



Office for Democratic Institutions and Human Rights

REPUBLIC OF NORTH MACEDONIA

PRESIDENTIAL AND EARLY PARLIAMENTARY ELECTIONS

24 April and 8 May 2024

ODIHR NEEDS ASSESSMENT MISSION REPORT

30 January – 2 February 2024



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I. INTRODUCTION

Following an invitation from the Ministry of Foreign Affairs of the Republic of North Macedonia to observe the 24 April presidential elections together with a potential second round to be held concurrently with parliamentary elections on 8 May 2024, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 30 January to 2 February. The NAM was composed of Keara Castaldo, ODIHR Senior Election Adviser, Hamadziripi Munyikwa, ODIHR Election Adviser, and Sherif Abdili, Programme and Administrative Officer, OSCE Parliamentary Assembly.

The purpose of the mission was to assess the pre-election environment and the preparations for the elections. Based on this assessment, the NAM recommends whether to deploy an ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, civil society, and the resident international community. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs and the OSCE Mission to Skopje for their assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and sharing their views.

II. EXECUTIVE SUMMARY

North Macedonia is a parliamentary republic in which legislative power rests in a unicameral parliament elected to a four-year term. Executive authority is vested in a government composed of a prime minister and ministers. The president, who has limited executive authority, is directly elected through a majoritarian system and may serve no more than two five-year terms.

The legal framework for elections has not been amended since the 2021 local elections. The ad-hoc working group established in May 2023 was found by ODIHR NAM interlocutors to be broadly consultative and constructive but not established early enough. This along with parallel drafts being considered meant that no draft had been formally submitted in the parliament at the time of the ODIHR NAM. A number of long-standing ODIHR recommendations have not been addressed, including recommendations to harmonize the Electoral Code, to stipulate clear tenure and appointment procedures for State Election Commissioners, and to provide effective remedies for electoral disputes.

The president is directly elected by popular vote under a two-round majoritarian system in which a candidate must receive over 50 per cent of votes from all registered voters in order to win in the first round. Should no candidate achieve this, a runoff between the two candidates with the most votes takes place two weeks later. The 120 members of parliament (MPs) representing 6 in-country territorial constituencies are elected under a proportional representation system, using closed lists, and 3 additional MPs may be elected in elections for a single, out-of-country district.

Elections are managed by a three-tiered administrative structure, led by the State Election Commission (SEC). Since the last elections, the SEC introduced online tools for the publication of SEC by-laws, enhanced access to voter register data, and sex-disaggregated data on the composition of election administration bodies. While ODIHR NAM interlocutors described general confidence in the overall professionalism of the SEC, many pointed to delays in the appointment of a seventh member as indicative of a lack of clarity in the Electoral Code as well as the potential politicization of the election administration, and a few described a lack of trust in the professionalism of some lower election management bodies.

All citizens over the age of 18 years are eligible to vote, except for those prohibited via a final court decision on the basis of legal incapacity or criminal conviction, which is at odds with OSCE commitments and international standards. Voter registration for resident citizens is passive, maintained by the SEC and based on biometric databases. Citizens are able to verify their own inclusion on the voter's list and the voter register is made available for public inspection. Most ODIHR NAM interlocutors attested to a general trust in the accuracy of the voter register and the methods of voter registration ahead of these elections, but some noted that the overall numbers of voters may be inflated due to citizens who remain in the register despite residing abroad, and described ongoing barriers to participation faced by Roma citizens, including in relation to receiving identity documents

Registration as a presidential candidate is open to any citizen eligible to vote, of at least 40 years of age and who has been resident in the country for 10 of the preceding 15 years. Candidates for parliament may be nominated by political parties, coalitions of parties, or by groups of voters. The nomination of a presidential candidate must be supported, either by the signatures of 30 MPs or at least 10,000 voters and those for parliament with at least 1,000 voters residing in the respective electoral district. Some ODIHR NAM interlocutors noted that the timelines for collection of supporting signatures and the number of required signatures were burdensome, particularly for presidential candidates. Parties met by the ODIHR NAM described processes for identifying qualified candidates to fulfil the legally mandated gender requirements and additional internal measures to further diversify their candidate lists, though other interlocutors indicated these measures should be strengthened.

The freedoms of assembly and expression are guaranteed by the Constitution and ODIHR NAM interlocutors were confident in the ability of parties and candidates to campaign freely. However, several interlocutors raised concerns, particularly in the context of parliamentary elections, related to the potential for intolerant rhetoric exacerbating a tense political environment, possible misuse of state resources and pressure on public employees. Further, given that the first round of the presidential election occurs two weeks before the parliamentary election some interlocutors noted that the presidential campaigns may effectively serve as extended campaigns for parliamentary lists. The law stipulates a rigid formula for the apportionment of political advertising in media and in public spaces which many ODIHR interlocutors viewed as privileging the larger parties rather than providing fair access to all contestants.

