



# Highlights of Conclusions and Recommendations Drawn from OSCE Election Reports

October 2016 to September 2017

## October 9, 2016 (first round), Parliamentary Elections in Lithuania

- Elections to the 141-member parliament were competitive and pluralistic, offering voters a broad choice of political alternatives.
- The legal framework provides a sound basis for the conduct of democratic elections. A number of recent changes addressed several previous OSCE/ODIHR recommendations.
- Elections were administered ... in a professional, efficient, and transparent manner. OSCE/ODIHR EAM interlocutors expressed overall confidence in the work of the election administration, although the impartiality of some members was, at times, questioned... [and] in the accuracy and inclusiveness of voter lists.
- Despite the 2012 OSCE/ODIHR recommendation, the Constitution continues to provide lifetime ban on candidacy of individuals removed from office through impeachment proceedings. Also, candidacy restriction based on possession of citizenship of another state is at odds with the jurisprudence of the [European Court for Human Rights]... Despite some restrictive candidacy requirements, an inclusive candidate registration process resulted in a broad selection of contestants, including candidates standing on behalf of political parties, electoral coalitions, and as independents.
- The legal framework provides for the electoral participation of national minorities on an equal basis and allows for the establishment of national minority parties. However, some aspects, including the thresholds for entering the parliament and party membership requirements, do not facilitate minority representation.
- Contestants were able to campaign freely. Campaign finance regulation is comprehensive... The media environment is pluralistic and freedom of expression is generally respected, although defamation remains criminalized.
- The complaints and appeals system generally provides for an effective remedy in election-related disputes... The law does not provide a mechanism for the parliament's final decision on election validity to be appealed to a judicial authority, at odds with OSCE commitments.

## October 16, 2016 Parliamentary Elections in Montenegro

- [T]he elections were held in a competitive environment and fundamental freedoms were generally respected. The campaign was characterized by a lack of distinct policy alternatives, and was permeated by personalized attacks. While pluralistic, the media did not exercise editorial independence. The election administration met all legal deadlines; however, despite increased operational and human resources, the professional capacity of the election administration remained inadequate.
- The legal framework is generally sufficient for the conduct of democratic elections. Considerable efforts were made to improve the electoral legal framework in advance of these elections... However, some recommendations remain unaddressed, including those concerning rights for candidates to run independently, and the residency requirement for the right to vote and stand as a candidate. In addition, the legal framework continues to lack comprehensiveness, and some inconsistencies led to occasional misinterpretations. The SEC did not always clarify provisions in the law and supply sufficient guidance to election administration.
- The SEC met regularly and complied with most legal deadlines, but the lack of strong collective leadership, deficiencies in management, and political tensions often led to inefficient and unproductive sessions.
- OSCE/ODIHR EOM interlocutors expressed support for the new system for electronic voter identification that provided safeguards against multiple-voting. Some concerns were voiced about the operational challenges of the voter identification devices on election day, but these challenges did not appear to impact the process substantially.
- All electoral contestants were able to campaign without obstruction, and freedoms of association and assembly were respected.
- Allegations persisted of a correlation between being employed in public service and being affiliated with the ruling party. Irrespective of the veracity of such allegations, their pervasiveness likely diminished public confidence in the fairness of the overall electoral process and raised concerns about voters' ability to cast their vote "free of fear of retribution," as required by paragraph 7.7 of the 1990 OSCE Copenhagen Document.
- While new campaign finance legislation improved the accountability of public institutions, an absence of interim reports on campaign expenditures did not fully ensure adequate transparency of campaign finance before election day. In a positive development, the Agency for Prevention of Corruption was created to oversee compliance with campaign finance regulations. However, a number of OSCE/ODIHR EOM interlocutors questioned the effectiveness of the Agency, citing insufficient resources and lacking trust in its independence.
- In general, members of national minorities enjoyed equal opportunities to participate in the electoral process, both as candidates and as voters.
- The diverse media environment remains politically polarized and lacks the investigative and in-depth reporting required for adequate editorial independence, limiting the analytical information available to voters.

- Prior to election day, a limited number of complaints were submitted to the election administration and the courts. The low number of complaints filed with law enforcement and judicial bodies was attributed by some OSCE/ODIHR EOM interlocutors to insufficient trust in the effectiveness and impartiality of these institutions.
- Election day generally proceeded in an orderly manner, with only a few isolated cases of tension. Authorities announced the detention of 20 persons suspected of planning terrorist attacks on election day. Procedures were not strictly followed in many polling stations observed, especially during the counting, but this did not affect the results.

