration

Polling Stations (PSs)

- PSs are organized for at least 10 voters and as a rule should not have more than 1000 voters on the Voters List extract. PSs mostly have less than 1000 voters. In exceptional cases the number of voters may exceed 1000 by no more than 200 – such PSs get a second ballot box.
- The boundaries of the PS precincts are the same (except for minor adjustments) as for the 2004 Presidential elections.
- The location of a few PSs have changed.
- PSs can be located anywhere from municipal buildings to private residences. They are mostly in schools. They should NOT be in political party offices or religious institutions.
- EB staff have had refresher training from IFES.

Election materials

Polling kits will be delivered to every PS. They include:

- Stationary
- Labels, table signs and badges
- Graphite fingerprint pads for illiterate voters
- UV lamp, batteries and spray
- Tamper evident seals, bags and envelopes
- Cardboard, stand-alone, polling booths
- Voting procedure posters
- Calculators
- Translucent ballot boxes

These materials together with the sensitive voting materials and all the Minutes forms are delivered back to the relevant MEC within 5 hours after the close of polling (ie by 00:00 on the 8 November).

The Ballots

- Have three security features: microtext, watermark, and UV visible fibres.
- A4 size with the Macedonian flag on the front and a pattern on back.
- Contain the Referendum question and voting instructions in Macedonian as well as in any language of an ethnic minority with more than 20% of the population of the administrative municipality (according to the 2002 Census).

- Between the referendum question and the voting instruction are positioned the possible answers – ‘FOR’ and ‘AGAINST’ - (in the respective languages). Voting is done by circling one of the answers in one of the languages.
- Ballots are printed in books of 100 with numbered counterfoils.
- Regular PSs will only receive the exact number of ballots as the number of voters on the Voters List extract for that PS, diminished by the number of persons (with permanent residence in the PS area) in military service, serving prison sentence, in custody or IDPs.
- Ballots for each PS are shrink wrapped at printers and microchip protected.
- Ballots for mobile voting of sick and disabled voters will be removed from the packs by the MEC for voting on 6th November.

Voter eligibility

Citizens of the Former Yugoslav Republic of Macedonia, aged 18 or over on 7 November, with residence in the country and with a valid ID card or passport are entitled to vote. A person with an old ID or passport (with expired validity) should also be allowed to vote if his/her name is on the Voters List (VL) extract and the personal data in the VL extract and in the ID coincide.

Citizens temporarily working or staying abroad with a residence in the country should also be included in the VL according to their last place of residence (Article 6 Law on Voters Lists.) However, they can only vote if they return to the country and vote in person.

Voters List (VL)

Voter lists were posted at district offices of the Ministry of Justice (MoJ) from 18 September to 3 October. However, only a meaningless amount of voters checked their names on the list. The passive attitude towards the exercise can be attributed to the fact that the last national election took place only 6 months ago. Moreover the inclusion in the VL of the 180,000+ signatories of the petition for the Referendum was checked during the collection of signatures process. The VL was concluded by the MoJ on 19 October and contains 1,709,536 electors. The SEC approved the VL and the VL extracts for all 2973 EBs countrywide. It is commonly accepted that the real potential electorate, residing permanently in the country, is considerably less (up to 6-7%) than the one officially announced. This makes it more difficult to reach the turnout of more than half of the registered voters and increases the danger of malfeasances such as ballot stuffing.

Special cases and early voting (military, prisoners and IDPs)

Voting will be organised for military personnel serving away from home, prisoners and detainees and for IDPs in their barracks, prison or collective centres on 6 November.

The ballots for these voters will have been deducted from the total number of ballots delivered to their home PS although their names will still appear on the VL extract at that location.

EBs nearest to the barracks, prison or collective centre will set up a PS inside the area.

Observers are allowed to observe this process. The LTO team for your area will observe the voting in such centers.

Mobile voting for sick and disabled people

Sick and disabled people can request a mobile ballot box by sending notification to the MEC no later than 3 days before voting commences. This can be done by proxy. An ill voter receiving treatment in hospital or a sanatorium should apply with the notification and a document issued by the respective health institution confirming that the person is treated there and that conditions will be created for voting.

The MEC confirms or denies the request based on the doctor's information and prepares a list of all disabled and ill people from the municipality allowed to vote by mobile ballot box on 6 November. A copy of the list is sent to the SEC.

The MEC extracts the ballots for the persons approved for mobile voting from the package of ballots sent to their respective PSs. The MEC delivers to EBs in its area envelopes addressed to the persons approved by the MEC for mobile box voting with a ballot paper and an empty envelope with the PS number on it. The vote is conducted by the EB by visiting the houses of disabled voters and the hospitals where ill people are under treatment. Observers are allowed to observe this process.

Out-of-Country voting

There is no provision for Out-of-Country voting. Citizens living abroad can only vote if they return to the country. Their names are still on the VL and there is no certain information about their exact numbers. This creates a potential for proxy voting.

Absentee voting

There is no provision for absentee voting. Voters can only vote in the PS where they are registered. This will affect some IDPs living in private accommodation rather than in the collective centres.

National Observers

National NGOs concerned with democratization and human rights incorporated into their statutes can register with the SEC to observe the elections.

The total number of domestic and foreign observers accredited by the SEC (as of 29 October) was 10,541, representing 13 NGOs and local and international organizations including OSCE/ODIHR, IFES, World Macedonian Congress, The Citizens for Citizens, Youth Alliance – Tetovo, and others. Detailed information of the number of accredited observers is provided on the table below.

Organization	Number
1. OSCE - ODIHR	156 observers + (58) interpreters)
2. IFES	09 observers
3. The EU Monitoring Mission	30 observers + (26) interpreters)
4. MOST	2.900 observers
5. The World Macedonian Congress	7.000 (approximately)
6. Citizens' Association for the Respect of Regulations	63 observers
7. NGO Gordinija - Gevgelija	46 observers
8. 'The Citizens for the Citizens' Coalition	200 observers (approximately)
9. The Embassy of the USA	48 observers + (39) interpreters)
10. The Parliamentary Assembly of the Council of Europe	3 observers
11. Youth Alliance - Tetovo	50 observers
12. The British Helsinki Committee	6 observers

13. Faculty of Social Sciences	30 student observers
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MOST ('Bridge') - a consortium of 19 NGOs registered under this umbrella – is by far the most experienced in the field of elections. They have broad public respect and confidence. They are well funded by several international organizations including NDI, the OSCE and other sources. They will be fielding about 2900 observers in teams of two, covering 60% of the polling stations. Some of these will be stationary and there will be some mobile teams. MOST conducted intensive training of its observers, who are very experienced and tenacious. MOST will conduct a parallel vote count. LTOs have contacts with MOST offices in their areas.

Citizens for Citizens - Not very numerous.

Alliance for Youth – ethnic Albanian NGO, based in Tetovo.

Voter Education

Very little has been done. There was no public information campaign for checking the voters list. Posters with voting instruction in all 7 languages of the ethnic groups mentioned in the Preamble of the Constitution have been produced for every PS.

Local Administration

The administration is tasked with giving logistical support to the EBs. It is tasked to give approval for campaign rallies. There have been no problems with this so far.

In the past some Mayors have caused problems and STOs should watch for administration personnel interfering with the work of the EBs and MECs.

Police Presence

Regular uniformed police are allowed in the corridors of the building where the PS is located and outside the building.

If order is disrupted within the PS the EB may call the police. The police must leave as soon as order is restored. A written reason for their being called must be given.

If voting is interrupted for more than one hour this time shall be added to the PS opening hours. If voting is disrupted for more than three hours voting must be held again.

Police may also assist with ensuring that all unauthorized personnel leave the PS when the PS closes.

Police will also provide security to the PS the night of 6 November when materials are stored at the PS and while the EB removes campaign materials from the 100m radius of the PS.

Police only accompany the EB to the MEC with the ballots if the EB thinks there is a threat.

Police are being monitored by Proxima and have received training.

13.6 SAMPLE BALLOT



CK-KB-12966XXX



Дали сте за територијалната организација на локалната самоуправа (општините и градот Скопје) утврдена со Законот за територијалната поделба на Република Македонија и определување на подрачјата на единиците на локалната самоуправа (‘Службен весник на Република Македонија’ бр.49/96) и Законот за градот Скопје (‘Службен весник на Република Македонија бр.49/96)?

ЗА

ПРОТИВ

A jeni për organizimin teritorial të vetëqeverisjes vendore (komunat dhe qyteti i Shkupit) e paraparë me Ligjin për ndarje teritoriale të Republikës së Maqedonis dhe përcaktimin e njesive të vetëqeverisjes vendore (‘Gazeta zyrtare e RM-së’ nr. 49/96) dhe Ligji për qytetin e Shupit (‘Gazeta zyrtare e RM-së’ nr. 49/96)?

PËR

KUNDËR

УПАТСТВО ЗА ГЛАСАЊЕ

Гласањето се врши на начин што граѓанинот на референдум се изјаснува така што на гласачкото ливче го заокружува зборот ‘за’ или зборот ‘против’ и гласачкото ливче преклопено го става во кутијата за гласање.

UDHËZIM PËR VOTIM

Qytetari voton në referendum duke e rrethuar në fletëvotim fjalën ‘për’ ose fjalën ‘kundër’ dhe e fut fletëfotimin të palosur në kutinë e votimit.

14. REFERENDUM PROCEDURES

Procedure	Observer's Reminder	Legal
PRIOR TO REFERENDUM DAY		
The PS building will be vacated ready for the EB to set up the PS on November 6 th . Materials will be delivered from the MEC on November 6 th and the PS will be set up.	<i>Observe whether all materials have been received on time.</i>	SEC instructions. Art. 70(1), 70(3) 75(1) LEMP
REFERENDUM DAY – BEFORE OPENING POLLING STATIONS (PSs)		
EB members will arrive at the polling station at least one hour prior to the opening – 6:00 am. Doors of the PS are checked and opened in presence of the police.	<i>Arrive at the PS one hour before the opening, at 6:00 am; Introduce yourselves to the president of the EB and other members of the EB, as well as other observers, if present; Wear your accreditation visibly distinguished; Observe are there any persons outside the PS (standing, talking to voters, making notes, calling other people, etc.).</i>	Art. 75 LEMP, 76(3) LEMP
Each EB should receive the following materials: ballots; the confirmed excerpt of the voters' list for the polling station, ballot box(es); a poll book for recording the activities of the PS, UV marking spray in spray bottles (2); UV lamps to detect the UV ink (2); numbered plastic security ties for sealing the ballot box(es); the sensitive material transfer bag; 2 voting screens; three tamper-evident envelopes to pack used (valid or invalid) ballots, unused ballots and ballot stubs, the voters' list and poll book; one spare tamper evident envelope; one large clear plastic sensitive material transfer bag with label, etc	<i>Ask and observe if all the materials have been received by the EB.</i>	Art. 67 LEMP
Campaign materials will be removed from 100m radius of the PS by the EB the night before polling begins. A poster with voting instructions in the languages of all 7 ethnic groups, mentioned in the Preamble of the Constitution, should be on the wall.	<i>Observe if all propaganda posters, leaflets etc. have been removed from the area; Observe if the poster with voting instructions has been visibly displayed within the PS.</i>	Art. 79(3) LEMP Art. 71(6) LEMP
During the voting process the only people allowed continuous presence inside the voting area are: the EB President and his/her deputy, 2 EB members and their deputies, observers (domestic and foreign) and journalists. Voters must not stay long after they have voted;	<i>Observe the presence of the people in the PS – are there only EB members and deputies/ domestic and international observers, or are there other persons present?</i>	37 LRCI SEC instructions. 109, 110 LEMP

There should be plenty of space and appropriate conditions for secret voting. The ballot box should be in full view of everyone including the EB and observers. Only one person should be behind the voting screen (<i>except for people in need of assistance</i>). Voting Screens should not contain any propaganda material.	<i>Observe how the PS has been arranged. Is the layout of the PS facilitating a continuous and easy flow of voters through the voting process, are the voting screens ensuring secrecy of voting, is the ballot box placed in a visible place for everyone to see, are observers accommodated in a way to freely observe...?</i>	<i>SEC instructions. Art 81, 82, LEMP</i>
The envelope with votes of the sick and disabled is opened (mobile voting from previous day), the ballots are counted blind and recorded on form 5 . Ballots then are put, still folded, into ballot box.	<i>Observe whether there EB received additional material from the mobile voting (on November 6th) in the sealed envelope, were the envelopes inserted in the ballot box one by one (without looking which option was voted for).</i>	<i>SEC instructions Art 70 LEMP</i>
Form 4 filled out stating that all equipment and premises are correct in the same condition as they were received the previous day.	<i>Ask if everything was found in the same condition as it was received the day before.</i>	<i>SEC instructions</i>
Ballot box shown to be empty to EB members, observers and journalists (PSs with over 1000 voters will be given two ballot boxes); Security ties shown, numbers recorded in Minutes form 4 , and used to seal the ballot box; Ballot box ID sticker put on side of ballot box. The election unit (MEC) and PS number are recorded on the sticker; The Minutes form 4 is shown to all people in the PS so they can check that the numbers of security ties are correctly copied.	<i>Before the opening of the PS, observe whether the ballot box was empty and, was sealed correctly. Was the security plastic tie placed correctly and what is the number on the tie, was the correct number entered into the minutes?</i>	<i>Art 75 LEMP</i>
Excerpt of voters list shown to all present.	<i>Before the opening of the PS, observe the voters lists excerpt. Was it shown to all EB members and observers?</i>	<i>SEC instructions</i>

REFERENDUM DAY – VOTING

7.00 AM EB announce opening of the PS.	<i>Observe whether the PS was open on time. Did anyone try to intimidate you to leave or make you feel uncomfortable? During observation, sit in a way not to disturb voting process but to have clear view of all the phases of the process.</i>	<i>Art. 73 LEMP</i>
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<p><u>1/ Verifying voter hasn't voted and is in the right PS</u> Right thumb is checked for ink; verify documents are correct – Personal ID card or Macedonian passport (if they are out of date but all details match with the VL the voter will be allowed to vote). The VL is checked to find the name.</p>	<p><i>Observe if the EB is following the correct procedure of identifying the voters. Observe if the EB is checking possible signs of double voting and whether persons with UV signs on their right thumb are asked to leave the PS.</i></p>	<p>Art. 81, 82 LEMP</p>
<p><u>2/ If the voter is listed on the excerpt of voters list,</u> the number next to his/her name is circled; the voter signs next to his/her name or provides their fingerprint using the graphite pad; the voters ID or passport are kept until he/she have finished voting. If voter is not on the excerpt of the VL he/she is not allowed to vote at this PS; PS staff may assist by calling the MEC to see at which PS the voter is registered.</p>	<p><i>Observe whether the EB is checking the voters in VL excerpts and letting them sign. Observe if the EB is helping voters who are not found on the VL excerpts, or if these voters were allowed to vote anyhow.</i></p>	<p>Art. 81, 82 LEMP</p>
<p><u>3/ Handing the ballot to the voter</u> Voters are handed a ballot and instructed to clearly circle only one of the two possible answers 'FOR' and 'AGAINST'; they are also told they can only get one ballot – no spoiled ballots may be returned; once a ballot is marked it should be folded to preserve the secrecy of the vote. The right hand thumb of the voter must be sprayed with UV ink. The ink must cover the nail and part of the skin.</p>	<p><i>Observe whether voters are handed only one ballot and are given instructions from the EB on how to vote. Observe if voters are being sprayed correctly.</i></p>	<p>Art. 81, 82 LEMP</p>
<p><u>4/ Voter marks ballot behind voting screen.</u> Only one person is allowed behind the screen at a time except when the voter needs assistance. The EB should check regularly behind the screens to ensure that there are still pens and that no campaign material has been left.</p>	<p><i>Observe if voters are able to vote alone behind the voting screen. Are there cases of family or proxy voting, are there enough pens for voting (not pencils!), are voters circling their votes outside the voting screens?</i></p>	<p>Art. 81, 82 LEMP</p>
<p><u>5/ Placing the ballot in the box</u> The ballot box should be in full view of everyone including EB members and observers; after the ballot is put in the box the ID card is returned to the voter.</p>	<p><i>Observe whether voters are placing their ballot correctly in the ballot box. Is the EB ensuring that all ballots are folded? Observe if voters are given their ID cards or passports after they have cast the ballot.</i></p>	<p>Art. 81, 82 LEMP</p>

<p><u>Voters needing assistance</u> For physical reasons or for illiteracy one person may go into the booth to help the voter. A person may help a maximum of two other voters; if the voter has an assistant with him/her the EB instructs the person not to influence the decision of the voter; if the voter has no assistant the EB may appoint another voter to assist. No observer, journalist or EB member may assist. All voter assistance must be noted in the poll book.</p>	<p><i>Observe whether there are voters who need help with voting (have they brought assistance or has the EB had to provide them with a person to assist?). Has the EB instructed the assistant not to influence the voter, has one person assisted more than twice?</i></p>	<p>Art. 81, 82, 85 LEMP</p>
<p>The EB is responsible for maintaining the peace and order within the PS. If the order is disrupted, the EB may stop the voting, notify the MEC, and call the police for help. A policeman will be posted outside and if requested by the EB he can enter the PS. No one is supposed to influence voters inside or outside the PS.</p>	<p><i>Observe whether the EB has managed to keep order at the PS. Have police been posted outside the PS. Whether the EB have invited police to restore order in the PS, was there a interruption during the voting and how long did it last, did the voting continue once order has been restored; did the EB note the order disturbance in the minutes? Observe whether any uniformed or armed persons entered the PS; whether anyone tried to intimidate or influence voters inside or outside the PS.</i></p>	<p>Art 76 LEMP</p>

REFERENDUM DAY - COUNTING THE VOTES		
<p>The PS is closed at 19:00. One EB member stands at the end of the voter queue. No more persons are allowed to join the queue. When the last person has voted only EB members and deputies, foreign and domestic observers are allowed to stay in the PS. Journalists are allowed to stay as long as they are present at the close of voting and until counting and summarizing the votes is finished.</p>	<p><i>Observe at what time was the PS closed, whether all voter in line at the PS were allowed to vote, whether anyone was allowed to enter the PS after closing, whether journalists were allowed to leave before the end of the counting.</i></p>	<p>Art. 73(2), 74 LEMP</p>
<p>1/ Reconciling the ballots – Recorded in the minutes on form 5; after the last voter votes, the EB proceeds with the determination of voters results; signatures and fingerprints in the VL counted; unused ballots counted, subtracted from total number of ballots received to give number of ballots used (if this number is different to the number of voters who voted, it is recorded in the minutes). Unused ballots are put in the tamper evident envelope (labeled for unused ballots and ballot stubs), along with the ballot stubs and sealed with the number written on the outside.</p>	<p><i>Observe the reconciling of the ballots. Were all pens removed from the table; were the no. of people who voted counted; was the no. of unused ballots counted and determined the no. of used ones; is the no. of people who voted equal to the no. of ballots used that day, (if the no. did not match – did the EB note that fact and inform the MEC); were the unused ballots along with ballot stubs placed in the tamper-evident envelope?</i></p>	<p>Art. 87, 88, 89 LEMP</p>
<p>2/ Opening the ballot box Plastic ties numbers compared with those recorded in the Minutes Form n4 before the opening of the vote. If they are the same the ballot box is opened; if they are different the ballot box is not opened. This is noted in the poll book and the MEC is informed.</p>	<p><i>Observe the opening of the ballot box. Is the no. on plastic ties sealing the ballot box displayed to all members and observers, verified as the same in the minutes; is the ballot box opened in a transparent manner (in case the no. did not correlate with those in the minutes, did the EB note that fact and inform the MEC)?</i> <i>Observe whether there are ballots in clumps inside the ballot box clearly indicating ballot stuffing.</i></p>	<p>Art. 87, 88, 89 LEMP</p>
<p>3/ Counting the votes One EB member is selected by drawing lots to take out and open the ballots one at a time; the ballot is handed to the President who shows it to all present and it is determined if it is valid or invalid; if valid it is determined if it is 'FOR' or 'AGAINST'; the ballot is put in a pile of the appropriate option; when all ballots have been sorted the ballots in each pile are counted and the results are noted in the minutes.</p>	<p><i>Observe the counting. Was one EB member selected by drawing lots to take out and open the ballots; was the ballot taken, opened and handed to the president of EB; did the president show the ballot to all in attendance and determin it as valid/invalid; were ballots sorted in piles (for/against/invalid); after taking minutes, were ballots placed in a tamper-evident envelope?</i></p>	<p>Art. 87, 88, 89 LEMP</p>

<p>A Valid Ballot is one on which either 'FOR' or 'AGAINST' is circled or one on which the voter has otherwise reliably and unambiguously marked his or her choice.</p> <p>Invalid ballots are those where: both the FOR and AGAINST answers have been circled, it is not clear for which of the two optional answers the vote has been cast, the ballot contains annotations that allow discovery of the voter's identity, the voter has made other annotations on the ballot. Invalid ballots are placed in the invalid ballot envelope.</p> <p>EB members may contest the validity of ballots. The EB takes a vote and the decision is recorded in the minutes. The ballot is numbered on its reverse side by the EB President and this number is referred to in the minutes.</p> <p>Fake ballots If ballots found in the ballot box are not authentic ballots approved by the SEC, these ballots are kept aside and are not included in the counting of ballots. If there are fake ballots in the box these are noted in the minutes.</p>	<p><i>Observe if the decision on invalidating ballots was justified. Were there unauthentic ballots (not approved by the SEC) and what was done with them? Did the EB vote on invalid ballots if there was a dispute over their validity; did the president count the ballots for/against/invalid; was everything noted in the minute?</i></p>	<p><i>Art. 87, 88, 89 LEMP, SEC instructions</i></p>
<p>4/ Determining the results Form 5 is used to record minutes and for summarizing the results. The EB members may do reconciliation in the poll book before transferring the figures to form 5. There are no written guidelines for reconciliation. All EB members sign form 5; Minutes are considered valid if signed by a majority of the EB members and the President must state the reason why some members did not sign the form. Any EB member may write comments in these minutes if he/she disagrees with a decision or action. If the majority (more than one!) of EB members refuse to sign the Minutes are filled in and signed by the relevant MEC, based on the election materials.</p>	<p><i>Observe determining voting results. Is the EB summarizing results correctly; were the EB members allowed to note any comment in the EB minutes, did all EB members sign the minutes (if not, why, did the EB president state the reasons for the minutes not being signed)?</i></p>	<p><i>Art. 90, 91 LEMP</i></p>

<p>5/ Packing the materials</p> <p>Each board member receives a copy of form 5.</p> <p>One copy of form 5 is posted outside the PS to announce the results.</p> <p>One copy is delivered to the MEC along with the other voting materials.</p> <p>Sensitive materials are packed in one large sensitive-material transparent plastic bag and sealed with a numbered tie. The bag is labeled with the MEC and PS number and includes: a sealed tamper-evident envelope containing the valid and invalid ballots; a sealed tamper-evident envelope containing unused ballots and ballot stubs; a sealed tamper-evident envelope containing voters list and poll book.</p> <p>This tamper-evident bag is placed in the ballot box with the non-sensitive materials and the box is then sealed with numbered ties.</p> <p>The number of the numbered plastic tie applied to the sealed sensitive material transfer bag is shown to all EB members and recorded on form 6 which is signed by the members of the EB. These members receive a copy of the form.</p> <p>All forms are placed in a special paper envelope (which is kept outside of the transfer bag) labeled SEC form 5, and transferred to the MEC along with the sealed sensitive-material transfer bag.</p>	<p><i>Observe packing and delivering of the material to the MEC: was the SEC Form n5 filled in the required no. of copies; was one copy posted outside the PS and one given to each member of EB; were all necessary materials packed correctly (in envelopes and the ballot box); were minutes on transmission signed by the EB members; did the EB president transport Minutes and materials directly to the MEC within the deadline; are all materials properly handed over to MEC.</i></p>	<p>Art. 91 LEMP</p>
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REFERENDUM DAY – DELIVERY OF MATERIAL TO MECs AND TABULATION		
<p>The President of the EB (and EB members) transports the sealed ballot box and envelopes to the MEC within 5 hours of completion of voting.</p> <p>Police may accompany the EB if they feel there is a threat.</p> <p>Items are handed to the MEC: the sealed sensitive material transfer bag containing the three tamper-evident envelopes; the ballot box containing all non-sensitive materials; the envelope containing the minutes summarizing the results of voting (Form 5) and all other minutes of the EB; the Minutes of the SEC (Form 6) which is then signed by the MEC to acknowledge receipt of the PS materials.</p>	<p><i>Observe if the EB president transports Minutes and materials directly to the MEC within the deadline. Are all the materials properly handed over to the MEC?</i></p> <p><i>Observe whether another EB member accompanied the President. Identify which party he/she was appointed by.</i></p>	<p><i>Art. 52 LRCL, 74, 91 LEMP</i></p>
<p>The MEC checks that all the materials are present inside the ballot box. Fills out the details of Minutes Form 5 into a tabulated protocol (no name) and checks the reconciliation.</p> <p>If the data does not reconcile, MEC may order a recount.</p> <p>MEC fills in the results and figures in the table in Minutes form 7 in the presence of the EB and observers.</p> <p>The unofficial protocol is given to the statistician (a civil servant, but not a member of the MEC), who then inputs the data into the computer system.</p> <p>When all EBs results have been received the MEC tallies the results on form 7 and completes the results of voting. The materials are then transported to the SEC.</p> <p>If the ballot box does not reconcile a complaint may be lodged to the SEC by any citizen. The SEC will make decision whether to recount or not.</p> <p>The SEC can annul the voting at the PS if the number of ballots in the ballot box is larger than the number of voters who voted, and that number affects the referendum results.</p>	<p><i>Observe whether MEC checked all the materials; was everything correct – if not, was the procedure respected; were you able to see filling in the form 7; was the official protocol given to the statistician; was the material transported to SEC correctly; did anyone lodge a complaint when results from a specific PS did not reconcile?</i></p>	<p><i>Art 52 LRCL, 74, Art. 91 LEMP Art 100 (2) LEMP</i></p>