Political parties receive public funding and electoral candidates may receive donations, up to clearly defined thresholds, from individual citizens and legal entities, but not from foreign sources, state or state-affiliated entities, religious and charitable organizations or the media. The supervision of campaign finance is primarily carried out by the State Audit Office and the State Commission for the Prevention of Corruption which is tasked with monitoring of political financing and can initiate inspections, based on complaints and in reaction to the audit reports. Electoral contestants are obliged to submit two interim reports before the elections and one after the election and a final report which is subject to audit.

The media presents a diverse array of perspectives but are fragmented along political and ethnic lines. The public broadcaster is required to follow strict rules governing the attribution of time in its broadcasts, and must allocate free airtime for electoral candidates and hold debates between the main ruling and

opposition parties. All political advertisements for both presidential and parliamentary elections in the broadcast, print and online media are paid for by the state according to regulations on pricing and timing. Several ODIHR NAM interlocutors were critical of the formula for distribution of media time which they perceive as serving to entrench the dominance of the more established parties and undermining media independence, and shared concerns related to the heightened risk of hostility towards journalists during election years. The Agency for Audio and Audio-visual Media Services has produced a code of conduct for online campaigns for political parties and contestants in advance of these elections, which also establishes a coordinative body to receive and publish unofficial complaints from citizens.

The Electoral Code enumerates procedures and avenues of recourse for various election complaints with the MECs, the SEC, and the basic courts serving as the fora of first instance. The Administrative Court is the final instance of appeals for the majority of complaints. Unlike SEC decisions on violations of individual rights, SEC regulations can only be challenged before the Constitutional Court, and there is no expedited procedure provided for in law for these matters.

The Electoral Code provides for international and citizen election observation of all aspects of the process. Political parties contesting the elections are also entitled to delegate observers to each election commission. The SEC sets guidelines detailing observer rights and responsibilities, as well as the procedures for accreditation. A number of citizen observer groups intend to observe aspects of the elections focussing on specific issues such as misinformation and disinformation, voter intimidation and online discourse, and the potential abuse of state resources.

All ODIHR NAM interlocutors encouraged the deployment of a comprehensive ODIHR election observation mission to cover the entire process including election day. ODIHR NAM interlocutors emphasized the importance of ODIHR recommendations for bringing elections closer in line with international standards and commitments and undertaking a comprehensive reform of the electoral legislation. Various ODIHR NAM interlocutors emphasized aspects of the electoral process meriting observation, including the electoral legal framework, the tenor of the campaign in public and in the media, the regulation of and adherence to campaign finance rules, the work of the election administration including on election day and counting and transmission of results, as well as the effectiveness of election dispute resolution mechanisms.

Based on the findings of this report, the ODIHR NAM recommends the deployment of an Election Observation Mission for the presidential election, including the potential second round, and the parliamentary elections. In addition to a core team of analysts, the ODIHR will request the secondment by OSCE participating States of 24 long-term observers to follow the electoral process countrywide, as well as 300 short-term observers to follow election day procedures. In line with the ODIHR's standard methodology, the EOM will include a media monitoring element.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

North Macedonia is a parliamentary republic. Legislative power rests in a unicameral parliament elected for a four-year term and executive authority is vested in a government led by the prime minister. The president is directly elected through a majoritarian system for a maximum of two five-year terms. The president's operative powers are limited to serving as the Commander-in-Chief of the Armed Forces and appointing ambassadors and two members of both the Constitutional Court and the Republican judicial council.

Presidential elections were last held in 2019, and were won by Stevo Pendarovski following a run-off which took place on 8 May. The last parliamentary elections were held on 15 July 2020 before the official end of the sitting parliament's term. These resulted in a coalition government composed of the Social Democratic Union of Macedonia (SDSM) and the Besa movement which had formed the "We-can" pre-election coalition with 46 seats, the Democratic Union for Integration (DUI) with 15 seats, and the coalition between the Alliance for Albanians and AlternativA with 12 seats.¹ A government was formed with Zoran Zaev appointed as Prime Minister. Mr. Zaev resigned as Prime Minister in December 2021 following his party's losses in the October 2021 local elections. Dimitar Kovačevski, of the SDSM, was appointed Prime Minister in January 2022. In January 2024, a caretaker government led by Talat Xhaferi, the country's first ethnic-Albanian prime minister, was formed in fulfilment of the coalition agreement between the SDSM and the DUI.² The outgoing parliament included 51 women (42.5 per cent); and 64 (53 per cent) of the members of parliament are under the age of 45.

Many ODIHR NAM interlocutors noted that while the period ahead of the elections had been stable, the political environment was susceptible to tension and fragility as elections approached. Many interlocutors also emphasized that the fact that presidential and parliamentary elections would be held concurrently would also magnify the likelihood of political unrest. The elections are taking place amid continued political discourse surrounding the country's EU accession process.

