

**REPORT ON THE OBSERVATION OF THE LOCAL/MUNICIPAL ELECTION
IN THE REPUBLIC OF SERBIA (Serbia and Montenegro)**

19 September 2004 (first round)

**Head of Delegation: Alain CHENARD
(France, Honorary member and Former President of the Congress)**

Adopted by the Standing Committee of the Congress on 5 November 2004

1. Introduction

Following the invitation by Predrag Markovic, Speaker of the National Assembly of the Republic of Serbia, the Congress decided to send a delegation to observe the First Round of the Local Elections scheduled for 19 September 2004 in Serbia as well as local and regional election in Vojvodine. In Belgrade voting took place for the Mayor, member of the City Council and the members of the Municipalities Assembly.

The Congress observer group for the first round of elections on 19 September was headed by:

- Alain Chenard (Former President of the Congress, France, Expert),
- Slobodan Kovacevski (FYROM),
- Amrit Medirata (United Kingdom),
- Marian SZYMANOWICZ (Poland).

This delegation was accompanied by Oscar ALARCON from the Congress Secretariat and by Aleksander STOJANOVIC from the Office of the Council of Europe in Belgrade;

The Congress delegation was greatly assisted during the preparation of the mission by the Office of the Council of Europe in Belgrade. The OSCE/ODIHR informed the Congress that they would not cover this first round election.

In the days leading up to the first round of election on 19 September, the Congress delegation participated in a series of preparatory meetings organised prior to the elections. The Congress Delegation met six candidates for the Belgrade Mayor at the Standing Conference of Cities and Municipalities; the President of the Municipal Election Committee, Karsten Friis (OSCE Representative); Vladimir Goati (Researcher at the Institute of Social Sciences) as well as the President of the Board of Directors of the Centre for Free Elections and Democracy (CESID).

On Election Day (19 September) the Congress observer group was split into three teams and were deployed in the following areas of Serbia:

- Belgrade Centre City and surrounding municipalities: Alain CHENARD, Oscar ALARCÓN,
- Belgrade City and other surrounding municipalities: Slobodan KOVACEVSKI, Aleksander STOJANOVIC
- Novi Sad and Voivodina: Amrit MEDIRATA, Marian SZYMANOWICZ

The three teams visited a total of 55 polling stations

Following the election day a joint press conference was held and a press release was issued (Appendix 2).

2. Political background

The Local Elections, which took place on 19 September 2004, were the fifth time that the Serbian people had voted in less than a year, which means:

- Parliamentary elections, held in December 2003, led to the establishment of a new Government, comprising a coalition that includes the Democratic Party of Serbia (DSS), the Serbian Renewal Movement (SPO), New Serbia (NS) and G17 Plus; and then
- Presidential elections in June 2004 thus provided the fourth opportunity to elect a President of the Republic of Serbia, after the failed attempts of September/October/December 2002 and 16 November 2003 (see report on the last observation, 16 November 2003: Rapporteur: Joseph BORG (Malta, R, EPP/CD) (CG/BUR (10) 70) and 13 and 27 June 2004 – Rapporteurs: Ayse Bahar CEBI (Turkey, L, EPP/CD) and Christopher NEWBURY (United Kingdom, L, EPP/CD) (CG/BUR (11) 26).

It is interesting to note that, given the overall confidence in Election Day proceedings expressed by election stakeholders and previous OSCE/ODHIR election observation missions, the Election Observation Mission (EOM) and the OSCE did not deploy short-term observers on election days (19 September).

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.

Above and beyond the phenomenon of "quick-fire" elections, the first consequence of which is an increase in abstentionism, the high scores reached by radical candidates forced candidates from the democratic parties to form a front. This front easily won the presidential elections in June.

The second ballot in the municipal elections showed that this mobilisation had lost momentum. In Belgrade the victory was very close, particularly in Novi Sad, Serbia's second city, despite a democratic majority on the council, and it was the nationalist candidate who was elected.

3. Candidate Registration and the media

Our observations shall concentrate mainly on the city of Belgrade.

A total of 9 candidates for the mayor of the city of Belgrade were certified by the Municipal Election Committee to contest the 19 September Municipal elections (first round). They were, as listed on the ballot:

1. DS - Nenad Bogdanovic
2. DSS - Zoran Drakulic
3. G17 + - Branka Bosnjak
4. NDS - Slobodan Vuksanovic
5. PSS - Jasmina Mitroic Maric
6. SDP (DA) - Nebojsa Covic
7. SPO - Dragan Kojadinovic
8. SPS - Zarko Obradovic
9. SRS - Aleksandar Vucic

The Congress Delegation would like to pay tribute to the Standing Conference of Towns and Municipalities in Belgrade, its leader Djordje STANICIC (Serbia and Montenegro, ILDG), and the official responsible for the Belgrade Office, who managed to seat six of the nine aforementioned candidates around the same table two days before the election. This was a first, a major event which bore witness both to Serbia's determination to install democracy and to the effectiveness of the Congress' strategy aimed at promoting this type of partnership between local and regional communities.