REFERENDUM DAY – OFFICIAL MISCONDUCT AND VOTING IRREGULARITIES		
<p>Family voting/group voting – One person in the family voting for everyone else (who may or may not be at the PS). Mostly the ‘alpha’ male of the family. Do not confuse with assistance to an elderly, blind or illiterate relative. This may be a cultural phenomenon but it is also an enfranchisement issue and ODIHR looks for EBs to discourage it.</p> <p>Proxy Voting – Voting for people who are absent. Sometimes one person votes for the entire family who are not present, sometimes for family members who are out of the country. Ballots folded together and marked for the same answer are an indication of proxy voting.</p> <p>Ballot stuffing – Carried out by people entering a PS with threats or by PS staff. It is unlikely that people will stuff the ballot box when you are there so you need to look for indications that ballot stuffing has taken place. <u>Some of these are as follows:</u> Many more ballots in the box than signatures or names circled on the VL. Ballots folded together inside the box; A very high turnout with all or almost all votes for one option. Ballots marked in an identical fashion; Identical signatures on the voters list. Loose ballots torn off from the ballot stub. If you observe two of these phenomena you have probably been in a PS where ballot stuffing has occurred. Call your LTO to inform them of this..</p> <p>Identical signatures on the VL –Either because EB forgot to ask people to sign the book, or because of proxy voting (in small numbers) or because of ballot stuffing (in large numbers).</p> <p>No signatures on the VL – This may be a mistake but disregards an important safeguard against ballot stuffing. It may also be an indication that the PS is engaged in ballot stuffing.</p>	<p><i>Observe possible official misconduct and voting irregularities throughout voting day. Are there persons who prevent voting or determination of results by using force or threats; do EB members make it possible for voters who are not on the voters lists excerpts to vote; are there persons who try to prevent voters to realize their voting right by using force, threat or deceit; is there proxy or multiple voting taking place; did you witness a bribery (influencing voters not to vote or to vote certain way); did anyone violate confidentiality of voting; were there persons destroying election materials or making unusable any official documents and minutes; was there ballot stuffing or ballot de-stuffing by EB members or other persons?</i></p>	CRIMINAL CODE
<p>Carousel voting – this is a method of controlling how people vote. A person stands outside the PS and gives the voter a marked ballot. The voter hides the marked ballot, collects their unmarked ballot, goes inside the voting booth and switches the two. They put the pre marked ballot inside the box and give the unmarked ballot to the person standing outside. It is hard to spot. You need to observe what is happening outside the PS. Your driver is often a good source of information regarding intimidation outside the PS.</p> <p>Bussing – Voters being bought to the PS. This is only a problem if it looks like they are being controlled in someway (as in carousel voting) or if they are going from PS to PS to ballot stuff</p>		

PRE-REFERENDUM DAY SPECIAL VOTING		
<p>Voting for Military personnel serving away from home, prisoners and detainees, and IDPs will take place on 6th November. Ballots have been deducted from the total number of ballots delivered to their home PS (their names will still appear on the extract of the VL at that location). Special EBs will set up a PS in the centre and commence voting at 7.00 on 6th. All procedures will be the same as for normal voting but minutes are filled out on form 11 for military, 12 for prisons or 13 for IDPs.</p> <p>The PS will close when the last person in the centre has voted or at 19.00.</p> <p>The ballots are then put in a large envelope and taken to the MEC. Here they are stored until the close of voting on 7th November.</p> <p>At 19.00 the MEC opens all these envelopes, checks the reconciliation of the contents and counts the ballots according to the normal procedure.</p>	<p><i>Observe whether the PS is set up according to the rules in military, prison/jail or IDP centers.</i></p> <p><i>Observe whether the PS was closed prior to 19:00 (if all voters on the VL excerpt have voted).</i></p>	<p>Art. 40 LRCI & Art. 84, 86 LEMP, SEC instructions</p>

PRE REFERENDUM DAY MOBILE VOTING		
<p>Sick and disabled people can request a mobile ballot box by sending a doctors certificate and notification to the MEC no later than 3 days before voting commences. Sick and disabled people staying at a hospital have to send to the MEC an approval issued by the Hospital in which it will be stated that they will be allowed to vote.</p> <p>If the MEC approves the request, it extracts the ballots for the persons for mobile voting from the ballot stub from their respective PS.</p> <p>The EB takes the extract of the VL, the special ballot box, the ballots and special envelopes to the homes of the sick and disabled people or to the hospital, clinic or home where they are staying.</p> <p>The voters sign their names on the VL, vote, put the completed ballot in the envelope and put it in the ballot box.</p> <p>Mobile voting is conducted on November 6th and finishes when the last voter has voted or at 19:00.</p> <p>After the close of the mobile voting the EB records in Form n5 the number of voters who have voted by the mobile box and the number of unused ballots (if any) and the reasons for that. The envelopes from the mobile box are then put in a larger envelope which is stored in the ballot box in the PS overnight.</p> <p>The envelopes with ballots from mobile voting are taken out from the envelope and put in the ballot box at the start of voting on 7th November.</p>	<p><i>Observe whether the EB has a list of the disabled and ill, in hospitals or at home, provided by the MEC;</i></p> <p><i>Observe whether the EB has visited all voters on the list;</i></p> <p><i>Observe whether the EB has provided a special ballot box for mobile voting;</i></p> <p><i>Observe whether there were some voters allowed to vote other than those on the list;</i></p> <p><i>Observe whether the secrecy of voting has been respected during the vote and did all voters receive an envelope to put their ballots into;</i></p> <p><i>Observe whether the EB has counted the no. of ballots (unused and used);</i></p> <p><i>Observe whether the envelopes with the ballots were put in a larger envelope, sealed and stored in the PS overnight.</i></p>	<p>Art. 84 LEMP, SEC instructions</p>

15. DIGEST OF FORMS USED BY ELECTION BODIES ON REFERENDUM DAY

15.1 FORM NUMBER 4

Articles 38 and 51, Paragraph 2 of the Law on Referendum and Civil Initiative (official Gazette No. 24/98) and in relation to the Article 75 of the Law on Election of Members of Parliament of the Republic of Macedonia (Official Gazette of the RM No. 42/02)

MINUTES

for the conditions found in the voting premises, the material for conducting the 2004 Referendum and ballot boxes of the Electoral Board of the polling station no. _____ of the Municipal Election Commission

The Electoral Board met on _____
(day, month and year)
at _____ in composition of:
(not more than 1 hour before the voting starts)

President: _____

Members:

1. _____
2. _____

The Electoral Board inspected the facility where the voting will take place, the material for conducting the 2004 Referendum and ballot boxes, and determined that the voting facility and material for conducting the 2004 Referendum remained the same as they were the day before Election Day, and that the ballot box is empty and closed with plastic security tie no. _____.

If the President and the members of the Electoral Board, have comments regarding the voting facility, the material for conducting the 2004 Referendum and ballot boxes, they have the right to have them recorded in the minutes.

The President and the member of the Electoral Board _____
(name and surname)
made the following comments _____

Electoral Board
PRESIDENT

(name and surname)

Members of the Electoral Board

In _____
Venue and date

1. _____
2. _____
(name and surname)

15.2 FORM NUMBER 5

Articles 38 and 51 of the Law on Referendum and
Civil Initiative ('Official Gazette of RM' No.24/98)

MINUTES

for the work and determining the voting results from the 2004 Referendum at the polling station no. _____
in the Municipal Election Commission _____

The Electoral Board met on _____ at _____ hour, composed of:
(day, month and year)

President _____

Members 1. _____
2. _____

The Electoral Board at _____ hour opened the premises for voting at the polling station no. _____
in the Municipal Election Commission _____.

The voting started at _____ hour.

Voting information:

There are _____ voters registered in the confirmed excerpt of the Voters' List out of
which:

_____ voters who are serving military duty or participate at military maneuvers,
_____ voters who are serving a sentence or are detained in penitentiary,
_____ IDPs.

The Electoral Board allowed the voters who were present in the voting facility to vote and the
voting was concluded at _____ hour.

The reasons for the interruption of voting and the time of interruption are the
following: _____

The polling station was closed at _____ hour.

Determining the results:

There are _____ ballots in the ballot box.

According to the circled number of voters in the excerpt of the Voters' List and counted ballots
_____ voters cast their vote.

At the polling station, the ballots that were not used and not separated from the ballot stub bear the serial numbers from _____ to _____, and a total of _____
(with numbers and words)

The above ballots are put in a separate envelope that is closed and sealed, and on which the number of the polling station and total number of unused ballots are marked.

Valid ballots are _____.

Invalid ballots are _____.

The ballots from the separate (special) box (boxes) used for the voting of disabled or ill persons and it was established that it (they) contained a total number of _____ ballots, out of _____
(with numbers and words)

which _____ are invalid ballots.

(with numbers and words)

Number of voters who vote 'FOR' _____.

Number of voters who voted 'AGAINST' _____.

The member of the Electoral Board _____

(name and surname)

gave the following comments: _____

Each Electoral Board member shall receive a copy of the minutes.

The Electoral Board shall post the minutes at the polling station.

In _____

(Venue and date)

Electoral Board

PRESIDENT

(name and surname)

Members of the Electoral Board

1. _____
2. _____

If some of the members of the Electoral Board do not sign the minutes, the President of the Electoral Board shall set out the reasons for it:

If the minutes are not signed by the majority of members of the Electoral Board, it shall be prepared by the Municipal Election Commission on the basis of the entire material for conducting the 2004 Referendum.

15.3 FORM NUMBER 6

Articles 51 and 52 of the Law on Referendum and
Civil Initiative ('Official Gazette of RM' 24/98)

MINUTES

for hand over of the minutes and other material for conducting the 2004 Referendum from the Electoral
Board for the polling station number _____ to the Municipal Election Commission _____

The Electoral Board of the polling station number _____ handed over the following material to the
Municipal Election Commission _____, on _____ at _____ hours:
(date, month and year)

1. Minutes for the work and determining the voting results at the polling station number
_____, form number ____.

2. The material for conducting the 2004 Referendum, consisted of a ballot box, UV lamp, spray,
graphite pad, and other material as well as one copy of the minutes – Form no.5, unused, invalid, and valid
ballots, confirmed excerpt of the Voters' List for the polling station no. _____, secured in plastic bag
and sealed with security tie number _____.

The member of the MEC _____

(name and surname)

gave the following comments: _____

In _____

(venue and date)

RECEIVED BY
PRESIDENT
Of the Municipal Election
Commission

SEAL

HANDED OVER BY
President of the Electoral
Board

(name and surname)

(name and surname)

Members of the Municipal Election
Commission

1. _____
2. _____
3. _____
4. _____

Members of the Electoral Board:

1. _____
2. _____

15.4 FORM NUMBER 7

Articles 53, 54 and 57 of the Law on Referendum
and Civil Initiative ('Official Gazette of RM'
No.24/98)

MINUTES

for determining the voting results of the 2004 Referendum of the Municipal Election Commission

The Municipal Election Commission _____, responsible for the municipalities
_____ met on
_____, at _____ hours in composition of:
(day, month and year)

President: _____

Members: 1. _____
2. _____
3. _____
4. _____
(name and surname)

	Polling station number	Registered voters in the polling station	Voted	Invalid ballots	Valid ballots	Voted 'for'	Voted 'against'
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
up to the total number of the polling stations							
Military service or military maneuvers							
Prisoners or detainees							
IDPs							
TOTAL							

The Municipal Election Commission _____, determines that from the total number of registered voters and voters are serving military duty or participating at military drill; voters who are serving prison sentence or were detained in penitentiary, and IDPs, _____ voters voted, which represents _____%

Invalid ballots left _____
(with numbers and words)

Valid ballots left _____
(with numbers and words)

Based on the voting results determined, on the 2004 Referendum:

‘FOR’ voted _____
‘AGAINST’ voted _____

The member of the MEC _____
(name and surname)

gave the following comments: _____

In _____
(Venue and date)

SEAL

Municipal Election Commission
PRESIDENT

(name and surname)

Members of the Municipal Election Commission

If some of the members of the Municipal Election Commission do not sign the minutes, the President of the Municipal Election Commission shall set out the reasons for it:

If the minutes are not signed by the majority of members of the Municipal Election Commission, it shall be prepared and signed by the State Election Commission on the basis of the entire material for conducting the 2004 Referendum.

16. OBSERVATION METHODOLOGY AND ELECTION DAY REPORTING

16.1 Short-Term Observers (STOs)

STOs form a crucial part of an Observation Mission. Your observation reports from the field on the days immediately surrounding the referendum enable the mission to make a highly credible assessment of the standard of the referendum.

STOs work in teams of two. Each team operates in an identified area of assignment within one of the seven regions assigned by the Observation Mission to the Referendum (OMR) to long term observer (LTO) teams. The LTO teams are responsible for managing and guiding STOs during the referendum period.

The STO deployment plan is devised based on criteria of: previous election experience, previous country experience, gender balance, nationality balance, age balance and the number of STOs available. The OSCE/ODIHR regrets that the deployment cannot be changed. The OSCE/ODIHR appreciates everyone's understanding that some STOs may be placed in more difficult living and traveling circumstances than others.

16.2 Duties and Skills of an STO

The brief 'job description' of an STO is:

- to attend the briefing for STOs on Friday, 5th November
- to observe:
 - the voting and counting in a number of polling stations; and
 - the local tabulation process
- to fill out observation forms and report regularly on their observations
- to take reasonable care of themselves and local assistants
- to attend regional debriefings on the day following referendum, as required by your LTO team.
- **Reference is also made to the OSCE/ODIHR Code of Conduct for Election Observers, by which all STOs are required to abide and which can be found in Chapter 7 on page 16.**

16.3 General Observation Issues

- OSCE/ODIHR observers are guests in an OSCE participating State. This should be respected.
- The methodology used by the OSCE/ODIHR observers is not that of comparison to elections in their home country, but against international standards relating to elections and the domestic legislation. Realistic, not comparative, assessments are required.
- As a matter of courtesy, observers should always, immediately on entering a Polling Station, seek out and introduce themselves to the Election Board (EB) chairperson and the rest of the EB; accreditation documents should be produced. Explain that you are observing the process as part of the ODIHR OMR and have some questions to ask. Choose an appropriate moment to ask the questions – do not interrupt the voting process.
- Any refusal to allow observers into a Polling Station must be reported immediately.
- Observers should never touch any item of sensitive election material, such as ballot papers or the ballot box.
- The OSCE/ODIHR needs reports from Polling Stations that reflect **quality of observation**, not quantity. A minimum of 30 minutes in each Polling Station is recommended – STO teams are not expected to race from one Polling Station to another.
- Observers should respect the right of their drivers and interpreters to vote.

16.4 Observing the Opening

- Observers should be present at the first polling station at 0600 – about an hour before opening time (which is at 0700) and at the time at which election board arrives. Observation Form A should be filled out when observing opening.
- You will usually observe your first voting in the polling station in which you have observed the opening

16.5 Observing the Voting

- Observers should be positioned to have a good view of the process and should move around the polling station to get different viewpoints.
- Observers should try to meet with domestic observers present; however, sensitivity should be given to the circumstances and atmosphere in the polling station. In certain instances, it may be useful to offer domestic observers a notebook to make their comments so that they do not have to say them aloud.
- Two page Observation Form B should be filled out when observing voting.

16.6 Observing the Count

- Observers should arrive at their chosen polling station at the latest at 1830 – half an hour before the close of voting at 1900.
- Observers should be prepared to remain at the polling station until the counts are complete.
- If counting does not start immediately, observers should note whether the ballot boxes are secure.
- Two page Observation Form C should be filled out when observing closing and count

16.7 Observing the Tabulation

- Observers should accompany the delivery of the results to the MEC and observe the process of entry of results as instructed by LTO teams.
- Observation Form D covers observation of the process in MECs.

16.8 Reporting STO Observation

- STOs will report to their LTOs during referendum day and night. STOs are expected to debrief with their LTO team at the end of their work on Sunday 7th/Monday 8th November.
- STOs will be briefed on the report forms they must complete. It is recommended that they are read in advance so questions on unclear aspects not covered in the briefing can be answered. Please ensure that the observation is done and the forms are filled out by the STO team and not your interpreters.
- LTO teams will brief STO teams on the logistics of submitting completed observation forms, which will be by fax or drop-off.

16.9 STO Forms

INSTRUCTIONS FOR RETURNING OBSERVATION FORMS

STO Observation Forms must be received by the OMR Skopje Office in a timely fashion. Please, follow instructions provided to you by your LTOs in the field.

Each STO Team will be informed by your LTO team regarding the method and plan for collection of observation forms. In most cases, STOs will be asked to fax their forms directly to the OMR Office in Skopje. Arrangements have been made by LTOs to identify faxing possibilities in your region. Faxing costs are covered by the observers.

The fax numbers are: **(0)2 3219 837, 3219 838, 3219 847 and 3219 848**. Please note that the faxing plan and schedule for observation forms will be specified during the LTO/STO regional briefing on Friday, 5 November.

17. SECURITY ADVICE & INSTRUCTIONS

ODIHR Security Officer – 070 975 348 ODIHR OMR Office – 02 02 32 19 820
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The purpose of this Chapter is to provide you with a standardized hard copy of the verbal security briefing provided to you upon arrival in Former Yugoslav Republic of Macedonia, by the ODIHR OMR. It must be stressed from the outset that whilst the ODIHR OMR has endeavored to institute policy and provide guidance that has your security as its prime objective, ultimately you are responsible for your own safety.

17.1 ODIHR OMR Security Guidelines

General

The security situation in the country is quiet at the moment, although there may be incidents reported in the run-up to this year's referendum, in relation to various political rivalries. Normally these incidents are not directed at the international organizations in this country and are dealt with by the Police.

Mission Members should stay away from disorderly public demonstrations, riot or unrest and never get involved. ODIHR Mission Members, in the unlikely event of being in an area of such an incident, should leave that area immediately and inform ODIHR Security of the incident.

Personal Security

In Skopje, and generally in the rest of the country the level of safety, in relation to criminal activity, is better than that in many European cities. Common sense precautions however should routinely be taken by Mission Members to ensure the maximum levels of personal security.

Carry identification with you at all times as you can be asked for it by the police, when visiting other international organizations, banking etc.

Carry only a small amount of money with you and do not openly show the contents of your wallet.

At local market places or other crowded areas, be aware of pickpockets.

Secure your mobile phone so that it cannot be stolen.

Ensure your luggage, bag or backpack is locked when in transit, public places etc.

Do not expose or reveal expensive jewellery.

The chance of you being a target of criminal activity is small, but do take sensible precautions nevertheless. Should you feel threatened by any circumstances, even though it turns out to be groundless, do not hesitate to seek assistance either from the local police or ODIHR Security for advice or help. You will not be criticized for overreacting. The local Police and ODIHR as an organization are here for your protection and safety as well as to perform their existing functions.

Driving

Take the same precautions as you would in your own country if you are driving here. Keep your speed down and observe speed restrictions. Take account of adverse road conditions, especially if it is raining.

Do NOT allow your driver to drink and drive. If you are in a vehicle accident while you are working for ODIHR, even as a passenger, report the circumstances to ODIHR Security Officer as soon as is practically possible.

Driving at night is particularly hazardous. Try not to make any trip at night unless absolutely necessary.

PROCEDURES IN THE EVENT OF A MINOR INJURY INVOLVING AN ODIHR MISSION MEMBER

Please note that the following procedures are only relevant when the injuries of a mission member are evidently not life threatening, i.e. minor injuries, and the incident has taken place in an area where there are no threats to safety from an insecure environment, e.g. the incident did not happen in a minefield or during a public demonstration or in an exchange of fire, circumstances which are unlikely to occur in any case.

The mission member should, if the injury requires medical attention, attend at, or be transported to, the nearest doctor or hospital. A list of hospitals in the main towns is attached but details of local doctors may be obtained from local staff. Alternatively self-administered medical aid might be considered.

Line managers or the mission member should notify the ODIHR Mission Security Officer of the injury especially if it is due to circumstances which might cause danger to other mission members, i.e. badly maintained buildings or dangerous road surfaces etc.

PROCEDURES IN THE EVENT OF A SERIOUS INJURY INVOLVING AN ODIHR MISSION MEMBERS REQUIRING CASUALTY EVACUATION (CASEVAC)

The highest chance of being injured is in a car accident as in any country with heavy traffic conditions. In the unlikely event of a serious injury occurring to an ODIHR Mission Member, the local emergency authorities would most likely be first on the scene and deal with medical evacuation by road to the nearest hospital. ODIHR has to be informed as soon as possible in order to provide further medical assistance or removal of the injured party from the country according to emergency procedures in place and the wishes of the Mission Member's country.

Remember, the chance of being injured in any way during this mission is slight but that should be no reason for complacency in regarding your own safety.

Mine Threat

There is a mine threat in some parts of the country whereas other areas are perfectly safe.

Sensible precautions by ODIHR Mission Members will alleviate the minimal chance of any involvement in such incidents, which are extremely rare.

Police and Hospitals

In Skopje NEUROMEDICA is a private health clinic with English speaking doctors and is recommended: Telephone: 02 222 170, 02 117 848, 02 133 313, 02 130 000, 02 342 323.

Address: Bul. Partizanski Odredi 3/1-4

City	Police department unit	Medical center
Skopje	02 / 117 – 222	02 / 147 – 147 st. Vodnjanska No: 17
Tetovo	044 / 334 - 220	044 / 330 – 810

		st. 29 November No: 16
Gostivar	042 / 220 - 210	042 / 212 – 800 st. Major Cede Filipovski No: 29
Kicevo	045 / 220 - 010	045 / 222 – 151 st. Marsal Tito n. n.
Struga	046 / 782 - 575	046 / 786 – 012 st. Kej 8 November n. n.
Ohrid	046 / 26 - 010	046 / 267 – 267 st. Sirma Vojvoda No: 1
Bitola	047 / 225 - 110	047 / 251 – 211 st. Partizanska n. n.
Prilep	048 / 420 - 240	048 / 22 – 430 st. Trajko Tarcan n.n.
Strumica	034 / 345 - 033	034 / 344 – 444 st. Mladinska n. n.
Stip	032 / 393 - 466	032 / 394 – 099 st. Marsal Tito n.n.

Emergency number of the Police: 94

Emergency number of the Ambulance: 92

17.2 ODIHR OMR Status

The ODIHR OMR does not have diplomatic status. At all times throughout the Mission, Mission members are to follow local laws.

17.2.1 ODIHR OMR Security Alert System

Throughout the duration of this Mission, the OMR will adopt the OSCE Security Alert System. The phases are Green, Orange and Red, which will indicate the security status from Normal (Green) to Very Serious (Red).

At this time, the security status for the OMR is **PHASE GREEN**.

17.2.2 Criminal Activities

It is well known that there are a lot of criminal activities going on in this country. There are a lot of drugs and trafficking in the former crises areas and there are a lot of rivalries between the different criminal gangs. Unfortunately there has been quite a lot of shooting among those different gangs. So far internationals have NEVER been directly attacked.

In general you can feel quite safe in the country and can compare it to other European countries.

17.2.3 Restricted Locations

From time to time, circumstances may exist which restrict the scope for observation. Details will be advised to Mission Members as necessary. Throughout the duration of your stay, all STOs are to remain within their appointed Area of Responsibility (AoR).

17.2.4 Relocation and Evacuation Plan

The OMR has an effective Relocation and Evacuation Plan in the unlikely event it is required. Details are held by the Security Officer and will be forwarded to all mission members in anticipation of such an event.

17.2.5 Pick-Pocketing

Losing your valuables to pick-pocketing is extremely annoying, but it can also be dangerous. To reduce the chances, avoid certain areas and situations. When carrying cash, spread the money out, do not put it all in one pocket. It is far better to lose a small amount from one pocket and be able to spend the remainder. Avoid carrying large amounts of cash at any time and flashing wads of cash around in public.

17.2.6 Identity Documents

Ensure you carry at all times your accreditation and your passport, visa and registration card/paper with updated stamp.

17.2.7 Police

The Police may stop and request to see your passport and any additional paperwork. Ensure you carry these documents on you at all times and that your registration paper is up to date, as a fine may be imposed by the officer.

17.2.8 Social Locations and Late Night Movements

Take care when drinking with or meeting casual or new acquaintances in bars, restaurants or nightclubs, as there have been incidents of robbery. Do not leave your drinks unattended as they may be drugged. If you do leave a drink unattended, do not take a chance, get another.

At all times during the night, walk in pairs, especially women. Many cities around the world are unsafe to walk around on your own at night, but usually you are not being targeted as a foreigner.

17.2.9 Lost or Stolen

In the event that an item of personnel or mission equipment or belongings is lost or stolen, attempt to obtain a Police report. Report the incident to the ODIHR Security Officer.

17.2.10 Mission Policy on Breaches of Security Rules

Breaches of security guidelines and procedures are serious matters of discipline, which in the most serious cases may result in repatriation.

17.2.11 Alcohol and Drugs

Excessive alcohol abuse is not only unhealthy, but also unprofessional. Mission members are not to get involved with drugs in any way, either soft or hard drugs. Possession of even small quantities can lead to imprisonment. Hashish is classed as a drug.

17.2.12 Hotels / Private Accommodation

All Mission Members will be accommodated in suitable standard hotels for the duration of their deployment. Common sense prevails at all hotels and all precautions are to be taken to secure belongings.

17.3 General Safety and Security Guidelines

Other general precautionary measures to assist individuals in minimizing risks are as follows:

- Refrain from making yourself a potential victim, i.e., do not enter areas of the city or neighborhoods that are not safe,
- At night, stay in well-lighted areas.
- Always try to move in a group, not alone.
- Keep other staff informed of your whereabouts, how they can reach you and what time they should expect to hear or see you again. Provide them with instructions on what to do if you do not return by a certain time.
- If anything triggers your suspicion, act immediately. Do not question your feelings.
- Whenever you think that you are being followed or in danger, move immediately to a well-lighted and populated location.
- Maintain good communications. The Mission regrets that it cannot provide mobile phones to STOs, but your interpreter and/or driver should have their own which can be used for Mission business. If you have brought your personal mobile phone with you, make sure you keep it with you at all times, and adequately charged and in credit.
- Be aware of developing security concerns and employ personal safety practices to minimize any possible threat to you and to others.
- If someone acts or something appears suspicious, report it to an appropriate authority. Trust your instincts.

17.4 Medical Emergencies and Medical Evacuation.

Seconded STOs are covered by their Government's arrangements. STOs should keep a copy of their insurance policy with them at all times.

In the event of an accident, emergency or requirement for medical treatment affecting you or your team partner, the following actions are to be taken:

- Check in to the nearest hospital / clinic as identified within your Area of Responsibility
- Immediately inform your LTO of the following:
 - **WHO** – Name of affected observer(s)
 - **WHAT** – Nature of the emergency (accident or illness)
 - **WHERE** – Location you are calling from (town, region)
 - **WHEN** – Time of the incident
 - **WHETHER** – Medical evacuation is required.

The LTOs will then convey this information to the ODIHR Security Officer.

National staff are not covered by this policy. Health and medical coverage is their own responsibility as per their contracts.

IMPORTANT: All Short Term Observers should ensure they arrive with adequate insurance (covering health, accidents, life disability, emergency/medical evacuation, property and theft) as this will not be provided by the ODIHR. Short Term Observers should have a copy of their insurance policy with them.

18. LOGISTICS AND FINANCE

The purpose of this chapter is to provide basic information on administrative, operational and financial matters and to make International Short-Term Observer (STOs) generally familiar with the Area of Responsibility (AOR) and available facilities and services.

18.1 Emergency contacts

The country code is +389

The dialing code for Skopje is (0)2

The Security Officer, LTO coordinator and Logistics Officers are your basic points of contact in case of an emergency:

Torsten Jaeckel, Security Officer	+389 (0)70 975 348
Hannah Roberts, LTO coordinator	+389 (0)70 965 352
Lex van Voorst, Logistics Officer	+389 (0)70 965 350
Goran Petrov, Logistics Officer	+389 (0)70 262 283

Additionally, the Office contact number is: +389 (0)2 3219 820

The country institutional emergency numbers are as follows:

Police:	92
Fire Brigade:	93
Ambulance:	94
Road Info Center:	02 9801
Road Assistance:	196

18.2 Money

The local currency is Denar (MKD). The following banknotes are in use: 5.000, 1.000, 500, 100, 50, 10 and coins of 5, 2 and 1 Denar.

