

Report on the observation of the presidential elections in the Republic of Serbia (Serbia and Montenegro) - 16 November 2003

Rapporteur of the CLRAE Delegation: Mr. Joseph BORG (Malta)

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1. Introduction

Following the invitation by Ms. Nataša Mičić, Speaker of the Parliament of the Republic of Serbia, the CLRAE decided to send a delegation to observe the presidential elections scheduled for 16 November 2003 in the larger republic within the state of Serbia and Montenegro.

The CLRAE observer group was headed by Mr. Joseph Borg (Malta) and included the following members: Ms. Britt-Marie Lövgren (Sweden), Ms. Suvi Rihtniemi (Finland), Ms. Noreen Ryan (Ireland), Mr. Lars Molin (Sweden), Mr. Peter Paul Müller (Germany), Mr. Jukka Nyberg (Finland) and Mr. Peter Torkler (Germany). The delegation was accompanied by Mr. György Bergou and Mr. Mats Lindberg from the CLRAE Secretariat.

The CLRAE delegation received considerable assistance both during the preparation of the mission and on the spot from Mr. Jørgen Grunnet, Special Representative of the Secretary General in Serbia and Montenegro and from the staff of the Council of Europe field office.

The CLRAE observers worked in close co-operation with the OSCE/ODIHR Election Observation Mission headed by Mr. Nikolai Vulchanov, and wish to thank for the logistical support, briefings and consultations provided to the delegation throughout the mission.

The ODIHR had a team of long-term observers based in the main regional centres, preparing the observation exercise for election day, when more than 150 short-term observers were deployed throughout the Republic.

In the days preceding the 16 November elections the delegation met with representatives of the main political parties, the Republic Election Commission, the Centre for Free Elections and Democracy (CESID) and the Strategic Marketing and Media Research Institute (see programme in appendix 1).

On election day the five Congress teams were deployed in the following areas of Serbia: Mr. Nyberg / Mr. Lindberg – Belgrade, Mr. Borg / Mr. Bergou – Novi Sad, Mr. Müller / Mr. Torkler – Kragujevac, Ms. Ryan / Mr. Molin – Novi Pazar and Ms. Lövgren / Ms. Rihtniemi – Niš. The five teams visited some sixty polling stations altogether.

Following election day a joint press conference was held with OSCE/ODIHR and a joint press release was issued (appendix 2).

2. Political background

After a cycle of elections in 2002 that failed to elect a president due to voter turnout below the 50 per cent level required for valid elections, the office of the President of the Republic was assumed by the Speaker of Parliament in December 2002, to remain acting President until a new president is elected.

The presidential elections scheduled for 16 November 2003 thus provided the third opportunity to elect a president of the Republic of Serbia, after the failed attempts of September/October and December 2002.

Observers of the previous presidential elections concluded that the conduct of elections largely met international standards for democratic elections. However, a combination of political impasse and defective legislation has led to a cycle of repeat elections which have failed to elect a president.

After the failed elections, a comprehensive and urgent review of all election legislation and co-ordinated efforts to improve the accuracy of voter registers were recommended before holding new elections. Although the government has subsequently undertaken significant attempts to clean the voter registers, no legislative amendments were adopted, notably regarding the voter registration system that lacks an adequate legal framework, nor the minimum turnout requirement in presidential elections, which has been responsible for causing repeat elections.

The new presidential elections have been called at a time of increasing political disputes between the main political parties previously co-operating within the Democratic Opposition Coalition (DOS) that successfully defeated forces of the Milosevic regime in the 2000 parliamentary elections in Serbia. Since then, the deepening conflict between the two largest DOS coalition parties, namely the Democratic Party of Serbia (DSS) led by the President of the former Federal Republic of Yugoslavia Vojislav Kostunica and the Democratic Party (DS) of late Prime Minister Zoran Djindjic, has contributed to the crisis of democratic institutions in Serbia.

The political controversies intensified in 2002, after the decision of the Administrative Committee of the Parliament to replace the Members of Parliament who left the DOS coalition, most of them from DSS. In May 2003, the Constitutional Court of Serbia ruled that the provision of the election law that created the legal basis for the replacement was unconstitutional and the mandates should be returned. However, the return of mandates has not been accomplished yet, thus the legality of the composition of Parliament has been repeatedly questioned in Serbia. In addition, the failure of the repeated attempts to elect a President of the Republic in 2002 left the country for almost a year without an elected president.