The ODIHR has observed 20 previous elections and referenda in the country, including local elections in 2021, parliamentary elections in 2020 and the presidential election in 2019.³

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Elections are primarily regulated by the Constitution, the Electoral Code, the Law on Political Parties, the Law on Financing Political Parties, as well as regulations adopted by the SEC to supplement the law.⁴ North Macedonia has ratified key international and regional human rights instruments related to the holding of democratic elections.⁵

The Electoral Code was last amended shortly prior to the 2021 local elections, a practice which has previously been criticized by ODIHR as destabilizing the regulatory framework and detracting from legal certainty. There have been no fundamental amendments to the legal framework for elections at the time of the ODIHR NAM meetings in North Macedonia, though several interlocutors noted the possibility that some technical amendments may yet be introduced.

¹ The Internal Macedonian Revolutionary Organization – Democratic Party of Macedonian National Unity (VMRO-DPMNE) won 44 seats, the Left (Levica) 2 seats and the Democratic party of Albanians 1 seat.

² See [media coverage of the coalition agreement](#). The Law on Government requires that a caretaker government consisting of ministers from the ruling majority and the largest opposition party take office 100 days before the holding of parliamentary elections.

³ See [previous ODIHR reports](#) on North Macedonia.

⁴ Other relevant legislation includes the Law on Media, Law on Audio and Audio-visual Media Services, amended in October 2023, the Law on Prevention of Corruption and Conflict of Interests, the Law on Personal Data Protection, and the Law on Administrative Procedure, and relevant provisions of the Criminal Code.

⁵ These include the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD), the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the 2003 UN Convention against Corruption (UNCAC). The country is member to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and is subject to the jurisdiction of the European Court of Human Rights. The country also takes part in the European Commission for Democracy through Law (Venice Commission) and the Group of States against Corruption (GRECO).

In May 2023, the Ministry of Justice established a working group of state institutions, political parties and civil society organizations with a view to amending the Electoral Code, and this group began its work in November 2023. While ODIHR NAM interlocutors noted that the Ministry's working group process was broadly consultative and constructive and emphasized previous ODIHR recommendations, they noted that the process was not initiated within a timeframe that could reasonably have resulted in meaningful reform before the next planned elections, and that latter stages of the process lacked transparency, as the final contents of the draft amendments are not yet publicly available. Some parties, notably the opposition VMRO-DPMNE, opted not to officially participate in the Ministry's working group, while parallel and non-public negotiations on potential amendments took place among the major parties. As of the ODIHR NAM visit, an official draft of proposed amendments had not been formally submitted to parliament and a lack of clarity among stakeholders remained on the contents of the final drafts or which versions could yet be brought to parliament before the elections.

Notwithstanding any potential changes to the legal framework immediately prior to holding the elections, a number of prior ODIHR recommendations have not been implemented, including recommendations to systematically revise the Electoral Code through inclusive consultations, to adopt measures to enhance the transparency of party and campaign finance, to revise regulations on the apportionment of paid political advertisement, to stipulate clear tenure and appointment procedures for State Election Commissioners, and to eliminate restrictions impeding effective electoral dispute resolution. Most ODIHR NAM interlocutors recognized the need for continued electoral reform, with specific reference to the implementation of ODIHR recommendations, after these elections.

The president is directly elected by popular vote under a majoritarian system. Where no candidate receives votes that surpass more than 50 per cent of all registered voters in the first round, a second round is held 2 weeks later between the 2 candidates who garnered the most votes. The candidate with the highest tally in the second round is elected, unless the turnout is below 40 per cent of registered voters, in which case the entire election process is repeated. The law does not specify when such repeat elections should be held. The 120 members of parliament (MPs) representing the 6 national territorial constituencies are elected under a proportional representation system from closed lists. Three out-of-country MPs may be elected to a single out-of-country district if the number of votes cast equals the threshold required to win a single in-country seat in the previous elections. This threshold has never been reached in any previous parliamentary elections.

In-country districts should represent an approximately equal number of registered voters, with the law permitting deviations of up to five per cent from the average number of voters per district. The most recent census was held in 2022 and was beset by boycotts and questions regarding the accuracy of its data.⁶ There has been no process to assess whether changes to boundary delimitation or number of seats per constituency would be necessary.

C. ELECTION ADMINISTRATION

Elections are managed by a three-tiered administrative structure made up of the State Election Commission (SEC), 80 subordinate Municipal Election Commissions (MECs), and over 3,000 Electoral Boards (EBs) as well as diplomatic and consular offices which are designated once registration has been concluded.