Most of the payments are made in cash and the acceptance of credit cards is limited, especially outside Skopje. Please note that it is possible to withdraw money from AMT cash machines in Skopje and in Ohrid.

18.3 Transfers and In-Country Transportation

The Former Yugoslav Republic of Macedonia is a mountainous country. You should expect narrow roads, a lot of curves and 'ready to repair' surface. There is a well-developed bus system and - in bigger towns - taxis are easy to use.

You will be welcomed at the airport by members of the Observation Mission's Core Team who will facilitate your passage through the airport, inform you of your hotel accommodation and provide transport to take you there. Upon arrival in the hotel you will receive the STO Briefing Pack which contains this guide and all the other relevant material.

In-country transportation of STOs from Skopje to their areas of responsibility (AORs) will start early on Saturday 6 November, due to the contracted timeframe for the required STO operations. The exact departure times will be displayed in the hotel. Please strictly adhere to the departure times and allow enough time for check-out.

Transportation to AORs will be made by bus/minibus to Kumanovo, Tetovo/Struga, Shtip/Strumica and Prilep and by cars with STO drivers for the Skopje region.

STOs will return from their AORs to Skopje on Monday 8 November by buses/minibuses or cars.

Transportation from the hotel to the airport will be by bus/minibus according to departure times for your respective flights.

18.4 Accommodation

All accommodation in Skopje and in the AORs will be arranged by the Observation Mission. Due to the limited availability of accommodation in some areas STOs should be aware that double occupancy per room is possible. The accommodation standards will vary and modest accommodation is to be expected in some areas.

STOs in their AORs will stay in local hotels, guesthouses or private accommodation. The cost and other conditions will be explained by respective Long Term Observers (LTOs). Observers, during their stay in Skopje, will be accommodated in Hotel Continental.

Price for the single room in Hotel Continental has been negotiated to 53 EUR (including breakfast). The price for the double occupancy is 40 EUR per person.

LTOs will arrange your accommodation and transportation facilities in regions.

Upon arrival in Skopje on Monday 8 November, STOs will again be accommodated in Hotel Continental in Skopje, under the same conditions as before deployment.

18.5 Teams, Deployment

All STOs will be deployed in teams. Each team comprises of two (2) STO team members and is accompanied by an interpreter and a driver. Almost all interpreters and drivers have been recruited in the respective regions by LTOs.

The deployment plan will be announced on Friday 5 November in the afternoon. Requests for changes will not be possible.

18.6 Cars, Drivers and Interpreters in the Areas of Responsibility

All payments will be made directly by the observers in EUR cash to the respective national assistants. Wherever possible, interpreters and drivers have been recruited in the regions. Please ensure that your driver and interpreter are given an opportunity to vote.

To facilitate the accounting for advances STOs received from their Governments and other sending Institutions, the Observation Mission will provide STOs with templates of contracts for the driver and the interpreter, along with a standard OSCE payment form, for cases when obtaining a receipt is impossible. Copies of such documents are in your briefing packs.

The drivers/cars and interpreters are paid a **daily rate** per observer. This is applicable regardless of the number of hours worked in a particular day. Over a period of three days it is likely that assistants will compensate for a day in which few hours are worked by very long hours on another day or days.

Driver/car: each STO shall contribute to the driver/car costs:

EUR 25 per day x 3 days; plus maximum EUR 15 for fuel per day, depending on the fuel consumption and the kilometres driven, based on the receipt provided by the driver. **Therefore, in total the driver will receive EUR 150 + fuel cost.**

All drivers were instructed to start their assignment with a full tank of fuel. From then on STO Teams should reimburse the driver for the cost of fuel purchases. STO Teams should ensure the car is filled with petrol at the end of the observation.

Interpreters: each STO shall contribute to the interpreter EUR 25 per day x 3 days. **Thus the Interpreter will receive EUR 150 in total.**

Payment **will be made directly** to the driver and interpreter.

18.7 Communications

During your assignment in the AORs, you will communicate with OSCE/ODIHR Observation Mission Head Office through your Long-Term Observers, unless there are exceptional circumstances.

STOs will not be supplied with communication devices. However, every STO team will receive one payment voucher to issue either to the interpreter or the driver, who will have their own mobile phones. This payment voucher is enough to cover the expense of in-country conversation with your LTOs or for emergency purposes. All private communication costs must be covered by STOs privately.

The mobile phone coverage in the country is 90%. However, poor signal quality is expected in some localities and no network in very remote areas. In specific situations when you do not have a signal or poor signal, relocation will solve such problem.

18.8 Briefing, Debriefing and Repatriation

The briefing will take place on Friday 5 November. The program is in your Briefing Packs.

STOs will be advised by their LTOs exactly when and where they will be debriefed.

Observers' accommodation has been pre-booked until the date of departure and transportation to the airport will be provided.

18.9 Medical and Health Issues

Everyone knows that there is always a risk of falling ill in a foreign country, whether due to travel or working conditions or even the general levels of sanitation in the country. However there are a number of simple steps that you can take to minimize any threat to your health.

1. It is cold in mountains and snow can be observed – take some warm cloths with you.
2. Avoid drinking tap water. Check the dates of products bought in convenience stores.
3. Avoid eating in unknown and dirty places, with no or only few people inside.

18.10 Travel security

Inform your LTO team about your movements. If you plan to change your accommodation, you must inform your LTO team in advance, providing the team with the new contact details.

Please be informed that you are not allowed to leave your AoR without prior approval from your LTO team and the Observation Mission Head Office in Skopje.

Plan your travel in advance and make yourself familiar with the road you are going to choose. Introduce the driver and interpreter to your plan.

It is recommended to have the following documents when en route:

- Passport and Accreditation Document {badge}

- List/card of OSCE/ODIHR telephone numbers
- Road map of the country and your town/region

You should also ensure that:

- your car is visibly marked with the OSCE/ODIHR sign,
- the tires of your car are in good condition,
- you have a complete first aid kit in the car as well as tow rope and spare tire,
- your driver and interpreter carry with them the ID and the interpreter has accreditation badge.

Driving at night requires caution and drivers should be told to adjust their speed to the safety of the passengers. Be aware, that some roads are in bad condition. Driving must be careful and with lights on at all times.

You should not force your driver to use roads considered as not safe by him.

The greatest risk of personal injury comes from road traffic accidents. Therefore persons must be vigilant in ensuring that drivers are careful and drive within speed limits. In all OSCE/ODIHR supplied vehicles, safety belts are to be worn by the driver and passengers at all times.

ANNEX A. LAW ON REFERENDUM AND CIVIL INITIATIVE

(Official Gazette of RM no. 24/98)

I. GENERAL PROVISIONS

Article 1

This Law stipulates the issues for announcing referendum, the way of announcing and implementing the referendum, as well as the way of fulfilling civil initiative.

Article 2

Referendum shall be announced by the Assembly of the Republic of Macedonia (hereinafter: Assembly).

Article 3

Referendum shall be mandatory announced for adopting a decision of the Assembly for changing the border of the Republic and the decision for joining or abandoning an alliance or unity with other states.

Article 4

Referendum may be announced for passing laws, need of ratification of international agreements and other issues that are competence of the Assembly (previous).

Article 5

Referendum may be announced for re-estimation of laws and decisions passed by the Assembly by the electors or for giving the opinion of the electors for other issues decided by the Assembly (additional).

Article 6

For issues of broader significance to the citizens and the Republic a consultative referendum may be announced.

The decision made on the consultative referendum shall not oblige the Assembly.

Article 7

Referendum may not be announced for issues related to the Budget of the Republic and the final closing account of the Budget, for public fees, for the reserves of the Republic, for the issues related to elections, appointments and dismissals and for amnesty.

Article 8

Referendum may be announced also in the units of the local self-government for issues that have local significance and which are under the authority of the units of the local self-government.

Article 9

Civil initiative is raised for submitting a proposal for changing the Constitution of the Republic of Macedonia, for proposing for passing a law and for passing decisions and other issues that are under the authority of the Assembly.

Civil initiative may be raised for announcing referendum, for expressing the opinion of the citizens upon certain issues that are under the authority of the Assembly.

Article 10

Initiative for collecting signatures of voters for submitting a proposal for changing the Constitution of the Republic of Macedonia, for proposing a law and passing decisions and resolving other issues that are under the authority of the Assembly, may be raised by the citizens, the registered political parties and the associations of citizens.

Article 11

For the activities, acts, submissions and other documents related to the conducting of a referendum tax shall not be paid and all activities in the procedure shall be exempt from paying all kinds of taxes.

II. REFERENDUM

1. Referendum on adopting and decisions for changing the border of the Republic and for joining or abandoning an alliance or unity with other states

Article 12

By reaching a decision for changing the border of the Republic and the decision for joining or abandoning an alliance or unity with other states, the Assembly shall announce a referendum for adopting the decision.

Article 13

The decision for changing the border of the Republic and the decision for joining or abandoning an alliance or unity with other states shall be considered adopted on referendum if majority of the total number of voters registered in the General Voters' List voted for that on the referendum.

Article 14

The decision for changing the border for joining or abandoning an alliance or unity with other states adopted on referendum shall be considered compulsory.

2. Legislative Referendum

Article 15

A legislative referendum may be announced for issues that need to be regulated by law (previous referendum) or for re-estimating a law that has previously been passed (additional referendum).

Article 16

A previous legislative referendum may be announced for the following:

- a certain issue that needs to be regulated by law;
- the proposed law that regulates a certain issue in a way it has been proposed and
- with the proposed law to establish a certain issue that has not been regulated by law.

Article 17

A proposal for announcing a legislative referendum may be submitted by the Government of the republic of Macedonia, every Member of the Parliament or at least 10,000 voters.

The proposal referred to in paragraph 1 of this article in the name of the voters shall be submitted by the authorized representative. The signatures of the voters shall be submitted together with the proposal.

The procedure for collecting signatures of the voters for announcing a legislative referendum shall be conducted in a way determined by law.

Article 18

The issue for which announcing a legislative referendum is proposed, needs to be formulated precisely and unambiguously.

Article 19

The proposal for announcing a legislative referendum shall be submitted to the Assembly.

The proposal for announcing a legislative referendum needs to be explained.

After receiving the proposal, referred to in paragraph 1 of this article, if estimated that the above mentioned issue, which is a subject of the referendum, is not clear and the proposal is not explained, the proposer shall be called to clearly determine the question or to supplement the proposal with an explanation.

Article 20

The Assembly shall be obliged to decide within 30 days of submitting the proposal for announcing a legislative referendum.

The decision for announcing a legislative referendum shall be passed with majority of votes out of the total number of Members of Parliament.

Article 21

The Assembly may reject the proposal for proposing a legislative referendum, if the proposer does not act as stated in article 19 paragraph 3 of this Law.

The Assembly shall reject the proposal for announcing a legislative referendum, if it estimates that the contents of the proposal is not in accordance with the Constitution of the Republic of Macedonia and this Law.

Article 22

The Assembly is obliged to announce a legislative referendum, when the proposal is submitted by at least 150,000 voters, on issues that are under the authority of the Assembly, in accordance with the provisions of this Law.

Article 23

The decision for a legislative referendum shall be considered adopted, if majority of the voters that voted, voted for that, if more than half of the total number of voters registered in the General Voters' List voted.

The decision reached on a legislative referendum shall be compulsory.

Article 24

The Assembly shall be obliged to pass a law, if on a legislative (previous) referendum the voters decided for passing a law.

The Assembly shall not pass a law, if on a legislative (previous) referendum the voters decided against passing a law, or against the method of regulating certain issue, which would be contrary to the results of the referendum, nor it shall repeat the referendum on the same issue before the expiration of one year from the referendum.

Article 25

The Assembly shall be obliged within 60 days from holding the legislative (additional) referendum to regulate the issue or the law that has been decided about on the referendum, in accordance with the results from the referendum.

3. Referendum for ratification of international agreements

Article 26

Referendum may be announced for the need of ratifying international agreements.

The provisions of this Law related to legislative referendum shall accordingly be applied to the referendum for ratifying international agreements.

4. Referendum on other issues that are under the authority of the Assembly

Article 27

Referendum may be announced also for other issues that are under the authority of the Assembly.

The provisions of this Law related to legislative referendum shall accordingly be applied to the referendum for other issues that are under the authority of the Assembly.

III. PROCEDURE FOR CONDUCTING A REFERENDUM

1. Announcing a referendum

Article 28

The referendum shall be announced by the Assembly with the decision.

The referendum shall be announced for the entire territory of the Republic of Macedonia.

Article 29

The decision for announcing a referendum shall establish the following: the type of referendum, the decision for which it will be decided, the text of the question that will be put on referendum, the day of announcing the referendum and the day of its holding.

Article 30

The decision for announcing referendum shall be published in the Official Gazette of the Republic of

Macedonia.

From the day of announcing the referendum until the day of holding the referendum it may not pass less than 60 nor more than 90 days.

Article 31

Sunday or other non-working day shall be determined as day for holding a referendum.

Two or more referendums may be held in the same day.

Article 32

The decision for announcing a referendum shall be announced in the media no later than 15 days before the day of holding the referendum.

The text of the decision upon which it will be decided on the referendum shall also be announced in the media.

Article 33

The citizens shall be informed about the referendum through a public appeal and putting posters on perceptible places.

2. Bodies for conduct of referendum

Article 34

The referendum shall be conducted by:

- The State Election Commission;
- The electoral commissions of the electoral units (hereinafter: electoral commissions) and
- The electoral boards.

Article 35

The State Election Commission during the conduct of the referendum:

- Sees to the legitimacy in the preparation and conduct of the referendum;
- Coordinates the work and gives instructions to the electoral commissions;
- Prescribes the forms for the conduct of this law;
- Determines the unique standards for the conditions for conduct of the referendum;
- Determines and announces the result of the referendum and
- Performs other works.

Article 36

The electoral commission during the conduct of the referendum:

- Appoints the composition of the electoral boards and issues instructions for their work;
- Sees to the legitimate conduct of the referendum;
- Determines the results for the electoral unit and
- Performs other works.

Article 37

The electoral board shall be composed of a president, two members and their deputies.

Article 38

The electoral board shall directly run the voting at the polling stations, provide for regularity and secrecy of the voting, provide for free and peaceful holding of the voting, determine the result of the voting in the polling stations and perform other matters.

3. Right to vote on the referendum

Article 39

A right to vote on the referendum shall have every citizen of the Republic of Macedonia who has turned 18 years of age and has working ability.

Article 40

The citizens, who on the day of referendum are not in their place of residence due to serving military duty or military drill, shall vote in the military unit.

For the voters of paragraph 1 of this article, the referendum shall be conducted by the electoral board from the closest polling station.

The provisions from paragraphs 1 and 2 of this article shall also apply to the persons who are in custody or sentenced to imprisonment.

The voters who are temporarily working or staying abroad shall vote in the polling stations in the place of their last residence.

4. Conduct of the voting

Article 41

The referendum shall be conducted in a polling stations determined by law.

The provisions from the Law on Election of MPs in the Assembly of the Republic of Macedonia shall be applied for the conduct and the way of voting on the referendum, unless otherwise determined by this Law.

Article 42

The public propaganda on the referendum shall end no later than 48 hours prior to the day of voting.

Article 43

The referendum shall be conducted from 7.00 until 19.00.

The polling station where all citizens registered in the excerpt from the General Voters' List voted may be closed before the expiration of the time determined for voting.

Article 44

The decision for announcement of the referendum and the text of the question put on referendum shall be post in the polling station.

Article 45

On the referendum one shall vote with a ballot.

The ballots for the referendum shall be printed in the same size, color and the same type of paper.

Article 46

The ballot shall contain the question put on referendum and instructions on the way of voting.

If it is voted for more issues, each issue shall be voted for on a separate ballot.

The question on the ballot must be formulated precisely and unambiguously, so that the citizen on the referendum can answer with 'FOR' or 'AGAINST'.

Article 47

The citizen on the referendum shall express himself/herself by circling the word 'FOR' or 'AGAINST'.

5. Way and voting on a referendum

Article 48

The voting on the referendum shall be secret.

The citizen cannot be called for on responsibility for voting on a referendum.

Article 49

Each citizen shall have a right to only one vote on the referendum.

The citizen may vote only in person.

The citizen who is illiterate or due to physical disability cannot vote in the way determined by this law or other law, shall have a right to bring a person who will help him/her during the voting.

The polling board shall assist the illiterate citizen in the voting.

6. Determination of the results on a referendum

Article 50

The polling board, after the end of the voting, without cease in the counting, shall determine the results of the voting in the polling station.

Article 51

The electoral board shall compose Minutes of its work.

The form and the contents of the Minutes shall be prescribed by the State Election Commission.

Article 52

The polling board shall deliver the Minutes on the result of the voting in the polling station and the

other material for the conduct of the referendum to the electoral commission within 5 hours of the end of the voting.

Article 53

The electoral commission shall determine the result of the voting on the referendum in the electoral unit.

Article 54

The electoral commission shall compose minutes on its work.

The form and the content of the Minutes shall be prescribed by the State Election Commission.

Article 55

The electoral commission shall deliver the Minutes on the result of the voting on the referendum in the electoral unit and the other material for the conduct of the referendum to the State Election Commission within 24 hours.

Article 56

The State Election Commission shall determine and announce the result of the referendum within 48 hours of the receipt of the results of the voting on the referendum.

Article 57

The report on the results of the referendum shall contain data on:

- The number of the voters registered in the General Voters' List;
- The number of voters who have cast their vote;
- Invalid ballots;
- Valid ballots;
- Voters who have voted 'FOR' and
- Voters who have voted 'AGAINST'.

Article 58

The State Election Commission shall publish the result on the referendum in the 'Official Gazette of the Republic of Macedonia' within 15 days following the day of holding the referendum.

The State Election Commission shall submit the report on the result of the referendum to the Assembly of the Republic of Macedonia.

Article 59

The means for the conduct of the referendum shall be provided from the budget of the Republic of Macedonia.

IV. PROTECTION OF THE RIGHT TO VOTE ON A REFERENDUM

Article 60

Each citizen shall have a right to submit a complaint for irregularities in the procedure for voting in the polling stations and the work of the electoral board to the electoral commission within 72 hours of the day of holding the referendum.

The electoral commission shall be obliged to reach a decision within 24 hours of the receipt of the complaint.

Against the decision of the electoral commission an appeal may be submitted to the Appellate Court, which local authority is for the area of the electoral unit.

The Appellate Court shall be obliged to reach a decision on the appeal within 48 hours.

Article 61

Each citizen shall have a right to submit a complaint for irregularities in the work of the electoral commissions to the State Election Commissions within 72 hours of the day of holding the elections.

The State Election Commission shall be obliged to reach a decision within 48 hours of the receipt of the complaint.

Against the decision of the State Election Commission an appeal may be submitted to the Supreme Court of the Republic of Macedonia.

The Supreme Court of the Republic of Macedonia shall be obliged to reach a decision on the appeal within 48 hours of the receipt of the appeal.

V. CIVIL INITIATIVE

Article 62

Proposal for approaching to change of the Constitution of the Republic of Macedonia may be submitted by 150,000 citizens with a right to vote.

The proposal shall state how and where to amend the Constitution, as well as the reasons for it.

Together with the proposal 150,000 signatures of citizens with a right to vote shall also be submitted.

Article 63

Proposal for passing a law may be submitted by at least 10,000 voters.

The proposal for passing a law shall be prepared in accordance with the Journal of the Assembly.

Together with the proposal, 10,000 signatures of voters shall also be submitted.

Article 64

Civil initiative for announcing referendum may also be raised by 150,000 voters, on issues that are under the authority of the Assembly.

Article 65

Civil initiative is raised also for reaching decisions and resolving other issues that are under the authority of the Assembly.

In reference to the proposal from paragraph 1 of this article, the Assembly is obliged to decide within 60 days following the day of the submission, provided that the proposal is supported by at least 10,000 voters.

Article 66

Initiative for collecting signatures for proposing, for approaching towards amendment of the Constitution of the Republic of Macedonia, proposing of passing a law, as well as reaching decisions and resolving other issues that are under the authority of the Assembly, may be raised by 100 voters, a registered political party or an association of citizens.

The president of the Assembly shall be informed about the initiative.

The deadline for collecting signatures for submitting a proposal for approaching towards amendment of the Constitution of the Republic of Macedonia shall be six months following the day of starting the collection of signatures.

The deadline for collecting signatures for proposing of passing a law and reaching decisions and resolving other issues that are under the authority of the Assembly shall be three months following the day of starting the collection of signatures.

Article 67

The voter shall give his support to the proposal in a way determined by law.

Article 68

Any citizen, institutions and associations to the authorized proposers may give the initiative for approaching towards amendment of the Constitution and passing a law.

VI. FINAL PROVISIONS

Article 69

When this Law becomes effective, the Law on Republic Referendum (Official Gazette of SRM no. 29/73 and Official Gazette of the Republic of Macedonia no. 40/91) shall cease to be in effect.

Article 70

This Law shall enter into force on the eight day following the day of its publishing in the Official Gazette of the Republic of Macedonia.

ANNEX B. EXCERPTS OF THE CONSTITUTION OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

(Constitution of 1991, as amended)

Preamble

The citizens of the Republic of Macedonia, the Macedonian people, as well as the citizens who live within its borders and who are part of the Albanian people, Turkish people, Vlach people, Serb people, Roma people, Bosniak people and others, undertaking the responsibility for the present and future of their motherland, aware and grateful to their ancestors for the sacrifices and dedication in their commitments in their endeavors and the struggle for creating an independent and autonomous state of Macedonia and responsible before the future generations for preserving and developing everything of value from the wealthy cultural inheritance and co-habitation in Macedonia, equal in their rights and obligations towards the common good – the Republic of Macedonia – in accordance with the tradition of the Krushevo Republic and the decisions of ASNOM and the referendum from September 8, 1991, have decided to constitute the Republic of Macedonia as an independent, autonomous country, in order to establish and strengthen the rule of the law, to guarantee human rights and civil freedoms, to provide peace and co-habitation, social justice, economic welfare and progress of the personal and shared life, through their representatives in the Assembly of the Republic of Macedonia, elected on free and democratic elections, hereby reach this

I. BASIC PROVISIONS

Article 2

Sovereignty in the Republic of Macedonia derives from the citizens and belongs to the citizens.
The citizens of the Republic of Macedonia exercise their authority through democratically elected Representatives, through referendum and through other forms of direct expression.

Article 7

On the entire territory of the Republic of Macedonia and in its international relations official language shall be the Macedonian and its Cyrillic alphabet.

Any other language spoken by at least 20% of the citizens shall also be official, together with its alphabet, as set fourth in this article.

The personal documents of the citizens who speak an official language different than the Macedonian, shall be issued in Macedonian language and its alphabet, as well as in that language and its alphabet, in accordance with law.

Any citizen, who lives in the units of the local self-government where at least 20% of the citizens speak an official language different than the Macedonian, in communicating with the district ministries may use any of the official languages and its alphabet. The district ministries in charge of those units of local self-government shall reply in Macedonian and its Cyrillic alphabet, as well as in the official language and alphabet used by the citizen. Any citizen, in communicating with the Ministries may use one of the official languages and its alphabet, while the Ministries reply in Macedonian and its Cyrillic alphabet, as well as in the official language and alphabet used by the citizen.

In the bodies of the state authority in the Republic of Macedonia, an official language different than the Macedonian may be used in accordance with law.

In the units of the local self-government, the language and alphabet used by at least 20% of the citizens shall be an official language, besides the Macedonian language and its Cyrillic alphabet. On the use of the languages and alphabets used by less than 20% of the citizens in the units of the local self-government, the bodies of the units of local self-government shall be the ones to decide.

Article 8

The fundamental values of the constitutional order of the Republic of Macedonia are:

- the basic freedoms and rights of the individual and citizen, recognized in international law and set down in the Constitution;

- the free expression of national identity;
- Appropriate and fair representation of the citizens who belong to all communities in the bodies of the state authority and other public institutions on all levels[;]
- the rule of law;
- the division of state powers into legislative, executive and judicial;
- political pluralism and free, direct and democratic elections;
* * * * *
- local self-government;
* * * * *
- respect for the generally accepted norms of international law.
Anything that is not prohibited by the Constitution of by law is permitted in the Republic of Macedonia.

II. BASIC FREEDOMS AND RIGHTS OF THE INDIVIDUAL AND CITIZEN

1. Civil and political freedoms and rights

Article 9

Citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of sex, race, color of skin, national and social origin, political and religious beliefs, property and social status.
All citizens are equal before the Constitution and law.

Article 16

The freedom of personal conviction, conscience, thought and public expression of thought is guaranteed.
The freedom of speech, public address, public information and the establishment of institutions for public information is guaranteed.
Free access to information and the freedom of reception and transmission of information are guaranteed.
The right of reply via the mass media is guaranteed.
The right to a correction in the mass media is guaranteed.
The right to protect a source of information in the mass media is guaranteed.
Censorship is prohibited.

Article 20

Citizens are guaranteed freedom of association to exercise and protect their political, economic, social, cultural and other rights and convictions.
Citizens may freely establish associations of citizens and political parties, join them or resign from them.
The programs and activities of political parties and other associations of citizens may not be directed at the violent destruction of the constitutional order of the Republic, or at encouragement or incitement to military aggression or ethnic, racial or religious hatred or intolerance.
Military or paramilitary associations which do not belong to the Armed Forces of the Republic of Macedonia are prohibited.

Article 21

Citizens have the right to assemble peacefully and to express public protest without prior announcement or a special license.
The exercise of this right may be restricted only during a state of emergency or war.

Article 22

Every citizen on reaching 18 years of age acquires the right to vote.
The right to vote is equal, universal and direct, and is exercised at free elections by secret ballot.
Persons deprived of the right to practice their profession by a court verdict do not have the right to vote.

Article 23

Every citizen has the right to take part in the performance of public office.

Article 48

The people belonging to the communities shall have a right to freely express, nurture and develop their identity and the specifics of their communities and to use the symbols of their community.

The Republic shall guarantee the protection of the ethnic, cultural, linguistic and religious identity of all communities.

* * * * *

3. Guarantees of basic freedoms and rights

Article 50

Every citizen may invoke the protection of freedoms and rights determined by the Constitution before the regular courts, as well as before the Constitutional Court of Macedonia, through a procedure based upon the principles of priority and urgency.

Judicial protection of the legality of individual acts of state administration, as well as of other institutions carrying out public mandates, is guaranteed.

A citizen has the right to be informed on human rights and basic freedoms as well as actively to contribute, individually or jointly with others, to their promotion and protection.

Article 51

In the Republic of Macedonia laws shall be in accordance with the Constitution and all other regulations in accordance with the Constitution and law.

Everyone is obliged to respect the Constitution and the laws.

Article 52

Laws and other regulations are published before they come into force.

Laws and other regulations are published in 'The Official Gazette of the Republic of Macedonia' at most seven days after the day of their adoption.

Laws come into force on the eighth day after the day of their publication at the earliest, or on the day of publication in exceptional cases determined by the Assembly.

Laws and other regulations may not have a retroactive effect, except in cases when this is more favorable for the citizens.