Thus the election environment was again influenced by a political impasse resulting from long-standing disputes between former partners of the DOS coalition. Several major political parties, including the DSS, the Socialist Party of Serbia (SPS) and G17 Plus, chose not to field candidates, which narrowed the choice for voters, inevitably influenced the campaign, and could impact on the outcome of the elections. Instead, these parties backed a call for early parliamentary elections to break the enduring political deadlock.

The SPS, the Party of Serbian Unity (SSJ), and the Serbian Renewal Movement (SPO) even called on their voters to boycott the presidential elections. On the far-right of the political scene, the Serbian Radical Party (SRS) of Vojislav Seselj seems to benefit from the political impasse in the Republic. According to recent opinion polls, it has largely attracted the support of former SPS (Milosevic) voters, and the indictment of four Serbian generals by the Hague tribunal in October only increased the party's popularity.

Furthermore, different political representatives during their meeting with the CLRAE delegation argued that conducting the presidential elections before the forthcoming constitutional reform that may terminate the term of office of the elected president, is not rational. They charged that the intention behind conducting these elections was to draw public attention away from opposition demands for early parliamentary elections.

However, during the election campaign, the National Assembly began debating votes of no confidence in the Speaker of the Parliament and in the government. The debate showed growing cracks in the government coalition, and before it had come to a vote, the Speaker of the Parliament decided to dissolve the Assembly three days before the presidential elections and called early parliamentary elections for 28 December 2003.

3. Legislative framework

In an important development, on 18 September 2003, the Serbian Constitutional Court ruled on the provision in the presidential election law stipulating that "the Speaker of the National Assembly of the Republic of Serbia is to decide on calling new elections for the President of the Republic within 60 days from the day when unsuccessful elections were held". In contrast with interpretations after the failed 2002 elections, the Court stated that the 60-day period for calling new elections after an invalid election is binding and that the Speaker of Parliament has no discretion on whether to call new elections or not.

The law on the election of the president of Serbia is largely a legacy from the previous regime, even if the Parliament adopted a number of amendments after the first failed attempt to elect the president. Most of the amendments followed the recommendations made by international observers, including the removal of the 50 per cent turnout requirement for the second round of the election.

However, the legal framework still consists of provisions that allow for a cycle of failed elections. The amendments to the presidential election law retained the requirement for half of all voters to participate in a first round presidential ballot in order for it to be valid, otherwise the first round must be repeated. Whilst there is no international standard on the level of voter participation in a presidential election, given the repeated failure of these elections on the basis of turnout, the turnout requirement is impractical, counter-productive to the concept of participatory democracy and leads to the possibility of an endless and expensive cycle of repeat elections. In addition, if such a requirement is to be met, a voter register of high accuracy and legislative provisions that enable all registered voters to vote are necessary. Neither is currently present in Serbia.

After a second invalid election in December 2002, the OSCE/ODIHR recommended that "the requirement for a minimum voter turnout in the first round could be dropped or modified to allow the two strongest candidates to contest a second round, regardless of voter turnout in the first round". However, no amendments were made to the election legislation in the nine months between the December elections and the time the new presidential elections were called.

The turnout requirement has tended to encourage electoral boycotts from political forces that may seek, for their own party interests, to prevent a popular opponent from winning. Where elections have failed because of boycotts, the confidence of voters in the worth of voting has the potential to be undermined, further weakening public confidence in a democratic process.

Furthermore, the voter turnout requirement in Serbia is established not by the Constitution but by the presidential election law. The Constitution envisions a presidential office that executes laws promulgated by the Parliament, unhampered by vacancy. Constitutional provisions that promote the continuity and stability of the presidential office underscore this principle and are at odds with legislative provisions that can lead to a perpetually vacant office.

The legislation also contains significant shortcomings due to a lack of provisions that regulate voting in prisons and hospitals, and voting abroad. Without such provisions, certain categories of eligible voters are effectively disenfranchised.

While all political interlocutors agree that a comprehensive revision of the legislation is necessary, no action was taken to address shortcomings in the election legislation or to implement recommendations made after last year's failed elections. In order to achieve a credible revision of the legislative framework, political parties will need to reach consensus on the framework and content of reforms to be made.

There are also some inconsistencies between the presidential and parliamentary election laws, insofar as there are two different administrative structures for Republic-wide elections in Serbia. The parliamentary law retains a two-tiered election administration that excludes an intermediate municipal level. The inclusion of Municipal Election Commissions into the structure was made by the presidential election law. The presidential election law imposed obligations on the Republic Election Commission and the Republican Bureau of Statistics for the processing of results that are not contained in the parliamentary election law.

