

## **OSCE/ODIHR Election Observation Mission to Slovakia 1999**

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### **Preliminary Statement issued on 16 May 1999**

This is the preliminary statement of the Organisation for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Election Observation Mission for the 15 May Presidential Elections in the Slovak Republic. The ODIHR Election Observation Mission's assessment is based upon the reports of 12 core staff and long term observers and 45 Short Term Observers from 17 OSCE participating states. On election day, observers visited approximately 450 polling stations in all 79 districts.

The ODIHR Election Observation Mission will continue monitoring the election until the process is completed. A second preliminary statement will be released shortly after the second round, and a final, more comprehensive report will be issued approximately four weeks later.

### **Summary of Conclusions**

- **The ODIHR Election Observation Mission found that the 1999 election for the President of the Slovak Republic was held in accordance with the electoral provisions. Officials administered the election process efficiently, and the voting and counting procedures on election day were carried out in accordance with OSCE commitments.**
- **The Election law creates equal campaign conditions for all candidates. However, some provisions in the legal framework need further clarification and the role of the CEC should be strengthened. The election framework should also specify the conditions under which observer groups are permitted to observe elections.**
- **The Election law provides clear rules regarding campaigning in the public and privately owned electronic media. The coverage of the 1999 Presidential campaign by the public TV channels (STV 1 and STV 2) complied with the election law, and gave all candidates an equal amount of airtime.**

## **The Electoral Framework**

Following the Constitutional amendment of 14 January 1999, and the adoption of the Presidential election law, the Chairman of the National Council, on 19 March, called for the first direct election of the President to be held on 15 May.

The ODIHR Election Observation Mission recognises that positive developments have taken place since the 1998 Parliamentary Elections. In particular,

- the ruling of the Constitutional Court of 18 March 1999, which found the restrictions on broadcasting election campaigning in private electronic media in the 1998 Parliamentary election law unconstitutional.
- the 1999 Presidential election law attempts to create equal campaign conditions for all candidates and provides clear rules regarding campaigning in the public and privately owned electronic media.
- the CEC was able to take decisions in a professional way and mostly in a spirit of good co-operation.

However, the election framework could be further improved, i.e.:

- Some provisions in the legal framework need further clarification and the role of the CEC should be strengthened. The CEC does not have the power to issue binding instructions and thereby ensure uniform application of election procedures by lower level commissions.
- The length of the official campaign period is short and in practice this provision is virtually impossible to enforce.
- The CEC decision to accredit international observers and one domestic observer group increased the transparency of the process. Nevertheless and in line with paragraph 8 of the OSCE Copenhagen document, including specific provisions for observers to monitor all stages of the election process would further enhance the election law.

## **Election Campaign**

The election campaign was conducted in a calm and peaceful atmosphere. No major incidents occurred during the campaign period, and none of the candidates have complained of interference in organising campaign activities or intimidation of their supporters.

A number of candidates complained that the official 13-day campaign period was too brief for the voters to be sufficiently well informed about the candidates. Some

candidates made public appearances before the official campaign period although no complaints on this issue were raised formally.

### **The Media**

- The ODIHR Election Observation Mission's media monitoring found that the coverage of the 1999 Presidential campaign by the public TV channels complied with the election law, and gave all candidates an equal amount of airtime. However, outside the official publicity programmes, the two roundtable programmes and the broadcasting of voter information, it devoted very little airtime to the election campaign during regular news reporting.
- TV Markiza did not comply with the election law, as it did not give a balanced coverage of the candidates. The Council of the Slovak Republic for Radio and TV Broadcasting recognised the violations and sanctioned the TV station on several occasions.

### **Election Day**

The electoral authorities discharged their duties in an efficient and creditable manner. The ODIHR Election Observation Mission welcomes the high turnout. The election commissions had a multi-party composition, which is an important safeguard against irregularities.

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The OSCE ODIHR Election Observation Mission would like to thank the Slovak Ministry of Foreign Affairs, the Slovak Ministry of the Interior and the Central Election Commission for their support and co-operation.

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Upon an invitation from the Slovak Ministry of Foreign Affairs the ODIHR sent a Needs Assessment Mission to the Slovak Republic and established the Election Observation Mission on 19 April 1999. The Election Observation Mission is headed by Ms Siri Skåre who has been seconded by the Government of Norway.

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