III. THE ORGANIZATION OF STATE AUTHORITY

1. The Assembly of the Republic of Macedonia

Article 68

The Assembly of the Republic of Macedonia

- adopts and changes the Constitution;
- adopts laws and gives the authentic interpretation of laws;
* * * * *
- carries out elections and discharges judges;
- selects, appoints and dismisses other holders of public and other office determined by the Constitution and law;
- carries out political monitoring and supervision of the Government and other holders of public office responsible to the Assembly;
* * * * *
- performs other activities determined by the Constitution.

In carrying out the duties within its sphere of competence, the Assembly adopts decisions, declarations, resolutions, recommendations and conclusions.

3. The Government of the Republic of Macedonia

Article 88

Executive power is vested in the Government of the Republic of Macedonia.

The Government exercises its rights and competence on the basis and within the framework of the Constitution and law.

Article 91

The Government of the Republic of Macedonia

- determines the policy of carrying out the laws and other regulations of the Assembly and is responsible for their execution;
- proposes laws, the budget of the Republic and other regulations adopted by the Assembly; * * * * *

VI. INTERNATIONAL RELATIONS

Article 118

The international agreements ratified in accordance with the Constitution are part of the internal legal order and cannot be changed by law.

ANNEX C: LAW ON ELECTION OF MEMBERS OF PARLIAMENT

Official Gazette of the Republic of Macedonia
No. 42/2002; Date Published: 25 – June – 2002

(Excerpts referring to conduct of the referendum)

I. BASIC PROVISIONS

Article 1

This Law regulates the manner, conditions and procedure for the election of Members of Parliament⁵ of the Republic of Macedonia.

II. BODIES IN CHARGE OF CONDUCTING THE ELECTIONS

Article 11

Bodies in charge of conducting the elections are:

- **The State Election Commission;**
- *The Election Commission of the Election District (hereinafter: Regional Election Commission);*
- **Municipal Election Commissions; and**
- **Electoral Boards.**

Article 12

(1) The State Election Commission is composed of a president, eight members and their deputies.

(2) The State Election Commission has a Secretary and his deputy.

(3) The president of the State Election Commission and his deputy shall be appointed by the President of the Republic of Macedonia.

(4) The members of the State Election Commission, the Secretary, and their deputies shall be appointed by the Parliament.

Article 13

(1) Two members of the State Election Commission shall be appointed from among the judges of the Supreme Court of the Republic of Macedonia, while their deputies from among eminent attorneys and lawyers with the agreement of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(2) Two members of the State Election Commission shall be appointed from among the judges of the Supreme Court of the Republic of Macedonia, while their deputies from among eminent attorneys and lawyers, with the agreement of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(3) The president of the State Election Commission, his deputy and the members and their deputies, referred to in paragraphs (1) and (2) of this Article, shall be appointed for a period of 5 years.

(4) Two members of the State Election Commission and their deputies shall be proposed by the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(5) Two members of the State Election Commission and their deputies shall be proposed by the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(6) Members and their deputies referred to in paragraphs (4) and (5) of this Article shall be appointed within 30 days following the day of holding the constitutive session of the Parliament, for a period of 4 years.

Article 14

(1) Law graduates shall be appointed as Secretary and his deputy of the State Election Commission for a period of 5 years.

(2) The Secretary is not a member of the State Election Commission and may not vote.

(3) The Secretary shall do his job professionally.

(4) A Secretariat shall be formed for performance of the administrative and professional oriented matters as a professional service of the State Election Commission.

(5) The Secretariat shall be run by the Secretary of the State Election Commission.

(6) The Secretary and the employees in the Secretariat of the State Election Commission shall have the status of civil servants.

Article 15

(1) Political parties referred to in Article 13 of this Law, shall determine the members and their deputies, referred to in paragraphs (1), (2), (4) and (5), within 5 days following the receipt of notification from the President of the Parliament.

(2) If the political parties fail to determine and submit the names of the members and their deputies within the deadline stated in paragraph (1) of this Article, the members and their deputies shall be proposed by the Commission for Election and Appointment Matters of the Parliament.

(3) The members of the State Election Commission and their deputies of Article 13 paragraphs (4) and (5) of this Law shall be law graduates.

Article 20

(1) Municipal Election Commissions shall be established in:

- the municipality of Berovo and shall be responsible for the municipalities of Berovo and Pehchevo;
- the municipality of Bitola and shall be responsible for the municipalities of Bitola, Bistrica and Capari;
- the municipality of Makedonski Brod and shall be responsible for the municipalities of Makedonski Brod and Samokov;

- the municipality of Valandovo and shall be responsible for the municipality of Valandovo;
- the municipality of Vinica and shall be responsible for the municipalities of Vinica and Blatec;
- the municipality of Gevgelija and shall be responsible for the municipalities of Gevgelija, Star Dojran, Bogdanci and Miravci;
- the municipality of Gostivar and shall be responsible for the municipalities of Gostivar, Negotino Poloshko, Vrapchishte, Chegrane, Vrutok, Mavrovi Anovi, Dolna Banjica, Srbino, Oslomej, Zajas and Rostushe;
- the municipality of Debar and shall be responsible for the municipalities of Debar and Centar Zupa;
- the municipality of Delchevo and shall be responsible for the municipalities of Delchevo and Makedonska Kamenica;
- the municipality of Demir Hisar and shall be responsible for the municipalities of Demir Hisar and Sopotnica;
- the municipality of Kavadarci and shall be responsible for the municipalities of Kavadarci, Rosoman and Konopishte;
- the municipality of Kichevo and shall be responsible for the municipalities of Kichevo, Vraneshnica, Drugovo and Plasnica;
- the municipality of Kochani and shall be responsible for the municipalities of Kochani, Orizari, Zrnovci, Obleshevo and Cheshinovo;
- the municipality of Kratovo and shall be responsible for the municipalities of Kratovo, Klechovce and Orashac;
- the municipality of Kriva Palanka and shall be responsible for the municipalities of Kriva Palanka and Rankovce;
- the municipality of Krushevo and shall be responsible for the municipalities of Krushevo, Zitoshe and Dolneni;
- the municipality of Kumanovo and shall be responsible for the municipalities of Kumanovo, Staro Nagorichani and Lipkovo;
- the municipality of Negotino and shall be responsible for the municipalities of Negotino and Demir Kapija;
- the municipality of Ohrid and shall be responsible for the municipalities of Ohrid, Kosel, Mesheishta and Belchishta;
- the municipality of Prilep and shall be responsible for the municipalities of Prilep, Vitolishte, Krivogashtani, Topolchani, Mogila, Kukurechani, Novaci, Dobrushevo, Bac and Staravina;
- the municipality of Probishtip and shall be responsible for the municipalities of Probishtip and Zletovo;

- the municipality of Radovish and shall be responsible for the municipalities of Radovish, Podaresh and Konche;
- the municipality of Resen and shall be responsible for the municipality of Resen;
- the municipality of Sveti Nikole and shall be responsible for the municipalities of Sveti Nikole and Lozovo;
- the municipality of Struga and shall be responsible for the municipalities of Struga, Vevchani, Veleshta, Labunishta, Delogozde and Lukovo;
- the municipality of Strumica and shall be responsible for the municipalities of Strumica, Vasilevo, Bosilovo, Novo Selo, Murtino and Kuklish;
- the municipality of Tetovo and shall be responsible for the municipalities of Tetovo, Zelino, Jagunovce, Tearce, Vratnica, Dzepchishte, Shipkovica, Kamenjane, Bogovine and Brvenica;
- the municipality of Veles and shall be responsible for the municipalities of Veles, Gradsko, Izvor, Bogomila, Chashka, Zelnikovo, Petrovac and Ilinden;
- the municipality of Shtip and shall be responsible for the municipalities of Shtip and Karbinci;
- the municipality of Karposh and shall be responsible for the municipalities of Karposh, Kondovo and Saraj;
- the municipality of Centar and shall be responsible for the municipality of Centar;
- the municipality of Gazi Baba and shall be responsible for the municipalities of Gazi Baba and Arachinovo;
- the municipality of Chair and shall be responsible for the municipalities of Chair, Chucher Sandevo, Shuto Orizari and Gjorche Petrov; and
- the municipality of Kisela Voda and shall be responsible for the municipalities of Kisela Voda, Studenichani and Sopsishte.

(2) The Municipal Election Commissions shall be located in the municipalities, defined in paragraph (1) of this Article, and shall be in charge of conducting the election activities in the polling units assigned for those municipalities determined by law.

(3) Election Commissions of paragraph (1) of this Article shall be composed of a president, four members and their deputies.

(4) The Municipal Election Commission shall have a Secretary and his deputy.

(5) The presidents of the Municipal Election Commissions shall be appointed by the State Election Commission with a two-thirds majority of votes from the total number of members of the State Election Commission. If the president and his deputy cannot be appointed with a two-thirds majority of votes in the first round of voting, then the appointment shall be done with a majority of votes of the total number of members of the State Election Commission.

(6) The members of Municipal Election Commissions and their deputies shall be appointed by the Regional Election Commission determined in Article 16, paragraph (1) of this Law, for the municipalities within the election district⁶, within 30 days following its establishment.

Article 21

(1) The president of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission.

(2) One member of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission, upon proposal of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(3) One member of the Municipal Election Commission and his deputy shall be appointed from among the judges of the Primary Courts, located on the territory of the Municipal Election Commission, upon proposal of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(4) The president of the Municipal Election Commission, his deputy, and the members and deputies referred to in paragraphs (2) and (3) of this Article, shall be appointed for a period of 5 years.

(5) One member of the Municipal Election Commission and his deputy shall be proposed by the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(6) One member of the Municipal Election Commission and his deputy shall be proposed by the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(7) The members and deputies of the Municipal Election Commission from paragraphs (5) and (6) of this Article shall be appointed for a period of 4 years.

Article 22

(1) Law graduates shall be appointed as Secretary and his deputy of a Municipal Election Commission, for a period of 5 years.

(2) The Secretary and his deputy, referred to in paragraph (1) of this Article, shall be appointed by the Municipal Election Commission, upon a proposal of the president of the Municipal Election Commission.

(3) The Secretary is not a member of the Municipal Election Commission and shall not have the right to vote.

Article 23

(1) Political parties of Article 21 of this Law shall determine the proposals for members of the Municipal Election Commissions and their deputies, referred to in paragraphs (2), (3), (5) and (6), and submit them to the Regional Election Commission within 10 days of the receipt of the notification from the Regional Election Commission.

(2) If the political parties, referred to in Article 21 of this Law, fail to determine and submit the names of the members and their deputies within the deadline set forth in paragraph (1) of this Article, the members and their deputies shall be appointed by the Regional Election Commission.

(3) The political parties referred to in Article 21 of this Law shall submit the proposals for members of the Municipal Election Commissions and their deputies, referred to in paragraphs (2), (3), (5) and (6) also in cases when a member or his deputy submits a resignation.

(4) The political parties shall submit the proposals referred to in paragraph 3 of this Article within 48 hours following the receipt of the notification from the Regional Election Commission.

(5) If the political parties fail to submit a proposal within the deadline set forth in paragraphs (1) and (4) of this Article, the members of the Municipal Election Commissions and their deputies shall be appointed by the Regional Election Commission within 24 hours after the deadline for proposing candidates.

Article 24

The president and members of the Municipal Election Commission and their deputies shall have a residence on the territory of the municipality for which the Municipal Election Commission was established.

Article 25

(1) An Electoral Board shall be established for each polling unit.

(2) Electoral Boards shall be composed of a president, four members, and their deputies.

(3) The president of the Electoral Board and his deputy shall, as a rule, be law graduates.

(4) Two members of the Electoral Board and their deputies shall be appointed upon a proposal of the political parties in opposition, which have won the largest number of votes in the last elections for Members of Parliament.

(5) Two members of the Electoral Board and their deputies shall be appointed upon a proposal of the ruling political parties, which have won the largest number of votes in the last elections for Members of Parliament.

(6) The presidents, members of the Electoral Boards and their deputies shall be appointed by the Municipal Election Commission, no later than 20 days before Election Day.

Article 26

(1) The political parties shall propose the members of the Electoral Boards and their deputies, referred to in Article 25, paragraphs (4) and (5) of this Law, no later than 25 days prior to Election Day.

(2) If the political parties fail to submit a proposal within the deadline determined in paragraph (1) of this Article, the members of the Electoral Boards and their deputies shall be appointed by the Municipal Election Commission.

(3) The president of the Municipal Election Commission shall appoint new members to the Electoral Board and their deputies, in case of unjustified abandoning of the polling station by members of the Electoral Board and their deputies during the elections, with a decision submitted to the members of the Commission.

Article 27

Decisions on the appointment of the Regional Election Commissions and Municipal Election Commissions shall be published in the 'Official Gazette of the Republic of Macedonia'.

Article 28

(1) The bodies for conducting the elections may work and reach decisions if a majority of members is present.

(2) The bodies for conducting the elections shall reach their decisions with a majority of votes of the total number of members, unless otherwise stipulated by this Law.

(3) In the case of absence of a member of the State, Regional or Municipal Election Commission, as well as a member of the Electoral Board, their deputies shall participate in their work on the sessions.

Article 29

(1) The President, members of the bodies for conducting elections, the Secretaries, as well as their deputies, may not be candidates for Members of Parliament.

(2) If the president, the member of a body for conducting elections, the Secretary, as well as their deputies, accepts candidacy for Member of Parliament, his office of president, member, Secretary or deputy shall cease.

Article 30

(1) The president and members of the bodies in charge of conducting elections shall perform their duties impartially, conscientiously and responsibly in accordance with the responsibilities determined by this Law.

Article 32

The State Election Commission shall:

1. take care of the legality in the preparation and conduct of the elections, and give instructions;
2. appoint the presidents of the Municipal Election Commissions and their deputies.
3. appoint the composition of the Regional Election Commissions, give instructions for their work, explanations about the application of the provisions of this Law and other laws regarding election matters;
4. establish common standards concerning the election material, provide conditions and take care of their implementation;
5. prescribe forms for conducting elections and publish them in the 'Official Gazette of the Republic of Macedonia';
6. determine the way of handling and securing the election material;
7. determine the form, size, colour and serial numbers of the ballots;
8. organize the printing of ballots and candidates' lists;
9. hand over to, and receive the election material from, the Regional Election Commissions;

10. conduct education of the Regional Election Commission members;
11. inform the public of the way of voting and of the exercise of the right to vote;
12. adopt a code on the rules for monitoring of elections by domestic and foreign observers, in accordance with international standards, and provide them with identification documents;
13. decide upon complaints;
14. determine the election results;
15. announce the total results from the elections held for Members of Parliament within three days of their holding;
16. submit a report to the Parliament about the elections held;
17. issue certificates to the Members of Parliament elected;
18. pass a Rulebook and Guide for compensation for the members of the election bodies;
19. submit a financial report to the Parliament for the conducted elections;
20. perform the duties provided by the Law on Voters' List;
21. prescribe the type of device for marking and controlling the persons who have voted (UV lamps, spray, graphite pad);
22. adopt an act for the organization and systemization of the Secretariat of the State Election Commission;
23. form assisting bodies to carry out organizational and technical matters;
24. publish the descriptions of the polling units and election districts in the daily press;
25. perform other duties provided by law.

Article 34

The Municipal Election Commission shall:

1. take care of the legal conduct of elections;
2. appoint the composition of the Electoral Boards, and give instructions concerning their work;
3. post the determined lists of candidates;
4. perform education of the Electoral Board members;
5. undertake technical preparations for conducting the elections according to the directions and instructions by the Regional and State Election Commission;
6. inform the citizens of the way and technique of voting;
7. register the authorized representatives for monitoring the work of the Municipal Election Commission and the Electoral Boards;

8. hand over to, and collect the election materials from, the electoral boards in a way determined by this Law;
9. hand over the election material to the Regional Election Commission within 3 hours after the receipt of the election material from the Electoral Boards; and
10. perform other duties as well.

Article 35

(1) The Electoral Board shall directly manage the voting at the polling station, ensure regularity and secrecy of the voting, provide free and peaceful conduct of the voting, sum up the voting result at the polling station and post it at the very place where the voting was conducted.

(2) The Electoral Board shall make minutes of its work and shall submit them to the Municipal Election Commission together with the election material.

Article 36

(1) The Parliament, Ministry of Justice, Ministry of Internal Affairs, State Bureau of Statistics and the Department of General and Common Activities in the Government of the Republic of Macedonia and their district offices are obliged to provide technical and other working conditions, as well as personnel teams to the bodies for conducting the elections, for performing the activities in the Secretariats of Article 14, paragraph (4) and Article 18, paragraph (3) of this Law.

(2) The bodies shall be provided with funds from the Budget of the Republic of Macedonia to perform their jobs in paragraph (1) of this Article.

IV. ELECTION CAMPAIGN

Article 48

(1) The election campaign shall begin 30 days prior to the Election Day and may not be carried out 24 hours prior to and on Election Day.

(2) The Broadcasting Council shall be obliged to follow the programs of the electronic media in the Republic of Macedonia for the duration of the election silence and on Election Day.

(3) After determining the irregularities (agitation, information connected to the election campaign, advertisements, which present party programs and party symbols), the Broadcasting Council shall immediately inform the Ministry of Transport and Communication and/or the Telecommunication Office.

(4) The Telecommunication Office shall reach a decision for closing the radio station of the holder who committed the irregularity for a period of 48 hours, immediately after the receipt of the notification. .

Article 52

(1) Public opinion polls shall be announced no later than 5 days prior to Election Day.

(2) When public opinion polls on candidates, political parties and groups of voters in the election campaigns are announced, the name of the institution or head of the institution that organized the survey, the date, methodology, size and structure of the sample, and the name of the person who commissioned the polls, shall be given.

(3) Public opinion polls may be conducted on the actual Election Day, and the results thereof shall be announced no sooner than the closing of the polling units.

Article 53

When broadcasting election propaganda in the information part of their program, the media shall be obliged to state that it is a paid advertisement.

Article 54

The media, whose founder is the Parliament, in cooperation with the State Election Commission have an obligation without compensation to inform the citizens of the way and technique of voting.

Article 57

(1) Pre-election rallies are public.

(2) The organizer is responsible for keeping order at the rallies.

VI. CONDUCTING THE ELECTIONS

Article 66

(1) Citizens shall be notified of the elections by means of a public announcement and displaying posters in visible places.

(2) The notification, referred to in paragraph (1) of this Article, shall be carried out by the Regional and Municipal Election Commissions.

1. Election Material

Article 67

The election material for executing the elections for Members of Parliament consists of:

- **ballot boxes and voting screens;**
- **forms for minutes;**
- **ballot booklet, according to the excerpts of the Voters' List;**
- *lists of candidates;*
- **certified excerpt from the Voters' List;**
- **devices for marking and controlling the persons who have voted (UV lamp, spray, graphite pad) and;**
- **other material necessary for voting.**

Article 68

(1) **The State Election Commission** shall hand over the election material to the *Regional Election Commissions* no later than 72 hours prior to the Election Day.

(2) Minutes shall be prepared for handing over the election material, in which the total number of ballots with the related serial numbers and the required number of lists of candidates to be displayed in the voting facilities shall be indicated.

Article 69

(1) *The Regional Election Commissions* shall hand over the election material **to the Municipal Election Commissions no later than 62 hours prior to Election Day.**

(2) Minutes shall be prepared for handing over the election material, in which the total number of ballots with the related serial numbers and the required number of lists of candidates to be displayed in the voting facilities shall be indicated.

Article 70

(1) The Municipal Election Commission is obliged to hand over the election material to the Electoral Boards one day prior to the day determined for holding the elections.

(2) Minutes shall be prepared for handing over the election material from the Municipal Election Commission to the Electoral Boards in which the total number of ballots with the related serial numbers and the rest of the necessary voting material shall be indicated.

(3) In the minutes on the handover of the election material, the Electoral Board shall determine if the room in which the voting will take place meets the prescribed voting conditions.

(4) The president, Electoral Board members and a member of the Election Commission, who is handing over the material, shall sign the minutes.

(5) Should the representatives of the list submitters present have some comments on the handing over of the election material, they have the right to request that those comments be registered in the minutes, and only the comments registered in that way may be invoked in the objections and be the subject of an assessment in the appellate proceedings.

(6) If the comments by the representatives of the list submitters present, referred to in paragraph (5) of this Article, are not evidenced in the minutes, they have the right to submit comments to the Municipal Election Commission within 5 hours of signing the minutes.

3. Conducting the voting

Article 72

A place where the voting is conducted shall be determined for each polling unit (hereinafter: polling station).

Article 73

(1) Voting shall begin at 7:00 am and shall last uninterruptedly until 7:00 pm.

(2) The polling station shall be closed at 7:00 pm, and the voters who happen to be in the facility where the voting takes place will be allowed to cast their vote.

(3) The Electoral Board may close the polling station before the end of the period set forth in paragraph (1) of this Article, provided that all the voters registered in the excerpt of the Voters' List have cast their votes.

Article 74

(1) After closing the polling station, the police shall secure the facility in which the polling station and the Electoral Board are located, and shall remove all unauthorized persons from the facility.

(2) The police shall also secure the Electoral Board until the handover of the minutes and the election material to the Municipal Election Commission, if such a request has been made by the Electoral Board.

Article 75

(1) The president and members of the Electoral Board shall gather in the voting room no later than one hour before the beginning of the voting to determine if:

- the room is in the same condition as it was left on the day before the elections;
- the election material is in the same condition as it was left on the day before the elections;
and
- the ballot box is empty.

(2) The Electoral Board shall prepare minutes on the condition found, and they shall be signed by the president and members of the Board.

(3) The comments of the president and members of the Electoral Board shall be entered in the minutes.

(4) Should the representatives of the list submitters have any comments, they have the right to request them to be recorded in the minutes, and only the comments registered in that way may be invoked in objections and be the subject of an assessment in appellate proceedings.

(5) If the comments referred to in paragraph (4) of this Article of the representatives of the list submitters present are not recorded in the minutes, they have the right to submit them to the Municipal Election Commission within 5 hours of signing the minutes.

Article 76

(1) The Electoral Board takes care of the peace and order at the polling station.

(2) The Electoral Board may remove any person disturbing the peace and order at the polling station.

(3) The facility in which the polling station is located shall be secured by the police during the conduct of voting.

(4) The Electoral Board may ask assistance from the police for establishing order at the polling station.

(5) No one is allowed to come into the polling station armed, except for the police in cases provided in paragraphs (3) and (4) of this Article.

Article 77

(1) If the order at the polling station is disrupted, the Electoral Board may stop the voting until order is re-established.

(2) The voting can also be stopped due to weather disasters or other emergencies.

(3) The Electoral Board shall terminate the voting if the facility in which the polling station is located is not secured by the police, while there was a need for that or if the police were called but did not respond to the call.

(4) The Electoral Board shall also terminate the voting in cases when the police cannot maintain order at the polling station and are not complying with the provisions of this Law.

(5) If the voting was stopped for more than one hour, it shall be continued for as much time as the interruption lasted, but not longer than 3 hours.

(6) If the interruption lasted for more than 3 hours, the voting shall be repeated.

(7) The reasons for the interruption of the voting and the duration of the interruption shall be entered in the minutes.

Article 78

(1) If the representatives of the submitters of lists have any comments concerning the work of the Electoral Board during the voting, they can point out the irregularities, so that they can be corrected.

(2) Comments made are registered in the minutes in writing, and only comments registered in such a way can be pointed out in objections and be the subject of evaluation in appellate proceedings.

(3) If the representatives of the submitters of lists do not have comments registered in the minutes as referred to in paragraph (2) of this Article, they have the right to submit them to the Municipal Election Commission within 5 hours of signing the minutes.

Article 79

(1) The president, members of Regional Election Commissions, Municipal Election Commissions and Electoral Boards and their deputies, as well as the representatives of list submitters, and the observers are not allowed to have any marks or symbols of a political party or candidate at the time and place of the voting.

(2) No campaigning is allowed on Election Day.

(3) The Electoral Board in cooperation with the competent bodies is obliged to remove propaganda material in the facility and room where the voting is taking place and within a radius of 100 meters.

4. Way of voting

Article 80

(1) The voting is carried out in person at the polling stations in the Republic of Macedonia.

(2) Voting for another person is prohibited, except in the cases referred to in Article 85 of this Law.

Article 81

(1) The voters approach to vote one by one. One of the members of the Electoral Board checks if the voter is at the appropriate place.

(2) When the voter approaches to vote, the Electoral Board verifies through the use of an ultra-violet detection lamp if the voter has an indelible mark on the thumb of his right hand, making sure to check the nail of the thumb of the voter.

(3) When the voter approaches to vote, the Electoral Board checks his personal identity.

(4) The voter shall prove his personal identity with an ID card or passport.

(5) After the identification of the voter, the Electoral Board circles his ordinal number in the excerpt of the Voters' List and the voter places his signature, while if he is illiterate, he shall put his right index finger print. If the voter does not have a right index finger then he shall put a print of his left index finger, and if he does not have a left index finger as well, then putting a print shall not be needed.

(6) After the identification, the voter shall receive a ballot and shall have his right thumb, or left thumb if he does not have a right thumb, marked with invisible marking ink, making sure that the application covers the nail of the thumb. If the voter does not have a thumb on either hand, then marking shall not be done.

Article 82

(1) The voting shall be performed with one ballot.

(2) The ballot shall be removed in numerical sequence from the stub of the booklet and given to the voter, while the serial number remains on the stub.

(3) The voter shall be instructed of the way of voting and shall be allowed to vote.

Article 83

The voter shall cast the vote by circling the ordinal number of the list submitter he has decided to vote for and putting the folded ballot in the ballot box.

Article 84

(1) The voter who is unable to vote at the polling station (disabled or ill person) but wants to vote, shall notify the Municipal Election Commission thereof no later than 3 days prior to the election day.

(2) The notification referred to in paragraph (1) of this Article may be made through a proxy.

(3) The Electoral Board enables the person referred to in paragraph (1) of this Article to vote in his home or the hospital he is in, one day prior to the elections in such a way that the secrecy of the voting is guaranteed.

(4) The Electoral Board shall provide a special ballot box for the voting referred to in paragraph (3) of this Article, which is taken empty to the home or hospital where the voter is.

(5) The voting, referred to in paragraph (3) of this Article, shall be recorded in the minutes of the Electoral Board.

(6) For the date and time of voting, referred to in paragraph (3) of this Article, the president of the Municipal Election Commission shall notify the representatives of the list submitters in writing.

Article 85

(1) The voter, who due to a physical disability or illiteracy is unable to vote in the manner defined by this Law, has the right to have a person to help him with voting.

(2) If the voter referred to in paragraph (1) of this Article does not have a person to help him with the voting, the Electoral Board shall appoint another person from among the voters.

(3) The person helping another person with voting may not be from among the Electoral Board members, representatives of the list submitters or observers.

(4) The same person may assist not more than two voters, referred to in paragraph (1) of this Article, with the voting.

(5) The Electoral Board shall instruct the person referred to in paragraph (3) of this Article that he may not influence the voter's choice with his help.

(6) The voting referred to in paragraph (1) of this Article shall be recorded in the minutes by the Electoral Board.

Article 86

(1) Voters who are not at their place of residence on Election Day due to their military service or military maneuvers shall cast their vote at their military unit, organization, institution or unit.