October 30 (first round) & November 13 (second round), 2016, Presidential Election in Moldova

- [T]he first round of Moldova's first direct presidential election in 20 years provided citizens with ample opportunity to express their preference for a new head of state... However, the process was marred by widespread abuse of administrative resources, lack of campaign finance transparency, and unbalanced media coverage.
- The ... presidential election run-off was competitive, with respect for fundamental freedoms... However, increasingly polarized media coverage, harsh and intolerant rhetoric, and continued instances of abuse of administrative resources detracted from the process... Despite some efforts to prepare for a high turnout in specific polling stations abroad and for voters from Transdnistria, many citizens were unable to vote because the ballots allocated to these polling stations proved insufficient.
- The legal framework largely provides an adequate basis for conducting democratic elections... However, most general aspects of the election legislation remained largely unchanged, and a number of previous recommendations including on signature collection and verification, the financing and conduct of the electoral campaign, sanctions on election violations, campaign restrictions, and the holding of a second round were not addressed.
- Technical preparations for both rounds were largely managed by the election administration in a transparent, timely and professional manner despite inadequate resources and poor infrastructure, especially in rural areas.
- Several OSCE/ODIHR EOM interlocutors questioned the accuracy of voter lists, noting concerns that a number of deceased voters were included in the lists. Moreover, a large number of citizens living abroad are included in lists associated with their former addresses. This is consistent with national legislation, but results in voter lists that do not accurately reflect the number of eligible voters present in-country.
- Inconsistent deadlines, selective implementation of rules during signature collection and verification, and disproportionate sanctions for campaign violations challenged the right to stand for election on an equal basis.
- The Election Code provides for fair and equal opportunities for contestants during the campaign. The campaign was low key and peaceful, but intensified as the first and second round election days approached. The campaign was competitive.

- Freedoms of expression, association and assembly were generally respected and candidates campaigned freely. The OSCE/ODIHR EOM observed some cases of abuse of administrative resources, including pressure on voters during the campaign activities.
- Despite substantial legal amendments regulating party and campaign finance introduced in 2015, the legislation does not allow adequate time for effective oversight of contestant financial reports, fails to provide proportionate sanctions for campaign finance violations during signature collection and the campaign, does not regulate finance and reporting requirements during the second round, and does not address third-party campaigning.
- Most media are strongly associated with major political forces and a concentration of ownership diminishes political pluralism, especially on TV. Pressure and interference from media owners result in self-censorship by journalists.
- Various OSCE/ODIHR EOM interlocutors expressed a lack of trust in the election administration and judiciary to handle complaints impartially.
- Election day procedures were largely carried out in a well-managed and calm manner for both rounds.
- Following the run-off, one of the candidates declared that thousands of voters abroad were deprived their voting rights and that the election was rigged, encouraging her supporters to provide evidence of violations... While the decision of the [Constitutional Court] stressed the need to revise electoral legislation and recognized that a number of violations took place during the election, the court found that such violations could not have influenced the final election outcome.

#### October 8 (first round) and October 30 (second round), 2016, Parliamentary Elections in Georgia

- [T]he 8 October elections “were competitive, well-administered and fundamental freedoms were generally respected. The calm and open campaign atmosphere was, however, impacted by allegations of unlawful campaigning and some incidents of violence. The election administration and the management of voter lists enjoyed confidence. The media is pluralistic, but some monitored broadcasters lacked balance in their campaign coverage. Debates offered a useful platform for contestants to present their views. Voting proceeded in an orderly manner, but counting was assessed more negatively due to procedural problems and increased tensions.
- [T]he 30 October run-offs were competitive and administered in a manner that respected the rights of candidates and voters, despite the lack of a legal framework for the second round. In the period between the rounds, contestation of the first round results dominated political discourse. Further, the principle of transparency and the right to effective redress were often not respected in the investigation and adjudication of election disputes by election commissions and courts. All this weakened confidence in the election administration.
- While the legal framework is conducive to holding democratic elections, in some instances, it lacks clarity and leaves room for varied interpretations... The Election Code does not regulate

procedures for the second round and this lack of regulations was noted by many stakeholders, providing room for subjective interpretations and inconsistencies in the application of the law.