The SEC is the central body responsible for overseeing the legality of the election process and supervising the work of other election management bodies. According to the Election Code the SEC is composed of a president, a vice-president, and five members appointed by a two-thirds majority

⁶ See media coverage of the [calls to boycott the census](#).

in parliament. The Election Code stipulates that the parliamentary opposition nominates the president and two of the members while the ruling political party proposes the vice-president and three members. Owing to a lack of consensus on the official interpretation of the opposition entitlement following a vacancy on the Commission, it has only had six members, two of whom are women. While ODIHR NAM interlocutors described general confidence in the overall professionalism of the SEC, many pointed to delays in the appointment of a seventh member as indicative of a lack of clarity in the Electoral Code as well as of potential politicization of the election administration.⁷

MECs are composed of five members (and five deputies), randomly selected from public service employees for five-year terms. MECs are responsible for overseeing the electoral process in each municipality, the appointment and training of EBs, tabulation and announcement of municipal results, as well as other technical preparations under the guidance of the SEC. EBs are composed of five members (and five deputies) and formed using a mixed professional-political model with one member nominated by the governing political parties, one by the opposition parties, and three randomly selected from public employees. EBs are responsible for the conduct of election day procedures at polling stations. EBs that are established abroad are composed of employees of diplomatic and consular offices. ODIHR NAM interlocutors reported varying levels of confidence in the professionalism of MECs and EBs, with a few interlocutors describing a lack of trust, particularly in respect to counting.

The Electoral Code provides for equitable ethnic and gender representation in election administration bodies. Ethnic communities that constitute more than 20 per cent of the population in a municipality should be represented in MECs and EBs, while at least 30 per cent of members in all election bodies should be of the least represented gender.⁸ The SEC is obliged to publish election material, including candidate lists, voter information, and ballot papers in any official language and alphabet used by at least 20 per cent of citizens in a given municipality.

SEC Commissioners with whom the ODIHR NAM met were satisfied with the working group process on amending the Electoral Code, highlighting the commission's proposals for a new training center. Since the last elections, the SEC introduced online tools for the publication of SEC by-laws which provide enhanced access to voter register data, classified by municipality and indicating changes since previous elections, as well as providing sex-disaggregated data on the composition of the subordinate election administration bodies. The SEC reported continued initiatives to improve the accessibility of election procedures for persons with various types of disabilities, including assessments of current physical accessibility in conjunction with municipalities. However, ODIHR NAM interlocutors described persistent issues with physical access to most election administration premises, as well as to various procedural aspects of the election process. The SEC informed the ODIHR NAM of a possible pilot project which would allow for electronic transmission of unofficial results from polling stations for the upcoming elections.

D. VOTER RIGHTS AND REGISTRATION

All citizens over the age of 18 years are eligible to vote, except for those prohibited by a final court decision on the basis of legal incapacity or criminal conviction, which is at odds with OSCE

⁷ Likewise, the continued absence of a Secretary General and the potential impact on the effectiveness of the SEC's operations and co-ordination with subordinate election administration bodies was raised as a similar concern by some interlocutors, although the SEC indicated to the ODIHR NAM that there would be no detrimental impact.

⁸ In December 2023, the SEC vice-president, proposed that the statistical data from the most recent census in 2021 which takes into account the non-resident populations of ethnic communities be applied to the formula for the selection of presidents, members and deputy members of MECs. After the proposal failed to pass in the SEC the vice-president filed suit with the Administrative Court on 25 January 2024 but the case was dismissed as unfounded. See media coverage of the Administrative Court Decision [here](#).

commitments and international standards. ODIHR has previously recommended that the legal framework should be harmonized with the objectives of the Convention on the Rights of Persons with Disabilities (CRPD), by removing all restrictions on electoral rights on the basis of intellectual or psychosocial disability.

Voter registration for resident citizens is passive, but those residing abroad are required to actively register. The SEC is responsible for maintaining the voter register; entering, adding and deleting data retrieved from all relevant civil and population registers on the basis of passive and regular updates provided by the Ministry of Interior (MoI), the Office for Management of Registers of Birth, Marriages and Death, and the courts.⁹ Voters are registered to the electoral district in which they are officially resident and require a valid biometric identification card or passport to be able to cast a ballot. The SEC underlined that, in the context of the requirement for citizens to renew their passports by 12 February to reflect the change in the country's official name, the new passports documents would not be necessary for voters to be identified on election day.¹⁰ Some ODIHR NAM interlocutors referenced continued obstacles faced by certain citizens to obtain identity documents, including Roma citizens, hindering their participation as voters.¹¹

Citizens are able to verify their own inclusion on the voter's list and the accuracy of their data on the SEC website as well as in regional SEC offices. The voter register is made available for public inspection 15 days after the announcement of the elections in regional units and local offices of the SEC. Most ODIHR NAM interlocutors attested to a general trust in the accuracy of the voter register and the methods of voter registration ahead of these elections but some voiced continued questions over the accuracy of the overall numbers of voters given the significant number of citizens residing abroad who remain in the register as they maintain an official residence in-country. Some interlocutors cited concerns with the operability of the biometric voter identification devices and the quality of the relevant data, based on issues that arose during their use in the 2021 local elections, and expressed hope that the electronic identification process could be used to produce data on the participation of certain categories of voters, including women and youth.