4. Election administration

In accordance with the parliamentary election law, the Republic Election Commission has a chairperson and 16 "permanent" members (all with deputies) appointed by Parliament in June 2002. For a presidential election, each candidate has the right to appoint a representative as an "extended" member of the REC. There is no differentiation between the rights of the permanent and extended REC members.

The practical difficulties of the two-tiered election administration structure envisaged by the parliamentary election law were remedied for the September/October 2002 elections by establishing an *ad hoc* system of District Co-ordinators and Municipal Working Groups in each of the 161 municipalities in Serbia. However, there was no legal basis to the decision and no clear definition of the composition of MWGs or their competencies.

The November 2002 amendments to the presidential election law addressed this shortcoming by incorporating the Municipal Election Commissions (MECs) into the election administration structure. MECs generally have multi-party representations and, in addition, all candidates were entitled to nominate extended members to the MECs, even if they were not represented in the municipal assembly.

In general, the multiparty composition of election administration contributed to the transparency of the electoral process. However, a number of political parties that did not wish to nominate candidates for the 16 November 2003 contest have expressed concerns that they will be excluded from the MECs and Polling Boards thus the election administration process would be controlled only by those parties that have an interest in the success of the elections.

These concerns have not been confirmed by the observers, who found that in the more than 8,600 polling stations, Polling Boards were generally composed of 6 permanent non-partisan members, appointed by the MECs. Only a small number of complaints were made in relation to the appointment of PB presidents and permanent members in certain municipalities. Additionally, each candidate was also entitled to nominate a representative as an extended member of the PB. Candidates exercised this right to a varying degree.

Depending on whether presidential or parliamentary elections are being held, existing legal provisions may allow for different interpretations of Art. 29(4) of the parliamentary election law, which states that no party or coalition may have a majority in the permanent composition of electoral bodies. As a result, a number of complaints were filed with the REC before the elections in relation to the composition of Polling Boards. However, they were all rejected on procedural grounds.

The procedure for submitting election complaints allows for an ambiguous interpretation of certain deadlines. As a result, the procedure was not always correctly followed by complainants, resulting in the dismissal of their complaints on procedural grounds.

Overall, the election administration performed its duties in a transparent and efficient manner. Representatives of candidates were appointed to the extended composition of all levels of election-administration bodies, and they had the opportunity to participate in the conduct of the elections.

5. Voter registers

Given the minimum voter turnout requirement for valid elections, the accuracy of voter registers plays a key role in the presidential election process. Although the legislation requires that a central voter register be established in Serbia, the law does not stipulate as to which agency should be responsible for the maintenance of a central register, or how the system should function.

Citizens aged 18 and over are included in the voter register on the basis of their declared municipality of permanent residence or, in the case of IDPs, their temporary residence. Major problems with the quality of voter registration relate to a lack of uniform software used by municipalities to maintain their databases of voters. The lack of a systematic approach to data storage creates serious problems when information is collected from different municipalities.

The quality of voter registers has been a source of controversy during the previous elections, notably the DSS claimed that 600,000 "phantom voters" included in the total number of more than 6.5 million registered voters prevented the successful election of Mr. Kostunica.

After the last cycle of failed elections, the Ministry for Local Self-government undertook a serious effort to improve voter registration data in all 161 municipalities of Serbia. Over 1.5 million errors were identified affecting 520,000 voters' records. Officials from the Ministry acknowledged that more than 100,000 technical errors still exist in the unique identity numbers of citizens – a concern expressed by opposition parties as well. While such types of errors are unlikely to prevent citizens from voting, the problem should be promptly addressed to enhance confidence and avoid disputes in future elections.

Whilst in contrast with previous elections, voter registers were not a major source of controversy this time, unambiguous legislation stipulating which body is responsible for maintenance of a central voter register, and legislative provisions that

enable all registered voters to vote, are still required to ensure significant progress. Co-ordinated efforts will be essential to further improve the accuracy of voter registers in Serbia.

6. Election campaign and the media

The election was contested by six candidates: the President of the Democratic Party "Fatherland" (DSO), Radoslav Avlijas; the Mayor of Cacak and Chairman of New Serbia (NS), Velimir Ilic; the Speaker of the Parliament of Serbia and Montenegro and Chairman of the Democratic Center (DC), Dragoljub Micunovic (candidate of DOS); the Deputy Chairman of the Serbian Radical Party (SRS), Tomislav Nikolic; the Chairman of the People's Farmer's Party (NSS), Marijan Ristic; and the Secretary-General of the People's Socialist Party (SNS), Dragan Tomic.