- The election administration, led by the Central Election Commission (CEC), worked in a timely and professional manner... The initial high level of confidence that the CEC enjoyed amongst electoral stakeholders weakened following the first round largely due to how the election administration addressed election day procedural errors and handled complaints.
- There is general trust in the voter registration process and confidence in the accuracy of voter lists. Election commissions gave voters ample opportunity to verify their information on the lists. Legal amendments temporarily eased registration procedures for previously disenfranchised voters and improved the inclusiveness of voter lists, but were introduced too late to be fully effective.
- The campaigns for both rounds were competitive and largely calm, despite isolated violent incidents during the first round. While fundamental freedoms were generally respected and contestants were able to campaign freely, several parties voiced allegations of pressure on candidates and campaign staff.
- Amendments to campaign finance regulations only partially addressed recommendations for a more uniform legal framework and proportionate and dissuasive sanctions for infringements.
- The legislation provides a sound framework for the freedom of media, and there was consensus that the overall pluralism of the media landscape has improved, despite media outlets still being perceived as polarized.
- Candidates from national minorities were nominated by several parties and blocs on their lists, although few in electable positions, and in majoritarian contests in minority populated regions... Concerns were raised that some new boundaries between constituencies may have decreased the possibility for representation of national minorities.
- The 8 October election day generally proceeded in an orderly manner, but tensions increased during the day and several violent altercations took place near and in polling stations. Election day procedures for the second round were generally conducted in a smooth and professional manner. However, overcrowding inside polling stations, the presence of unauthorized persons and their interference in the work of PECs had a negative effect.
- The Election Code establishes a timely dispute resolution process for appeals of election commission decisions, but limits the voter's right to appeal, contrary to international commitments and good practice.

#### November 8, 2016, General Elections in the United States of America

- The 8 November general elections were highly competitive and demonstrated commitment to fundamental freedoms of expression, assembly and association. The presidential campaign was characterized by harsh personal attacks, as well as intolerant rhetoric by one candidate. Diverse media coverage allowed voters to make an informed choice. Recent legal changes and decisions on technical aspects of the electoral process were often motivated by partisan interests, adding

undue obstacles for voters. Suffrage rights are not guaranteed for all citizens, leaving sections of the population without the right to vote. These elections were administered by competent and professional staff, including on election day, which was assessed positively by IEOM observers, despite some instances of long queues and malfunctioning voting equipment.

- New Voting Technologies are used extensively across the country. Contrary to good practice, 15 states use Direct Recording Equipment machines that do not provide a voter-verified paper audit trail.
- The legal framework is highly decentralized and complex, with significant variation between states. A number of previous ... recommendations remain unaddressed in the law and certain deficiencies in the legal framework persist, such as the disenfranchisement of citizens living in various territories, restrictions on the voting rights of convicted criminals, and infringements on secrecy of the ballot. In 2013, provisions of the Voting Rights Act were struck down, removing a timely and effective safeguard for the protection of rights for racial and linguistic minorities. A wide range of electoral litigation remained unresolved before election day, particularly with respect to voter registration and voter identification.
- The elections were administered by competent and committed staff and enjoyed broad public confidence.
- Voter identification rules are politically divisive and vary across the states.. Provisional ballots are generally available if a voter does not have sufficient identification; however, eligibility is established only after the close of the polls, at times requiring additional information from the voter. A high volume of litigation regarding voter identification continued up to election day, generating confusion among voters and election officials regarding the application of the rules.
- Candidate registration requirements vary considerably between states... Variations in rules make it cumbersome for third party or independent candidates to register across all states for presidential elections.
- There are strong legal guarantees to ensure the right and opportunity to vote for persons with physical disabilities.
- The campaign was dynamic and vivid, demonstrating a commitment to fundamental freedoms of expression, association and assembly.
- The Federal Election Commission (FEC) oversees a campaign finance regime that imposes few actual limits on donations and does not limit expenditure. All financial reports are published expeditiously, but transparency is diminished by the absence of disclosure for some types of nonprofit organizations that play an important role in the campaign.
- The media is pluralistic and vibrant, although increasingly polarized. A robust system of protection for media independence is in place, but hostility towards the media's role as a critical watchdog was voiced by one presidential candidate. Overall, the media provided voters with a wide range of information and enabled them to make an informed choice.
- Legal measures are available to address electoral disputes and access to the courts is unrestricted.