E. CANDIDATE RIGHTS AND REGISTRATION

Registration as a candidate for the presidency is open to any citizen eligible to vote, of at least 40 years of age and who has been resident in the country for 10 of the preceding 15 years.¹² The nomination of a presidential candidate must be supported either by the signatures of 30 MPs or at least 10,000 voters. Nomination signatures must be collected at the premises of SEC regional offices or before a notary public during a 15-day period beginning 10 days after the announcement of the election. The procedures for registration are generally clear, consistent and inclusive, but the residency requirement for candidacy for the presidency goes against OSCE commitments and international obligations. A few ODIHR NAM interlocutors noted that the timelines for collection of supporting signatures for presidential candidates

⁹ While the Electoral Code requires that voters' data be extracted from the National Population Register, various institutions that provide daily updates to the National Population Register must also submit data directly to the SEC.

¹⁰ A few interlocutors raised concerns related to the ability of citizens abroad to return to the country to vote (given the new documents required to re-exit the country), or for youth constituting first-time voters to obtain identity documents in time to participate.

¹¹ In September 2023, Commission for Prevention and Protection Against Discrimination issued an [opinion](#) that the Ministry of Interior had indirectly discriminated against Roma citizens by not recognizing informal or unlegalized homes through the Law on Registration of Domicile and Residence.

¹² Residency requirements run counter to OSCE commitments and international obligations Paragraph 15 of the [UN CCPR General Comment No. 25](#) states that "persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation". See also Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) and sections I.1.1.c.iii-v of the [2002 Venice Commission Code of Good Practice in Electoral Matters](#) (Code of Good Practice).

and the number of required signatures were burdensome, and reported that regional SEC offices are not consistently open.

Any citizen holding the right to vote is qualified to stand as a parliamentary candidate. Individuals serving prison sentences of more than six months for criminal offences are not eligible to run. The law also lists government and government-related positions whose holders may not stand as candidates. Political parties, coalitions of political parties, or groups of voters may submit candidate lists at least 35 days before the election. The supporting signatures of a minimum of 1,000 voters residing in the electoral district must also be collected at the regional SEC offices in the presence of a SEC representative or before a notary public. The Electoral Code requires that all candidate lists have at least 40 per cent women, with at least one in each consecutive three places on the list reserved for the less represented gender. The SEC examines the lists of candidates to ensure they have been submitted within the prescribed deadline and compiled in accordance with the provisions of the Electoral Code. If irregularities are found, the SEC notifies the authorized representative of the list submitter to eliminate the irregularities within 48 hours, with 24 hours to appeal any decisions to the administrative court, after which the lists are officially published.

Most ODIHR NAM interlocutors were satisfied with the candidate registration procedures for parliamentary lists. Parties met by the ODIHR NAM cited processes for identifying qualified candidates to fulfil the legally mandated gender requirements and additional internal measures to further diversify their candidate lists, though other interlocutors indicated these measures could be strengthened.

F. ELECTION CAMPAIGN

The official election campaign period begins 20 days before and lasts until 24 hours before election day. The holding of concurrent presidential elections and parliamentary elections may, *de facto*, result in earlier campaigning for the parliamentary elections than the law permits, according to some ODIHR NAM interlocutors, complicating the application of certain regulations and oversight.

The Electoral Code requires that all electoral contestants sign a Code on Fair and Democratic Elections committing them to protect citizens, in particular those employed in the public administration, from any pressure. The use of state offices, equipment and vehicles in the campaign is expressly forbidden, as are announcements regarding changes to public employment policies. The Election Code requires that 90 per cent of outdoor space be apportioned between the four main ruling and opposition parties while the remaining 10 per cent is divided between all smaller parliamentary and non-parliamentary parties. Several ODIHR interlocutors raised concerns related to potential misuse of state resources and incumbency, including potential attempts to influence votes through political appointments and procurements, and viewed existing apportionment rules for public spaces as privileging the larger parties and consolidating their dominance rather than providing fair access to all contestants.

Parties met by the ODIHR NAM indicated that they would be campaigning through the media and online, making use of the subsidized advertising as well as employing posters, rallies, and public events. Parties vary in their reported efforts in the overall inclusiveness of their platforms and outreach, including whether any attempts are made to produce campaign materials and events in accessible formats. Most interlocutors were confident in the ability of parties and candidates to campaign freely, including in minority languages, but some were apprehensive that the fragmented and polarized media coverage of the campaign, as well as the notable increase in nationalist rhetoric may result in heightened unrest. Some interlocutors noted an increase in intolerant and violent rhetoric, some of which could be interpreted as

hate speech, including such rhetoric aimed at ethnic and sexual minorities, women and persons with disabilities, and increasingly carried out by a younger demographic.¹³

G. CAMPAIGN FINANCE

The general framework for the financing of political parties and campaigns, as well as disclosure and reporting are set out in the Electoral Code, the Law on Financing of Political Parties, and the Law on Prevention of Corruption and Conflict of Interest.