Registration of four potential candidates was rejected on legal grounds, such as a lack of required documentation or an insufficient number of supporting signatures. One rejection was appealed to the Supreme Court, which upheld the decision of the Republican Election Commission (REC). Candidates had 39 days from the day the election was called until the deadline for submission to prepare their candidacies, as opposed to a limited period of 10 days in the last presidential election.

The election campaigns conducted by most of the candidates were low-key. The only candidate to post billboards throughout the republic was Mr. Micunovic, while other candidates put up only a small number of posters. Some candidates complained that limited financial resources hampered their campaign activities and lowered visibility. Candidates held campaign meetings throughout Serbia, with Mr. Micunovic being particularly active. He was often accompanied on his campaign activities by senior government officials and leading DOS politicians.

Media coverage of the election campaign is regulated by the newly adopted Broadcasting Law. In line with this new legislation, on 14 October 2003, the Council of the Republican Agency for Broadcasting Media issued Binding Instructions on the Pre-election Campaign for the Presidential Election applicable to both state and private media. In a welcome development, these Binding Instructions oblige all broadcasters to ensure equal opportunity to all contestants, including offering equal rates for paid advertisements.

Under the Broadcasting Law, the Council shall supervise the work of the broadcasters and, in the event of any breach of the Binding Instructions, shall undertake legally prescribed measures. However, apparent breaches in the appointment procedures of some of the members of the Council, together with the lack of confidence in their neutrality expressed by some interlocutors, could have undermined the credibility of this regulatory body.

According to data supplied by the ODIHR mission, of the total coverage devoted to political actors during the campaign, broadcast media dedicated 38 per cent of their coverage to presidential candidates. The print media devoted just 15 per cent of their coverage of politics to the candidates. Instead, the media focused on other news items, including the debate on no confidence in the government and in the Speaker of Parliament, the possibility of early parliamentary elections, and a number of alleged scandals and accusations involving members of the government.

In compliance with its obligations, state TV RTS 1 provided all candidates with free airtime and balanced inclusion in its election programmes. Private electronic and print media devoted more attention to Mr. Micunovic, while the other candidates received less frequent coverage, with TVB92 and TVBK giving the DOS candidate 64 per cent and 50 per cent, respectively, of the time dedicated to presidential elections.

Overall, the tone of the campaign in the print and electronic media remained politically neutral.

7. Election day observations

Polling was conducted in a relaxed atmosphere and generally in accordance with the law and regulations. Polling Boards worked efficiently, impartially and tried to ensure correct voting procedures. The majority of PB presidents who were met stated that they did not represent any political party and were appointed on the basis of their experience. Representatives of most candidates generally were represented as extended members on PBs.

Observers of the Congress rated the polling and counting procedures positively in the overwhelming majority of polling stations visited. According to preliminary statistics from the ODIHR mission, the polling in more than 44 per cent of stations visited was assessed as excellent, and in another 45 per cent as good. Only in 1 per cent of visits observers assessed the manner of the procedures followed as "poor".

The main problems were difficult access to polling stations for disabled or elderly voters (noted in 13 per cent of visits) and group voting (13 per cent). Another problem noted was the failure of PBs to systematically check voters' identities before handing out ballots.

The methods of maintaining privacy for voters lacked uniformity and occasionally effectiveness, especially in a number of polling stations that were simply too small or where the voting equipment used was substandard (e.g. poor quality cardboard screens).

International observers were also able to check the voter lists to identify problems on the data. Some PB presidents indicated that they were aware of deceased persons still being registered as voters, although the numbers were small. In about a fifth of polling stations visited, at least one person had been turned away because of name not included on the voter list. Observers received a number of complaints on the issue of the prohibition of out-of-polling station voting, including from disabled voters unable to enter inaccessible polling stations.

The assessment of the vote count was excellent or good in 91 per cent of polling stations visited. In the vast majority of cases, procedures to safeguard the integrity of the count were implemented properly. The count was quick and efficient. Observers noted, however, that procedures were not always fully followed.

Due to a small number of inconsistencies such as the failure of each voter to sign the register, some observers reported that there were occasionally a few ballots in the box over the number of voters recorded as having participated. Some PBs had difficulty in completing the protocol of results due to such discrepancies. In the large majority of cases PB members received copies of the protocols, a copy of which was nearly always posted publicly.