- Most state law is silent on observation, leaving discretion to election officials. Restrictions on observation of early voting and election day are in place in 17 states. Citizen observers and party representatives were active and widespread throughout the country, providing an added layer of transparency and confidence in the election process.
- Election day procedures were generally followed and assessed positively by the IEOM observers. In a number of locations throughout the country long queues to access polling stations were observed. In numerous instances, multiple citizens intending to vote at a polling station were not found on the voter list, underlining systemic concerns with voter registration.
- Discussion of the alleged interference of the Russian government in the US elections became a key theme in the post-electoral period. Following reports from US intelligence agencies that alleged that the Russian government acted to influence the elections through malicious cyber activity, among other reasons, the US imposed sanctions on the Russian Federation and expelled Russian diplomats.

#### December 4, 2016, Presidential Election in Uzbekistan

- [T]he 4 December presidential election underscored the need of comprehensive reform to address longstanding systemic shortcomings. The legal framework is not conducive to holding democratic elections. The election administration undertook measures to enhance the transparency of its work and prepared efficiently for the election. The dominant position of state actors and limits on fundamental freedoms undermine political pluralism and led to a campaign devoid of genuine competition. Media covered the election in a highly restrictive and controlled environment, and the dissemination of a state-defined narrative did not allow voters to receive an alternative viewpoint. Significant irregularities were noted on election day, including indications of ballot box stuffing and widespread proxy voting, despite a concerted campaign to address the latter. Election commissions faced difficulties in completing the results protocols”.
- Overall, the legal framework places undue limitations on fundamental freedoms of expression, association and assembly, and is restrictively implemented.
- Election commissions, led by the CEC, efficiently administered operational aspects during the pre-election period and met all legal deadlines.
- The campaign lacked competitiveness and voters were not presented with a genuine choice of political alternatives... The campaign was held in a highly regulated environment and was characterized by an ostensible homogeneity of materials and events of the four candidates. Campaign activities of the Liberal Democratic Party of Uzbekistan candidate blurred the line between party and State.
- The absence of a centralized voter register and the possibility of registration on election day make it difficult to ensure that voters were included in only one voter list and voted only once. The lack of safeguards against multiple registration and voting potentially undermined the integrity of the electoral process.

- The legislation stringently defines campaign coverage... Access to national and international analytical and critical websites continued to be blocked. Consequently, the public was shielded from a genuine exchange of political ideas, which effectively limited voters' ability to make an informed choice.
- Campaign finance transparency is limited by the lack of a requirement for public disclosure of expenditures and pre-election reporting by contestants.
- Overall, the existing mechanisms to manage election complaints and appeals do not provide for a transparent and accountable system of dispute resolution.
- National minorities enjoy full political rights under the Constitution... Language or identity issues did not feature in the campaign.
- On election day ... serious irregularities inconsistent with national legislation and OSCE commitments [were noted], including proxy voting and indications of ballot box stuffing. Observations confirmed that safeguards to prevent multiple voting were absent.
- Almost two-thirds of vote counts observed were assessed negatively... Significant violations indicated that an honest count, as required by the 1990 OSCE Copenhagen Document, could not be guaranteed.
- Tabulation lacked transparency at the district and central levels.

#### December 4, 2016, Presidential Election (Second Round Re-Run) in Austria

- The repeat second round of the election was administered in an efficient and professional manner.
- The legal framework provides a sound basis for the conduct of democratic elections and was essentially unchanged for all rounds of the election... No concerns were expressed regarding the overall accuracy and inclusivity of the voter lists.
- The Federal Ministry of Interior (MoI), which takes the lead on technical preparations, issued comprehensive guidelines for election boards that specifically addressed irregularities identified by the Constitutional Court and focused on clarifying election day and postal voting procedures.
- Overall, the election boards visited were well prepared and organised the electoral process, including the counting of postal votes, efficiently, transparently, and collegially.

#### December 11, 2016 (Early) Parliamentary Elections in Macedonia

- [The] early parliamentary elections were an essential step in resolving two years of deep political crisis. The main political forces agreed to a series of legal and institutional changes to provide a level playing field for these elections. Underlying issues, such as voter registration and media, are yet to be addressed in a sustainable manner. The campaign was competitive but took place in an environment characterized by public mistrust in institutions and the political establishment, and allegations of voter coercion. The election administration struggled with the preparations for



elections and missed a number of deadlines, but election day was generally well administered and proceeded without major incidents”.