(2) Voters who on Election Day are serving a prison sentence or are in custody shall vote in the penitentiary institutions.

(3) Having received the lists of voters referred to in paragraphs (1) and (2) of this Article, the Municipal Election Commission is obliged to send them immediately to the military units, organizations, institutions, unit where the voters are serving their military service or doing their military maneuvers, as well as the penitentiary institutions where the voters are serving their prison sentences or are in custody.

(4) The elections for the voters referred to in paragraphs (1) and (2) of this Article shall be carried out by the Electoral Board of the nearest polling unit, one day before the Election Day, and the representatives of the list submitters are notified thereof with a view to their being present at the voting in the military unit.

(5) The Electoral Board shall prepare separate minutes for the voting referred to in paragraph (4) of this Article.

(6) The minutes and election material shall be submitted to the corresponding Municipal Election Commissions after the completion of the voting.

5. Summing up the voting results at the polling stations

Article 87

The results of the voting at the polling station shall be determined in the following manner:

- the unused ballots shall be counted and put in a special envelope that is closed, sealed, and the number of the polling unit and the total number of unused ballots are written down on it;
- the total number of voters registered in the excerpt of the Voters' List, who have cast their vote and have placed their signature or fingerprint only, shall be determined;
- the ballot box shall be opened and the counting of votes shall begin;
- one member shall be selected by drawing lots, to take out and open the ballots from the ballot box one at a time, and hand them over to the president of the Electoral Board;
- the ballot is shown to all Electoral Board members, to the representatives of the submitters of lists present, and to the observers;

- the Electoral Board shall determine whether or not the ballot is valid and for which list the vote has been cast;
- the vote cast shall be recorded, the ballot shall be put in the corresponding place and a new ballot shall be taken out of the ballot box.

Article 88

- (1) The ballot is valid if it has been circled in the way prescribed in Article 83 of this Law.
- (2) A valid ballot is considered to be one from which in a reliable and unambiguous way it may be established for which list of candidates the voter has cast his vote.
- (3) The ballot shall be invalid should it not be completed, or should there be more than one list of candidates circled.

Article 89

- (1) The Electoral Board shall prepare minutes of its work.
- (2) Information entered in the minutes shall include: the ordinal number of the polling unit, the time of beginning and concluding the voting; the total number of voters in the polling unit according to the excerpt of the Voters' List; the total number of voters who have voted; the total number of ballots put in the ballot box; the total number of ballots that have not been put in the ballot box; the total number of invalid ballots and the total number of votes each list of candidates has won individually.
- (3) Possible comments by the members of the Electoral Board shall be recorded in the minutes as well.

Article 90

- (1) The president and Electoral Board members shall sign the minutes.
- (2) The minutes are valid if signed by the majority of the Electoral Board members.
- (3) The president of the Electoral Board should state the reasons for the minutes not being signed by a member of the board.
- (4) If the majority of members of the Electoral Board do not sign the minutes, the minutes shall be done and signed by the Municipal Election Commission, based upon the entire election material.
- (5) *In case the representatives of the list submitters present have comments, they have the right to enter them in the minutes, and only the comments registered in that way may be invoked in the objections and be the subject of an assessment in appellate proceedings.*
- (6) *If the comments by the representatives of the list submitters referred to in paragraph 5 of this Article are not recorded in the minutes, they shall have the right to submit them to the Municipal Election Commission within 5 hours following the completion (signing) of the minutes.*

Article 91

- (1) The minutes and the rest of the election material shall be submitted to the Municipal Election Commission by the Electoral Board within five hours following the completion of the voting.
- (2) *Each representative of the list submitter shall receive a copy of the minutes.*

(3) Upon the completion of the activities described in paragraphs (1) and (2) of this Article, the Electoral Board shall immediately announce and post the results summed up from the voting carried out at the polling station.

(4) The election material shall be submitted to the Municipal Election Commission by the president of the Electoral Board accompanied by interested Electoral Board members or representatives of the submitters of lists and representatives of the police, if necessary.

(5) The election material shall be submitted to the Regional Election Commission by the president of the Municipal Election Commission accompanied by the interested Municipal Election Commission members or representatives of the submitters of lists and representatives of the police, within 3 hours after the receipt of the election material from the Election Board.

(6) Separate minutes shall be prepared for the handover of the material of paragraphs (1) and (5) of this Article.

6. Summing up the voting results in the election district

Article 92

The Regional Election Commission shall sum up the results of the voting for the lists of candidates of the polling units of the electoral district for which it is responsible, within 5 hours of the receipt of the entire election material from the Municipal Election Commissions.

Article 93

(1) The Regional Election Commission shall prepare minutes of its work.

(2) In the minutes of the voting, the following information shall be entered: the votes summed up, the ordinal number of the polling units in the election district, the total number of voters for the polling units registered in the excerpts of the Voters' List, the total number of voters who have cast their vote, the total number of invalid ballots and the total number of votes that each list of candidates has won at the election district level.

(3) Possible comments by the members of the Regional Election Commission shall be recorded in the minutes, as well.

Article 94

(1) The president and the Regional Election Commission members shall sign the minutes.

(2) The minutes are valid if signed by the majority of the Regional Election Commission members.

(3) The president of the Regional Election Commission should state the reasons for the minutes not being signed by a member of the Commission.

(4) If the minutes are not signed by the majority of the members of the Regional Election Commission, the minutes are prepared and signed by the State Election Commission, based on the entire election material.

(5) In case the representatives of the list submitters present have comments, they have the right to register them in the minutes and only the comments registered in that way may be invoked in objections and be the subject of an assessment in appellate proceedings.

(6) If the comments by the representatives of the list submitters referred to in paragraph (5) of this Article are not recorded in the minutes, they shall have the right to submit them to the State Election Commission within 5 hours following the completion (signing) of the minutes.

(7) Each representative of a list submitter shall receive a copy of the minutes.

Article 95

The Regional Election Commission shall submit the minutes of its work and the entire election material to the State Election Commission within 8 hours following the receipt of the election material.

7. Determining the voting results in the election districts

Article 96

(1) The State Election Commission shall determine the total results of the voting in the election districts.

(2) The State Election Commission shall determine the voting results based on the minutes of the results summed up by the *Regional Election Commissions* and the entire election material.

(3) The State Election Commission shall establish the results for each individual election district according to the number of the total votes that individual lists of candidates have won on the basis of the summarized results of the *Regional Election Commissions* for the election district.

(4) When establishing the election results, the D'Hondt's formula shall be applied.

(5) Having established the total number of votes cast for that number of candidates in the election district (so called electorate), each individual list is divided by the sequence of divisors 1, 2, 3, 4, etc. until all seats in the election district are allocated according to the determined principle.

(6) The quotients of the division, referred to in paragraph (5) of this Article, are classified by size, whereby as many of the largest quotients as there are Members of Parliament being elected in the election district shall be relevant.

(7) A list of candidates shall obtain as many parliamentary seats as there are largest quotients out of the number of quotients referred to in paragraph (6) of this Article.

(8) In the case that for the last parliamentary seat, two identical quotients appear to exist, the mandate shall be allotted by drawing lots.

(9) When allocating parliamentary seats, as many candidates as seats won by the list, shall be considered elected.

(10) Candidates are elected from the list of candidates according to the established order. Those candidates included in the list according to the order determined, shall be considered elected.

Article 97

(1) The State Election Commission shall prepare minutes for establishing the results of the voting for each of the election districts separately.

(2) The minutes shall contain information on the voting results, as follows:

- the total number of polling units;

- the total number of voters registered in the excerpts of the Voters' List for the election district;
- the total number of voters who have cast their vote;
- the total number of invalid ballots;
- *the total number of votes that each individual list of candidates won;*
- *the number of parliamentary seats won by the list of candidates; and*
- *the name and surname of the candidates elected.*

Article 98

(1) The State Election Commission shall announce the initial results of the elections for Members of Parliament within 24 hours following the completion of the election.

(2) The State Election Commission shall announce the total results of the elections for Members of Parliament, within 3 days following Election Day.

VII. ANNULLING AND REPEATING THE VOTING

Article 100

(1) The State Election Commission shall, with a decision, annul the voting at the polling station in the following cases:

- if the secrecy of voting has been violated;
- if there is a voting disruption of longer than 3 hours;
- if the police do not respond to the intervention request by the Electoral Board, pursuant to Articles 74, 76 and 77 of this Law, while there was a need for that and it influenced the conduct of the voting at the polling station.

(2) The State Election Commission shall, with a decision, annul the voting at the polling station also in the following cases:

- if the number of ballots in the ballot box is larger than the number of voters who voted, and that number affects the results of the voting on the election district level;
- if some person or persons vote for other person(s), and that number affects the results of the voting on the election district level.

(3) A complaint against the decision of paragraphs (1) and (2) of this Article may be lodged with the Supreme Court of the Republic of Macedonia through the State Election Commission within 24 hours.

(4) The Supreme Court of the Republic of Macedonia shall be obliged to act upon the complaint within 48 hours following its receipt.

(5) The voting at the polling station, which has been annulled, shall be repeated after 14 days of the day of voting.

XI. OBSERVING THE ELECTIONS

Article 109

The elections and the **election procedure** may be observed by:

- registered domestic and foreign associations of citizens of the Republic of Macedonia and the registered associations of foreign countries, the statute of which includes the principles of democracy and the protection of human rights;
- international organizations; and
- representatives of foreign countries.

(2) The State Election Commission shall determine the procedure for conducting an observation mission.

Article 110

(1) The organizations and persons referred to in Article 109 of this Law may observe after obtaining accreditations from the State Election Commission.

(2) The requests for observation shall be submitted to the State Election Commission together with the necessary identification documents from the day the elections are announced until 10 days before voting day.

(3) The State Election Commission shall issue identification documents to the observers no later than 7 days after the receipt of the request.

(4) If the observers start to support some candidate or party, the State Election Commission may revoke the authorization to observe from the entities referred to in Article 109 of this Law.

XII. PENALTY PROVISIONS

Article 111

A person preventing the elections and voting, violating and misusing the right to vote, violating the voter's freedom of choice, bribing at the elections and voting, destroying electoral documents and committing election fraud, shall be punished pursuant to the provisions of the Criminal Code.

Article 112

A person committing the offence of participating in the election campaigns in his uniform will be fined from 20,000 to 50,000 denars (Article 7 of this Law).

Article 113

(1) A political party committing the offence of not complying with the deadline referred to in Article 48, paragraph 1 of the this Law shall be fined from 200,000 to 300,000 denars.

(2) A candidate or any other natural person shall also be fined from 20,000 to 50,000 denars for acts referred to in paragraph 1 of this Article.

Article 114

A natural person committing the offence of preventing and obstructing the campaign shall be fined from 20,000 to 50,000 denars (Article 50 of this Law).

Article 115

A fine of 200,000 to 300,000 denars shall be paid by the public medium that:

- does not provide equal presentation of the candidates for Members of Parliament, political parties, voters' groups and their programs referred to in Article 51, paragraph (1) of this Law;
- does not accept and announce in a timely manner the rules of paragraph (2) of Article 51 of this Law;
- publishes public opinion polls in a period of 5 days prior to the Election Day referred to in Article 52, paragraph (1) of this Law; and
- announces the election propaganda information without stating that the information in question is a paid advertisement referred to in Article 53 of this Law.

(2) The editor-in-chief shall also be fined from 20,000 to 50,000 denars for an offence referred to in paragraph (1) of this Article.

Article 116

A fine of 20,000 to 50,000 denars shall be imposed for the following offences:

- for the editor in chief of the medium publishing a public opinion poll for a candidate without stating the information referred to in Article 52, paragraph (2);
- for the editor in chief of the medium if he publishes an election propaganda announcement without publishing the person who ordered it. (Article 52, paragraph (2) of this Law).

Article 117

The person responsible for a municipality, or the City of Skopje shall be fined from 40,000 to 50,000 denars for committing the offence of failing to determine places for displaying posters free of charge, and for not marking them for each list submitter separately (Article 55 of this Law).

Article 118

The organizer of the electoral campaign shall be fined from 40,000 to 50,000 denars for the offence of failing to remove the waste of the posters within the deadline determined in Article 56, paragraph (2) of this Law.

Article 119

A natural person destroying or putting up election posters over other election campaign organizer's posters on places designated for their display shall be fined from 20,000 to 50,000 denars for the offence (Article 56, paragraph (1) of this Law).

Article 123

A person referred to in Article 79, paragraph (1) of this Law, having any marks or symbols of a political party or a candidate during the time or at the place of voting, shall be fined from 20,000 to 50,000 denars for the offence.

Article 124

(1) A natural person who votes for other persons or on behalf of another person, as well as one who prevents the presence of the police if there was a need for that (Articles 74, 76, 77 and 80 of this Law), shall be fined from 40,000 to 50,000 denars for the offence.

(2) An official person (police officer) who abuses his or her position and causes disorder at the polling station (Articles 74 and 77) shall be fined from 40,000 to 50,000 denars for the offence.

ANNEX D: EXTRACTS FROM THE OSCE/ODIHR ELECTION OBSERVATION MISSION FINAL REPORT – 2004 PRESIDENTIAL ELECTIONS

EXECUTIVE SUMMARY

In response to an invitation by the Ministry of Foreign Affairs, the OSCE/Office for Democratic Institutions and Human Rights (ODIHR) deployed an election observation mission (EOM) to the Former Yugoslav Republic of Macedonia for the 14 and 28 April early Presidential Election. The OSCE/ODIHR assessed the Presidential election in terms of its compliance with commitments with the 1990 Copenhagen Document. The 14 and 28 April 2004 Presidential Election was generally consistent with OSCE election-related commitments. However, election-day irregularities in some areas, particularly during the second round, cast a shadow over the process as a whole. The OSCE/ODIHR EOM observed incidents of proxy voting, ballot box stuffing and intimidation, which were much more evident in the second round. The tensions and irregularities that occurred during that round may have been aggravated by the requirement that votes must be cast by more than half of registered voters for the election to be successful.

Following the tragic death of former President Boris Trajkovski, Parliament enacted amendments to the Presidential Election Law enabling an election to be held on an accelerated basis within the short period (40 days) specified by the Constitution. The amendments provided an adequate timeline for electoral activities, but did not adequately address the issue of ballot production in minority languages. In addition, the underlying legislative framework (consisting of several laws) continues to display numerous inconsistencies.

Election administration, primarily the State Election Commission (SEC), operated in a generally constructive manner, particularly given the time constraints of the process. However, the SEC did not consistently issue regulations needed to clarify the legislative framework, for instance to replace unsuitable forms.

Excess names on the Voter List caused concern regarding opportunities for possible electoral malfeasance, as well as increased difficulty in reaching the necessary turnout of registered voters in the second round. This excess is considered to be substantial when viewed against the estimated actual population as revealed by the 2002 census. It has arisen because the issue of whether voting rights are linked to residence has not been resolved.

The election campaign was largely free of violence, and the candidates were able to communicate to the electorate without interference. The campaigning was very low-key, however, and the parties increasingly concentrated on the issue of the turnout threshold as the second round approached.

There was little attempt by the candidates to campaign across the main ethnic division, between ethnic Macedonians and ethnic Albanians. One of the ethnic Albanian-based parties supported one of the remaining, ethnic Macedonian candidates in the second round.

The media situation was generally good, with State-owned media channels providing relatively balanced coverage and the private media offering varied and generally fair programming. The Broadcasting Council monitored the broadcast media for compliance with the media rules for the election, but generally lacks enforcement authority.

The voting and counting were relatively orderly during the first round, but a somewhat careless attitude toward procedures – perhaps caused by the impression that the outcome was not in doubt – sometimes led to non-compliance with instructions. During the second round, however, observers reported a relatively high number (4 per cent) of instances in which evidence of ballot-stuffing was present, and a similar incidence (6 per cent) of identical signatures on the voter lists. There was also a high degree of intimidation in and around polling stations in certain areas – directed at voters, election officials and even observers. The counting process during the second round was evaluated as bad or very bad in 21 per cent of polling stations observed.

Complaints after the first round were summarily disposed of by the SEC on very rigid criteria, based on partisan voting by the members who had been selected by the ruling or opposition parties. In so acting, the SEC missed an opportunity to communicate a strong message that electoral malpractices would not be tolerated during the second round. Second-round complaints were disposed of by SEC in a similar manner, although after receiving criticism in the first round the voting pattern changed slightly; some evidence was reviewed; and a few complaints were found justified (but rejected anyway on the ground that they could not affect the result).

Restoring confidence in the election process will require prompt and vigorous action by the authorities, including holding accountable all those who violated the law. In addition, the institutional deficiencies identified in this report need to be seriously addressed in order to ensure that similar problems do not occur in future elections.

The OSCE/ODIHR stands ready is to co-operate with the authorities to address concerns raised in this report, and is willing to offer its services in order to enable them to follow-up on any of the recommendations outlined below.

XI. OBSERVATION OF VOTING AND COUNTING

A. FIRST ROUND

Voting was conducted in a generally peaceful manner throughout the country. Voter turnout was reported as approximately 55 per cent of registered voters, which was markedly lower than in any other recent national election.

While election day procedures were assessed positively in the vast majority of polling stations observed, procedural errors were noted during the closing of polling stations, and some significant problems emerged during the vote count and tabulation process at both polling station and MEC levels.

Opening procedures were judged to be good or very good in 92 per cent of all polling stations observed. Still, 33 per cent of polling stations opened late for a variety of reasons (although generally opened within 30 minutes), and one polling station failed to open at all due to a local dispute. Voters boycotted several polling stations in protest over the reported failure of local administration to provide desired infrastructure.

The voting process was assessed as good or very good in 95 per cent of the polling stations observed. However, there were incidents of proxy voting in 26 polling stations, and strong indications of ballot stuffing were observed in 11 polling stations. In two polling stations observers directly witnessed an election board member falsifying signatures on the extract of the Voter List. Significantly, in 6 per cent of polling stations observed, voters did not sign or mark the voter list in any way. Group voting was also observed in 13 per cent of polling stations, rising to 20 per cent in ethnically Albanian areas. Although group voting, which was observed generally among families, is a serious breach of secrecy of the ballot, it must be pointed out that this figure is lower than in previous elections.

Counting and tabulation procedures were not rated so highly. Procedural errors occurred in many polling stations that inhibited some of the important safeguards of the electoral process. In 14 per cent of polling stations observed the results did not reconcile. However, in less than half of these cases, did the election board recount the ballots as required by law. In some cases, signatures were added to the voters list to rectify the problem. The lack of a clear, tabulated results protocol impeded the Election Boards in their ability to fulfill the procedures, and 12 per cent of EBs observed had difficulty in filling out the minutes (Form 14). In 40 per cent of polling stations observed, the results were not posted at the polling station.

Similarly, there were problems in some of the MECs observed. In several MECs results were systematically changed to reconcile them, and to allow entry into the computerized data system. In another two MECs, the results forms were checked and entered in a separate room, which observers and candidate representatives were not allowed to enter.

B. SECOND ROUND

The overall assessment of the opening process was positive (good or very good in 89 per cent of polling stations observed). The voting process was also generally assessed as positive with voting rated as good or very good in 92 per cent of polling stations observed. In some areas of the country, largely in the south and east, observers noticed an improvement between the two election rounds. However, in other areas the process was seriously marred by ballot box stuffing, proxy voting and intimidation.

Strong indications of ballot box stuffing – substantially larger number of ballots issued than signatures in the voter list or stacks of ballots folded together in the ballot box – were reported in a significant number (4 per cent) of all polling stations observed. Multiple instances of ballot stuffing were reported in MEC areas Debar, Gostivar, Kicevo, Gazi Baba, Struga, Kumanovo, Centar, Cair, Kisela Voda, Struga and Tetovo. Isolated incidents were reported in MEC areas Prilep and Veles.

Proxy voting was reported in 2 per cent of polling stations observed. There were reports of identical signatures on the voters list – also a potential indication of ballot stuffing or proxy voting – in 6 per cent of polling stations observed. In 4 per cent of polling stations observed, voters never signed the voter list and in a further 4 per cent voters did not always sign the list. Election board members did not check identification of voters in 4 per cent of polling stations observed, and ink was not always applied to voters' thumbs in 6 per cent. Thus, important safeguards against ballot stuffing, proxy voting and other election fraud were undermined. The secrecy of the ballot was not respected in 6 per cent of polling stations observed.

Also of concern was the degree of intimidation reported in and around polling stations. At some polling stations, voters were actively discouraged from voting. In others, intimidation was directed against members of election boards, domestic observers and candidate representatives. In one particularly serious incident in Tetovo, a group of armed men, including a member of Parliament and other prominent DPA members, damaged a ballot box in polling station 2050 in Sinicani and were later detained by police in polling station 1926 in Tetovo, where they were preventing people from voting. There were also reports of armed groups in the Skopje area, and fights were reported in three polling stations. International observers were prevented from observing in a few polling stations.

The closing and counting process was observed in 117 polling stations. In 21 per cent of these, the process was reported as bad or very bad. This figure was up from 8 per cent in the first round. Problems were partly due to a lack of understanding of the procedures, especially concerning ballot reconciliation. In 39 per cent of observed polling stations the number of signatures on the list was not used to determine the number of voters that had voted. Key safeguards were disregarded during the counting process. In 23 per cent of polling stations observed, ballots were not shown to all election board members, candidate representatives and observers. In 59 per cent, a copy of minutes Form 14 was not posted at the polling station. In 17 per cent of observed polling stations, election boards experienced problems in completing the minutes and in 10 per cent of cases the EB members did not sign the minutes form. Observers reported deliberate falsification of results in 7 per cent of polling stations. Significantly, in 7 per cent of polling stations in which the close and count was observed, observers were prevented from fully carrying out their work.

With regard to the MECs, there was a marked improvement on the process observed in the first round. In 27 of the 29 MECs visited, the tabulation was reported as good or very good.

XIII. SOME RECOMMENDATIONS

A. LEGISLATIVE FRAMEWORK

- The constitutional requirement that more than 50 per cent of registered voters cast votes in the second round of a presidential election should be removed, so as to avoid the possibility of a failed election. Consideration should also be given to amending the requirement that, to achieve victory in the first round, a candidate must receive the votes of more than 50 per cent of all registered voters.
- The method of selection of judges to participate in election administration should be modified to remove political parties from playing a role in their selection.

- The relevant election laws should be amended to make clear that the State Election Commission (SEC) and other election commissions have a supervisory responsibility over the actions of subordinate election bodies.
- Relevant legislation should be amended so that the provisions on language – including with respect to voter lists, public election notices, electoral instructions and forms, and voting instructions and posters of candidates – in addition to ballot-papers – are brought into conformity with the relevant constitutional rules and principles of the Ohrid Framework Agreement.
- The SEC should be mandated by law to conduct proceedings related to substantiated cases of electoral malfeasance by election officials or other participants in the election process, and to refer such cases to the authorities for disciplinary or prosecutorial action. The SEC should also be clearly authorized to impose sanctions, including disciplinary action and civil penalties, on election officials who are found to have been involved in malfeasance.
- The election laws should be harmonized and if possible consolidated in a unified code.

B. ELECTION ADMINISTRATION

- Election administration should be established on a permanent basis, through the formation of a permanent secretariat, which should be organized autonomously. Only once such an organization is created can the necessary international support for capacity-building be channelled effectively.
- Geographic areas (including specific polling stations) where problems have occurred over successive elections should be identified, and a variety of measures should be considered, including replacing officials whose performance has been unsatisfactory and if possible sending supervisors to those areas, to improve election conduct.
- The provision requiring that the number of ballot papers delivered be precisely the same as the number of voters included in the voter list extract should be reviewed so as to allow for the possibility of spoiled ballots.
- Domestic non-partisan election observers could be permitted to write comments in the polling station minutes. This could assist party members and candidate representatives at the EB to substantiate justified complaints.

C. POLITICS AND CAMPAIGNING

- Political parties should do more to restrain their supporters from being involved in electoral malfeasance. In particular, party officials should make clear that any form of ballot-box stuffing or intimidation is considered totally unacceptable.
- The parties should ensure that their reports on campaign expenditure are accurate and complete. Such reports should include an itemization of indirect assistance and in-kind contributions by supporters.

D. MEDIA

- Consideration should be given to providing the Broadcasting Council greater enforcement authority, and improving its ability to act in an effective and timely manner regarding unfair or illegal media activities during the campaign.
- Graduated penalties (*i.e.*, less than a 48-hour licensing suspension) should be made available for application against media which commit relatively minor violations of electoral regulations, including concerning election silence.
- The State broadcaster, MRTV, and other State media should be reorganized as independent public service entities.

E. COMPLAINTS AND APPEALS

- The SEC should be mandated to address complaints which would not necessarily require the annulment of results at a polling station, and/or change the results of the election in a constituency. A legislative amendment to this effect should also provide greater clarity on what evidence is required to support a

complaint, and the range of remedies available. It should also be made clear that repetition of an election at a polling station would not always be necessary after the results there have been annulled.

- The transparency of complaint and appeal procedures, in both election administration and the courts, should be increased. The basis of decisions should be laid out more clearly; the record of decisions should be made more widely available; and to the extent feasible the public or its representatives (*e.g.*, the press or domestic observers) should be granted access to proceedings.

F. MINORITY PARTICIPATION

- Serious attention should be given to issues raised in the report that relate to the suffrage rights of ethnic minorities, including more inclusive language provisions and more effective measures to limit the possibility of manipulation of votes.
- Particular attention should also be given to addressing the problems of Roma voters through such measures as encouraging voter registration, conducting civic education and voter information, and training EB members.

G. GENDER ISSUES

- The representation of women in election administration at all levels should be increased.
- Steps should be taken to discourage family voting and other practices that may inhibit the ability of women to exercise their right to vote.

ANNEX E: OSCE/ODIHR EOM 2002 PARLIAMENTARY ELECTIONS IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

EXECUTIVE SUMMARY

The 15 September 2002 parliamentary elections in the former Yugoslav Republic of Macedonia were conducted largely in accordance with OSCE commitments and international standards for democratic elections. Some actions by the Ministry of the Interior and the outgoing principal governing party in the period after election day and before final completion of the election process, however, raised serious concern.

This first post-conflict election was an integral component of the Ohrid Framework Agreement that ended the crisis in 2001, and was widely perceived as a test for the return of the country to stability. In this respect, the successful conduct of these elections was a major contribution to restoring the basis for peace and a regular democratic process, and represented a notable political accomplishment. For the second time in successive parliamentary elections power has been transferred democratically from government to opposition.

In view of the challenging political background and a light of recent election observation conclusions, the 2002 parliamentary elections reflected the following principal achievements:

- The new election laws adopted in June 2002 effectively addressed some shortcomings observed previously, and overall provided an adequate legislative basis for elections;
- Election commissions generally conducted their work in a neutral and professional manner, and the State Election Commission (SEC) in particular operated transparently and in a collegial way. The SEC issued instructions which clarified the interpretation and improved the uniform application of the election laws;
- The political campaign was relatively restrained;
- The policing of campaign rallies, other electoral events, and election day was appropriate;
- The media were broadly pluralistic and voters were offered a wide range of information on the activities of contestants. Public regulatory bodies monitored and reported on political advertising and coverage of the campaign on television, but these reports did not lead to enforcement.