One of the Congress teams also visited the MEC premises to observe the handover of election material. The processing of results at this stage was generally transparent although somewhat slow, with some premises overcrowded. Observers reported a high degree of confidence in the process and the accuracy of results reporting. The REC processed election results efficiently and transparently enabling the announcement of election results within the legal deadlines.

The entire election process was monitored closely by the Belgrade based Centre for Democracy and Free Elections (CeSID) that deployed over 10,000 observers in polling stations to monitor polling and counting. From these sources, CeSID was able to provide voter turnout figures and parallel vote tabulations on the count that were accurate and timely. The work of CeSID contributed significantly to the transparency of the election day processes and the public confidence in the accuracy of the results.

8. Election results and implications

Just under 40 percent of the 6.5 million registered voters cast ballots in the Serbian presidential elections on 16 November, which required at least a 50 percent turnout to be valid.

Of those who voted in the latest poll, about 46 percent chose Tomislav Nikolic of Vojislav Seselj's ultranationalist Serbian Radical Party (SRS), while approximately 35 percent opted for Dragoljub Micunovic of the governing Democratic Opposition of Serbia (DOS) coalition.

A surprisingly strong showing by a far-right candidate in this failed presidential poll has raised concerns about a possible return to power by ultranationalists in the upcoming parliamentary elections. Even if such fears are unlikely to materialize, Serbia still remains far from being a stable democracy.

The presidential election had been widely expected to fail for two reasons. The first is widespread voter apathy, because many Serbs are angry over the government's failure to solve the central problems of poverty, crime, and corruption. Investigations following the assassination of Prime Minister Zoran Djindjic led to revelations of links between the underworld and leading political circles, including virtually all parties and coalitions. Unproven charges of criminal wrongdoing have been made against many leading politicians or their close advisers.

The second reason for the failure of the presidential election was the political impasse resulting from disputes between former partners of the DOS coalition, as described in chapter 2 of this report. In fact, many observers have suggested that the DOS deliberately intended the successive presidential elections to fail in order to put off making difficult political decisions, including the holding of new parliamentary elections. If the DOS had wanted a presidential vote to succeed, it could have changed the relevant legislation by removing the 50 percent turnout requirement.

But this question became irrelevant when the DOS lost its legislative majority and was forced to call new parliamentary elections for 28 December 2003. Observers noted that the foreign governments that did much to support the fractious leaders of the DS, DSS, and G-17 Plus in recent years are likely to urge the politicians in those three "democratic forces" to sink their differences and ensure that the SRS and its allies do not make a strong showing in the parliamentary elections, which are expected to reshape the political landscape.

It is unclear when a new round of presidential voting will take place, or who is legally entitled to call a new election. The strong showing of SRS and the political actions that led to the DOS's loss of its parliamentary majority suggest, however, that democracy in Serbia needs a fresh impetus. One way of reducing voter apathy would be for the "democratic" politicians to address the voters' real concerns, outlining concrete programmes for eliminating poverty, crime, and corruption.

9. Concluding recommendations

In order to get out of the vicious circle of failed presidential elections and to improve the general election environment, the Congress should invite the authorities of the Republic of Serbia to implement the following fundamental measures:

- Remove provisions from the presidential election law that lead to an endless cycle of invalid elections and that invite boycotts. The requirement for a minimum voter turnout in the first round should be dropped or modified to allow the two strongest candidates to contest a second round, regardless of voter turnout in the first round.
- Carry out a comprehensive review of the election legislation, including the parliamentary election law, which also applies to presidential elections. Guarantee the right to vote to all categories of the electorate, enabling out-of-polling station voting for disabled and hospitalised persons and for those temporarily away from their homes, including Serbian residents momentarily outside Serbia.
- Remove the legislative inconsistencies between the presidential and parliamentary electoral systems. In particular, the Municipal Election Commissions should be incorporated in the election administration structure of parliamentary

elections. The parliamentary election law should be amended to require voter lists to be publicly accessible at polling stations in advance of an election.

- Adopt clear legislation to provide for the establishment and maintenance of a reliable voter register. A co-ordinated long-term effort is required to improve the process of compiling voter registers. A uniform civil database for the Republic should be established on the basis of clear, centrally established guidelines, even if responsibility for its maintenance could stay with the municipalities.