- The legal framework is generally conducive for the conduct of democratic elections.
- The State Election Commission’s (SEC) preparations for the elections were hampered by inefficient internal organization, politicized decision-making and shortened legal deadlines. While preparations were completed by election day, the SEC missed several deadlines and did not clarify some procedures. The SEC’s work was not always transparent, as it often held closed sessions and did not always publish decisions. The lower-level commissions generally worked in a professional manner, although some lacked adequate premises, timely funding, resources and equipment. The requirements for balanced ethnic and gender representation in election commissions were broadly respected.
- In order to address longstanding mistrust in the accuracy of voter lists, for the first time, the SEC was tasked to review the voter register by cross-checking several databases and conducting field-checks... While the process somewhat improved the accuracy of the voter register, it effectively deprived a number of citizens of the opportunity to vote, contrary to international standards and good practice.
- The candidate registration process was generally inclusive but was negatively affected by a lack of legal clarity on certain aspects of nomination and registration processes.
- The parties were generally able to campaign freely, and fundamental freedoms of association, assembly and expression were respected... Allegations of voter intimidation, coercion, pressure on civil servants, vote-buying, and the misuse of administrative resources persisted through the campaign.
- The campaign finance regulations are comprehensive and require frequent reporting by contestants. However, accountability and transparency was diminished by the lack of a requirement to provide documentary evidence of either contributions or expenses.
- Substantial amendments to the Electoral Code in 2015 addressed several media concerns, but important media reforms foreseen in the Przino Agreement have not materialized.
- Despite improvements in the law and the adoption of a SEC rulebook on complaints and appeals, the implementation of electoral dispute resolution procedures did not fully provide for an effective legal redress, at odds with OSCE commitments and Council of Europe standards.
- Election day proceeded in an orderly manner and without major incidents, and voters participated in large numbers.

#### February 12, 2017, Presidential Election in Turkmenistan

- The presidential election took place in a strictly controlled political environment. The predominant position of the incumbent and the lack of genuine opposition and meaningful pluralism limited voters’ choice. The lack of clear regulations for key aspects of the process had a negative impact on the administration of the election, especially at lower levels. Besides the

events organized by Central Election Commission for Election and Referenda (CEC) the campaign was absent and the rigidly restrained media gave the incumbent a clear advantage.

- Recent amendments to the Election Code were adopted without an inclusive public consultation process, contravening OSCE commitments. In addition, the amendments failed to address previous... recommendations or provide further elaboration on key aspects of the electoral process.
- All 15 CEC members are appointed by the president, which compromises the independence of the commission. Further, the administration of the election generally lacked transparency.
- Legislation does not provide for a permanent, centralised voter register nor does it outline procedures for the update and maintenance of the voter lists. As such the system lacks safeguards against multiple voting and duplications in the voter lists.
- The campaign was carried out in a strictly controlled manner. The limited campaign activities were organized and funded by the CEC, which was also solely responsible for the production of campaign materials.
- Campaign finance is unregulated. Apart from the state funding, an independent financing of campaigning, including through private individual contributions, is not foreseen in the law.
- The media environment is dominated by the State's de facto monopoly and strict control of all news and information services.
- While the Election Code provides sufficient opportunity for electoral participants to file complaints and appeals, there were no complaints filed with the courts or commissions at any level.

#### March 15, 2017, Parliamentary Elections in the Netherlands

- The elections were competitive and pluralistic, providing voters with a wide range of choice. The campaign was conducted with respect of fundamental freedoms and the media provided fair access to all contestants. While certain aspects of legislation could be refined, the elections were conducted in a professional manner and were characterised by a high level of public confidence in the election administration and active voter participation.
- The legal framework provides a sound basis for the conduct of democratic elections.
- There are no temporary special measures in the law to promote women candidates, but women's parliamentary representation is still relatively high.
- The election administration took active measures to promote the participation of voters with disabilities.
- The campaign was dynamic and vivid, characterized by respect for fundamental freedoms of association, assembly and expression. Parties mainly used television and social media to campaign. While several parties touched upon different aspects of immigration policy in the campaign, one party in particular focused on this topic and at times used discriminatory stereotypes and intolerant rhetoric targeting Muslims, migrants and asylum seekers.

- The 2013 Political Finance Act introduced a comprehensive system of political party and campaign finance taking into account numerous prior recommendations made by the OSCE/ODIHR. Despite improvements regarding the transparency of the political finance system and the introduction of a flexible range of administrative fines, some areas of concern remain, such as the independence of the oversight institution, the disclosure threshold, the possibility to make anonymous donations, and the detail and timing of reporting requirements.
- The media covered the election campaign extensively, allowing citizens to have access to various political views and to make an informed choice.