According to OSCE/ODHIR, many parties started their campaigns in late August or early September. The campaign rhetoric was generally moderate and no serious incidents arose to damage the campaign. Both state and private media broadcasted on behalf of contestants and campaign events throughout Serbia.

According to OSCE/ODHIR, in general, the media provided adequate coverage of the campaign and offered voters a wide range of information on the contestants. Candidates did not face major obstacles in delivering their messages through the media. Television and radio presented candidates in regular news and current-affairs programming and in special election-related coverage. All the candidates we encountered told us that they had been treated fairly. Furthermore, candidates placed paid advertisements in the electronic media and in newspapers.

Some political parties and candidate representatives expressed dissatisfaction with the media coverage of their candidates; however, formal complaints relating to media conduct were rare. The participation of a collaborator of Mr. Bogoljub Karic, a wealthy media owner, sparked interest, and interlocutors who met by the Congress Delegation expressed some concern that the principle of balanced coverage might be prejudiced. The risk is very real, but the low result obtained by the person in question did not demonstrate the effectiveness of this outflanking manoeuvre.

4. The election campaign

The election campaign took place in a generally open and peaceful environment. Overall, political parties and candidates reported no serious impediments to their campaigns.

In addition, civil and political rights were generally respected by the authorities at all levels.

The campaign was relatively quiet. Election posters were common but less so than in previous elections. In most municipalities there was little meaningful debate on substantive issues. While some parties made genuine attempts to address local issues in their campaigns, national concerns such as unemployment and pensions tended to predominate over local issues.

Gender issues:

Women's presence and visibility in party hierarchies remains low. Issues of special concern to women were rarely dealt with during the campaign and women voters were rarely targeted in party platforms or campaign messages.

We should, however, note the high representation of women on the election committees and in the polling stations, as well as the presence of two women among the nine candidates in Belgrade and the election of a female candidate in Novi Sad.

5. Election day observations

The Congress delegation teams were able to observe 55 polling stations, one of them in the Central prison in Belgrade as well as home voting. Voting was carried out in a calm and orderly manner in the overwhelming majority of the polling stations visited. People seemed satisfied to be able to vote for their preferred option.

In general, the observers got the impression that the electoral process was fair and free. The Congress delegation would like to draw the attention to the relatively low participation turnout and to commend the professional and conscientious work by the polling staff.

However, a number of procedural shortcomings were noted but did not seem significant enough to influence the outcome.

- In many cases, the Delegation found that the access to the polling stations was difficult. This problem is even more serious when it concerns elderly or disabled people.
- Sometimes, polling stations were too small for the number of voters in the area. This resulted in undue congestion and chaotic scenes inside polling stations, or queuing in front of the polling stations.
- The cardboard screens provided by the election administration did not seem to be effective in ensuring the secrecy of voting in many cases. The use of booths would be more appropriate.
- A non-smoker environment should be respected within polling stations, being harmless to the entire polling board.
- Family voting was noticed on a few occasions, but such voting was infrequent as compared with past experience in this region.
- Some campaigning material within 50 meters of polling stations was also noted by some observers.

The Delegation welcomed the compliance with measures to safeguard the integrity of the polling process: voters presented photo IDs, signed the voting register and marked their ballots in secret.

Regarding the vote count, the Congress delegation enjoyed good co-operation with the members of the polling board. The counting process observed was rated as 'strong' and 'clear', reflecting good training and understanding. The complexity of the ballot colour papers however, posed an added difficulty to old people and those with visibility problems to select the correct polling box.

6. Conclusions

In order to improve future Municipal Elections and the general election environment, the Congress invites the authorities of the Republic of Serbia to take into account the following points:

- The Congress' Delegation is satisfied with the way the elections were conducted on 19 September 2004 in Serbia, though it was disappointed by the low rate of participation. In this respect, it is to be noted that the voting rate was lower than the rate of participation in the Presidential 2004 elections.
- Congress' observers have concluded that these elections were administered in line with the international electoral standards of the Council of Europe. They insisted that the successful conduct of the elections marked further progress towards the consolidation of democracy and the rule of law under domestic control. In a particularly positive development, the direct election of mayors was adopted through regular and democratic procedures. The Congress wishes to congratulate the Serbian authorities for their commitment in organising fair and democratic elections.
- The Delegation was highly satisfied with the calm and peaceful election campaign. However, the political support for radical parties and individuals indicted for crimes against humanity, after the years of wars that devastated the Balkans, is seen as a sign of the re-emergence of extreme nationalism in Serbia, and thus, the country sends out a negative message.
- The Congress wishes to express willingness to assist the new authorities and the civil society of Serbia in addressing the remaining challenges and to further the cause of integration in the wider European community.
- The Congress thanked Predrag Markovic, President of the National Assembly of the Republic of Serbia for his invitation to observe the elections and suggested legislative amendments to:
 - a. remove the large number of signatures required by candidates for their nominations to be accepted (a disproportionately large number of signatures is required to be registered as a mayor which renders controls very difficult and incite fraud).
 - b. enable out-of-polling station voting for disabled and hospitalised persons and for those temporarily away from their homes, including Serbian residents momentarily outside Serbia,

• **The Congress recommends the following measures to improve future electoral processes in the Republic of Serbia:**

- a. Polling stations should be selected to ensure they are of a suitable size and offer unimpeded access to elderly and disabled voters. There are still too many Polling stations of unacceptable size in consideration of the number of voters
- b. the quality of voting screens should be improved and standardised.
- c. to ensure a better level of political pluralism on election administration bodies (including Polling Boards)
- d. improve the training of Polling Board members with a view to ensuring the proper conduct of all voting and vote count procedures prescribed by law
- e. to prevent "group voting".

Appendices:

- Appendix 1: Draft Programme of the Congress Observation mission
- Appendix 2: Press Release

Appendix 1: Draft Programme of the Congress Observation mission

**COUNCIL OF EUROPE OBSERVATION DELEGATION
LOCAL ELECTIONS (19 September 2004)**

Thursday 16.09.04

Arrival, Hotel Majestic

Friday 17.09.04

9 : 00 – 9:30 Briefing Mrs.Nadia Cuk (Council of Europe) Venue: CoE Office

9 :30 –10:30 Mr.Karsten Friis, Pol.Adviser - OSCE Venue:CoE Office

11:45 – 12:45 Mr.Vladimir Goati, Researcher (Institute of social sciences)
Venue: CoE Office

13:00 – 14:00 Candidates for mayors Venue:Makedonska 22
floor 8, Dom omladine

14:00 –16:00 Lunch break

16:00 -17:00 CESID Venue: St.Lomina 9

17:00 – 18:00 Standing Conference of Cities and Municipalities
Venue: Makedonska 22
Floor 8
Dom omladine

Saturday 18.09.04

10:00 – 12:00 Debriefing (all CoE members)

Sunday 19.09.04

ELECTION DAY Belgrade and Novi Sad

Monday 20.09.04

14:30 – 15:00 Press Conference all CoE members) Venue: Media centre

Appendix 2: Press Release

**THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE ISSUES A FAVOURABLE
OPINION ON THE MUNICIPAL ELECTIONS IN SERBIA**

BELGRADE, 20 September 2004 - In a preliminary declaration published today, the observers from the Congress of Local and Regional Authorities of the Council of Europe issued a positive verdict on yesterday's holding of the first round of local elections in the Republic of Serbia (Serbia and Montenegro). They also said that it would be necessary to plan improvements relating to the financing of election campaigns and to the number of signatures required in support of candidatures. The Congress delegation comprised six observers, who monitored the ballot and vote counting on the day of the election, mainly in Belgrade and Vojvodina.

The team of observers concluded that election operations had been well-organised and largely in conformity with Serbia's commitments to the Council of Europe's standards on democratic elections.

Commenting on the observations made on election day, Mr Alain Chénard, head of the delegation, said that the election had been conducted calmly and in an orderly manner, and that no significant irregularities had been reported.

The important role played by advertisements and the media in the election campaign might well give rise to a disturbing defect. The funds used, but also the media control exercised by candidates, would inevitably create inequalities in campaigning conditions.

It would be helpful to limit the expenditure allowed and to control the use made of this. The number of signatures required for a candidature to be accepted was too high. While the desire to prevent too great a profusion of candidates was understandable, the signature quotas nevertheless needed revising.

This was the first time that Serbian voters had been asked to participate in direct mayoral elections. A consolidation of municipal power would result if the resources made available to local authorities backed up this devolution effort.

The overly high abstention rate in this first round highlighted this need, in order for citizens to feel concerned and to vote.

Mr Chénard concluded that democracy in Serbia had progressed in a way which needed to be both highlighted and encouraged.

For further information, please contact Oscar Alarcón, Secretariat of the Congress of Local and Regional Authorities of the Council of Europe, + 33 (0)3 90 21 46 74 ; oscar.alarcon@coe.int