Parties that received at least one per cent of the vote in the previous parliamentary or local elections are eligible for public funding.¹⁴ The state pays for all political advertisements for both presidential and parliamentary elections in the broadcast, print and online media. The SEC reimburses all media outlets and platforms directly, which some ODIHR NAM interlocutors cited as a laudable measure to ensure accountability in the funding of advertising while others criticized as encouraging clientelism between political parties and broadcasters. While presidential candidates do not receive direct public funding for the campaign, they may be funded by political parties. Some interlocutors noted a lack of incentives tied to public funding which would encourage more inclusive practices in political parties, such as to promote the participation of women and persons with disabilities as candidates and the accessibility of campaign events and materials.

Presidential and parliamentary campaigns may accept donations from individual citizens and legal entities. An individual may donate up to EUR 3,000 while legal entities may donate up to EUR 30,000. Donations from foreign sources are prohibited as are sources from municipal governments, state-owned companies, religious and charitable organizations and the media. Political parties and presidential campaigns may also take out loans, though specific regulation on loans is minimal. Some interlocutors including the State Audit Office criticized the continued permissibility of donations to political campaigns after the election day, emphasizing that such a practice encourages corruption. ODIHR has previously recommended that this provision be remedied in the law.

All presidential campaigns or parties proposing candidates are obliged to establish a unique tax number and must open a designated bank account to which all funds received must be deposited. All campaigns are required to maintain a registry of donations indicating the name, nature and date of receipt of all donations. Anonymous donations are prohibited. The Electoral Code sets an expenditure limit of MKD 110 (EUR 1.8) per registered voter in a given municipality for all campaigns, which in the case of presidential elections applies for both rounds cumulatively.

The supervision of political campaign finance is carried out by the State Audit Office (SAO) and State Commission for the Prevention of Corruption (SCPC), and all contestant reports must also be sent to the SAO, SCPC and the SEC, which are obliged to publish the reports on their websites. Electoral contestants in both parliamentary and presidential elections are required to submit three campaign finance reports, two in advance of the elections and a third after the election, none of which are subject to an audit.¹⁵ Within 90 days following the announcement of final results, all campaigns must submit a final financial report to the SAO which in turn should conduct an audit within 60 days of receipt.

¹³ See, for example, [February 2024 research by the Helsinki Committee for Human Rights of North Macedonia](#).

¹⁴ The Law on Financing of Political Parties provides that 0.15 per cent of the total source of income of the state budget should be allocated to political parties. Of this, 70 per cent goes to parliamentary parties, in proportion to the number of seats each obtained, and 30 per cent must be allocated equally to all parties that received at least 1 per cent of votes in the most recent parliamentary and local elections.

¹⁵ Presidential campaigns are required to submit a financial report within 20 days from the day of the beginning of the election silence for both the first round and for the second round of voting. Parliamentary campaigns must send a report on the eleventh day of the election campaign and a second the day before the election.

The SCPC is tasked with continuous monitoring of political financing throughout the electoral period, including financial activities of political parties and public officials, and to request data from banks and other competent institutions.¹⁶ The SCPC informed the ODIHR NAM that it would be updating the registry of official vehicles of state organs as a measure to counteract the use of public resources during elections, but was not clear whether it would be in a position to deploy monitors. The body is entitled to initiate inspections *ex officio* and examine complaints by natural and legal persons, including by contestants, parties and election observers, and initiate criminal prosecution in case of violations and in reaction to the reports from the SAO.

Most ODIHR NAM interlocutors were satisfied with the integrity and professionalism of the oversight bodies for political and campaign finance, but noted persistent issues with the regulatory framework as included in previous ODIHR recommendations.¹⁷ Among the recommendations published in its most recent annual report, the SAO has proposed further regulations on financing online campaigns including on social media, stricter conditions and criteria for electronic media to apply for political advertising with the State Election Commission, and a prohibition on the receipt of donations after the last day of campaigning.¹⁸ Several interlocutors, including the relevant authorities, regretted the continued lack of possibilities for electronic submission of campaign finance data.

H. MEDIA

The media environment encompasses 43 television stations, 64 radio stations and 23 print media outlets, with television and online platforms as the main sources of political information. The media represent a diverse array of perspectives but are fragmented along political and ethnic lines. The Constitution guarantees freedoms of expression and the media, and the Electoral Code details regulation of the conduct of the media from the time of announcement of elections throughout the campaign.¹⁹ ODIHR NAM interlocutors were generally of the opinion that the media provide substantial information to citizens in respect to the political and electoral process and choices, but were concerned by the impact of fragmentation of media reporting, hostile rhetoric from politicians, targeted legislation with the effect of silencing journalists and the heightened risk of hostility towards journalists during election years.²⁰

The Election Code requires that all media outlets, including online media, cover the elections in a fair, balanced and unbiased manner, and enumerates detailed requirements and timeframes for the airing of campaign material as well as sanctions for failure to comply. The Agency for Audio and Audio-visual Media Services (AAVMS) is mandated with overseeing compliance with media regulations and is tasked

¹⁶ A new SCPC board was appointed on 8 February 2024.