#### March 26, 2017, (Early) Parliamentary Elections Bulgaria

- Electoral contestants reached out to the voters freely, in a low-key campaign characterized by the public's disillusionment with politics and weariness of holding elections. The legal framework was amended several times since the 2014 elections, but limitations remain to the suffrage rights, use of languages other than Bulgarian, campaign finance reporting, complaints and appeals system and voting abroad. The election administration worked professionally and transparently overall, however their decision-making was not always consistent. The voting process was transparent, but procedural shortcomings were noted during counting in the limited number of polling stations observed.”
- The legal framework is generally conducive to holding democratic elections. Amendments [to the Electoral Code] addressed some previous recommendations, but others remain unaddressed, including, among others, long-standing limitations of the right to vote and right to stand.
- In general, the election administration conducted its work in a professional and transparent manner and met most legal deadlines.
- Voter registration is passive and preliminary voter lists are compiled based on data from the population register. A number of opportunities were available for voters to verify and correct their data. Stakeholders expressed confidence in the accuracy of the voter lists.
- Contestants campaigned freely and fundamental rights and freedoms were respected.
- The 2016 amendments to the Electoral Code strengthened the campaign finance oversight role of the National Audit Office and shortened the reporting deadlines. However, the amendments were insufficient to fully ensure the transparency of campaign finances.
- The media provided contestants with a platform to present their views through debates, talk-shows and paid advertisement, and contestants actively used free time provided by the public broadcasters. However, information available to voters was significantly limited by the sparse coverage of the campaign in the broadcast news, limited editorial content in the print media, lack of political investigative and analytical reporting, and the decision of the broadcasters to focus on the main electoral contestants.
- The CEC displayed a lack of consistency when dealing with media related complaints and alerts, at times reacting differently to similar violations.

- The Electoral Code establishes a timely dispute resolution process for complaints, but does not ensure the right of the complainant to be informed about the place and time, to be present during the hearing, or to receive a copy of the decision.
- In the limited number of polling stations visited by international observers on election day, the voting process was observed as transparent with procedures generally followed.

#### April 2, 2017, Parliamentary Elections in Armenia

- [T]he elections “were well administered and fundamental freedoms were generally respected. Despite welcomed reforms of the legal framework and the introduction of new technologies to reduce the incidents of electoral irregularities, the elections were tainted by credible information about vote-buying, and pressure on civil servants and employees of private companies. This contributed to an overall lack of public confidence and trust in the elections. Election day was generally calm and peaceful but marked by organizational problems and undue interference in the process, mostly by party representatives”.
- The legal framework for elections is comprehensive but complex... A number of previous ... recommendations were addressed, although some areas merit further attention.
- The Central Election Commission (CEC) met all legal deadlines and conducted its work in a transparent manner while operating collegially and efficiently... However, the CEC did not pursue complaints rigorously.
- The accuracy of the voter lists was improved as a result of enhanced inter-institutional collaboration... Voters were identified on election day through the use of electronic Voter Authentication Devices, which functioned effectively.
- Contestants were largely able to campaign without restrictions, but isolated incidents of violence were reported. Positively, many government officials took leave for campaign purposes.
- The campaign was tainted by credible and widespread allegations of vote-buying, pressure on public servants including in schools and hospitals, and of intimidation of voters to vote for certain parties. This contributed to an overall lack of public confidence in the electoral process and raised concerns about voters’ ability to cast their votes free of fear of retribution.
- Some legal provisions for campaign finance reporting and oversight were strengthened; however, so-called organizational expenditures, such as for campaign offices, transport, and communication are excluded from reporting, diminishing transparency.
- Freedom of expression is guaranteed by the Constitution. However, undue interference of media owners into editorial autonomy resulted in self-censorship of journalists and discouragement of critical reporting of the government, including on public television.
- The lack of independence of the judiciary, election administration, and law enforcement bodies, and the manner in which they dealt with complaints undermined the effectiveness of legal redress, at odds with OSCE commitments and Council of Europe standards.

- Election day was calm and peaceful overall. Voting procedures were generally followed. However, the voting process was marked by overcrowding, long queues and interference by party representatives and police.