Additionally, the Congress recommends the following supplementary measures to improve future electoral processes in the Republic of Serbia:

- Consideration should be given to ensuring a better level of political pluralism on election administration bodies, including Polling Boards.
- The training of Polling Board members should ensure the proper conduct of all voting and vote count procedures prescribed by law. As a priority, a serious effort to prevent "group voting" should be undertaken by the REC.
- Polling stations should be selected to ensure they are of a suitable size and offer unimpeded access to elderly and disabled voters.
- The quality of voting screens should be improved and standardised.
- Greater transparency and accountability should be ensured for the allocation and the use of public funds to candidates for campaign expenditure. Similar provisions should be instituted for private funding.

Appendix 1

Draft Programme of the CLRAE Observation Mission,
Belgrade, 13-17 November 2003

Thursday 13 November 2003

16:00 Briefing with Mr. Jorgen Grunnet, Special Representative of the Secretary General of the Council of Europe to Serbia and Montenegro

Place: Council of Europe Office in Belgrade (Vuka Karadzica 12)

17:00 Meeting with Mr. Marko Blagojevic, Board of Directors, Center for Free Elections and Democracy

Place: Council of Europe Office in Belgrade

18:00 Meeting with Mr. Srdjan Bogosavljevic, Director of the Strategic Marketing and Media Research Institute

Place: Council of Europe Office in Belgrade

Friday 14 November 2003

09:00 Meeting with Mr. Aleksandar Popovic, Vice President and Mr. Nikola Lazic, President of the Committee for International Questions, Democratic Party of Serbia

Place: Premises of the Democratic Party of Serbia (Pariska 13, first floor)

11:00 Meeting with Ms. Ljiljana Benac-Santic, Secretary of the Republic Electoral Commission

Place: Parliament of Serbia (Kralja Milana 14)

14:00 Meeting with Mr. Milan Pajevic, Vice President for International Affairs, Political party G17 plus

Place: Trg Republike 5/VIII floor

15:00 Meeting with Ms. Gordana Comic, Vice President of the Democratic Party

Place: Premises of the Democratic Party (Krunska 69)

16:30 Meeting with Mr. Nicolai Vulchanov, Head of Mission and Mr. Stefan Krause, Deputy Head of Mission /Political Analyst, OSCE /ODIHR Mission

Place: Hotel Intercontinental

Saturday 15 November 2003

11:00 Meeting with drivers and interpreters at the Hotel Intercontinental

Deployment of the five CLRAE teams in the areas of responsibility:

*Belgrade
Novi Sad
Kragujevac
Novi Pazar
Niš*

Meeting with Long Term Observers in the regional centres

Familiarisation with the AOR

Sunday 16 November 2003

07:00 - Observation of elections

20:00

20:00 Observation of vote count

Monday 17 November 2003

Return to Belgrade

11:00 Debriefing of the CLRAE delegation at the Hotel Intercontinental

14:00 Joint Press Conference with OSCE/ODIHR

Press Release

International observers regret another failed presidential election in Serbia

BELGRADE, 17 November 2003 - As preliminary information indicates a voter turnout of less than 40 per cent, it is likely that yesterday's presidential election in the Republic of Serbia (Serbia and Montenegro) will be declared invalid. While the election was conducted generally in line with OSCE commitments and Council of Europe standards for democratic elections, observers deployed by the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Council of Europe's Congress of Local and Regional Authorities of Europe (CLRAE) are concerned that a third failed attempt to elect a president in the last 14 months may further undermine public confidence in the pace of democratic reforms in Serbia.

"We are disappointed that the legislative framework for elections has remained unchanged since the last attempt to elect a president in December 2002," said Nikolai Vulchanov, head of the OSCE/ODIHR observation mission. "We can only repeat our strong recommendation that unusual provisions allowing for an endless cycle of invalid elections be removed from the legislation."

The election campaigns conducted by most candidates were low-key, which could have contributed to low voter turnout. It should also be noted, however, that the choice of voters was narrowed, as several major parties chose not to field candidates, while a number of other parties called on their supporters to boycott the election. Media coverage of the campaign was mainly unbiased, with state television providing largely balanced and neutral coverage.

"No significant problems were reported regarding the polling and the vote count," said Joseph Borg, head of the CLRAE delegation. "The election administration, on the whole, worked in an efficient and transparent manner. It is regrettable that the work and resources invested in the process have been once again wasted."

The OSCE/ODIHR and CLRAE are prepared to assist the Serbian authorities implement the measures recommended in their statement of preliminary findings and conclusions. Both organizations will release final reports on these elections in about one month.