¹⁷ These include recommendations to address legal loopholes arising from contradictory legislation; including between the regulation of presidential campaigns and party financing, and to determine the value of in-kind contributions. Other previous recommendations suggest standardizing reporting format, harmonizing timeframes and deadlines for the receipt and publication of reports to allow for meaningful scrutiny, as well as providing adequate authority, resources and sanctioning power to the oversight bodies.

¹⁸ See the [SAO's Annual Report for 2022](#).

¹⁹ The Law on Audio and Audio-visual Media Services was amended in October 2023 to allow public advertising in the media after it had been prohibited in 2017 due to notable abuses. The government proposed that the reintroduction of public funding is necessary for sustaining the media sector, though some critics including journalists' associations warned that the change would engender a clientelistic relationship between the state and the media thereby adversely affecting media freedom and independence. See [policy paper by the International Press Institute](#) on the changes.

²⁰ See details by the [Association of Journalists of Macedonia](#).

with monitoring broadcast media during the campaign period.²¹ During election periods the AAVMS is required to submit weekly reports to the SEC as well as to publish its methodology and reports on its website. In October 2023, the AAVMS developed a voluntary code of conduct for code of for political parties and candidates in the online sphere, including on social networks, during electoral processes and referenda. The code also establishes a coordinating body comprised of representatives from the AAVMS and civil society organizations which will publish complaints on its website but not have sanctioning power.²² ODIHR NAM interlocutors assessed positively the professionalism and oversight function of the AAVMS but noted continued gaps in oversight regulations, particularly for electronic media.

The public broadcaster, Macedonian Radio and Television (*MRT*) is funded from the state budget, and operates five terrestrial television channels and four radio stations. *MRT* is required to follow strict rules governing the attribution of time in its broadcasts during election periods and must allocate free airtime for electoral candidates and hold debates between the main ruling and opposition parties as well as presidential candidates.²³

The state, through the SEC, pays for all political advertisements for both presidential and parliamentary elections in the broadcast, print and online media. All media are obliged to publish the price list for paid advertising, which must remain unchanged for the duration of the election campaign. The Electoral Code stipulates that broadcasters may air an additional nine minutes for paid advertising for every hour of broadcasting, out of which the four main ruling and opposition parties receive four minutes each, while all other parties share the remaining minute of available time.²⁴ Some ODIHR NAM interlocutors criticized the formula for distribution of media time which they perceive as serving to entrench the dominance of more established parties while also undermining the independence of the media, by encouraging clientelism between media and the state and political parties. ODIHR NAM interlocutors also criticized the absence of adequate regulation and oversight methodologies for online media citing the proliferation of online media registering with the SEC ahead of elections which appear to have no other purpose than to host political advertisements.²⁵ Several interlocutors indicated that proposals to this effect were reportedly included in the amendments developed by participants in the Ministry of Justice working group on electoral reform. ODIHR has previously recommended revising regulations for paid political advertising to ensure equitable access to media.

I. ELECTION DISPUTE RESOLUTION

The Electoral Code enumerates procedures and avenues of recourse for various election complaints with the MECs, the SEC, and the basic courts serving as the fora of first instance.

The SEC is mandated with handling complaints concerning irregularities related to voter and candidate registration, as well as election day procedures, including the voting, counting and tabulation processes, and challenges to the results. The SCPC handles complaints related to campaign finance and the abuse

²¹ The agency has a two-level decision-making apparatus: the Council of Members, consisting of seven members and appointed for a seven-year term and the Agency Director, elected by, and from, the Council of Ministers for the same term. The term of the current Council expired in October 2021. ODIHR NAM interlocutors noted that parliament had announced two competitions but the recruitment procedure stopped due to a lack of political agreement. There are currently only 6 members on the Council rather than the legally required 7 in place.

²² See the text of the [Code of Conduct in the Online Sphere during Electoral Processes and Referenda](#).

²³ According to the Electoral Code, the free airtime should be provided between 16:00 and 23:00, with participants' time slots determined by drawing lots. The Electoral Code requires *MRT* to spend 30 per cent of broadcast time on national and global events, 30 per cent on the campaign activities of ruling parties, 30 per cent on the campaign activities of the main opposition parties and the remaining 10 per cent on all non-parliamentary parties.

²⁴ A similar formula applies to print and online media.

²⁵ According to the [Balkan Investigative Reporting Network](#) (BIRN), 191 online media registered for elections advertising for the 2021 local elections.

of state resources. The SEC's and SCPC's decisions can be appealed to the Administrative Court. Contestants have the right to submit complaints within 48 hours from the publication of preliminary results. The Electoral Code requires that the SEC annul polling station results in case of procedural irregularities, including extra ballots in the box or the suspension of voting for more than three hours. A few ODIHR NAM interlocutors referenced a high number of cases which were not considered in the 2020 parliamentary and 2021 local elections.

The Administrative Court is the final instance of appeals for the majority of complaints. Unlike SEC decisions on violations of individual rights, SEC regulations can only be challenged before the Constitutional Court, and there is no expedited procedure provided for in law for these matters.