#### April 2, 2017 Presidential Election Serbia

- The presidential election provided voters with a genuine choice of contestants, who were able to campaign freely. However, the campaign was dominated by the candidate from the governing coalition, and concurrent prime minister, who benefited from the effectively blurred distinction between campaign and official activities. Unbalanced media coverage and credible allegations of pressure on voters and employees of state-affiliated structures and a misuse of administrative resources tilted the playing field. Regulatory and oversight mechanisms were not effectively utilized to safeguard the fairness of competition.
- While the legal framework is conducive to the conduct of democratic elections, it does not comprehensively cover all fundamental aspects of the process, with certain areas left under-regulated or poorly regulated. Long-standing ... recommendations calling for a comprehensive review of the legislation to address existing shortcomings remain to be implemented.
- The election administration met all legal deadlines despite short timeframes. The prevalence of representatives of the governing coalition in the permanent composition of the Republic Electoral Commission (REC) resulted in concerns of a lack of impartiality by several OSCE/ODIHR EAM interlocutors.
- Although mechanisms are in place for the unified voter register to be continuously updated as part of a passive voter registration system, various stakeholders expressed concerns that voter lists remain inaccurate. The lack of a possibility for public scrutiny over voter lists contributes to a continued lack of trust and challenges the transparency of the process.
- Constrained by limited financial resources, the campaigns of opposition candidates did not match in scope and intensity with that of the candidate from the governing coalition.
- Despite some positive changes introduced in the legal framework, regulation and oversight of party and campaign finance stand to be further improved...
- The media landscape comprises numerous outlets and enabled contestants to convey messages to the electorate... However, the overall climate of undue political and economic influence continued to challenge editorial freedom and independence. As a result, the environment was marked by widespread self-censorship and limited analytical and critical reporting, reducing voter access to impartial editorial information.
- Some 17 per cent of the population belong to national minorities. To facilitate their participation, the REC produced ballots in minority languages with several multilingual combinations... Allegations of pressure and attempted coercion of minority voters, including through the distribution of material goods as well as promises of free services, were noted as a concern by some stakeholders.

- The law prescribes limited channels for effective legal redress in cases of electoral violations...

#### April 16, 2017, Constitutional Referendum in Turkey

- [T]he 16 April constitutional referendum “took place on an unlevel playing field and the two sides of the campaign did not have equal opportunities. Voters were not provided with impartial information about key aspects of the reform, and civil society organizations were not able to participate. Under the state of emergency put in place after the July 2016 failed coup attempt, fundamental freedoms essential to a genuinely democratic process were curtailed. The dismissal or detention of thousands of citizens negatively affected the political environment. One side’s dominance in the coverage and restrictions on the media reduced voters’ access to a plurality of views. While the technical aspects of the referendum were generally well administered and referendum day proceeded in an orderly manner, late changes in counting procedures removed an important safeguard and were contested by the opposition.”
- The legal framework is focused on elections and is limited with regards to specifics on referenda.
- The procedure in which the constitutional amendments were passed in parliament met significant criticism. The state of emergency that restricted fundamental freedoms and the ongoing security operations in the southeast that resulted in several hundred thousand people fleeing their homes, led to questions as to whether the necessary conditions for a referendum were in place... The state did not ensure that voters were provided with impartial or balanced information on the amendments and their potential impact, thus limiting their ability to make an informed choice.
- The referendum was generally well administered by four levels of electoral bodies. However, the work of the electoral boards lacked transparency – sessions were closed to the public and observers, and only a limited number of decisions were published.
- Voters were able to verify their entries in voter lists and request changes. However, those who had to flee their residence in provinces affected by security threats faced difficulties with their registration..
- The law limits full participation in the referendum only to eligible political parties and does not regulate the involvement of other stakeholders, contrary to good practice for referenda. Further, the SBE decided that civil society organizations and professional associations are not permitted to hold campaign events.
- The campaign framework was restrictive, and the campaign imbalanced due to the active involvement of the president and several leading national as well as many local public officials in the ‘Yes’ campaign. This blurred the line between State and party... Further, the misuse of administrative resources by public officials in the campaign violated national legislation ... to ensure equal opportunities.
- The ... obstruction of efforts of several parties and civil society organizations to support the ‘No’ campaign [were observed]. The campaign rhetoric was tarnished by a number of senior officials equating ‘No’ supporters with terrorist sympathizers. In numerous cases, ‘No’ supporters faced bans of their campaign activities, police interventions and violent scuffles at their events.