The election campaign period was marred at times by violent incidents, including attacks on and the killing of police officers and hostage taking not explicitly related to the election, attacks on party offices, as well as threats to and attacks on media representatives. In addition, certain actions by the authorities contributed to heightened tension during the campaign. Violent incidents, threats, and apparently selective application of law enforcement proceedings against candidates have no place in a democratic electoral process. Nevertheless, the election process itself worked well and demonstrated considerable resilience in the face of these pressures.

Other shortcomings became evident during the electoral process, and in the period immediately thereafter:

- State television channels did not provide fair and equal coverage of the election. There were numerous violations by both State and commercial channels of the rules regarding political advertising and election coverage;
- The election laws still contain ambiguities and inconsistencies, especially with respect to election results, and the voting rights of non-resident citizens;
- The method of appointment of election administration bodies requires further consideration; and
- Undue pressure was brought on the SEC after election day by the Minister of the Interior and other representatives of his Ministry and of the governing party VMRO-DPMNE. Their conduct violated OSCE commitments on elections to be free of intimidation and the separation of State and political activities.

Election day was characterized by a high turnout of voters (73.4%), few and isolated incidents of violence, and in general an orderly voting process, except for a significant incidence of group and proxy voting in certain ethnic minority areas. The vote count was largely free of problems.

A number of factors contributed to the effective conduct of these elections, in particular:

- As noted above, the professionalism of the SEC, which guided the electoral process through a difficult general environment;
- The large number of international and domestic non-partisan observers, which increased transparency and public confidence in the elections; and
- The significant difference in the margins of votes won by the main competing parties, which reduced pressures in the post-election period, in particular with respect to the determination of results.

The absence of any of these factors could expose remaining shortcomings in the election system and pose a greater challenge than on this occasion. The OSCE/ODIHR stands ready to work closely with the authorities in addressing the concerns and recommendations contained in this report.

ANNEX F: RESULTS OF INTERNATIONAL OBSERVATION 1998-2000

The OSCE, through its Office for Democratic Institutions and Human Rights (ODIHR) has conducted major election observation missions in Macedonia on three occasions⁷ – for the October-November 1998 parliamentary elections; October-November 1999 presidential elections; and the September 2000 municipal elections. In general, the final reports issued by ODIHR reflect improvement in election practice but document continuing problems in election administration.⁸

A. Report on the 2000 Municipal Elections

1. General Conclusions

ODIHR's report⁹ on the 2000 municipal elections concluded that the conduct of those (most recent) elections 'showed improvement', but nevertheless 'fell short on a number of international standards for democratic elections'. The main reasons cited for the latter conclusion were ODIHR's findings that the elections process 'did not truly meet the country's OSCE commitment to conduct elections free from violence and intimidation, and to safeguard the secrecy of the vote.'

ODIHR noted that the elections occurred in a 'calm and orderly manner in the majority of municipalities, and the process was improved during the second round'. However, the organization also reported that 'election days were marked by tension, major irregularities, and acts of intimidation and violence at a number of polling stations'. This included incidents in which several people were shot, and one subsequently died.

Based on the reports of its observers, ODIHR also found that, 'Ballot boxes were destroyed in a number of municipalities ..., while some observers witnessed blatant cases of ballot box stuffing. Unauthorized persons frequently interfered in the election process.'

With respect to election laws, ODIHR concluded that the Law on Local Elections had demonstrated 'shortcomings and deficiencies', primarily with respect to the role of the State Election Commission (SEC)

⁷ ODIHR also conducted an observation of the 1996 local elections; see OSCE/ODIHR; Local Elections, Former Yugoslav Republic of Macedonia; November 17, 1996; Final Report; 3 pp.

⁸ This summary is derived from the International Foundation for Election Systems (IFES), 'Reform of Election Laws and Procedures in Macedonia', prepared by D. Finn, Consultant (Skopje, June 2001), 51 pp.

⁹ OSCE/ODIHR, *Former Yugoslav Republic of Macedonia; Municipal Elections, 10 September 2000: Final Report* (Warsaw, 17 Nov. 2000), 28 pp.

during municipal elections. The restrictive approach adopted by the SEC led to problems with regard to uniform implementation of the law and election procedures, and led to delay in publication of nationwide results.

2. Recommendations

Based on these findings, ODIHR made a number of recommendations with respect to future municipal and national elections. They included:

- ‘The SEC should have a stronger mandate to provide decisive authority over the election administration;
- ‘The various election laws and procedures should be integrated, preferably into a single election code;
- ‘Standardized training should be introduced for election officials at all levels;
- ‘Legislation regulating the State media should be expanded and strengthened to ensure independent, balanced coverage in news and other programs, with an appropriate enforcement mechanism; and
- ‘National and local authorities, as well as political parties, should take steps, including more timely and decisive legal enforcement, to ensure that elections are free from intimidation and violence, and that the secrecy of the ballot is safeguarded.’

3. Other Findings

In reaching these overall conclusions, ODIHR also made a number of other significant findings and observations. Some of these were specific to the municipal elections process, while others pertain to Macedonian elections more generally. Some of the most interesting findings, in terms of their relevance to reform of Macedonian election laws and procedures, are described below:

a. Determination of Ballot Validity

The Law on Local Elections (1996) contained a provision (Art. 45) that required voters, in order to cast valid ballots, to circle the ordinal number of the name of the candidate or candidate list for which they are voting. The Law for Election of Members of Parliament (as amended 1998), however, implemented a 1996 Supreme Court decision and provided that ballots are considered valid if the will of the voter is expressed clearly and unambiguously. The SEC did not review decisions, sometimes inconsistent, by the various municipal election commissions (MEC’s) regarding what standards to apply to incorrectly marked ballots.

b. Voter List

The ODIHR report noted that in previous elections, the voter list (VL) had been an ‘important source of concern’. But it reported that election day observations during the municipal elections ‘indicated that the accuracy of voters lists was not a major problem and that substantial progress has been made in this field.’

This finding by ODIHR presumably reflects that its observers in the field – viz., at polling stations – did not receive a substantial number of complaints concerning the VL or witness difficulties in voter identification related to defects in the lists. On the other hand (see below), ODIHR did find that in many areas vote totals were suspiciously high and that there was substantial evidence of ballot box stuffing. The latter factors could, however, indicate that defects in the VL – particularly the existence of excess names – provided election contestants an opportunity to commit fraudulent practices.

c. Vote Secrecy

ODIHR found, on the major issue of vote secrecy raised in its general conclusions, that secrecy was compromised – mainly by the legal requirement that ballot-papers provided to polling boards (PB’s) contain serial numbers. The fact that these were often issued *seriatim*, face-up to voters could provide an

opportunity for members of the PB or others present in the polling station to link a ballot to a particular voter. In other cases, however, ballots were issued face-down, or shuffled prior to issuance, in order to alleviate these problems.

ODIHR observers also reported numerous cases in which various marks had been applied to ballot-papers at some stage, presumably prior to their insertion into the ballot box. (Such marks could have been applied to track the votes of particular voters or in order to facilitate a vote-swapping scheme.) There were also numerous reports of 'open voting' – viz., voters filling in ballots outside voting booths.

d. Campaign-Related Issues

In terms of media coverage of the campaign, ODIHR found that there was lively reporting by the private media but that state television coverage was unbalanced and overly favorable to the government and ruling party. With respect to campaign finance, ODIHR concluded that applicable law did not provide an objective criterion for enforcement by election authorities, since it provided for such action only when ceilings on expenditure were 'significantly exceeded'. It was also questioned whether only winning candidates should be entitled to compensation for some of their campaign expenses, and not all candidates who received a certain percentage of the vote.

e. Violence and Intimidation

As noted previously, ODIHR found a disturbing level of violence and intimidation associated with the elections, particularly the first round. In one municipality (Debar), voting was canceled at all polling stations due to acts of violence against persons, sometimes resorted to in order to gain access to ballot boxes and destroy them. Ballot box destruction was also reported in at least six other municipalities.

Numerous episodes of intimidation were also described, mainly attributable to groups of party activists (sometimes armed) in and around polling stations.

f. Other Irregularities and Violations

The ODIHR observers also reported a great number of other irregularities and violations, including group and proxy voting, non-checking of identity and voter cards, unauthorized persons (including party representatives) in polling stations, and improper sealing of ballot boxes. Observers present during the count also reported evidence of group voting and ballot-box stuffing, as well as unrealistically high reported turnouts indicating similar practices. Compounding these problems, the local election law did not require speedy action by the MEC's on complaints received by them.

g. Election Commissions

For the municipal elections, municipal election commissions (MEC's) had to be formed for 123 municipalities and the special district of Skopje. (Since 1996, after enactment of the Law on Territorial Division, local elections have been held in this number of districts. Previously, there were 34 municipalities plus the district of Skopje.)

ODIHR noted that the designation of party representatives as members of the MEC's was not based on the previous success of the parties in local elections in their areas, but rather on the results of national elections. In addition, the law provided that the relevant national election was not the most recent one (1998), but rather the one prior to that, in 1994.

B. Report on the 1999 Presidential Elections

1. General Conclusions

For the 1999 Presidential elections, ODIHR concluded in its report¹⁰ that they were held 'mostly in accordance with OSCE commitments.' While the elections were found to have been 'built on many positive aspects of the 1998 elections,' voting in some parts of the country was reported to have been 'marred with violations' during the second round.

¹⁰ OSCE/ODIHR, *Former Yugoslav Republic of Macedonia; Presidential Elections, 31 October & 14 November 1999: Final Report* (Warsaw, 31 Jan. 2000), 24 pp.

With respect to the Law for the Election of the President (1999), ODIHR concluded that a 'broad political consensus' on its provisions had 'contribute[d] to a solid legislative base' [sic] for the elections. ODIHR also found that there are significant ambiguities in that law, and that representation of the parties on election commissions did not reflect their strength as demonstrated in the most recent parliamentary elections. (Since the presidential election law builds upon the 1998 Law on Election of Members of the Parliament, the commissions in question would include the SEC as well as 85 district election commissions [DEC].)

ODIHR also found that the SEC had issued a number of administrative instructions that strengthened the elections process.

In terms of the campaign, ODIHR found that there was an open atmosphere for campaign events and candidates were able to travel widely, although there were some minor incidents. Media coverage of the campaign was lively, but bias was discerned in reporting by state media bodies. Some misuse of state resources by the governing party was also observed during the campaign.

In terms of the elections process itself, ODIHR found that it had been 'generally carried out according to the law'. Irregularities were observed in some polling stations, however. During the second round, 'serious violations' were observed in certain regions, including the west of the country and in the vicinity of the capital. Extremely high reported voter turnout also raised concerns (about the extent of fraud that may have occurred). At 230 polling stations, elections were re-run pursuant to order of the Supreme Court and State Election Commission and in some of the re-runs similar problems recurred.

2. Other Findings

a. Election Commissions

It was noted that changes in coalitions caused parties to lose or gain representation according to whether they were currently in the ruling or main opposition coalition.

During the election period, a dispute arose concerning whether representation in commissions was supposed to be based only on the vote obtained by parties in national list races or also in the single member districts (but subject to the 5% threshold for representation). This dispute led Parliament to dismiss the then President of the SEC.

b. No Absentee Voting

ODIHR noted the absence of any procedure through which Macedonian citizens overseas, or simply away from their home district, can vote. The presidential election law, based on the parliamentary election law, only permits voters to cast ballots at their place of registration. The number of voters outside the country during the election period was estimated at 500,000.

c. Voter List

ODIHR took note of concerns that had been raised about enlargement of the voter list (VL) since the parliamentary elections the previous year. In the absence of other information, however, ODIHR found that the size of the VL was not unusual in terms of the comparative situation in other Eastern European, including Balkan, countries.

d. Group and Proxy Voting, and Other Polling Irregularities

ODIHR's observers generally reported good experience with respect to the voting process itself. In certain areas – notably Skopje and Tetovo – however, large-scale family and proxy voting were observed. Observers actually saw individuals arriving with bundled ballots, or observed them after they had been placed in the ballot boxes (which are transparent). In Albanian areas, the proxy or group voting was often carried out by the male head of household, and was represented to be a customary practice.

ODIHR also reported that there was 'a general lack of rigour' in following proper procedures at polling stations. This included failure to check (both) identification (ID) cards and voter cards (VC), as required; and failure to mark the VL beside the names of those who had obtained ballots.

e. Intimidating and Fraudulent Behavior

Groups of party activists were observed outside many polling stations, and even inside a certain number of polling stations. This was assumed to threaten the security and tranquility of voting. Party representatives sometimes engaged in openly political activities inside polling stations; these included arguing with board members and shepherding voters.

Observers reported incidents of fraudulent marking of vote protocols, especially with respect to the number of ballots issued and voted. This was apparently done in order to make ballot-box stuffing possible.

There were also numerous reported instances of blatant ballot-box stuffing and multiple voting by individuals.

f. Voter Identification

ODIHR reported that some 150,000 voter cards (VC) were unclaimed at the time of the elections. In some districts, the number of votes issued exceeded the number of possible voters, as indicated by the number of cards distributed, leading to results there being invalidated by the Supreme Court. During the second round, in Tetovo, thousands of undistributed VC's were stolen.

g. SEC Rulemaking

As noted previously, ODIHR found that administrative decisions by the SEC had contributed to the quality of the elections process. Some examples were:

- Polling boards were instructed to shuffle the ballot-papers prior to issuance to the voters, so that individual votes could not be easily tracked by means of the serial numbers;
- Ballots were printed on higher-quality paper so that the voter's choice could not be viewed through the transparent ballot box if the ballot were properly folded; and
- Polling boards were instructed to determine the validity of ballots based on the clear intent of the voter, not strictly whether the voter had followed instructions in marking the ballot.

3. Recommendations

Based on the above observations, ODIHR made several recommendations – including on legislative, administrative, and other matters. Some of these are summarized below:

- With respect to *legislation*, ODIHR recommended clarification of the articles of the parliamentary law relevant to presidential elections; reconsidering the deadlines for appeals; and clarifying the standard of evidence required to support electoral complaints.
- With respect to *administration*, ODIHR recommended expansion of party representation on election commissions; comprehensive training for polling board members; and enforcement of the obligations of election workers in case of breach.
- On the subjects of *voter education* and *registration*, ODIHR recommended disclosure of the details of uncollected voter cards; and a thorough education campaign against proxy and family voting.
- On *media*, ODIHR recommended additional legislation on print media and the special responsibilities of state media; and
- On *voting and counting procedures*, ODIHR recommended improved control of proxy/family voting and of intimidation by party activists in or near polling stations; and more effective sanctions against all actions which threaten the integrity of the vote.

C. Report on the 1998 Parliamentary Elections

1. General Conclusions

ODIHR concluded in its report¹¹ that the 1998 parliamentary elections represented a 'significant improvement' over previous elections. An 'important aspect' of the improvement resulted from the new election law, which was based on a broad political consensus in Parliament. Nevertheless, some parties expressed concerns about certain aspects of the law, and some articles were found to lack clarity, leading to conflicting interpretations.

In terms of the campaign, ODIHR found that it was 'generally well conducted by the parties.' A 'number of violent incidents' were reported, but these were characterized as 'isolated cases.' Media coverage was found to be 'full and extensive', although analysis showed 'some bias' in news programming, including by state television.

Some concerns had been raised by the parties concerning the voter list and voter cards, but these decreased as the process unfolded. 'Some irregularities' of various types were reported, especially in two districts. Instances of group and proxy voting, however, were 'widely' observed.

ODIHR also criticized the uncoordinated publication of results by the SEC and district election commissions. The lack of clarity in the parliamentary election law concerning the criterion for first-round victories was found especially problematic.

On balance, the ODIHR concluded: '[I]t is important that a number of the problems in the management of the election are addressed, some articles of the law are clarified, and the problems experienced in the behavior of some candidates and a laxity in the voting process in some districts, are dealt with.'

2. Other Findings

a. Legislative Ambiguity and Inconsistency

During the elections, a dispute arose whether the 'majority' required for victory in the first round of elections for mandates from the 85 geographical districts referred to an absolute majority or a relative majority (plurality). The term was used in the relevant section of the law (Art. 88) without qualification. (In addition to gaining a 'majority' of the votes cast, a candidate – in order to win in the first round – also has to obtain the votes of at least one-third of the total number of voters in the district.)

Less importantly, the phraseology of the law (Art. 85) on recording of objections and signing of minutes at polling stations did not take account of all the situations that might arise with respect to causes for complaint.

Some candidacies were apparently thwarted by the requirement (in Art. 55) that a special bank account for campaign purposes be established 45 days prior to the election.

b. Delineation of Electoral Districts

ODIHR found, on a 'macro' level, that some election districts had been drawn in order to separate ethnic communities or to collect ethnic votes in areas in which another group is dominant. In one district, referred to as the 'snake', for example, two ethnic Macedonian villages had been joined together to enable them to elect a representative despite the prevailing Albanian character of the region.

ODIHR also found that gerrymandering appeared on the 'micro' level, since the boundaries of election districts often did not follow existing urban divisions. This form of gerrymandering could have similar effects on votes from areas with different ethnic characteristics.

In addition, some districts exceeded the legal maximum (10% deviation from the norm) in terms of the number of voters within them.

¹¹ OSCE/ODIHR, *Parliamentary Elections in the Former Yugoslav Republic of Macedonia, 18 October and 1 November 1998*, 27 pp.

c. Appeals

ODIHR commented that there were in effect two separate tracks for complaints and appeals under the law – through the district election commissions to the Courts of Appeals, and through the SEC to the Supreme Court. These tracks could operate in either a parallel or multiple manner, according to the nature of the complaint.

d. Recruitment of Election Commission Members

ODIHR noted that the recruitment of the core members of election commissions potentially had a political nexus. The President of the SEC is appointed by the Parliament, and the president of commissions at the two next levels (DEC and polling board) are appointed by the next-higher commission.

It might also be commented that there is no explicit procedure for recruitment of election commission members. For example, there is apparently no roster of persons who are qualified by training and experience for this role.

e. Other Issues

ODIHR's observations during the two rounds of the elections also reflected other issues which by now are somewhat familiar to the reader, as well as a few others. The main issues are briefly summarized in the following:

- It was recommended that a number of surplus ballots be provided to polling stations, in preparation for replacing spoiled ballots in the event of a high voter turnout.
- Numerous instances of group/family voting and proxy voting were observed.
- Groups of party activists were widely reported to be present in the near vicinity of polling stations.
- No security procedures were specified for delivery of sensitive voting materials (including voted ballots) to the DEC's after the count. (Similarly, there were no special procedures for security of ballots sent to and received by the polling boards.)

3. Recommendations

Based on its finding and conclusions regarding the 1998 parliamentary elections, ODIHR made *inter alia* the following recommendations:

- Some articles (especially Art. 88 on the '*majority*' needed for first-round victory in the geographical races) of the parliamentary election law required clarification;
- The provisions on ballot validity (Art. 83) should be amended to allow ballots to be counted provided the *voter's preference* can be clearly determined;
- The *appeals* provisions of the law should be reconciled so that inconsistent rulings do not occur;
- The administrative problems occurring in the 1998 elections should be rectified well before future elections;
- *Comprehensive public education and election worker training* programs should be instituted to combat group and proxy voting;
- *Polling station security* should be enhanced; and
- *Security for sensitive voting materials* should be increased, especially after completion of the count.

ANNEX G: VOTERS' LIST FIGURES

NUMBER OF VOTERS AND POLLING STATIONS BY MEC's 2004 Referendum

Municipal Election Commission	No. of polling stations	No. of registered voters	No. of confirmed Voting List excerpts for every polling station
Berovo	25	16201	25
Bitola	141	87699	141
Makedonski brod	51	5960	51
Valandovo	23	9933	23
Vinica	30	16814	30
Gevgelija	53	29051	53
Gostivar	184	113174	184
Debar	38	20985	38
Delchevo	47	21495	47
Demir Hisar	40	8412	40
Kavadarci	64	35404	64
Kichevo	76	33785	76
Kochani	73	41857	73
Kratovo	60	11757	60
Kriva Palanka	57	20830	57
Krushevo	62	19058	62
Kumanovo	167	107864	167
Negotino	36	18946	36
Ohrid	101	57406	101
Prilep	201	84183	201
Probishtip	44	13348	44
Radovish	50	25251	50
Resen	47	18174	47
Sveti Nikole	42	17345	42
Struga	80	54770	80
Strumica	131	79772	131
Tetovo	211	155107	211
Veles	162	78488	162
Shtip	85	44567	85
Karposh	96	77306	96
Centar	103	75682	103
Gazi Baba	86	67531	86
Chair	128	113751	128
Kisela Voda	179	127630	179

ANNEX H: SEC CODE OF CONDUCT FOR OBSERVERS

Pursuant to Article 109 of the Law on Election of Members of Parliament of the Republic of Macedonia ('Official Gazette of RM No.42/2002) and in reference to article 41 paragraph 2 of the Law on Referendum and Civil Initiative, the State Election Commission, at the meeting held on 7th September 2004 passed the following:

C O D E

On the rules and procedures for observing the conducting of the Referendum for domestic and foreign observers

The goal of the Code is to establish the rules for observation of elections and electoral procedures, as well as to establish the rules on the procedure for conduct of observation missions by domestic and foreign observers, in order to improve the integrity and the transparency of the electoral process.

I. Rules for election observation

The rules are a summary of practical directives for conduct of the observation of elections and election procedures:

- The observers are supposed to be familiar with and abide by the election laws, and also shall comply with all laws and bylaws that regulate the procedure for conducting the Referendum;
- The observers should be impartial in the execution of their duties and shall not express bias toward election bodies, political parties, group of voters, participants in the public propaganda or toward any disputable issue concerning the electoral process;
- The observers shall not interfere with the election process, the procedures on Election Day, or the process of counting votes;
- The observers shall carry a personal identification document and an accreditation (badge) issued by the State Election Commission;
- The observers shall not display any political party symbols or markings, or candidates' symbols;
- The observers shall not give instructions or influence the work or decisions of election bodies;
- The observers shall refrain from giving personal and early comments on the observation to the media or other interested individuals;
- The observers shall base their conclusions on documented and confirmed facts.

II. Establishment of the procedure for conduct of the observation mission.

The organizations and individuals referred to in Article 109 of the Law on Election of Members of Parliament of the Republic of Macedonia obtain observer status by authorization of the State Election Commission.

The following entities have the right to submit a request to the State Election Commission for obtaining observer status:

1. Registered domestic and foreign citizen associations from the Republic of Macedonia and registered associations of foreign countries whose statutes include the principles of democracy and protection of human rights;

2. International organizations and

3. Foreign country representatives.

The request for observation is submitted to the State Election Commission together with the necessary documents, from the day the elections are announced and no later than ten days before Election Day.

The observers shall present their authorization letter, their accreditation (badge) and their personal identification document when they visit the headquarters of election bodies and polling stations.

The State Election Commission issues authorization letters to domestic and foreign registered citizen associations from the Republic of Macedonia, to registered associations of foreign countries, to international organizations and to representatives of foreign countries, and accreditations (badges) to the observers.

The accreditations (badges) have a rectangular shape. In the left-hand upper corner is the Republic of Macedonia flag and in the right-hand upper corner is the text 'Republic of Macedonia, State Election Commission, Referendum 2004'.

For the domestic observers, the title 'domestic observer' appears in the middle of the lower part of the badge on a green base, followed by the observer's name and surname.

For the foreign observers, the title 'foreign observer' appears in the middle of the lower part of the badge on a gray base, followed by the observer's name and surname.

For the translators, the title 'translator' appears in the middle of the lower part of the badge on a white base, followed by the translator's name and surname.

On the back side of the badge is the seal of the State Election Commission.

The State Election Commission seizes the accreditations for observation (badges) and the authorization letters issued to the domestic and foreign observers, if it is established that the observers work contrary to the regulations in this Code.