J. ELECTION OBSERVATION

The Electoral Code provides for international and citizen election observation. Political parties contesting the elections are also entitled to delegate observers to each election commission. Observers have the right to observe all aspects of the electoral process, as well as receive copies of results protocols. The SEC sets guidelines detailing observer rights and responsibilities, as well as the procedures for accreditation. A number of citizen observer groups intend to observe aspects of the elections, including election day procedures to an extent, but mainly focusing on specific issues such as misinformation, disinformation and hate speech, particularly in online campaigns, as well as voter intimidation and the potential abuse of state resources.

IV. CONCLUSIONS AND RECOMMENDATIONS

All ODIHR NAM interlocutors encouraged the deployment of a comprehensive ODIHR election observation mission with a core team of experts as well as long-term observers to be deployed across the country and short-term observers in the period immediately leading up to and including election day. ODIHR NAM interlocutors emphasized the importance of ODIHR recommendations to national ambitions of bringing elections closer in line with international standards and commitments and undertaking a comprehensive reform of the electoral legislation. Various ODIHR NAM interlocutors emphasized aspects of the electoral process meriting observation, including the electoral legal framework, the tenor of the campaign in public and on the media, the regulation of and adherence to campaign finance rules, the work of the election administration including on election day and counting and transmission of results, as well as the effectiveness of election dispute resolution mechanisms.

Based on the findings of this report, the ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the 24 April 2024 presidential election as well as for a potential second round which would be held concurrently with the 8 May parliamentary elections. In addition to a core team of analysts, the ODIHR will request the secondment by OSCE participating States of 24 long-term observers to follow the electoral process countrywide, as well as 300 short-term observers to follow election day procedures. In line with the ODIHR's standard methodology, the EOM will include a media monitoring element.

ANNEXE: LIST OF MEETINGS

Ministry of Foreign Affairs

Dusko Uzunovski, Ambassador at large
Zoran Barbutov, Head of Unit

Ministry of Justice

Arbresha Selimi, Chief of Cabinet
Nikola Prokopenko, State Advisor
Julijana Lefkovska, Public Relations
Marija Brendevska, Cabinet
Sanja Dimovska, Cabinet

Ministry for Information Science and Administration

Dritan Dauti, Chief of Cabinet

Ministry of Internal Affairs

Pance Toskovski, (caretaker) Minister of Interior
Nazim Bushi, Deputy Minister
Mitko Bojmacaliev, Deputy Minister

State Election Commission

Ditmire Shehu, Vice-president
Boris Kondarko, Member
Boban Stojanoski, Member

State Audit Office

Maksim Acevski, Auditor General
Orhan Ademi, Deputy Auditor General
Tanja Janevska, Assistant Auditor General
Aleksandar Polovski, Secretary-General

State Commission for the Prevention of Corruption

Irena Popovska, Secretary General
Katerina Zajkovska, Head of Department for Monitoring the financing of political parties and election campaigns and corruption in public procurement
Biljana Karakashova Shulev, Advisor, Department for Monitoring the financing of political parties and election campaigns and corruption in public procurement
Katica Nikolovska, Member

Agency for Audio and Audio-visual Media Services

Emilia Janevska, Head of the Programme Affairs Department
Dragica Ljubevska, Head of the Sector for Support of the Work of the Director and the Council

Political Parties

Arben Taravari, Party Leader, Alliance for Albanians
Flakron Bexheti, SP, Alliance for Albanians
Besar Durnishi, Central Committee, Besa Movement
Arbër Ademi, DUI Vice President and Parliamentary Group Co-ordinator
Jovana Mojsoska, Secretary-General, Levica
Aleksandar Simonovski, International Cooperation, Levica

Mile Zecevic, Secretary-General, SDSM
Igor Janushev, MP and Head of OSCE PA Delegation, VMRO-DPMNE
Stefan Andonovski, International Co-operation, VMRO-DPMNE

Media

Dragan Sekulovski, Executive Director, Association of Journalists of Macedonia
Aneta Andonova, Editor-in-Chief of The First Programming Service, *MRT*
Maja Damjanovska, Adviser to the Director, *MRT*

Civil Society

Xhabir Deralla, CIVIL – Center for Freedom
Zlatko Dimitrioski, Citizens Association MOST
Aleksandra Trajanovska, Helsinki Committee for Human Rights – North Macedonia
Jana Sotirovska, Helsinki Committee for Human Rights – North Macedonia
Tania Ivanova, Reactor – Research in Action
Blagoja Pandovski, President, Transparency International – Macedonia
Elena Kochoska, Independent expert

International Community

Representatives of embassies of OSCE participating States
Representatives of the Delegation of the European Union in North Macedonia
Ioana Cosma, Country Director, IFES North Macedonia
Robert Scott Heaslet, Senior Resident Director, National Democratic Institute North Macedonia
Aleksandra Krsteska, Senior Program Manager, National Democratic Institute North Macedonia