- The legal framework for the referendum neither sufficiently provides for impartial coverage nor guarantees eligible political parties equal access to public media...
- The law does not guarantee effective redress for electoral board decisions...
- Referendum day proceeded in an orderly and efficient manner in the limited number of polling stations visited by the OSCE/ODIHR... Police presence was widely reported in and outside polling stations and in some cases police were reportedly checking voter identification documents before granting access.
- Following referendum day, a number of appeals of the SBE decision on the validity of ballots and requests for the annulment of results were submitted to the SBE, including a large number from individual citizens; all were rejected.

#### June 25, 2017, Parliamentary Elections in Albania

- The 25 June 2017 parliamentary elections took place following a political agreement between the leaders of the Socialist Party (SP) and Democratic Party (DP) that secured the participation of the opposition. Electoral contestants were able to campaign freely and fundamental freedoms were respected. The implementation of the political agreement created challenges for the election administration and resulted in a selective and inconsistent application of the law. The continued politicisation of election-related bodies and institutions as well as widespread allegations of vote buying and pressure on voters detracted from public trust in the electoral process. In an overall orderly election day, important procedures were not fully respected in a considerable number of voting centres observed. There were delays in counting in many areas.
- The legal framework provides an adequate basis for the conduct of democratic elections, even though many prior OSCE/ODIHR and Council of Europe's Venice Commission recommendations were not addressed, including the need to depoliticize key aspects of the election administration.
- The Central Election Commission (CEC) operated transparently with regular public sessions... The CEC, however, did not take measures to clarify inconsistencies related to newly amended legislation and some of its decisions were not consistent or legally sound. The formation of lower-level election commissions was completed long after the legal deadlines due to late nomination by parties of the commissioners. This ...diminished the efficiency of the election administration.
- The voter registration is passive and overall no significant issues related to the accuracy of the voter lists were raised...
- While largely inclusive, the candidate registration process suffered from selective and inconsistent application of the law and was, at times, based on the political agreement rather than the law.
- The campaign presented a variety of political options. Fundamental freedoms of assembly and expression were respected.

- The amended legislation contributed to transparency and accountability of campaign financing... Transparency was reduced by the absence of disclosure requirements before election day.
- Media provided the electorate with extensive campaign coverage, providing voters with a range of political opinions.
- National minorities were generally afforded a fair opportunity to participate in the elections, both as candidates and voters, including in mother languages.
- The Electoral Code sets out an administrative complaint procedure against decisions of lower-level commissions and judicial appeal against CEC decisions. However, the responsibility for handling complaints about violations of campaign regulations was unclear.
- Election day proceeded in a mostly orderly manner but key procedural irregularities and omissions were observed... Concerns were noted about possible intimidation by groups of party activists in and around voting centres.

#### July 7, 2017, Presidential Election (Second Round) Mongolia

- The first-ever presidential runoff took place against the backdrop of legal uncertainty. Positively, the General Election Commission issued clarifying regulations and, against the time constraints, administered the election in an efficient manner. The period between the two rounds was tainted by instances of blurring the line between governing and campaigning, as well as widespread allegations of vote-buying. Campaigning, although the law was widely interpreted as prohibiting it, was predominantly carried out online or through direct engagement with voters and remained antagonistic. Calling on voters to cast blank ballot in protest was a distinct feature of the runoff. The election day itself was orderly, and knowledgeable polling station staff efficiently facilitated voting.
- The second round took place in the wake of a highly-charged campaign that preceded the first round of the election. Widespread allegations of candidates' involvement in corruption, as well as expressions of doubt in the accuracy of the electronic vote counting equipment, the perceived political bias of election officials, and overwhelming rumours of vote-buying weakened confidence in the electoral process.
- The electoral legal framework generally provides an adequate basis for holding democratic elections, yet it contains only a few provisions explicitly pertaining to a runoff. Most importantly, the absence of provisions regarding the campaign between the two rounds was widely interpreted as a prohibition of campaign activities. These omissions, coupled with the novelty of a presidential runoff, led to confusion amongst stakeholders and voters.
- The GEC made commendable efforts to address legal ambiguities and to provide guidance to lower-level commissions. Election materials, including electronic vote counting equipment, were prepared within the condensed timeframe.



- Defamation and libel were decriminalized on 1 July. However, fines for such offences remain disproportionately high and apply to online posts by individuals as well. Media continued the tendencies observed in the first round, displaying a biased approach towards the contestants.
- Election day proceeded in an orderly manner and procedures were followed in the polling stations visited...