STATE ELECTION COMMISSION

ANNEX I: GLOSSARY OF ELECTION/REFERENDUM TERMINOLOGY

UPDATED ON 15TH OCTOBER 2004

Macedonian/English

<div data-bbox="229 421 323 544">A</div> <p>Акт за организација и систематизација на Секретаријатот на Државната изборна комисија (<i>Akt za organizacija i sistematizacija na Sekretarijatot na Drzhavnata izborna komisija</i>) Organization and Systematization Act of the Secretariat of the State Election Commission</p> <p>Апелационен суд (<i>Apelacionen sud</i>) Court of Appeals (Appellate Court)</p>	<div data-bbox="829 421 997 448">(vo pridruzhba)</div> <p>Accompanied with/by</p> <p>Во случај на смрт (<i>vo sluchaj na smrt</i>) In case of death</p> <p>Воена вежба (<i>Voena vezhba</i>) Military exercise [drill / maneuver]</p> <p>Воена единица (<i>Voena edinica</i>) Military unit</p> <p>Воени објекти (<i>Voeni objekti</i>) Military buildings</p> <p>Вонредни околности (<i>Vonredni okolnosti</i>) Emergency [contingency, unforeseen event]</p> <p>Вооружен (<i>Vooruzhen</i>) Armed</p> <p>Врховниот суд на Република Македонија (<i>Vrhovniot sud na Republika Makedonija</i>) The Supreme Court of the Republic of Macedonia</p> <p>Второстепени одлуки (<i>Vtorostepeni odluki</i>) Decisions of the Second Instance Court [2nd Circuit Court]</p>
<div data-bbox="229 824 323 947">Б</div> <p>Барање за набљудување (<i>Baranje za nabljuduvanje</i>) Observation request</p> <p>Без надоместок (<i>Bez nadomestok</i>) Without compensation</p> <p>Блок со гласачки ливчиња (<i>Blok so glasachki livchinja</i>) Booklet of ballots bound together</p> <p>Болница (<i>Bolnica</i>) Hospital</p> <p>Болници (<i>Bolnici</i>) Hospitals</p> <p>Буџет на Република Македонија (<i>Budzhet na Republika Makedonija</i>) Budget of the Republic of Macedonia</p>	<div data-bbox="829 1227 924 1350">Г</div> <p>Гласачко ливче (<i>Glasachko livche</i>) Ballot</p> <p>Гласачко место (<i>Glasachko mesto</i>) Polling station</p> <p>Гласање (<i>Glasanje</i>) Voting</p> <p>Граѓани (<i>Gragjani</i>) Citizens</p> <p>Град Скопје (<i>Grad Skopje</i>) The City of Skopje</p> <p>Графитно перниче (<i>Grafitno perniche</i>) Graphite pad</p> <p>Група избирачи (<i>Grupa izbirachi</i>) Group of voters</p>
<div data-bbox="229 1485 323 1608">В</div> <p>Верска заедница (<i>Verska zaednica</i>) Religious community</p> <p>Верски објекти (<i>Verski objekti</i>) Religious buildings [temples, places of worship]</p> <p>Влада на Република Македонија (<i>Vlada na Republika Makedonija</i>) Government of the Republic of Macedonia</p> <p>Влегување во сила (<i>Vleguvanje vo sila</i>) In force, effective (in effect) (the law is ~ as of yesterday)</p> <p>Внатрешно раселени лица (<i>Vnatreshno raseleni lica</i>) Internally displaced person</p> <p>Во придружба</p>	<div data-bbox="829 1971 924 2096">Д</div>

Да врши (<i>Da vrshi</i>) To conduct, to do
Демократија (<i>Demokratija</i>) Democracy
Денот на гласањето (<i>Denot na glasanjeto</i>) Voting Day, Day of Voting
Денот на изборите (<i>Denot na izborite</i>) Election Day
Денот на одржувањето на изборите (<i>Denot na odrzuvanjeto na izborite</i>) The day of holding the elections
Десно (<i>Desno</i>) Right (as in right hand side)
Детски градинки (<i>Detski gradinki</i>) Kindergartens
Добивање овластување (<i>Dobivanje ovlastuvanje</i>) Acquire/get/receive/obtain authorization
Добростворни цели (<i>Dobrotvorni celi</i>) Charity
Дом (<i>Dom</i>) Home
Домашни и странски здруженија на граѓани (<i>Domashni i stranski zdruzenija na gragjani</i>) Foreign and domestic citizens' association (NGOs)
Домови за стари лица (<i>Domovi za stari lica</i>) Homes for old (aged people) [retirement homes]
Државната изборна комисија (<i>Drzavnata izborna komisija</i>) The State Election Commission
Државниот завод за статистика (<i>Drzhavniot zavod za statistika</i>) State Bureau of Statistics
Државните органи (<i>Drzhavnite organi</i>) State bodies

E
Еден по еден (<i>Eden po eden</i>) One-by-one
Единствен матичен број (ЕМБГ) (<i>Edinstven matichen broj (EMBG)</i>) Unique citizen number (EMBG)
Евидентирани (<i>Evidentirani</i>) Recorded [noted]

Ж
Жиро-сметка (<i>Zhiro-smetka</i>)

Gyro account [bank account]
3
Заштита на човековите права (<i>Zashtita na chovekovite prava</i>) Protection of human rights
Заштита на избирачкото право (<i>Zashtita na izbirachkoto pravo</i>) Protection of the right to vote
Заштита на правата (<i>Zashtita na pravata</i>) Protection of the rights
Забелешки (<i>Zabeleshki</i>) Remarks, Notes
Закон (<i>Zakon</i>) Law
Законитост (<i>Zakunitost</i>) Legality [lawfulness]
Закон за избирачкиот список (<i>Zakon za izbirachkiot spisok</i>) Law on Voters' List
Закон за избор на пратеници во Собранието на Република Македонија (<i>Zakon za izbor na pratenici vo Sobranieto na Republika Makedonija</i>) Law on the Election of Members of Parliament of the Republic of Macedonia
Заменик (<i>Zamenik</i>) Deputy
Заокружување (<i>Zaokruzuvanje</i>) Circling [as in to circle a number]
Записник (<i>Zapisnik</i>) Minutes [record] n.
Затвор (<i>Zatvor</i>) Prison
Злоупотреба на избирачкото право (<i>Zloupotreba na izbirachkoto pravo</i>) Abuse of the right to vote

И
Истражување на јавното мислење (<i>Istrazhuvanje na javното mislenje</i>) Public opinion polls
Итно (<i>Itno</i>) Urgent [as in the Assembly urgently passed the law]

Избирачка маса (Izbirachka masa) Pool of voters [electorate]
Избирачки одбори (Izbirachki odbori) Electional Boards
Избирачко право (Izbirachko pravo) Right to vote
Избори за пратеници во Собранието (Izbori za pratenici vo Sobranieto) Election of Members of Parliament
Изборна единица (Izborna edinica) Election unit, Election district
Изборна измама (Izborna izmata) Election fraud
Изборна кампања (Izborna kampanja) Election campaign
Изборни плакати (Izborni plakati) Election posters
Изборен материјал (Izboren material) Election material
Изборни дејствија (Izborni dejstviya) Election activities
Изборно место (Izborno mesto) Polling unit
Издржување (Izdrzhuvanje) Serving [as in prison sentence]
Износ (Iznos) Amount
Известување (Izvestuvanje) Notification
Извод од Избирачкиот список (Izvod od Izbirachkiot spisok) Excerpt from the Voters' List

J
Јавен повик (Javen povik) Public announcement
Јавен превоз (Javen prevoz) Public transport
Јавна институција (Javna institucija) Public institution
Јавни / Јавен / Јавна (Javni / Javen / Javna) Public
Јавни институции (Javni institucii) Public institutions
Јавни гласила (Javni glasila)


Public media s. [medium]
Јавно гласило (Javno glasilo) Media
Јавно мислење (Javno mislenje) Public opinion

K
Кампања на противкандидатите (Kampanja na protivkandidatite) Opponents' campaign
Кандидат (Kandidat) Candidate
Касарна (kasarna) barracks
Казна (kazna) sentence
Казна затвор (Kazna zatvor) prison sentence
Казнено-поправни домови (kazнено-popravni domovi) penitentiary [correctional facility]
Кривичен законик (Krivichen zakonik) Criminal Code
Кривично дело (Krivichno delo) criminal act
Кутии за гласање (kutii za glasanje) ballot boxes


L
Личен идентитет (lichen identitet) personal identity
Лична карта (lichna karta) personal ID card [identification card, ID]
Листа на кандидати (Lista na kandidati) Candidates' List [List of Candidates]
Линија (Linija) Line

M
Меѓународни (medzunarodni) international
Меѓународни организации (medzunarodni organizacii)

international organizations
Место на живеење (<i>mesto na zhiveenje</i>) place of residence
Место на настан (<i>mesto na nastan</i>) venue
Министерство за правда (<i>Ministerstvo za Pravda</i>) Ministry of Justice
Министерство за внатрешни работи (<i>Ministerstvo za vnatreshni raboti</i>) Ministry of Internal Affairs
Мнозински систем (<i>Mnozinski system</i>) Majority system voting
МНОЗИНСТВО (<i>mnozinstvo</i>) majority


начело (<i>nachelo</i>) principle
начинот (<i>nachinot</i>) the way, the manner
Набљудувачка мисија (<i>nabljuduvachka misija</i>) Observation Mission
Набљудување на изборите (<i>nabljuduvanje na izborite</i>) election observation
Надлежен орган (<i>nadlezhen organ</i>) competent body
Надлежен орган за воденје на евиденција на избирачкото право (<i>nadlezhen organ za vodenje na evidencija na izbirachkoto pravo</i>) competent body for keeping record of the right to vote
надоместок (<i>nadomestok</i>) compensation, reimbursement
Најблиско избирачко место (<i>najblisko izbirachko mesto</i>) nearest polling station
Најдоцна до (<i>najdocna do</i>) no latter than
Наредниот (<i>naredniot</i>) the following
Небришлив белег (<i>Nebrishliv beleg</i>) indelible mark
Небришливо мастило (<i>Nebrishlivo mastilo</i>) indelible ink
Немоќно или болно лице (<i>netokno ili bolno lice</i>) disabled or ill person
неписмен

Непосредно по затворањето (<i>neposredno po zatvoranjeto</i>) immediately after the closing
Неправилности (<i>Nepravilnosti</i>) irregularities
непристрасно (<i>nepristrasno</i>) impartial (unbiased)
Неупотребени гласачки ливчиња (<i>neupotrebeni glasachki livchinja</i>) unused ballots
НОКТ (<i>nokt</i>) nail


обележување (<i>obelezuvanje</i>) marking
објавува (<i>objavuva</i>) publish
Објавува избори (<i>objavuva izbori</i>) announce elections
Објавува резултати (<i>objavuva rezultati</i>) announce results
објекти (<i>objekti</i>) buildings, facilities
Обрасци за записници (<i>obrasci za zapisnici</i>) forms for taking minutes
образец (<i>obrazec</i>) form
оцена (<i>ocean</i>) valuate (evaluate)
Од странство (<i>od stranstvo</i>) from abroad
Одговорен уредник (<i>odgovoren urednik</i>) editor-in-chief, chief editor
Одлука (<i>Odluka</i>) Decision
Одредба (<i>Odredba</i>) provision
Општина (<i>opshtina</i>) Municipality
Општински изборни комисии (<i>opshtinski izborni komisii</i>) Municipal Election Commissions
Органи

(Organi) bodies
Органи на општината (organi na opshтината) municipal bodies
организација (organizacija) organization
Организатори на изборната кампања (organizatori na izbornata kampanja) election campaign organizers
Основен суд (osnoven sud) Primary Court (Court of first instance)
отпечаток (otpechatok) fingerprint
Овластен претставник (ovlasten prestavnik) authorized representative
Ознаки или симболи на политичка партија или кандидат (oznaki ili simboli na politichka partija ili kandidat) marks or symbols of a political party [partisan symbols, colors or banners] or a candidate



Палец (palec) thumb
параван (paravan) screen
Патна исправа (patna isprava) passport
Плакат (Plakat) poster
плико (pliko) envelope
Подрачни единици (podrachni edinici) District Ministries
показалец (pokazalec) index finger
полиција (policija) police
Политичка партија (Politichka partija) political party
Политичка пропаганда (Politichka propaganda) political propaganda
Да помогне при гласањето (Da pomogne pri glasanjeto) to assist/help in the course of voting
Поништување и повторување на избори (ponishtuvanje i povtoruvanje na izbori) annulling and repeating of elections
Пополнето ливче

(popolneto livche) ballot which has been filled in/out
Попречување и оневозможување (poprechuvanje i onevozmozuvanje) obstructing and preventing
поткуп (Potkup) bribery
потпис (Potpis) signature
потписник (potpisnik) signatory
Потребни исправи за идентификација (potrebni ispravi za identifikacija) documentation needed for identification
Потврден извод од Избирачкиот список (potvrden izvod od Izbirachkiot spisok) certified excerpt from the Voters' List
Повредување на правата (Povreduvanje na pravata) violation of rights
Правилник и Упатство за надоместок на членовите на изборните органи (Pravilnik i Upatstvo za nadomestokot na chlenovite na izbornite organi) Rulebook and Guide for compensating the election bodies
Правно и (физичко) лице (Pravno i fizichko) lice) juristic/legal (physical) person (entity)
Правосилна одлука (Pravosilna odluka) final decision
предизборни (predizborni) pre-election
Прекин (Prekin) disruption, see interruption
Прекин на гласањето (Prekin na glasanjeto) to stop the voting
Претставници на странски земји (prestavnici na stranski zemji) representatives of foreign countries
причини (prichini) causes
Приговори и жалби (prigovori i zhalbi) complaints and appeals
примерок (primerok) sample
прирачник (prirachnik) Manual, guide, handbook
Пропусти (Propusti) omissions
простории (prostorii) premises
противкандидати

(protivkandidati) opponents
проверка (proverka) control
првични (prvichni) preliminary (as in ~results)

P
рака (raka) hand
Рамноправен пристап (ramnopraven pristap) equal access
Рамноправно претставување (ramnopravno pretstavuvanje) equal representation
ред (red) order
Реден број (reden broj) ordinal number
Референдум (Referendum) Referendum
Регистрирани (Registrirani) registred
Регистрираните здруженија на странски земји (registriranite zdruzenija na stranski zemji) registered foreign groups
Рок (rok) period, deadline

C
Седница (sednica) session (as in ~of the Assembly)
Сериски број (seriski broj) serial number
Сериски број (кој останува на кочанот на блокот) (seriski broj [koj останува на kochanot na blokot]) serial number [printed in the remaining in the stub of the booklet of ballots]
Сериски број (seriski broj) serial number
Симбол (symbol) symbol
Слобода на определување (sloboda na opredeluvanje) freedom of choice
Служба за општи и заеднички работи

(Sluzhba za opshti i zaednichki raboti) Department of General and Common Activities
Службен весник на РМ (Sluzhben vesnik na RM) Official Gazette of the RM
Со назнака 'за изборна кампања' (so naznaka 'za izborna kampanja') with reference 'for election campaigns'
Собири (sobiri) rallies
Собрание (Sobranie) Parliament
Соодветно место (soodvetno mesto) corresponding (appropriate) place
Совесно и одговорно (sovesno i odgovorno) conscientiously and responsibly
Совет за радиодифузија (Sovet za radiodifuzija) Broadcasting Council
Спечување на изборите (sprechuvanje na izborite) prevent/impede/hinder the elections
Спреј (sprej) spray
Средства (sredstva) funds
Статут (Statut) Statute
Странец (stranec) foreigner
Странски (stranski) foreign
Странски државјани (stranski drzavjani) foreign citizens
Субјекти (subjekti) subjects (entities)
Сумирање на резултатите од гласањето (Sumiranje na rezultatite od glasanjeto) summing up of results (aggregation, counting)

T
Тајност (Tajnost) secrecy
Техника (tehnika) technique
Трошоци (troshoci) costs/expenses/expenditure

	
Училишта (<i>uchilishta</i>) schools	
Уцена (<i>Ucena</i>) blackmail	
Ултравioletова лампа	

(<i>ultravioletova lampa</i>) ultraviolet lamp
Уништување (<i>unishtuvanje</i>) destruction
Упатство (<i>Upatstvo</i>) instructions
UV лампа (<i>UV lampa</i>) UV (Ultra Violate Ray) Lamp
UV лампи, спреј и графитно перниче (<i>UV lampi, sprej i grafitno perniche</i>) UV Lamps, spray, and graphite pad

English/Macedonian

A
a group of voters - grupa izbirachi
accompanied with/by - vo pridruzhba
acquire/get/receive/obtain authorization - dobivanje ovlastuvanje
ammount - iznos
announce referendum - objavuva referendum
annulling and repeating - ponishtuvanje i povtoruvanje na izbori
anounce results - objavuva rezultati
Armed - Vooruzen
authorized representative - ovlasten pretstavnik
abuse of the right to vote - zloupotreba na izbirachkoto pravo

B
ballot - glasachko livche
ballot boxes - kutii za glasanje
ballot which has been filled in/out - popolneto livche
Barracks - kasarna
blackmail - Ucena
Bodies - Organi
booklet of ballots bound together - blok so glasachki livchinja
Bribery - Potkup
Broadcasting Council - Sovet za radiodifuzija
Budget of the Republic of Macedonia - Budzet na Republika Makedonija -
Buildings, facilities - objekti
by-elections - dopolnitelni izbori

C
candidate - kandidat
Candidates' List (List of Candidates) - Lista na kandidati
Causes - prichini
certified excerpt from the Voters' List - potvrden izvod od Izbirachkiot spisok
Charity - dobrotvorni celi
circling (as in to circle a number) - zaokruzuvanje
citizens - Gradzani
Civil initiative - Gradzanska inicijativa
compensation, reimbursement - nadomestok
competent body - nadlezhen organ
competent body for keeping record of the right to

vote - nadlezen organ za vodenje na evidencija na izbirachkoto pravo
complaints and appeals - prigovori i zhalbi
Compulsory decision - zadolzhitelna odluka
conscientiously and responsibly - sovesno i odgovorno
control - proverka
corresponding (appropriate) place - soodvetno mesto
costs/expenses/expenditure - troshoci
Court of Appeals (Appellate Court) - apelacionen sud
criminal act - Krivichno delo
Criminal Code - Krivichen zakonik

D
deadline, timely - Rok (in due [course/period] of time) Vo opredeleniot rok
Decision - Odluka
decisions of the Second Instance Courts - Vtorostepenite odluki
democracy - demokratija
Department of General and Common Activities - Sluzhba za opshti i zaednichki raboti
deputy - zamenik
Destruction - unishtuvanje
disabled or ill person - nemokno ili bolno lice
Disruption - see interruption - Prekin
District Ministries - podrachni edinici
documentation needed for identification - potrebni ispravi za identifikacija
drill/military exercise (maneuver) - Voena vezhba

E
Editor-in-chief, chief editor - odgovoren urednik
election activities - izborni dejstvija
Election campaign - Izborna kampanja
election campaign organizers - organizatori na izbornata kampanja
Election Day - Denot na izborite
Voting Day, Day Voting - Denot na glasanjeto
election district (electorate) - izborna edinica
election districts - izborni edinici
election fraud - izborna izmama
election material - izboren materijal
election observation - nabljuduvanje na izborite

Election of Members of Parliament - Izbori za pratenici vo Sobranieto
election posters - izborni plakati
electoral Boards - Izbirachki odbori
emergency [contingency, unforeseen event] - vonredni okolnosti
envelope - pliko
equal access - ramnopraven pristap
equal representation - ramnopravno pretstavuvanje
excerpt from the Voters' List - izvod od Izbirachkiot spisok
City of Skopje - Grad Skopje

F
final decision - Pravosilna odluka
fingerprint - otpechatok
Following - naredniot
foreign and domestic citizens' association (NGOs) - domashni i stranski zdruzenija na gradzani
foreign citizens - stranski drzavjani
Foreign - stranski
foreigner - stranec
form - obrazec
forms for taking minutes - obrasci za zapisnici
freedom of choice - sloboda na opredeluvanje
from abroad - od stranstvo
funds - sredstva

G
Government of the Republic of Macedonia - Vlada na Republika Makedonija
graphite pad - grafitno perniche
gyro account (bank account) - Zhiro-smetka

H
hand - raka
home - Dom
Homes for old (aged people), [retirement homes] - domovi za stari lica
hospital - bolnica

I
illiterate - nepismen

immediately after the closing - neposredno po zatvoranjeto
impartial (unbiased) - nepristrasno
in case of death - vo sluchaj na smrt
in force, effective (in effect) (the law is ~ as of yesterday) - vleguvanje vo sila
indelible ink - Nebrishljivo mastilo
indelible mark - Nebrishliv beleg
index finger - pokazalec
instructions - Upatstvo
internally displaced person - Vnatreshno raseleno lice
international - medzunarodni
international organizations - medzunarodni organizacii
irregularities - Nepravilnosti

J
juristic/legal (physical) person (entity) - Pravno i (fizichko) lice

K
kindergartens - detski gradinki

L
Law on the Election of Members of Parliament of the Republic of Macedonia - Zakon za izbor na pratenici vo Sobranieto na Republika Makedonija
Law on Voters' List - Zakon za Izbirachkiot spisok
Law, Act - Zakon
legality (lawfulness) - Zakonitost
line - linija
Legislative referendum - Zakonodaven referendum

M
Majority - mnozinstvo
Majority system voting - mnozinski sistem
Manuel, guide, handbook - priracnik
Marking - obelezhuvanje
marks or symbols of a political party [partisan symbols, colors or banners] - oznaki ili simboli na politichka partija ili kandidat
media - javni glasila
military buildings - Voeni objekti

Military unit - voena edinica
Ministry of Internal Affairs - Ministerstvoto za vnatreshni raboti
Ministry of Justice - Ministerstvoto za pravda
minutes, (record) <i>n.</i> - Zapisnik
municipal bodies - opshtinski organi
Municipal Election Commissions - opshtinski izborni komisii
Municipality - opshtina

N
nail - nokt
Nearest polling unit - najblisko izbirachko mesto
no latter than - najdocna do
Notification - izvestuvanje

O
objections - zabeleshki
Observation Mission - nabljuduvachka misija
Observation request - Baranje za nabljuduvanje
obstructing and preventing - poprechuvanje i onevozmozuvanje
Official Gazette of the RM - Sluzhben vesnik na RM
omissions - Propusti
one-by-one - eden po eden
opponents - protivkandidati
opponents' campaign - kampanja na protivkandidatite
order - red (narachka/nalog)
ordinal number - reden broj
organization - organizacija
Organization and Systematization Act of the Secretariat of the State Election Commission - Akt za organizacija i sistemizacija na Sekretarijatot na Drzhavnata izborna komisija

P
Parliament - Sobranie/Parlament
passport - patna isprava
penitentiary (correctional facility) - kazneno-popravni domovi
period, deadline - rok
personal ID card (identification card, (ID)) - lichna karta
personal identity - lichen identitet

Place of residence - mesto na zhiveenje
police - policija
political party - Politichka partija
political propaganda - Politichka propaganda
polling station - Glasachko mesto
polling unit - izborna mesto
pool of voters (electorate) - Izbirachka masa
poster - Plakat
pre-election - predizborni
preliminary (<i>as in</i> ~results) - prvichni
premises - prostorii
Prevent/impede/hinder the elections - sprechuvanje na izborite
Primary Court (Court of first instance) - osnoven sud
principle - nachelo
prison - zatvor
prison sentence (imprisoned) - kazna zatvor
protection of human rights - zashtita na chovekovite prava
protection of the right - zashtita na pravata
protection of the right to vote - zashtita na izbirachkoto pravo
provision - Odredba
public - javni
public announcement - javen povik
public institution - javna institucija
public media <i>s.</i> (medium) - javni glasila
public opinion - javno mislenje
public opinion polls - Istrazuvanje na javnoto mislenje
public transport - javen prevoz
publish - objavuva

R
Rallies - sobiri
recorded (noted) - Evidentirani
registered foreign groups - registrirani zdruzenija na stranski zemji
registred - Registrirani
religious buildings [temples, places of worship] - Verski objekti
religious community - Verska zaednica
representatives of foreign countries - prestavnici na stranski zemji
right (<i>as in</i> right hand side) - Desno
right to vote - Izbirachko pravo
Rulebook and Guide for compensating the election bodies - Pravilnik i Upatstvo za nadomestokot na chlenovite na izbornite organi

S
sample - primerok
schools - uchilishta
Screen - paravan
secrecy - Tajnost
sentence - kazna
Serial number - seriski broj
Serial number [printed in the remaining in the stub of the booklet of ballots] - seriski broj (koj ostanuva na kochanot na blokot)
serving (as in prison sentence) - izdrzuvanje
session (as in ~of the Assembly) - sednica
signatory - potpisnik
signature - Potpis
Spray - sprej
state bodies - drzhavni organi
State Bureau of Statistics - Drzhaven zavod za statistika
Statute - statut
subjects (entities) - subjekti
summing up of results (aggregation, counting) - Sumiranje na rezultatite od glasanjeto
Symbol - simbol

T
technique - tehnika
the day of holding the elections - Denot na odrzuvanjeto na izborite
The order of (appearance of) the candidates - Redosledot na kandidatite
The State Election Commission - Drzhavna izborna komisija
The Supreme Court of the Republic of Macedonia - Vrhovniot sud na Republika Makedonija
the way, the manner - nachinot
Thumb - palec
to assist/help in the course of voting - pomogne pri glasanjeto
to conduct, to do - da vrshi
to stop the voting - Prekin na glasanjeto

U
ultraviolet lamp - ultravioletova lampa
unique citizen number (EMBG) - edinstven matichen broj (EMBG)
unused ballots - neupotrebeni glasachki

livchinja
urgent (as in the Assembly urgently passed the law) - Itno
UV (Ultra Violate Ray) Lamp - UV lampa
UV Lamps, spray, and graphite pad - UV lampi, sprej i grafitno perniche

V
Valuate (evaluate) - oценка
venue - mesto na nastan
violation of rights - Povreduvanje na pravata
voting - glasanje

W
with reference 'for election campaigns' - so naznaka 'za izborna kampanja'
without compensation - bez nadomestok

English/Albanian

A
Act for organization and systematization - Akt për organizim dhe sistematizim të Sekretariatit
administrative and professional matters – çështjet administrativo-profesionale
adoption (as in law) - adoptim (si term ligjor)
annulling and repeating the voting – anulimi dhe përsëritja e zgjedhjeve
appeal - ankesë
appoint – emëron (në funksion)
authorized representative – përfaqësues i autorizuar

B
ballot – fletvotimi
ballot booklet - blok me fletvotime
ballot box - kuti votimi
ballot stub – pjesa e sipërme (koçani) e blokut
barracks – kazerma
booklet stub - pjesa e sipërme (koçani) e blokut
Broadcasting Council – Këshilli për radiodifuzion
by-elections – zgjedhjet shtesë
by-law (legal enactment below the level of a law) - statut

C
candidates' list – listat e kandidatëve
civil servants – nëpunës shtetëror
comments – vështrime
Commission for Election and Appointment Matters - Komisioni për çështjet e zgjedhjeve dhe emërimeve
competent body – organi kompetent
complaint – padi
conscientiously and responsibly – me ndërgjegje dhe përgjegjësi
Constitutional Court – Gjykata Supreme
constitutive session (refers to the Parliament) - mbledhja konstituive (ka të bëjë me Parlamentin)
corresponding place – vendi përkatës
counterfoil - pjesa e sipërme (koçani) e blokut
Court of Appeals, Appellate Court – Gjykata e Apelit
criminal act – vepër penale
Criminal Code – Kodi Penal

D
deadline – afati i fundit
decision - vendim
Department of General and Common Activities – Departamenti për punët e përgjithshme dhe të përbashkëta
deputy - zëvendës
District Ministries - Njësitë rajonale
divisor (as in D'Hondt's formula of seat allocation) - përpjestues
drawing lots – tërheqja si në lotari

E
Elections – Zgjedhje
early elections – zgjedhjet e parregullta (të parakohshme)
election activities – aktivitete zgjedhore
election announcement (announcement of the election date by the Speaker of the Parliament) – shpallja e zgjedhjeve
election campaign – fushata zgjedhore
election campaign organizers – organizatorët e fushatës zgjedhore
election day - dita e zgjedhjeve
election districts – njësitë (rajonet) zgjedhore
election posters - pllakatat zgjedhore
election presentation (of candidates' programs) – prezantimi zgjedhor
election procedure – procedura zgjedhore
Electoral Board (polling station committee) – Këshilli zgjedhor
electoral fraud – mashtrim zgjedhor
electorate - masa votuese
emergency – rrethanat e parregullta (emergjenca)
equal access – qasje e barabartë
excerpt - ekstrakt

F
facility (e.g. building) - objekt
final decision – vendim i plotfuqishëm
fine (monetary punishment) – denim me para
fingerprint – papilari (shenja e gishtit)
form (paper) - formular

G
graphite pad (for fingerprinting) – jastëku i grafitit
group of voters – grup votuesish
guide – udhërrëfyes (doracak)
gyro account (bank account required for candidates and list submitters) – xhiro llogaria

H
handbook - doracak
holder of office - bartës i funksionit

I
impartial, unbiased – e paanshme (neutrale)
incompatibility - jokompatible (që nuk i përshtatet)
indelible ink – ngjyrë e pashlyeshme
indelible mark – shenjë e pashlyeshme
index finger – gishti tregues
irregularities – anomalitë (parregullsitë)
internally displaced person – personat e zhvendosur (brenda shtetit)

L
Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia – Ligji për njësitë zgjedhore për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë
Law on Election of Members of Parliament of the Republic of Macedonia - Ligji për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë
Law on Voters' List – Ligji për Listën e Votuesve
legal entities – personët juridik
legitimacy - legjitimitet
line (of a written text) – aline (e tekstit të shkruar)
list carrier (first candidate on the list) – bartës i listës (kandidati i parë në listë)
list submitter (political party or citizen group submitting the list) - dorëzuesi i listës
Law - Ligj

M
manual - doracak
Member of Parliament - deputet
military facilities - objekte ushtarake
military maneuver, drill – ushtrim ushtarak (manovra)
military service – shërbimi ushtarak
military unit – njësi ushtarake
Ministry of Internal Affairs – Ministria e Punëve të Brendshme
Ministry of Justice – Ministria e Drejtësisë
Ministry of Transport and Communications – Ministria për transport dhe lidhje
minutes – regjistri (procesverbal) nga mbledhja
monitoring mission – mission i mbikqyrjes (vëzhgimit)
municipal bodies – organet komunale

Municipal Election Commission – Komisioni Zgjedhor Komunal

N
natural person (or individual) – person fizik
no later than – më së voni deri në (jo më vonë se)
notification - informim (lajmërim)

O
objection – ankesë (kundërshtim)
observation mission – mission i mbikqyrjes (vëzhgimit)
Official Gazette of the Republic of Macedonia – Gazeta zyrtare e RM
ombudsman – Avokati i popullit
omissions - lëshime
opponents - kundërkandidati
order of the candidates – renditja e kandidatëve

P
Parliament - Parlament (Asamble)
Parliamentary composition - përbërja e deputetëve
passport - pasaport (document udhëtimi)
penitentiary - shtëpia përmirësuese
personal identity number – numri personal i identifikimit
personnel teams (support for the State Election Commission) - ekipime kadrovike (mbështet KShZ)
political propaganda - propagandë politike
polling booth – paravani i votimit
polling station - vendvotimi
polling unit – njësia e votimit
pre-election rallies – grumbullimet (mitingjet) parazgjedhore
preliminary (as in ~ results) – preeliminare (fillestare)
premises – dhomat (hapësirat)
President - Kryetar
prevent (obstruct) the elections – pengimi i zgjedhjeve
Primary Court - Gjykata Themelore
professional service (support for the State Election Commission) – shërbimi profesional (mbështet KShZ)
proportional list – lista proporcionale
proportional model – modeli proporcional
protection of rights – mbrojtja e të drejtave
provision – provision (pjesë e ligjit)
proxy – person i autorizuar
public announcement – shpallje (apel) publik
public opinion poll – hulumtimi i mendimit publik

Q
quotient (as in D'Hondt's formula for seat allocation) - pjestuesi

R
recall (to recall an MP) - të largosh nga posti
recorded (as in a voters' list) - të evidentuar (në listen e vituesve)
Regional Election Commission – Komisioni rajonal zgjedhor
retirement homes (or senior citizen residences) – pallati i pleqve
right to vote – e drejtë vote
Rulebook - Rregullore
Rulebook and Guide for compensation of the members of election bodies – Rregullore dhe Udhërrëfyes për damshpërblim të anëtarëve të organeve zgjedhore
run, manage (a secretariat) - udhëheq
Referendum - Referendum

S
sample – shembull, mostrë
second instance decision – vendimi i instances së dytë
Secretariat - sekretariati
session - mbledhje
signatory - nënshkrues
spray - sprej
state administration – administrata shtetërore
state bodies – organi shtetëror
State Bureau of Statistics – Enti Shtetëror Statistikor
State Election Commission – Komisioni Shtetëror Zgjedhor
statute (legal enactment below the level of a law) - statuti
subject (natural person or legal entity) - subjekti
submissions - fletdorrëzimet
Supreme Court – Gjykata Supreme

T
Telecommunications Office – Drejtoria për telekomunikim
termination of mandate – Përfundimi i mandatit
the title of the list – titulli i listës
timely (in a timely manner) – në kohë
to announce elections – shpall zgjedhjet
to announce results - shpall rezultatet
to enter into force, to become effective – hyn në fuqi
to hand over - dorëzon

to mark - shënon
to post - shpall
to publish - publikon
trading company – shoqëri tregtare

U
ultraviolet (UV) lamps - lambat UV (ultra violet)
unique citizen number (EMBG) – numri i vetëm i qytetarit

V
valid ballot – fletvotimi i vlefshëm
verification of the mandate – verifikimi i mandatit
voting screen (enclosure for voting) - paravani i votimit

W
working capacity (equivalent to 'mental' capacity) – aftësi pune (zotësi veprimi)

Albanian/English

A
Administrata shtetërore - state administration
Adoptim (si term ligjor) - adoption (as in law)
Afati i fundit - deadline
Aftësi pune (zotësi veprimi) - working capacity (equivalent to 'mental' capacity)
Akt për organizim dhe sistematizim të Sekretariatit - Act for organization and systematization
Aktivitete zgjedhore - election activities
Aline (e tekstit të shkruar) - line (of a written text)
Ankesë - appeal
Ankesë (kundërshtim) - objection
Anomalitë (parregullsitë) - irregularities
Anulimi dhe përsëritja e zgjedhjeve - annulling and repeating the voting
Avokati i popullit - ombudsman
B
Bartës i funksionit - holder of office
Bartës i listës (kandidati i parë në listë) - list carrier (first candidate on the list)
Blok me fletvotime - ballot booklet
Ç
Çështjet administrativo-profesionale - administrative and professional matters
D
Doracak - handbook
Dënim me para - fine (monetary punishment)
Departamenti për punët e përgjithshme dhe të përbashkëta - Department of General and Common Activities
Deputet - Member of Parliament
Dhomat (hapësirat) - premises
Dita e zgjedhjeve - election day
Doracak - manual
Dorrëzon - to hand over
Dorrëzuesi i listës - list submitter (political party or citizen group submitting the list)
Drejtoria për telekomunikim - Telecommunications Office

E
E drejtë vote - right to vote
E paanshme (neutrale) - impartial, unbiased
Ekstrakt - excerpt
Ekipime kadrovike (mbështet KShZ) - personnel teams (support for the State Election Commission)
Emëron (në funksion) - appoint
Enti Shtetëror Statistikor - State Bureau of Statistics

F
Fletdorrëzimet - submissions
Fletvotimi - ballot
Fletvotimi i vlefshëm - valid ballot
Formular - form (paper)
Fushata zgjedhore - election campaign

G
Gazeta zyrtare e RM - Official Gazette of the Republic of Macedonia
Gishtit tregues - index finger
Gjykata e Apelit - Court of Appeals, Appellate Court
Gjykata Supreme - Constitutional Court
Gjykata Supreme - Supreme Court
Gjykata Themelore - Primary Court
Grumbullimet (mitingjet) parazgjedhore - preelection rallies
Grup votuesish - group of voters

H
Hulumtimi i mendimit publik - public opinion poll
Hyn në fuqi - to enter into force, to become effective

I
Informim (lajmërim) - notification

J
Jastëku i grafitit - graphite pad (for fingerprinting)
Jokompatible (që nuk i përshtatet) - incompatibility

K
Kazërma – barracks
Këshilli për radiodifuzion - Broadcasting Council
Këshilli zgjedhor - Electoral Board (polling station committee)
Kodi Penal - Criminal Code
Komisioni për çështjet e zgjedhjeve dhe emërimeve - Commission for Election and Appointment Matters
Komisioni rajonal zgjedhor - Regional Election Commission
Komisioni Shtetëror Zgjedhor - State Election Commission
Komisioni Zgjedhor Komunal - Municipal Election Commission
Kryetar - President
Kundërkandidati - opponents
Kuti votimi - ballot box

L
Ligj – Law
Legjitimitet - legitimacy
Lëshime - omissions
Ligji për Listën e Votuesve - Law on Voters' List
Ligji për njësitë zgjedhore për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë - Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia
Ligji për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë - Law on Election of Members of Parliament of the Republic of Macedonia
Lista proporcionale - proportional list
Listat e kandidatëve - candidates' list
Llambat UV (ultra violet) - ultraviolet (UV) lamps

M
Masa votuese - electorate
Mashtrim zgjedhor - electoral fraud
Mbledhja konstituive (ka të bëjë me Parlamentin) - constitutive session (refers to the Parliament)
Mbledhje - session
Mbrojtja e të drejtave - protection of rights
Me ndërgjegje dhe përgjegjësi - conscientiously and responsibly
Më së voni deri në (jo më vonë se) - no later than
Ministria e Drejtësisë - Ministry of Justice
Ministria e Punëve të Brendshme - Ministry of Internal Affairs
Ministria për transport dhe lidhje - Ministry of Transport and Communications
Mision i mbikqyrjes (vëzhgimit) - monitoring mission

Mision i mbikqyrjes (vëzhgimit) - observation mission
Modeli proporcional - proportional model

N
Në kohë - timely (in a timely manner)
Nënshkrues - signatory
Nëpunës shtetëror - civil servants
Ngjyrë e pashlyeshme - indelible ink
Njësi ushtarake - military unit
Njësia e votimit - polling unit
Njësitë (rajonet) zgjedhore - election districts
Njësitë rajonale - District Ministries
Numri i vetëm i qytetarit - unique citizen number (EMBG)
Numri personal i identifikimit - personal identity number

O
Objekt - facility (e.g. building)
Objekte ushtarake - military facilities
Organet komunale - municipal bodies
Organi kompetent - competent body
Organi shtetëror - state bodies
Organizatorët e fushatës zgjedhore - election campaign organizers

P
Padi - complaint
Pallati i pleqve - retirement homes (or senior citizen residences)
Papilari (shenja e gishtit) - fingerprint
Paravani i votimit - polling booth
Paravani i votimit - voting screen (enclosure for voting)
Parlament (Asamble) - Parliament
Pasaport (document udhëtimi) - passport
Pengimi i zgjedhjeve - prevent (obstruct) the elections
Përbërja e deputetëve - Parliamentary composition
Përfaqësues i autorizuar - authorized representative
Përfundimi i mandatit - termination of mandate
Përpjestues - divisor (as in D'Hondt's formula of seat allocation)
Person fizik - natural person (or individual)
Person i autorizuar - proxy
Personat e zhvendosur (brenda shtetit) – internally displaced person
Personët juridik - legal entities
Pjesa e sipërme (koçani) e blokut - ballot stub
Pjesa e sipërme (koçani) e blokut - booklet stub
Pjesa e sipërme (koçani) e blokut - counterfoil
Pjestuesi - quotient (as in D'Hondt's formula for seat allocation)
Pllakatat zgjedhore - election posters

Preeliminare (fillestare) - preliminary (as in ~ results)
Prezentimi zgjedhor - election presentation (of candidates' programs)
Procedura zgjedhore - election procedure
Propagandë politike - political propaganda
Provision (pjesë e ligjit) - provision
Publikon - to publish

Q
Qasje e barabartë - equal access

R
Referendum - Referendum
Renditja e kandidatëve - order of the candidates
Rregjistri (procesverballi) nga mbledhja - minutes
Rregullore - Rulebook
Rregullore dhe Udhërrëfyes për damshpërblim të anëtarëve të organeve zgjedhore - Rulebook and Guide for compensation of the members of election bodies
Rrethanat e parregullta (emergjenca) - emergency

S
Sekretariati - Secretariat
Shembull, mostrë - sample
Shenjë e pashlyeshme - indelible mark
Shënon - to mark
Shërbimi profesional (mbështet KShZ) - professional service (support for the State Election Commission)
Shërbimi ushtarak - military service
Shoqëri tregtare - trading company
Shpall - to post
Shpall rezultatet - to announce results
Shpall zgjedhjet - to announce elections
Shpallja e zgjedhjeve - election announcement (announcement of the election date by the Speaker of the Parliament)
Shpallje (apel) publik - public announcement
Shtëpia përmirësuese - penitentiary
Sprej - spray
Statut - by-law (legal enactment below the level of a law)
Subjekti - subject (natural person or legal entity)

T
Të evidentuar (në listen e votuesve) - recorded (as in a voters' list)
Të largosh nga posti - recall (to recall an MP)
Tërheqja si në lotari - drawing lots
Titulli i listës - the title of the list

U
Udhëheq - run, manage (a secretariat)
Udhërrëfyes (doracak) - guide
Ushttrim ushtarak (manovra) - military maneuver, drill

V
Vendimi i instances së dytë - second instance decision
Vendi përkatës - corresponding place
Vendim - decision
Vendim i plotfuqishëm (përfundimtar) - final decision
Vendvotimi - polling station
Vepër penale - criminal act
Verifikimi i mandatit - verification of the mandate
Vështrime - comments

X
Xhiro llogaria - gyro account (bank account required for candidates and list submitters)

Z
Zëvendës - deputy
Zgjedhje - Elections
Zgjedhjet e parregullta (të parakohshme) - early elections
Zgjedhjet shtesë - by-elections

GLOSSARY OF ELECTION TERMINOLOGY

English/Albanian/English

(IFES Macedonia July 25, 2002)

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Act for organization and systematization - Akt për organizim dhe sistematizim të Sekretariatit
administrative and professional matters – çështjet administrativo-profesionale
adoption (as in law) - adoptim (si term ligjor)
annulling and repeating the voting – anulimi dhe përsëritja e zgjedhjeve
appeal - ankesë
appoint – emëron (në funksion)
authorized representative – përfaqësues i autorizuar

ballot - fletvotimi
ballot booklet - blok me fletvotime
ballot box - kuti votimi
ballot stub – pjesa e sipërme (koçani) e blokut
barracks – kazerma
booklet stub - pjesa e sipërme (koçani) e blokut
Broadcasting Council – Këshilli për radiodifuzion
by-elections – zgjedhjet shtesë
by-law (legal enactment below the level of a law) - statut

candidates' list – listat e kandidatëve
civil servants – nëpunës shtetëror
comments - vështrime
Commission for Election and Appointment Matters - Komisioni për çështjet e zgjedhjeve dhe emërimeve
competent body – organi kompetent
complaint – padi
conscientiously and responsibly – me ndërgjegje dhe përgjegjësi
Constitutional Court – Gjykata Supreme
constitutive session (refers to the Parliament) - mbledhja konstituive (ka të bëjë me Parlamentin)
corresponding place – vendi përkatës
counterfoil - pjesa e sipërme (koçani) e blokut
Court of Appeals, Appellate Court – Gjykata e Apelit
criminal act – veprë penale
Criminal Code – Kodi Penal

deadline – afati i fundit
decision - vendim
Department of General and Common Activities – Departamenti për punët e përgjithshme dhe të përbashkëta
deputy - zëvendës
District Ministries - Njësitë rajonale
divisor (as in D'Hondt's formula of seat allocation) - përpjestues
drawing lots – tërheqja si në lotari

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early elections – zgjedhjet e parregullta (të parakohshme)
election activities – aktivitete zgjedhore
election announcement (announcement of the election date by the Speaker of the Parliament) – shpallja e zgjedhjeve
election campaign – fushata zgjedhore
election campaign organizers – organizatorët e fushatës zgjedhore
election day - dita e zgjedhjeve
election districts – njësitë (rajonet) zgjedhore
election posters - pllakatat zgjedhore
election presentation (of candidates' programs) – prezentimi zgjedhor
election procedure – procedura zgjedhore
Electoral Board (polling station committee) – Këshilli zgjedhor
electoral fraud – mashtrim zgjedhor
electorate - masa votuese
emergency – rrethanat e parregullta (emergjenca)
equal access – qasje e barabartë
excerpt - ekstrakt
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facility (e.g. building) - objekt
final decision – vendim i plotfuqishëm
fine (monetary punishment) – denim me para
fingerprint – papilari (shenja e gishtit)
form (paper) - formular

graphite pad (for fingerprinting) – jastëku i grafitit
group of voters – grup votuesish
guide – udhërrëfyes (doracak)
gyro account (bank account required for candidates and list submitters) – xhiro llogaria

handbook - doracak
holder of office - bartës i funksionit

impartial, unbiased – e paanshme (neutrale)
incompatibility - jokompatibile (që nuk i përshtatet)
indelible ink – ngjyrë e pashlyeshme
indelible mark – shenjë e pashlyeshme
index finger – gishti tregues
irregularities – anomalitë (parregullsitë)
internally displaced person – personat e zhvendosur (brenda shtetit)

Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia – Ligji

për njësitë zgjedhore për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë

Law on Election of Members of Parliament of the Republic of Macedonia - Ligji për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë

Law on Voters' List - Ligji për Listën e Votuesve

legal entities - personët juridik

legitimacy - legjitimitet

line (of a written text) - aline (e tekstit të shkruar)

list carrier (first candidate on the list) - bartës i listës (kandidati i parë në listë)

list submitter (political party or citizen group submitting the list) - dorrëzuesi i listës

manual - doracak

Member of Parliament - deputet

military facilities - objekte ushtarake

military maneuver, drill - ushtrim ushtarak (manovra)

military service - shërbimi ushtarak

military unit - njësi ushtarake

Ministry of Internal Affairs - Ministria e Punëve të Brendshme

Ministry of Justice - Ministria e Drejtësisë

Ministry of Transport and Communications - Ministria për transport dhe lidhje

minutes - regjistri (procesverbali) nga mbledhja

monitoring mission - mission i mbikqyrjes (vëzhgimit)

municipal bodies - organet komunale

Municipal Election Commission - Komisioni Zgjedhor Komunal

natural person (or individual) - person fizik

no later than - më së voni deri në (jo më vonë se)

notification - informim (lajmërim)

objection - ankesë (kundërshtim)

observation mission - mission i mbikqyrjes (vëzhgimit)

Official Gazette of the Republic of Macedonia - Gazeta zyrtare e RM

ombudsman - Avokati i popullit

omissions - lëshime

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opponents - kundërkandidati

order of the candidates - renditja e kandidatëve

Parliament - Parlament (Asamble)

Parliamentary composition - përbërja e deputetëve

passport - pasaport (document udhëtimi)

penitentiary - shtëpia përmirësuese

personal identity number - numri personal i identifikimit

personnel teams (support for the State Election Commission) - ekipime kadrovike (mbështet KShZ)

political propaganda - propagandë politike

polling booth - paravani i votimit

polling station - vendvotimi

polling unit - njësia e votimit

pre-election rallies - grumbullimet (mitingjet) parazgjedhore

preliminary (as in ~ results) - preeliminare (fillestare)

premises - dhomat (hapësirat)

President - Kryetar

prevent (obstruct) the elections - pengimi i zgjedhjeve

Primary Court - Gjykata Themelore

professional service (support for the State Election

Commission) - shërbimi profesional (mbështet KShZ)

proportional list - lista proporcionale

proportional model - modeli proporcional

protection of rights - mbrojtja e të drejtave

provision - provision (pjesë e ligjit)

proxy - person i autorizuar

public announcement - shpallje (apel) publik

public opinion poll - hulumtimi i mendimit publik

quotient (as in D'Hondt's formula for seat allocation) - pjestuesi

recall (to recall an MP) - të largosh nga posti

recorded (as in a voters' list) - të evidentuar (në listen e votuesve)

Regional Election Commission - Komisioni rajonal zgjedhor

retirement homes (or senior citizen residences) - pallati i pleqve

right to vote - e drejtë vote

Rulebook - Rregullore

Rulebook and Guide for compensation of the members of election bodies - Rregullore dhe Udhërrëfyes për damshpërblim të anëtarëve të organeve zgjedhore

run, manage (a secretariat) - udhëheq

sample - shembull, mostrë

second instance decision - vendimi i instances së dytë

Secretariat - sekretariati

session - mbledhje

signatory - nënshkrues

spray - sprej

state administration - administrata shtetërore

state bodies - organi shtetëror

State Bureau of Statistics - Enti Shtetëror Statistikor

State Election Commission - Komisioni Shtetëror Zgjedhor

statute (legal enactment below the level of a law) -

statuti

subject (natural person or legal entity) - subjekti

submissions - fletdorrëzimet

Supreme Court - Gjykata Supreme

Telecommunications Office - Drejtoria për

telekomunikim

termination of mandate – Përfundimi i mandatit

the title of the list – titulli i listës

timely (in a timely manner) – në kohë

to announce elections – shpall zgjedhjet

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to announce results - shpall rezultatet

to enter into force, to become effective – hyn në fuqi

to hand over - dorëzon

to mark - shënon

to post - shpall

to publish - publikon

trading company – shoqëri tregtare

ultraviolet (UV) lamps - lambat UV (ultra violet)

unique citizen number (EMBG) – numri i vetëm i qytetarit

valid ballot – fletvotimi i vlefshëm

verification of the mandate – verifikimi i mandatit

voting screen (enclosure for voting) - paravani i votimit

working capacity (equivalent to ‘mental’ capacity)

– aftësi pune (zotësi veprimi)

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Administrata shtetërore - state administration

Adoptim (si term ligjor) - adoption (as in law)

Afati i fundit - deadline

Aftësi pune (zotësi veprimi) - working capacity (equivalent to ‘mental’ capacity)

Akt për organizim dhe sistematizim të Sekretariatit

- Act for organization and systematization

Aktivitete zgjedhore - election activities

Aline (e tekstit të shkruar) - line (of a written text)

Ankesë - appeal

Ankesë (kundërshtim) - objection

Anomalitë (parregullsitë) - irregularities

Anulimi dhe përsëritja e zgjedhjeve - annulling and

repeating the voting

Avokati i popullit - ombudsman

Bartës i funksionit - holder of office

Bartës i listës (kandidati i pare në listë) - list carrier

(first candidate on the list)

Blok me fletvotime - ballot booklet .

Çështjet administrativo-profesionale - administrative and professional matters

Doracak - handbook

Dënim me para - fine (monetary punishment)

Departamenti për punët e përgjithshme dhe të

përbashkëta - Department of General and Common Activities

Deputet - Member of Parliament

Dhomat (hapësirat) - premises

Dita e zgjedhjeve - election day

Doracak - manual

Dorrëzon - to hand over

Dorrëzuesi i listës - list submitter (political party or citizen group submitting the list)

Drejtoria për telekomunikim - Telecommunications Office

E drejtë vote - right to vote

E paanshme (neutrale) - impartial, unbiased

Ekipime kadrovike (mbështet KShZ) - personnel teams (support for the State Election Commission)

Ekstrakt - excerpt

Emëron (në funksion) - appoint

Enti Shtetëror Statistikor - State Bureau of Statistics

Fletdorrëzimet - submissions

Fletvotimi - ballot

Fletvotimi i vlefshëm - valid ballot

Formular - form (paper)

Fushata zgjedhore - election campaign

Gazeta zyrtare e RM - Official Gazette of the Republic of Macedonia

Gishti tregues - index finger

Gjykata e Apelit - Court of Appeals, Appellate Court

Gjykata Supreme - Constitutional Court

Gjykata Supreme - Supreme Court

Gjykata Themelore - Primary Court

Grumbullimet (mitingjet) parazgjedhore - preelection rallies

Grup votuesish - group of voters

Hulumtimi i mendimit publik - public opinion poll

Hyn në fuqi - to enter into force, to become effective

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Informim (lajmërim) - notification

Jastëku i grafitit - graphite pad (for fingerprinting)

Jokompatibile (që nuk i përshtatet) - incompatibility

Kazerma – barracks
Këshilli për radiodifuzion - Broadcasting Council
Këshilli zgjedhor - Electoral Board (polling station committee)
Kodi Penal - Criminal Code
Komisioni për çështjet e zgjedhjeve dhe emërimeve
- Commission for Election and Appointment Matters
Komisioni rajonal zgjedhor - Regional Election Commission
Komisioni Shtetëror Zgjedhor - State Election Commission
Komisioni Zgjedhor Komunal - Municipal Election Commission
Kryetar - President
Kundërkandidati - opponents
Kuti votimi - ballot box

Legjitimitet - legitimacy
Lëshime - omissions
Ligji për Listën e Votuesve - Law on Voters' List
Ligji për njësitë zgjedhore për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë - Law on Election Districts for Election of Members of Parliament of the Republic of Macedonia
Ligji për zgjedhjen e deputetëve në Parlamentin e Republikës së Maqedonisë - Law on Election of Members of Parliament of the Republic of Macedonia
Lista proporcionale - proportional list
Listat e kandidatëve - candidates' list
Llambat UV (ultra violet) - ultraviolet (UV) lamps

Masa votuese - electorate
Mashtrim zgjedhor - electoral fraud
Mbledhja konstituive (ka të bëjë me Parlamentin) - constitutive session (refers to the Parliament)
Mbledhje - session
Mbrojtja e të drejtave - protection of rights
Me ndërgjegje dhe përgjegjësi - conscientiously and responsibly
Më së voni deri në (jo më vonë se) - no later than
Ministria e Drejtësisë - Ministry of Justice
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Njësi ushtarake - military unit
Njësia e votimit - polling unit
Njësitë (rajonet) zgjedhore - election districts
Njësitë rajonale - District Ministries
Numri i vetëm i qytetarit - unique citizen number (EMBG)
Numri personal i identifikimit - personal identity number

Objekt - facility (e.g. building)
Objekte ushtarake - military facilities
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Organet komunale - municipal bodies
Organi kompetent - competent body
Organi shtetëror - state bodies
Organizatorët e fushatës zgjedhore - election campaign organizers

Padi - complaint
Pallati i pleqve - retirement homes (or senior citizen residences)
Papilari (shenja e gishtit) - fingerprint
Paravani i votimit - polling booth
Paravani i votimit - voting screen (enclosure for voting)
Parlament (Asamble) - Parliament
Pasaport (document udhëtimi) - passport
Pengimi i zgjedhjeve - prevent (obstruct) the elections
Përbërja e deputetëve - Parliamentary composition
Përfaqësues i autorizuar - authorized representative
Përfundimi i mandatit - termination of mandate
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Person fizik - natural person (or individual)
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Personët juridik - legal entities
Pjesa e sipërme (koçani) e blokut - ballot stub
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Pjesa e sipërme (koçani) e blokut - counterfoil
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Prezentimi zgjedhor - election presentation (of candidates' programs)
Procedura zgjedhore - election procedure
Propagandë politike - political propaganda
Provision (pjesë e ligjit) - provision
Publikon - to publish

Qasje e barabartë - equal access

Renditja e kandidatëve - order of the candidates
Rregjistri (procesverballi) nga mbledhja - minutes
Rregullore - Rulebook
Rregullore dhe Udhërrëfyes për damshpërblim të anëtarëve të organeve zgjedhore - Rulebook and Guide for compensation of the members of election bodies
Rrethanat e parregullta (emergjenca) - emergency

Xhiro llogaria - gyro account (bank account required for candidates and list submitters)

Zëvendës - deputy
Zgjedhjet e parregullta (të parakohshme) - early elections
Zgjedhjet shitesë - by-elections

Sekretariati - Secretariat
Shembull, mostrë - sample
Shenjë e pashlyeshme - indelible mark
Shënon - to mark
Shërbimi profesional (mbështet KShZ) - professional service (support for the State Election Commission)
Shërbimi ushtarak - military service
Shoqëri tregtare - trading company
Shpall - to post
Shpall rezultatet - to announce results
Shpall zgjedhjet - to announce elections
Shpallja e zgjedhjeve - election announcement (announcement of the election date by the Speaker of the Parliament)
Shpallje (apel) publik - public announcement
Shtëpia përmirësuese - penitentiary
Sprej - spray
Statut - by-law (legal enactment below the level of a law)
Subjekti - subject (natural person or legal entity)

Të evidentuar (në listen e votuesve) - recorded (as in a voters' list)
Të largosh nga posti - recall (to recall an MP)
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Tërheqja si në lotari - drawing lots
Titulli i listës - the title of the list

Udhëheq - run, manage (a secretariat)
Udhërrëfyes (doracak) - guide
Ushtrim ushtarak (manovra) - military maneuver, drill

Vendi përkatës - corresponding place
Vendim - decision
Vendim i plotfuqishëm (përfundimtar) - final decision
Vendimi i instances së dytë - second instance decision
Vendvotimi - polling station
Vepër penale - criminal act
Verifikimi i mandatit - verification of the mandate
Vështrime - comments

ANNEX J: MAP OF THE COUNTRY

